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Wednesday, December 13, 2023

The Honourable RAYMONDE GAGNÉ,  
Speaker

## CONTENTS

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

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## THE SENATE

Wednesday, December 13, 2023

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

Prayers.

### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of the Honourable Peter Milliken, former Speaker of the House of Commons. He is accompanied by guests.

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

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

[*Translation*]

### BUSINESS OF THE SENATE

**The Hon. the Speaker:** Pursuant to the order of December 12, 2023, I leave the chair for the Senate to resolve into a Committee of the Whole to consider the subject matter of Bill C-56, An Act to amend the Excise Tax Act and the Competition Act. The Honourable Senator Ringuette will chair the committee.

#### AFFORDABLE HOUSING AND GROCERIES BILL

##### CONSIDERATION OF SUBJECT MATTER IN COMMITTEE OF THE WHOLE

On the Order:

The Senate in Committee of the Whole in order to receive the Honourable Chrystia Freeland, P.C., M.P., Deputy Prime Minister and Minister of Finance, and the Honourable François-Philippe Champagne, P.C., M.P., Minister of Innovation, Science and Industry, each accompanied by one official, respecting the subject matter of Bill C-56, An Act to amend the Excise Tax Act and the Competition Act.

(The sitting of the Senate was suspended and put into Committee of the Whole, the Honourable Pierrette Ringuette in the chair.)

**The Chair:** Honourable senators, the Senate is resolved into a Committee of the Whole to consider the subject matter of Bill C-56, An Act to amend the Excise Tax Act and the Competition Act.

Honourable senators, in a Committee of the Whole senators shall address the chair but need not stand. Under the Rules, the speaking time is 10 minutes, including questions and answers, but, as ordered, if a senator does not use all of his or her time, the balance can be yielded to another senator. The committee will

receive Chrystia Freeland, P.C., M.P., Deputy Prime Minister and Minister of Finance, and François-Philippe Champagne, P.C., M.P., Minister of Innovation, Science and Industry.

I would now invite them to enter, accompanied by their officials.

(Pursuant to the Order of the Senate, the Honourable Chrystia Freeland, the Honourable François-Philippe Champagne and their officials were escorted to seats in the Senate Chamber.)

**The Chair:** Ministers, welcome to the Senate. I would ask you to introduce your officials and to make your opening remarks.

**Hon. Chrystia Freeland, P.C., M.P., Deputy Prime Minister and Minister of Finance:** Hello and thank you, Madam Speaker pro tempore. Thank you to all the senators.

We are accompanied by Miodrag Jovanovic, the senior assistant deputy minister of the Tax Policy Branch of Finance Canada. He is a very important man, and we are pleased that he is here with us. Samir Chhabra, the director general of Marketplace Framework Policy at Innovation, Science and Economic Development Canada is also here with us.

[*English*]

It's a pleasure for me and François-Philippe Champagne to be with you today to discuss Bill C-56. I'll make a few opening remarks, and we look forward to answering your questions.

Bill C-56 is an important part of our economic plan.

[*Translation*]

Through the affordable housing and groceries act, our government is taking new, concrete action to build more homes faster and to make life more affordable for Canadians. I want to talk about why it is so important that the Senate support this legislation.

First, we are eliminating the goods and services tax, or GST, on new rental housing construction, which will incentivize the construction of more housing more quickly across the country. The idea is to enable builders to succeed by making it more affordable to build more housing that otherwise would not get built because of construction costs.

[*English*]

For example, in the case of a two-bedroom rental unit valued at \$500,000, a builder will benefit from \$25,000 in federal tax relief, which will make it more cost-effective for them to build. Our plan is already delivering results. To give you one example, a Toronto-based developer announced after we had announced this measure that they would build 5,000 new rental units across the country. These were units that were otherwise on hold. That's just one developer.

Today, about a third of all Canadians rent their homes, and whether they are students, families, young professionals, seniors or new Canadians, it's essential that we build more rental homes and we build them faster. I believe that's a goal that all of us share.

Second, Bill C-56 will also increase competition across our economy, particularly in the grocery sector. More competition means lower prices and more choice, and by increasing competition and cracking down on unfair and anti-competitive practices, we will help to stabilize prices for Canadians.

We're seeking to amend the Competition Act to give the Competition Bureau a real ability to investigate and crack down on price-fixing. We are also removing the "efficiencies defence" to end anti-competitive mergers that raise prices and limit choices for Canadians. We're empowering the Competition Bureau to put a stop to situations where large grocers prevent smaller competitors from establishing operations nearby.

[Translation]

As part of our economic plan, our government will continue to do everything in its power to create an economy focused on the well-being of all Canadians, and that's exactly what the bill will help us do.

[English]

At a time when there is so much division in so many countries in the world, I'm pleased to report to senators that Bill C-56 passed unanimously in the House on Monday. I really hope it will have the same support here.

• (1410)

[Translation]

Thank you very much. We will be happy to answer your questions.

[English]

**The Chair:** Thank you very much. Just a reminder before we start our questions — we have many questions, so I hope that the answers will be sharp and to the point. Our first 10-minute block begins with Senator Marshall.

**Senator Marshall:** Welcome to the Senate, minister. I'm going to start with Minister Freeland. For the GST rental rebate for new rental housing, the estimate in the fall fiscal update was \$4.5 billion over the next six years. How many homes are you expecting will be created with that \$4.5 billion?

**Ms. Freeland:** Thank you very much, senator, for the question. It is challenging to have a precise estimate of the

[ Ms. Freeland ]

number of new homes that will be built over the course of that time. So much depends on the broader macroeconomic conditions in the country.

Mike Moffatt, one of Canada's top housing experts, has estimated that the measure will lead to between 200,000 and 300,000 additional units being built.

**Senator Marshall:** Thank you for that information. In which year do you expect completion of the first housing units? It's a six-year program. We're only in year one but almost through it.

**Ms. Freeland:** As you know very well, senator, the program occurs over the course of many years. It applies from the date of announcement, because the idea was to create an incentive for new construction, and it depends very much on how long each project will take.

I was in Downtown Eastside Vancouver maybe 10 days ago at an affordable housing project that was funded by the federal government's affordable housing program. I was first there two years ago, in the summer of 2021, when shovels first went into the ground. I visited a couple of weeks ago, and I toured fully complete units. There are 231 completed affordable housing units. In May, tenants will start moving in. So construction can happen quickly, and we hope that that will be the case.

**Senator Marshall:** So will that be in two years' time?

**Ms. Freeland:** No, I didn't say that. It depends on the project, but I gave you an example of one specific project.

**Senator Marshall:** Bill C-56 also indicates the rental rebate program will run for 13 years, but the cost estimate of \$4.5 billion is just for the next six years. What's the estimated cost for the additional seven years?

**Ms. Freeland:** Thank you very much, senator. The idea of the program is to create an incentive for building right now, while we have a housing crisis, but it was important for it to be a multi-year program. We couldn't have a program for just one year because, as we all know, planning, getting permits and getting financing lined up for building takes some time.

That is why it is a multi-year program. But it is not an open-ended program because we think that it will be important for future governments to assess whether it's appropriate to keep this tax credit in place going forward.

I want to use this opportunity, though, to say to anyone who is interested in purpose-built rental construction in Canada, this program is here; it changes the economics of building considerably. We've also added \$20 billion to the Canada Mortgage Bond program, which adds additional financing support for purpose-built rental construction, and we hope that Canadian builders will take advantage of it.

The Housing Accelerator Fund is also easing the permitting and zoning requirements across the country and will create more room for purpose-built rental to be built faster.

**Senator Marshall:** You indicated it is not an open-ended program. But it is open-ended; it runs to 2036. You've given an estimate for the first six years, but there's no estimate for the following seven years. Why would you not estimate the cost for this program so people can know exactly what it is?

**Ms. Freeland:** Actually, senator, we've put the program in place as a multi-year program because we know — and I think everyone here knows — that building and projects take time. This is a program to say to developers: One, we want you to build more and faster; two, we want builders to move from building condos to building purpose-built rental. Certainly, in the city I represent — Toronto — the vast preponderance of projects have been in the condo space because the financing worked better there. By lifting the GST on purpose-built rental, we changed the math for builders. Canadians are already seeing a response, and that is the market where we need more housing.

**Senator Marshall:** Thank you. The chief economist at the Canada Mortgage and Housing Corporation, or CMHC, told us the corporation hadn't had the time to estimate the specific impact of a \$4.5-billion program. Why would the government commit to spending \$4.5 billion on a program without undertaking an impact assessment?

**Ms. Freeland:** Senator, I hope you and all senators will agree that housing is fundamental to the well-being of Canadians and the Canadian economy. We believe there is a housing crisis and that it is essential to get more homes built faster. I myself would struggle to explain to a young Canadian struggling to find a place to live why we delayed this essential program.

**Senator Marshall:** Minister, you allocated \$4.5 billion to a program with very few details. You can't give us specific information with regard to the number of homes being built. The chief economist at CMHC told us that the corporation hasn't even done an impact assessment for a \$4.5-billion program.

**Ms. Freeland:** The program, senator, is clear and simple, and that is its strength. We have simply said that we are eliminating the GST on purpose-built rental. Many provinces have followed our lead.

**Senator Marshall:** Thank you.

**Ms. Freeland:** I would say, senator, that I don't think now is the time to be placing more red tape and bureaucracy in the way of getting more homes built in Canada.

**Senator Marshall:** Thank you.

**Ms. Freeland:** I hope all senators, conservative and progressive, would agree with that.

**Senator Marshall:** Minister, in your Fall Economic Statement, you called Chapter 1 "Canada's Housing Action Plan." At a recent Senate Banking Committee meeting, of which I was a participant, Minister Fraser said there was no specific strategy outlined in the Fall Economic Statement and that the government

is working on developing a comprehensive plan. In other words, there is no plan. The President and CEO of CMHC said the same thing. She confirmed that there is no plan.

Given the significant amount of money already spent on housing, which you alluded to, and the \$4.5 billion that's going to be spent on this program, why isn't there a housing plan? Billions of dollars are going out the door, and there is no plan.

**Ms. Freeland:** Senator, with all due respect, I strongly disagree with that assertion. We do have a housing plan, and we're showing it every single day —

**Senator Marshall:** Your Minister of Housing disagrees with you.

**Ms. Freeland:** Well, I am speaking here. I'm sure the Minister of Industry will agree with me.

**Senator Marshall:** The Minister of Housing —

**Ms. Freeland:** I speak to him often. In fact, I sat with him at a press conference just Tuesday morning — I think that was just yesterday, actually — where we announced the latest step in our housing plan, which is that we are going to have pre-approved plans for housing to get more homes built faster.

And *The Globe and Mail*, which does not always endorse everything our government does, just published an editorial saying that this plan, which harkens back to some of the urgent measures our government took after the Second World War, is exactly what Canada needs.

We are doing more to get more homes built faster every single day, whether it is lifting the GST on purpose-built rental, adding more financing to the construction of apartments, the \$15 billion in the Fall Economic Statement, the Housing Accelerator Fund, adding more money for affordable housing or the First Home Savings Account.

We're doing more every single day, because this is a crisis.

**Senator Marshall:** Please send a copy of your housing plan to your Minister of Housing and also the President and CEO of CMHC — and could you send a copy to us also? Thank you.

**Ms. Freeland:** It is right here in the Fall Economic Statement. I brought copies for senators to review.

**Senator Marshall:** It is not a plan.

**Ms. Freeland:** I do not believe our work on housing is done. I think we need to do more every single day. This is the most urgent issue for Canadians. We do not claim that our work is finished, but we are doing important things. We've done major things this fall. Lifting the GST on purpose-built rental is a

significant step. I hope senators will see that. I hope they will see the market response. I hope they recognize the need. We're going to keep doing more every single day and every single week.

• (1420)

**Senator Marshall:** Bill C-56 provides limited details on the GST/HST new residential rental property rebate program. Your officials have explained that regulations will be released in the future, providing more details on the program, but they couldn't provide an estimated date or time frame. Given that builders will most likely want to see the details of the program before committing to construction, can you tell us when the regulations will be released?

**The Chair:** Madam Minister, I'm sorry. The time has expired for this first —

**Ms. Freeland:** I have an answer to her question. Maybe I'll begin the next Conservative round with that answer, because the fact is that we are already —

**The Chair:** Madam Minister, we are moving to the second block of 10 minutes.

**Senator Loffreda:** Thank you, ministers, for being with us here today. Welcome to the Senate.

I'm delighted to see this bill before us now. Hopefully, we can adopt it before we adjourn for the holidays. My question will focus on the second part of the bill, namely the changes to the Competition Act. I welcome these proposed changes and hope they will achieve their intended objective of stabilizing food prices for Canadians.

Minister Freeland or Minister Champagne, how will you or any future minister determine whether conducting an inquiry is in the public interest? Is there a defined set of criteria or threshold to be met to establish a case for an inquiry?

What are your expectations in terms of the consultation process between the minister and the Commissioner of Competition before directing an inquiry?

How do you anticipate this all plays out?

**Hon. François-Philippe Champagne, P.C., M.P., Minister of Innovation, Science and Industry:** First, it's an honour to answer the senator from Shawinigan. It is my first question in the Senate.

Senator, what we have presented to Canadians is the most comprehensive reform in the last, I would say, 37 years in this country. We started with the market study that was done on groceries. I'm sure senators have seen that the Competition Bureau has been saying very clearly that this was not a complete study, because one of the things we have been missing in Canada, believe it or not, is that our regulators do not have subpoena powers.

I would say as a lawyer and someone who has done something on competition around the world, it is shocking to me to believe that, in 2023, our Competition Bureau would not have subpoena powers in order to compel documents or information to give

Canadians and governments — and I would say even the Senate — a full picture of the state of competition in one particular industry.

So, what we've been trying to fix — and you've seen it in the bill, and as Minister Freeland said, it is supported by everyone — you will have a new power where the minister can now conduct or demand that there be a study. There is a consultation process to make sure there are checks and balances between the minister and the Competition Bureau. A mandate would have to be published, and a study would have to be done within 18 months.

On the one hand, we wanted to make sure that future ministers would have more power in order to provide Canadians an overview of an industry but, at the same time, not to have an undue burden on businesses. I think we strike the right balance when we do that.

If there is one thing I think we have achieved in Bill C-56, apart from everything Minister Freeland mentioned with respect to housing — for me, the best way to provide more competition in this country is to reform the act. We want more competition, less consultation and better prices for Canadians. If you look at jurisdictions, certainly in the G7 and the Organisation for Economic Co-operation and Development, or OECD, the best way to provide price stability and lower prices is to have more competition.

The market study piece is a key one because, as I said, even on the grocery sector, we have not had a chance to do a full study. However, with the new powers, I intend to look at that again so that Canadians can be better informed about the state of the industry.

**Senator Pate:** Welcome to both of you. I'm very pleased to see the measures in Bill C-56 that provide tax incentives for building and owning long-term rental properties, with the aim of increasing rental supply and decreasing rents, as you mentioned. However, the bill does not focus on promoting affordable housing for those in the most urgent need of safe shelter, particularly those on social assistance, in shelters, in tent cities or on the streets. These people are unlikely to be able to afford or access market-rate housing.

How will the needs of those groups be addressed? What steps is the government taking with provinces and territories, in particular, toward the establishment of national standards and funding agreements to ensure no one is left without necessary social, economic, housing and health supports?

**Ms. Freeland:** Thank you for the important question. As I was saying to Senator Marshall, we do not claim that this single bill is the one and only answer to the entirety of the housing challenge that Canada faces. It is one very important step. We have taken many other significant steps, both before this fall and this fall, including things like adding \$20 billion to the Canada Mortgage Bonds program and the announcement just yesterday of the uniform pre-approved plans for building.

Let me first just mention that I think lifting the GST on purpose-built rental, while not specifically targeting affordability, also helps with affordability. We really believe that a core part of the housing problem in Canada is just a simple question of

supply. We're lucky to be a growing country, and our housing supply is not keeping pace with our population. There is just a supply, supply, supply issue.

There is particularly a challenge, as I was saying to Senator Marshall, in the supply of purpose-built rentals, because hitherto, the economics of the construction industry, particularly in a city like mine, Toronto, tend to create an incentive for builders to build condos, which tend not to be on the rental market.

This bill is already going to mean there are many more apartments to rent across Canada, and that will make it more affordable to rent an apartment. That is really important.

In terms of immediately adding to supply, so is the measure that we put forward in the Fall Economic Statement on Airbnb and other short-term rentals. People quite rightly will say, "Look, we need homes right now. What are the measures for creating incentives for building doing?" The Airbnb measure, people estimate, will make as many as 30,000 units available right away.

On affordability, specifically, we do agree that there need to be programs in place to promote the building of deeply affordable housing. That does happen through our Rental Construction Financing Initiative, into which we added \$15 billion in the Fall Economic Statement. For each of the buildings that go up through that initiative, there are degrees of affordability as part of the agreement to get the financing.

**The Chair:** Minister, I have to interrupt you to move on to another senator.

**Ms. Freeland:** I can say more, but we can talk about it later. There are also co-ops.

**Senator Greenwood:** Minister Freeland and Minister Champagne, thank you for appearing today and answering questions about this important bill.

The bill seeks to incentivize the construction of new rental units. There are important measures in this bill to address housing and affordability issues, but what is missing is a plan to address the housing crisis among Indigenous peoples. Indigenous peoples are disproportionately affected by inadequate, unaffordable and unsuitable housing. Indigenous peoples are twice as likely to live in crowded housing and are three times more likely to live in housing that requires major repairs, regardless of locale.

Minister Freeland and Minister Champagne, beyond the 2022 budget commitment to address Indigenous housing gaps, what is the government's plan to address the systemic housing crisis that faces First Nations, Inuit and Métis peoples in this country?

**The Chair:** You have to answer that one.

**Ms. Freeland:** It is a very important question.

Going back to my answer to Senator Pate, broadly increasing the supply of purpose-built rental units helps everybody in Canada, including Indigenous people in Canada, but I would not claim that is the entire answer.

As you have pointed out, we've committed significant funding in previous budgets to Indigenous, northern and rural housing needs. That money now needs to be profiled and specifically directed to organizations. We are working very, very hard on that because — I agree with you — it is a big challenge on-reserve. I would also say to senators here that an area where I am particularly concerned is housing for urban Indigenous people in Canada, in cities like my native Edmonton.

• (1430)

**The Chair:** Thank you.

**Senator C. Deacon:** Ministers, thank you both for being here with us today to answer questions on Bill C-56. I am thrilled that we are beginning to see meaningful amendments to the Competition Act.

I would like to start with a general question to you, Deputy Prime Minister Freeland. Calling Bill C-56 the affordable housing and groceries act is a bit of a misnomer as it relates to competition because the Competition Act is a law of general purpose right across the economy. As such, what are your views on the need for a whole-of-government approach to foster robust competition across all sectors of our economy — well beyond groceries — but especially, as we've been seeing, increasing concentration in all sectors, including banking, telecom and airlines to name just a few?

**Ms. Freeland:** Thank you for the question. François-Philippe and I work together very closely, so I will echo part of his initial answer. Seriously, I believe these changes to competition law that we are putting forward and that you are debating are a generational change in Canada. They reflect a profound — I would say — evolution in the approach to competition in Canada. I think they reflect a recognition that we're growing up and getting stronger as a country, and — as I said in my opening remarks — we don't need the efficiencies defence anymore.

I agree with you that competition is not only about the grocery sector, but the grocery sector is very significant for Canadians. It is something people are very focused on right now, and it is an area where I think we can all directly see that increased competition would give Canadians more choice and help to stabilize prices. This act will do that, and it's one of the reasons I am very excited about making this change.

**Senator C. Deacon:** Thank you very much.

It is great to see the promise of open banking, so we'll see that followthrough in the budget.

**Ms. Freeland:** It is not just a promise. We are moving ahead with it.

**Senator C. Deacon:** Super. Thank you.

Minister Champagne, it is great to see you. Section 78 of the Competition Act relates to “abuse of dominance.” The House of Commons Standing Committee on Finance amended the section to add in a new subsection — and I’ll quote (k): “directly or indirectly imposing excessive and unfair selling prices” — to the list of possible offences. Concern has been raised that this amendment will require the bureau to enforce price controls and that the bureau has clearly indicated they don’t want to have that responsibility. Does the preamble in section 78(1) provide sufficient legal precedents to limit the application of all subsections from (a) through to the proposed (k) only to acts — and I’m quoting this from the preamble — that are:

. . . intended to have a predatory, exclusionary or disciplinary negative effect on a competitor, or to have an adverse effect on competition . . .

**Mr. Champagne:** Let me first thank you, senator, because you have been very seized with competition in this country for a number of years, if not decades.

I will just go back to what Minister Freeland was saying to your first question. There is a direct nexus between affordability and competition. As you were saying, it is true in the grocery sector. I agree with you, this is the most major reform in about four decades. Like I said, it gives us more choice and more transparency. You’ve seen the fight we’ve been fighting with respect to the grocery sector, but as the regulator of telecom — as you saw last time — we said no to the merger to make sure we would have more competition and affordability in the country.

To go back to your specific question, there is no place for price regulation in the act. Let me be clear on the Senate floor for all senators and all the Canadians watching at home: There is no place for price regulation in the act. This amendment was made because it is one element that could be considered. We have seen certain cases. You will recall that this particular amendment was added by the House in the context that people were referring to — for example, in the service station area in rural communities. You could see a link with price, but I would say we would rather deal with the cause as opposed to the effect. That’s why, I think, having more competition in this country is so fundamental. I would echo the words of Minister Freeland: This is a generational opportunity.

There are a lot of things in the act going back to — let me say — the so-called efficiencies defence. Certainly, no other G7 country would have anything like that. I think it is about time we put consumers first, put Canadians first and put competition first. Certainly, the act and Bill C-56 will go a long way in trying to restore more competition in this country.

**Senator C. Deacon:** Thank you very much, minister. I will keep going with questions to you, sir.

During the House of Commons Finance Committee’s review of the bill in the House, there was an amendment to allow the Commissioner of Competition to initiate market studies and compel the production of evidence — but with the terms of reference being approved by the minister. These are important changes, but some experts still question whether the commissioner is being provided with sufficient independence to

design, initiate and implement a market study and compel the production of evidence. What assurances can you provide to calm these concerns?

**Mr. Champagne:** I would say that we struck the right balance between the two. As you know, there was the power of the minister to demand that there would be market studies, but there are also a number of checks and balances in the system. The mandate has to be published, the report has to come within 18 months and there are judicial reviews. With respect to the mandate, you have seen the interaction between the minister and the commissioner to make sure the mandate would be published and people would have the right to comment.

I think we really strike the right balance there, because from a government perspective — which represents the interests of the people — you want the minister — whoever that minister might be in the future — to demand that a study be made in a particular industry. As a broader perspective, the government may have an agenda to look at an industry and see what we need to do in the interest of Canadians. At the same time, I understood that what the House wanted was that if a minister should fail to act in a case where he or she should be acting, this could be initiated by the commissioner.

I think this is good in a sense. You may have someone like me who is very focused on that, but you could have someone in the future who might be less focused. However, if the commissioner is there — you have both the minister and the commissioner — we have the balance we need to ensure that these studies would be initiated responsibly. They would be targeted, time-limited, subject to judicial review and afforded the confidentiality treatment under section 11. I think this is the right balance, senator, to serve the interests of Canadians.

**Senator C. Deacon:** That’s super. So you don’t see a potential for the commissioner to be restricted in moving ahead?

**Mr. Champagne:** I don’t see it. It is very complementary to what we’ve been doing. If you look at the grocery market study, for example, there are a lot of findings that we are putting in place. For example, we are looking at — you may have seen the article in the *Toronto Star* this morning — international players who may be interested in the Canadian market. I can tell you that this amendment — we will come to that part about restrictive covenants in the third section, which they call property controls — has been an impediment.

Believe it or not, one CEO told me that many years ago, they looked to enter into Canada but they could not find a lease for the number of stores they wanted in Canada because of these restrictive covenants. Maybe today, if we had that, we would have more competition in the grocery sector.

**Senator C. Deacon:** Absolutely. Thank you, Minister.

I’m just looking at repealing the efficiencies defence in section 96. I ask about it because the United States and the EU both consider efficiencies in a merger review but not the way section 96 was drafted. The underlying belief in section 96 was



that we had to protect Canadian companies so they could get big enough to compete globally, but that thinking has now been completely discredited with a lot of evidence.

Is the repeal of section 96 designed to remove pro-competitive efficiencies from merger reviews or simply to change the way in which those pro-competitive efficiencies are considered in a merger review by implicitly including it in section 96 when you are looking at merger effects?

**Mr. Champagne:** That is efficiency that would be pro-competitive. To your point, I think you understood it right. This has been used lately to allow mergers that are against competition to go forward. Canada was an outlier in that. It is time that we tackle that.

I must say, not only was it supported by our government, but you would have seen — I may say to the Conservative senators — that there was also a private member's bill from the Conservatives to repeal the efficiencies defence. I would say there is broad consensus that, as a mature economy, we don't need that anymore.

• (1440)

It is really an aberration — I would say — that it is still on the books in the laws of Canada. That will be addressing that, but, to your point, to the extent that the efficiencies would be pro-competitive, they would be considered, as you rightly said, by the Competition Bureau, and that's a good thing.

**Senator C. Deacon:** Thank you.

**The Chair:** We are now moving to the next period of 10 minutes.

[*Translation*]

**Senator Gignac:** Thank you and welcome, Deputy Prime Minister and minister. First of all, we want to thank you for everything you're doing to combat inflation and make housing more affordable, since it's the poorest people who suffer most.

I'll start with the Deputy Prime Minister. I'd appreciate it if you could be concise in your answer, since I'd like to ask Minister Champagne a question as well.

Not everyone in Quebec is on board with this federal government measure. Minister Girard has been reluctant to harmonize Quebec's policies with the federal measures, claiming that one third of the benefits would go to developers, one third would go to landlords and one third might go to renters.

Are there any studies or briefs you could share with us to reassure us that renters will benefit from this measure?

**Ms. Freeland:** Thank you for that question. I have discussed this measure with Minister Girard. I think it's up to the provinces and territories to decide whether they want to follow the federal government's lead and eliminate the GST on rental housing construction.

I believe that Professor Mike Moffatt is one of Canada's top experts on this subject. He has published studies confirming that this is an important measure. One really significant point to note is that current construction financing creates an incentive to build condominiums in cities where rental apartments are what is needed most. That is a big problem because Toronto, for example, does not need more condos. It needs rental apartments. That is one of the reasons this current measure is so important.

**Senator Gignac:** Thank you, minister. Professor Moffatt's credibility is beyond dispute.

Welcome, minister. You've held discussions with grocery store CEOs and you've made an effort. We are more or less dealing with an oligopoly. I'm trying to understand. Are there restrictive covenants in place? If so, how will this bill change things? Do any anti-competitive policies apply when a grocery store wants to open in a certain location but can't? Can you talk to us about that and tell us how the bill will change anything? You have about 45 seconds.

**Mr. Champagne:** Thank you, Senator Gignac. As I was saying to your colleague earlier, I met with a representative of a large U.S. chain who told me that one of the reasons they didn't enter Canada in recent years was that they couldn't lease commercial premises in the areas they were interested in, because there were too many restrictive covenants between landlords and tenants.

In the regions, for example, a mall may have a store from one of the three major grocery chains that control over 50% of the market, and there will be restrictive covenants in the leases for something like five kilometres around. There can be no competitors in that radius. I believe this particular provision will be a game-changer because we'll be able to attract other players in the future. Independent grocers are really excited about this measure, because they can't get a spot in the same malls as the big chain stores, and this is an issue that is reducing competition in this country.

[*English*]

**Senator Klyne:** Thank you and welcome. Deputy Prime Minister Freeland, recent data from Food Banks Canada reveals a distressing trend: a significant rise in food insecurity across the country. There were nearly 2 million visits to food banks across Canada last March — up 32% from March 2022. Moreover, according to the report, one third of food bank users were children, representing more than 600,000 food bank visits that month.

The survey finds that the main reasons for using a food bank are the costs of food and housing, as well as low wages.

I will move on to another question to save time: How does this legislation aim to break the cycle of food insecurity, particularly in communities where it coexists with housing challenges? What measures are being taken to ensure that the benefits of this bill reach diverse populations, including marginalized or vulnerable communities, Indigenous peoples and those in remote or rural areas? The second part to that question is the following: How does the government plan to measure the success and impacts of Bill C-56? Is the baseline data established as of today or prior to

COVID-19? Would pre-COVID data be considered the benchmark? How long before the optimal results will be reached?

**Ms. Freeland:** That's a very important but complicated question with many different parts. Senator, thank you very much for asking the question, and for starting off by talking about the most vulnerable among us. There is a food bank just at the end of my block that is run by my church, and I see that the lines are longer, and it breaks my heart.

I think it breaks the hearts of everybody here, and it should. Thank you for focusing our attention on it.

I will start by saying that Bill C-56 will help all Canadians. It will help the most vulnerable among us, but it is not the end of the story. There is a lot more that we need to do, and that we are doing. Since we are talking about Bill C-56 specifically, I will say a couple of things quickly: First, you are quite right to say that a key element in the life of a person or a family, and whether you can afford your life or not, is whether or not you have affordable housing. That is very often the most expensive part of people's lives. That's why we are so focused on having more affordable housing for all Canadians.

We believe that a big part of the answer is supply, supply, supply, and that's why you see measure after measure — week after week — focused on that. That will help everyone, including the most vulnerable —

**The Chair:** Madam Minister, we have to move on to the next senator.

**Ms. Freeland:** There is a lot that we need to do.

**Senator Cardozo:** Ministers, thank you so much for being here. I encourage you to spend more time with senators, whether it's in formal settings — like this — or informally. I think we can gain a lot more through two-way communication. I have two quick questions: Minister Champagne, you have met with grocery store CEOs. Can you tell us what you expect of them in order to give people a break? And would you consider price regulation for, say, a basic basket of groceries? Minister Freeland, at this time, are you looking at converting office buildings into rental housing?

**Mr. Champagne:** I will start. Thank you, senator, for saying that. I expect more from them, and I hope they are watching today. When I called them to Ottawa, I think it was a historic moment: I'm told that never in recent history were the top five grocers in the country — Sobeys, Loblaws, Metro, Walmart and Costco — called.

What I did at that time, senators — I hope you are behind me — was express the frustration of millions of Canadians who, on a weekly basis, have to buy groceries. I told them that we expect more from them. We understand it is a complex supply chain; everyone understands that. But we also expect them to

give Canadians a break. We said that they need to be with us on the journey to stabilizing food prices in Canada. We said — at the time — that there would be a number of measures, and we expected them to present things to Canadians. Some of them have been doing it.

We said that one of the key pillars of our action plan is the grocery code of conduct, which you have seen, and it has been two years in the making in order to provide more transparency and better equilibrium between the smaller-sized and medium-sized producers and the large grocers. When I talked to the Canadian Federation of Independent Grocers, which represents about 5,000 small grocers, they said that the most meaningful thing in Bill C-56 — including everything in the bill that Minister Freeland talked about — is the reform of competition. From the mid-term to the long term, we know that is the best way to provide price stability in the country and better prices for Canadians. We will continue with that. This is far from being mission accomplished. We will continue to push them.

I think this will give us the tools to continue to put pressure on them, and for them to deliver the price stability that Minister Freeland was talking about. Canadians feel it every week. We need to be there for them. At the same time, you may have seen in the paper today that I've been talking to international grocers to see if they will enter the Canadian market that so we can have more competition and, in turn, have the effect on prices that we want to see.

• (1450)

**The Chair:** Thank you, Mr. Minister. We have to move to our next block of questions.

**Ms. Freeland:** That's a good idea.

**Mr. Champagne:** I was —

**The Chair:** Ministers, I'm sorry, but we are moving to the next block of 10 minutes.

[*Translation*]

**Senator Carignan:** Welcome, ministers. I hope you are well.

Minister, we know each other well.

On September 18, you met with the heads of the five biggest chains, as you said earlier. You said that they needed to take meaningful action before Thanksgiving to lower food prices. Obviously, that did not happen. Statistics Canada stated that food prices increased by 5.8% in September. On October 5, you said, "I've been looking at some flyers this morning, and you already see action in terms of different grocers adjusting ahead of Thanksgiving."

Many people laughed when they heard your comments, especially in the agri-food industry, because they know that the discounts in flyers are determined ahead of time. Even Sylvain Charlebois, an expert in agri-food at Dalhousie University, said that it was smoke and mirrors. Why did you say that? Why this attempt at disinformation, when we know that it's a lot more complex than that?

**Mr. Champagne:** With all due respect, senator, you know, I've known you for a long time, and Mr. Charlebois was at the meeting.

**Senator Carignan:** I know.

**Mr. Champagne:** I was struck by his comment because he participated in the meeting himself. I know him well. That's why I invited him. He was there. I think that what we managed to do was to invite representatives from the five biggest chains to come meet with us and explain themselves, and that is what we must continue to do. We were able to share with them how frustrated millions of Canadians are. That was the point of the exercise, as well as to make plans.

If you are looking at the comments made by representatives of some of the big chains, then look at what Galen Weston or Michael Medland had to say, for example. They will tell you that they took measures after the meeting. I think that we can agree, senator, that there aren't 50 ways to lower prices. What they did was to increase the food basket.

I looked at what Carrefour did in France, and I asked these representatives to do something similar. As you saw, some of them did so. Some of them also extended their price freezes. That morning, when I spoke with the CEO of one of the five chains, he said that he was in the process of doing what we asked. Is that enough? The answer is no. Will we continue to exert pressure on them to do it? Of course.

These individuals have never been pressured before in Canada. Now they're under constant pressure. Thanks to the measures we now have, for example, the new powers allowing us to demand information or documents and to launch an investigation to understand the market, I can tell you that I speak to them regularly and they are feeling the pressure. I don't think they've ever felt it before, because it was an unregulated market. We'll be able to do more with the tools that we hope Parliament and the Senate will give us. Will it be easy? No. Is the solution to do nothing? No.

When I talk to Canadians when I find myself buying groceries on the weekend, they say, "Good, someone's fighting for us."

**Senator Carignan:** Allow me to reference economist Jim Stanford, who has just conducted a study that found that, and I quote:

... food retailers are now earning more than twice as much profit as they did pre-pandemic.

We're talking about \$6 billion. The grocery chains have nothing to fear, and this shows in their prices and profits.

I wonder if you can name one clause in Bill C-56 that will ensure that the price of groceries comes down within two months' time for families. I have about 50 family members living in your riding.

**Mr. Champagne:** First of all, I'm so happy they're all in my riding. I like that.

Second, the most important measure, senator, will take effect in the medium to long terms. Look at what was done in France, England and Europe. Nothing happens overnight. We can't flip a switch and say that prices will be higher or lower the next day. You know where I'm from.

However, the reform allowing the withdrawal of the agreements in leases that prevent competition . . . Small communities have one shopping centre with one grocery store. Right now, leases don't allow competitors to open stores in the same shopping centre.

**Senator Carignan:** — those agreements.

**Mr. Champagne:** You get it. That's why, if you ask me if there is one provision that will have a bigger impact in the medium and long term with respect to increasing competition — meaning, an independent grocer next to one of the big chain stores — I would say it's the third measure, which would remove what we refer to as restrictive covenants from current leases.

I spoke with the CEO of one of the biggest chains in the United States, and he told me he had tried to open stores in Canada. His is one of the biggest chains in the United States, but it wasn't even allowed to lease space in Canada. Imagine that.

**Senator Carignan:** You think that putting two grocery stores in the same shopping centre will lower prices?

**Mr. Champagne:** Look at what's known as the "Aldi effect." Read the literature on that. You'll see what's being done in New Zealand and Australia. When what are known as "deep discounters" enter a market, independent deep discounters that aren't affiliated with any of the big chains, then it leads to downward pricing pressure. That was documented in Israel and Australia. In the end, when independents are allowed to set up shop near the big chains, it will lead to downward pricing pressure. That will take time, but what we're doing is laying the foundation for a more competitive Canada.

**Senator Carignan:** Proposed subsection 10.1(1) gives the commissioner the power to conduct inquiries. Someone asked you about that earlier. What I want to know is, how will consulting the minister benefit the commissioner's deliberations? Why give the minister this power over the commissioner's investigative authority? I don't understand the point of that. You spoke about checks and balances, but that's broad and vague. What specific added value could the minister bring to the commissioner?

**Mr. Champagne:** This was in response to something the industry said. When we held consultations, the industry was a little concerned about the commissioner having unilateral authority to investigate anything. We're making sure there are checks and balances between the commissioner and the minister. They'll have to work together to conduct market studies. Collaboration between the two of them is a good thing.

For example, in the public interest, the minister may want the commissioner's mandate to include studying a specific issue. During their testimony, some people told me that they may want

us to examine a particular issue in certain circumstances. That kind of discussion or interaction between the minister and the commissioner is a good thing.

Senator, what you and I, and your colleagues, are doing today is laying a foundation. The last time significant amendments were made to the Competition Act was 37 years ago. If we consider the next 40 years, it would be good to have a collaboration with the Competition Bureau, but also with the Minister of Innovation, Science and Industry, who is responsible for competition in Canada.

**Senator Carignan:** You've talked a lot about grocers and mentioned a lot of names. Bread prices are currently under investigation. After eight years, no charges have been brought. In 2017, \$25 gift cards were sent out, but that was it. How will the bill ensure that this kind of process never takes seven or eight years again? Charges haven't even been filed yet.

**Mr. Champagne:** What we're doing, as you've seen, began in 2022, with certain measures in the budget presented by Minister Freeland. Take Bill C-56, for example, as well as the fall economic statement, which proposes other measures to come. It's important to look at the whole picture. Competition reform has three chapters. It began in 2022. We did certain things.

Now we're doing some important things that target affordability. There's also the fall economic statement, which will complete the picture. These three elements make up this major competition reform, which is greatly needed in Canada. I would say, senator, that it's important to look at the overall picture. We're laying the foundation for a more competitive Canada.

You'll also see some interesting measures. You may have seen that the Competition Bureau will not be required to pay legal fees in connection with the Rogers lawsuit. We're laying the groundwork for a more competitive Canada with measures that have gained broad consensus, both in the House of Commons and in the industry, and that will allow us to take action. What I need for future ministers, and perhaps even for the current minister, is more tools in the toolbox.

**Senator Carignan:** My question is for Ms. Freeland. It'll be more of an editorial comment. *The Globe and Mail* said that a catalogue of pre-approved plans is the best invention of the century. I am a former mayor, and I thought it was a joke when it was announced. Cities determine plans, issue permits, and create implementation and architectural integration plans for each neighbourhood. There are cultural neighbourhoods, there are established neighbourhoods, and adjustments are made to the number of floors. To me, this idea is magical thinking.

• (1500)

**The Chair:** Senator Carignan, time is up.

**Senator Miville-Dechêne:** Welcome to you both. My question is for Minister Champagne.

[ Mr. Champagne ]

If you'll pardon the expression, Bill C-56 is a bit like what we sometimes call political "apple pie." That isn't a criticism, just an observation. No one here is against making groceries and housing more affordable.

The problem is that it's unclear whether the bill will achieve its objectives. Studies have shown that grocery stores have modest profit margins. Inflation appears to be due in part to supply chain disruptions or situations beyond the Government of Canada's control.

In the case of Bill C-56, in October, expert Michael Osborne even expressed concern that some measures would be counterproductive, mainly because of the risk that studies would take up time and resources that the Competition Bureau should instead be using to enforce the act.

My question is this: What do you actually expect this bill to accomplish, and what indicators should we use to determine whether it is working?

**Mr. Champagne:** Thank you, Senator Miville-Dechêne. I appreciate your question.

I think that this bill will lead to much-needed competition reform. To return to the question of studies, for example, a better understanding of the market — because we all know that the grocery sector is extremely complex. It has a very complex supply chain.

When I met with the major grocery chains, we focused not just on grocers, but on the entire supply chain, like the big manufacturers in the United States. That is why I reached out to my international counterparts to find out what we could do together.

The idea behind it all is that we need to examine more than just the grocers. We need to examine the entire supply chain. We are also looking at other issues, like skimpflation and shrinkflation. There are a number of practices in the grocery business that we need to look into. I think that with its new powers to conduct in-depth market studies, the Competition Bureau of Canada will be able to get all the information we need.

That will allow us, as MPs, and you, as senators, to create more informed public policies, because today —

**Senator Miville-Dechêne:** Will there be a measurable drop in prices for consumers anytime soon?

**Mr. Champagne:** I think the most important solution is to have market studies first, yes, but when we take away the restrictive covenants and allow independent retailers to set up shop near the big chains and even attract foreign players to our country, more competition will mean more choice and better prices for Canadians. This has been documented. If you look at countries around the world, the best way to lower prices is to increase competition. That's the spirit of the bill.

[English]

**Senator Woo:** Good afternoon, ministers. I would like to probe a bit deeper on the removal of the efficiencies defence. Whether you see the removal of the defence as an obstacle to companies using aversion efficiencies that focuses more on the total welfare that accrues to the economy — this is the way economists understand efficiencies, not just for the efficiency of the firm, but the efficiency of the economy as a whole — by removing section 96 altogether, does it preclude a consideration of efficiencies in the sense that it benefits the economy as a whole, even when there may be greater market concentration?

**Mr. Champagne:** Thank you, senator, for the question. I think you will understand that efficiencies that are pro-competitive are good. We're going to be considering it, if I have understood your question correctly.

**Senator Woo:** Market dominance can increase, but consumer welfare can go up at the same time.

**Mr. Champagne:** My point is that we're removing now is a defence that that would allow mergers that are anti-competitive to go forward. What we're saying is that efficiencies will still be considered in the analysis of the Competition Bureau. All sorts of efficiencies will be. But what is shocking — and I think should be shocking to all of us — is that today, on a statutory basis, you have a defence on the books that allows mergers that are not in favour of competition and are not in favour of consumers to go forward.

That's what we want to take away. It has received broad-based support. There was a Conservative private member's bill trying to address that issue. You see the house working together on that. If you look broadly at it, I think it's about time. That's what I would say to Canadians — that we get rid of that and we make sure that mergers going ahead in this country are going to favour consumers, Canadians and will be pro-competitive for the economy.

**Senator Simons:** My question is for the Deputy Prime Minister. I was delighted to see the removal of the GST on new rental construction, which was an idea that came in part from the National Housing Accord. The National Housing Accord also suggested the creation of what it called a targeted homelessness prevention and housing benefit, which it estimated could provide immediate rental relief for more than 30,000 households at imminent risk of homelessness and help another 50,000 people to find homes. I'm wondering — it's obviously not contained in this bill — if that is something that your government might consider going forward, given it has already adopted one idea from the National Housing Accord.

**Ms. Freeland:** First of all, Senator Simons, it is great to have you here and great to answer a question from an Alberta senator. I want to take this opportunity to say how glad I was to be just

outside of Edmonton in Fort Saskatchewan two weeks ago with Dow, and Mr. Champagne was there too. This is the biggest investment by Dow in North America at more than \$11 billion with lots of great jobs for people in Fort Saskatchewan and Edmonton. I had to say that because I'm so excited about it.

On the National Housing Accord, thank you for highlighting their work. I referred specifically to the work and the economic analysis of Professor Mike Moffatt. He's done a great job and has really been an important inspiration for measures that we are putting into action.

You're quite right to point out that another element of the focus of the National Housing Accord has been to support people experiencing homelessness. I think that everyone in this house and everyone in Canada recognizes that this is a real challenge in Canada today, and it is definitely something that we are focused on through a number of different approaches. We're not talking about the Fall Economic Statement, but I will mention the \$1 billion that we added in the Fall Economic Statement to the construction of affordable housing. That project that I mentioned a little bit earlier in my testimony in Vancouver's Downtown Eastside of 231 units — people will start moving in next May. The most inexpensive units there, the most affordable, will be for \$500 a month in Vancouver. They are beautiful apartments. I walked around them. That's just one of many elements that we're going to need to put in place to help people experiencing homelessness. Everyone in Canada deserves a place to call home.

**Senator Simons:** Thank you very much and hello from Edmonton. I just wanted to come back to the question of Homelessness Prevention and Housing Benefit, because it's one thing to have the housing stock, and it's another thing to have the cash in hand even to make the \$500 rent. Will your government be giving consideration to this particular policy idea?

**Ms. Freeland:** Thank you again for the question. As you pointed out, that was a measure that was put forward in the proposals of the National Housing Accord. We absolutely agree with the urgency of focusing on people experiencing homelessness, and we think that many different measures need to be considered. We also think it's work that we will have to do together with municipalities and provinces. Since there's a "hello" from Edmonton, I would also mention that in the Fall Economic Statement we put forward an extension of the GST on purpose-built rentals to cover co-operative housing, including the Hromada housing co-operative in Edmonton where I lived as a teenager; that is also a really important form of housing that is affordable and builds communities.

• (1510)

**The Chair:** Honourable senators, the committee has been sitting for 65 minutes. In conformity with the order of the Senate, I am obliged to interrupt proceedings so that the committee can report to the Senate.

Ministers, on behalf of all senators, thank you for joining us today to assist us with our work on the bill. I would also like to thank your officials.

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

**The Chair:** Honourable senators, is it agreed that the committee rise and I report to the Senate that the witnesses have been heard?

**Hon. Senators:** Agreed.

**The Hon. the Speaker:** Honourable senators, the sitting of the Senate is resumed.

[*Translation*]

#### REPORT OF THE COMMITTEE OF THE WHOLE

**Hon. Pierrette Ringuette:** Honourable senators, the Committee of the Whole, authorized by the Senate to examine the subject matter of Bill C-56, An Act to amend the Excise Tax Act and the Competition Act, reports that it has heard from the said witnesses.

[*English*]

#### BUSINESS OF THE SENATE

**The Hon. the Speaker:** Honourable senators, I received a notice from the Leader of the Canadian Senators Group, who requests, pursuant to rule 4-3(1), that the time provided for the consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable Dennis Glen Patterson, who will retire from the Senate on December 30, 2023.

I remind senators that, pursuant to our rules, each senator will be allowed only three minutes, and they may speak only once.

Is it agreed that we continue our tributes to our colleague the Honourable Senator Patterson (*Nunavut*) under Senators' Statements? This way, Senator D. Patterson's response will follow the tributes, and any time remaining will be available for Senators' Statements.

**Hon. Senators:** Agreed.

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## SENATORS' STATEMENTS

### TRIBUTES

#### THE HONOURABLE DENNIS GLEN PATTERSON

**Hon. Scott Tannas:** Honourable senators, if you Google the name "Dennis Patterson," here are the results you get: lawyer, senator, former premier, neuroscientist, NHL defenceman, musician and a Hollywood movie writer. Dennis, I believe that you have been holding out on us regarding some of your credentials.

[ The Hon. the Speaker ]

With all seriousness, I am honoured to pay tribute to my departing Canadian Senators Group colleague, the former deputy leader, a strong advocate for Nunavut and my friend, Senator Dennis Patterson. Dennis arrived here back in 2009, which is five Parliaments ago. Before his summoning to the Senate, he began his career as a lawyer and was the founding executive director of the Legal Services Centre in Iqaluit.

In 1979, he was elected as an MLA in the Northwest Territories. During his 16 years as a member of the Legislative Assembly, he served in many capacities including Minister of Education, Minister of Health and Social Services and Minister of Justice, culminating in his service as premier between 1987 and 1991.

In 1982, Senator Patterson was part of a delegation which lobbied to have section 35 reinstated in the Constitution after it was eliminated by a late-night meeting of nine premiers. He also participated in the Meech Lake constitutional rounds. Senator Patterson played a key role in the final Nunavut Land Claims Agreement and served as a leader of the more than 20-year campaign that led to the establishment of Nunavut as Canada's newest territory in 1999. His involvement in these events makes Dennis a modern-day father of Confederation.

During his long time in the Senate, he chaired the Aboriginal Peoples Committee, as it was then known, and the Special Arctic Committee. I believe that his crowning achievement was the report on the Arctic entitled *Northern Lights: A Wake-Up Call for the Future of Canada*. He was blunt in his message in the report, which was that "the North *IS* the future of Canada in countless ways."

While he was born in British Columbia, his heart and soul belong to Canada's North.

I was most fortunate to work closely with Dennis over the last few years, and I have appreciated his sound counsel and his views on the role of the Senate and the sound management of the Canadian Senators Group. I will miss his scroll meeting debriefs, which were always detailed — really, really detailed. My colleagues can attest to this fact.

When Dennis was appointed to the Senate, he was told by the Premier of Nunavut that the Inuktitut interpretation of "senator" is *ittuk*, which means "an old man." He told the premier that the title did not apply to him at that time, since he did not feel old yet. Dennis, I don't believe anything has changed in this regard as we learn of your future plans.

Dennis, you will be sorely missed. However, our loss is your family's gain. We are sure that Evelyn will appreciate having you around much more. We wish Dennis a very happy retirement.

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

**Hon. Marc Gold (Government Representative in the Senate):** Honourable senators, I rise today to pay tribute to and to thank Senator Dennis Glen Patterson for his years of service in this chamber, to this chamber on behalf of his beloved Nunavut.

Senator Patterson, as we know, has devoted his entire adult life to public service. He was first elected as a member of the Legislative Assembly in the Northwest Territories in 1978 at the young age of 29. He went on to serve as Minister of Education, Minister of Justice, Minister of Municipal Affairs and, finally, he was chosen as the fifth premier of the territory in 1987.

As we have heard and as we know, Senator Patterson was pivotal in the settlement of two historic land claims, including the Inuit land claim that led to the creation of Nunavut in 1999. Father of Confederation, indeed.

Senator Patterson was appointed to the Senate on the advice of prime minister Stephen Harper in 2009. During his 14-plus years here, he has been a member of many committees — most recently the Standing Senate Committee on Energy, the Environment and Natural Resources as well as being a long-standing member of the Standing Senate Committee on Indigenous Peoples. His interventions both in committee and here in the chamber leave no doubt as to his passion for and his commitment to the people of Nunavut.

As Senator Tannas noted, as Chair of the Special Committee on the Arctic, he and the committee members authored a seminal report entitled *Northern Lights: A Wake-Up Call for the Future of Canada*. This report should be required reading for anyone who cares about Canada's environment and how our North is fundamental to our national identity.

In a recent media interview, reflecting on his years in the Senate, Senator Patterson gave this advice to anyone choosing to apply to succeed him in this chamber. He stated — so you all should listen:

Speak up. You have a duty to make your voice heard. We're the largest region with the greatest challenges . . . be strong, be loud, be aggressive, and you'll make things happen.

Dennis, you definitely practised what you preached. Aggressive — I'll give you a pass on that one, but you were forceful and in the best sense of that word. You have made Nunavut proud, and you have served this chamber very well.

We in the Government Representative Office wish you all the very best. I hope and expect that the next chapter of your life is as exciting and as meaningful to you as the previous chapters have been to us. We're going to miss you. Thank you.

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

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Honourable senators, I rise today on behalf of the opposition Conservative caucus to pay tribute to our colleague and friend Senator Dennis Glen Patterson as he prepares for his retirement from the Senate of Canada on December 30, 2023.

Senator Patterson is a trailblazer, shining a light on the challenges faced in the North and the need for better resources to ensure all Canadians have fair and equal opportunities. I commend Senator Patterson for his dedication, his knowledge and his passion for many issues and the people of the North.

• (1520)

Prior to his appointment to the Senate, Senator Patterson was a Premier of the Northwest Territories, along with all the other professional titles he holds, which Senator Tannas listed. He served 16 years as a Member of the Legislative Assembly in the Northwest Territories, from Minister of Education, to Minister of Health and Social Services and Minister of Justice. He was also influential in the Inuvialuit Final Agreement, the final Nunavut Land Claims Agreement and the campaign that led to the establishment of Nunavut as Canada's newest territory. It was this proud legacy of public service in the North that he brought to the Senate.

Senator Patterson has been a valuable member of several committees over the years — the Standing Senate Committee on Indigenous Peoples, which he chaired during the Forty-first Parliament; Energy, the Environment and Natural Resources; Legal and Constitutional Affairs; and the Special Joint Committee on the Declaration of Emergency. He has also contributed to studies of numerous bills and many important subject matters.

Of special note, Senator Patterson also chaired the Special Senate Committee on the Arctic, which looked at significant and rapid changes to the Arctic and impacts on original inhabitants. He was instrumental in the completion of the final report, entitled *Northern Lights: A wake-up call for the future of Canada*.

Through his range of experiences and expertise, he brought wholesome debate both in the chamber and at committees. As a senator of Nunavut, he has advocated tirelessly for the rights of people in the North and celebrated the history and culture of Canadians living in Nunavut.

Senator Patterson, thank you for your 14-plus years of service and valuable contributions to the Senate of Canada. I would also like to acknowledge your family and thank them for their unwavering support and sacrifice.

Honourable senators, I ask you to join me in wishing our colleague all the best as he leaves our chamber soon and embarks on his next adventure.

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

**Hon. Bernadette Clement:** Honourable senators, today I am speaking on behalf of the Independent Senators Group, or ISG; Senator Patterson, that feels fitting. We were both executive directors of legal aid clinics, members of the Transportation and Communications Committee and the Legal and Constitutional Affairs Committee and scroll managers for our groups. Even though you've handed the reins to Patterson number two, this is a tribute from one deputy to another.

Senator Patterson, you were one of the first senators to speak to me after a chamber sitting early in my tenure. You spoke of our common background in legal aid work. I was so flattered that you had paid close attention to my biography and the welcome speeches. I didn't know it at the time, but the kindness and warmth that you shared then are just who you are. You staunchly represent your region, you're a great communicator about the people and place that you represent and your devotion to the

North is so clearly at the forefront of everything that you do. I also want to thank your family for sharing you with us these past 14 years.

Legal Services Centre, Maliiganik Tukisiiniakvik Society, started as a pilot project with a little budget and a small office in Iqaluit. On the fortieth anniversary of the centre, you gave a keynote speech describing a legal landscape where:

Lawyers never got a chance to know their clients, let alone their families and the communities in which they lived. And then they were gone . . . .

As founding executive director, the legal aid clinic was a response to this type of “fly-in and fly-out justice.” This ambitious vision has now evolved into “. . . an envied model for providing justice for marginalized people.”

At the Transport and Communications Committee, you recently brought forward Bill S-242. As it turns out, discussing the deployment of broadband spectrum brings out the true wonks in the group. You inspired the rest of us to dig into this fascinating topic, but also to make connections to our own regions where the bill could improve the lives of other Canadians.

For many senators here, our relationship with our staff, especially the ones who are with us for a long time, is a special one. Often, they know us better than anyone else does — and better than we’d like them to. Given this, I wanted to close this speech with two things from Ms. Claudine Santos. First, when I asked her about your serious dance moves from the Christmas party last year, she outed you by telling me that you were having so much fun that you missed a committee meeting. Second, and more serious, she told me this:

It has been one of the greatest privileges and honours of my life to work with and learn from Senator Patterson. I have developed a love of the North from him that I will carry with me forever. I am happy that he gets to retire after a life of public service but sad that future generations of Canadians will not be able to benefit directly from his wisdom. I am excited to sleep more but sad to lose my mentor and partner in crime. That said, I will eat a bowl of cereal at midnight in his honour from time to time and think back on the late nights spent debriefing on the day or reliving some of the stories from our many travels. Whenever I am down, I will stop and breathe and remember how lucky I have been, and continue to be, to be able to count Dennis Patterson amongst my friends from here on out.

Senator Patterson, from the bottom of my heart, thank you, and on behalf of the ISG, *qujannamiik* and *nia:wen*.

**Hon. Wanda Thomas Bernard:** Honourable senators, I rise today on behalf of the Progressive Senate Group, or PSG, to pay tribute to Senator Patterson. My tribute will be in the form of an

imaginary award presentation. I wish to present Senator Patterson with an Unsung Hero Award from the Black community of Nunavut.

For context, in 2021, I was invited to travel to Nunavut by the President of the Nunavut Black History Society to be presented with a lifetime achievement award and to attend their Black History Month event. But, as we know, COVID-19 and life circumstances intervened, and I was not able to attend. However, media speculation about my planned trip to Nunavut had already taken place.

After seeing an article one evening, Senator Patterson called me to ask about my upcoming trip to Nunavut and inquired about where I had learned to breakdance. That newspaper got their facts mixed up and reported that I was going to Nunavut, funded by the federal government, to perform breakdancing as well as other talents at their Black History Month event. Colleagues, we both enjoyed a hearty laugh. As Stephanie Bernard — no relation to me — President of the Nunavut Black History Society shared:

Senator Patterson has been fully engaged with the Black community in Nunavut for over 10 years. We salute Senator Patterson for his heart for the community. He will be sorely missed as a senator of Nunavut. Our gratitude and love for him and his leadership will, however, constantly remain in our hearts.

Tanika Simmons says, “He is a true ally, and not just during Black History Month.”

Senator Patterson has been a great source of support for the Black community in Nunavut through his passion for representing and supporting all people in Nunavut. So today, it is my distinct pleasure to present you with this Unsung Hero Award from the Black community of Nunavut. On their behalf, I thank you for your years of dedicated service, support and commitment to the community.

Should you become bored during retirement, remember that breakdancing is now an Olympic sport. *Asante*. Thank you.

**Hon. David M. Wells:** How can I top that, Senator Bernard?

Honourable colleagues, I rise today to pay tribute to a trusted colleague and good friend. Senator Dennis Patterson has served almost 15 years in this chamber, 11 of those with me, during which I got to know him. He was a steady hand on whatever file he had. In this chamber, he served the North and all of Canada with distinction, and I’ll note a shared interest in Canada’s sealing industry, of which he continues to be a tireless advocate.

He brought a knowledgeable and principled approach to much of the work done here in the Senate, both in the chamber and at committees. I concur with Senator Tannas’s comment regarding Senator Patterson’s scroll style — “tenacious” would be another way to put it.



• (1530)

Senator, I am grateful for your service to the Senate and to our nation. I wish you the best in your retirement.

**Hon. Mary Jane McCallum:** Honourable senators, I would like to thank Senator Rebecca Patterson for giving me her spot.

I rise to pay tribute to Senator Dennis Patterson as an ally, not only for First Nations, Métis, Inuit and non-status people, but for all those whom he represents. I use the term “ally” to signify Senator Patterson’s commitment and standing beside us in combatting oppression, marginalization, human rights and social justice issues.

He exercises allyship by educating himself on complex issues through consultation and research, offering support and advice to the senators in the work we do and challenging the dominant forces at play.

Senator Patterson doesn’t exploit the struggles of the Inuit as if they were his own, although he does have family who are Inuit. Yet he courageously raises his voice against the historical and ongoing processes that sideline First Nations, Inuit, Métis and non-status people, most recently speaking against identity fraud impacting the Innu Nation.

For me, Senator Patterson has become a mentor and contributed to changes in the way I saw my sacred responsibility as a senator.

As a First Nations woman, I had people in my childhood who taught me how to move through my world on the land. Then other people, like Senator Patterson, came later in life and taught me to remake sense of the world I now find myself in, in the Senate.

As First Nations people, we are ever becoming lifelong learners. That’s why the time we spent together as senators continues to structure my life in critical ways as I learn new skills that are important to have in this chamber.

Senator Patterson, our time together and your mentorship has shaped me in positive ways. I hope you take great pride in knowing that you have shaped not just me, but many others as well. Your quiet energy and the profound conversations we have shared are greatly cherished, and I know we will remain lifelong friends. I promise not to call you at 2 o’clock in the morning in a panic requiring advice.

I would like to end with this quote:

... every person leaves some residue of their passing and of their actions on their physical surroundings . . . .

And that also includes emotional, social, psychological and political surroundings. Senator Patterson, as you prepare to take your leave, rest assured that the positive and indelible mark you have left on me, on this chamber, on your territory and on our country continues to burn brightly. Kinanāskomitin. Thank you.

**Hon. Pat Duncan:** Honourable senators, I rise today to pay tribute and give thanks to my dear northern colleague, Senator Dennis Patterson.

In 1987, when he served as Government Leader, there were only two territories, the Yukon and the Northwest Territories. He and the Yukon Government Leader, Tony Penikett, sought to join the provincial premiers at the First Ministers’ conference. How he and Tony were received is a story best left for Dennis to tell. What I am certain of is that Dennis paved the way for me a few years later to adopt the term Premier rather than Government Leader, much to Ottawa’s raised eyebrows. It was Dennis’ trailblazing that led the way for those of us who came after to take a seat at the First Ministers Conference, now the Council of the Federation, as true northern partners.

Honourable senators, we may not always agree, we do not always wear the same colour of tie, or some of us, not even a tie at all. We are family, though, and we stand up for each other just like families do. It was that sense of northern family and sticking together that enabled three northern premiers, after Dennis and I, to walk out of meetings with the Prime Minister in Ottawa over health care funding for the North in 2003.

Representing the North is a tough job at the best of times. It is incredibly challenging to represent a vast geographic area thousands of miles away with small and scattered communities. We have both been door-knocking in small communities where we get told what our constituents really think — face to face — with the straightforward language you find in the North. Most days, if not always, there was at least one dog at every doorstep, its bark often the friendliest voice you’d hear that day.

Honourable senators, like me, Dennis got elected as an MLA in his territory’s legislature, then the Northwest Territories. Dennis was quoted recently as saying upon his election as an MLA, the elders advised him:

... we will support you to run for election. But remember, you are not the leader, we are the leaders. We’ll tell you what to do. We’re supporting you because we think you know how to work the system, but don’t ever forget we are the leaders.

Dennis Patterson has reflected that advice and has been the voice of Nunavut from the very beginning when he was part of the creation of the territory. His voice has been steadfast and unwavering. He knows the region, its peoples and he has a unique ability to speak with their voices to ensure their views are truly heard in the nation’s capital and throughout the country.

On behalf of all people in the North, may I express how truly grateful we all are to your dedication to public service. My heartfelt thanks to you, Dennis, and especially to your family for loaning you to Canada.

Dennis, I for one will miss your sage advice and leadership. In the voice of the Yukon First Nations: *Gùndlchìsh. Mahsi’cho.* Thank you.

**Hon. Jane Cordy:** Honourable senators, I, too, am delighted to join in the tributes to our colleague Senator Dennis Patterson. We know that life often throws us large curveballs and little darts that can change our direction and slightly alter the path we are travelling. In fact, this happens so often that while we are certain to register the large ones, the small day-to-day ones may be so imperceptible that it renders us unaware that our path has been altered at all.

I speak about this to highlight the fact that Senator Patterson's career in politics began in 1979 when he was encouraged by the community elders to run as MLA to represent Iqaluit, formerly Frobisher Bay, in the Legislative Assembly of the Northwest Territories. Having trained as a lawyer, this undoubtedly shifted his initial career plans to a life in politics.

By the way, Dennis is a graduate of Dalhousie University in Nova Scotia. He served four terms in the assembly, until 1995. He served as minister of education, minister of justice, and minister of municipal affairs. From 1987 to 1991, he served as the fifth premier of the Northwest Territories.

Senator Dennis Patterson contributed greatly to the creation of Nunavut as a territory. Indeed, it was a long and challenging journey, but one he has pointed to as a highlight of his career.

In a return to his initial path in law, after his time as premier, Senator Patterson established a private consulting firm and was admitted to the Law Society of Nunavut in 2001 and has been a trustee since 2003.

Dennis was appointed to represent Nunavut in the Senate in 2009 by prime minister Stephen Harper. Over his tenure in this place, he has been a strong advocate for the people of Nunavut and has been successful in bringing issues facing the territory to the national forefront. He has brought attention to the need for more marine facilities in the territory, and has seen finished projects such as Iqaluit's deep-sea port as well as small-craft harbours for fishing boats built in smaller communities.

Dennis, I know you have spoken often about what you would like to see happen for Nunavut going forward. I am certain that you will continue to be active in your promotion of the North and its people once you leave this chamber.

It has been a pleasure working with you and having you as a next-door neighbour in the Victoria Building. On behalf of the Progressive Senate Group, I wish you all the very best as you forge this new path in your life after the Senate. I hope you will enjoy some well-deserved time with your family and that you will allow yourself some time for rest.

• (1540)

Best wishes to you always, Dennis.

**Hon. Paula Simons:** Senator Dennis Patterson and I first truly met when we were both on the Standing Senate Committee on Energy, the Environment and Natural Resources, working on Bill C-69. We had just held the first day of hearings on the bill in Vancouver and were flying off to Calgary.

I had been told we were travelling on a private chartered plane, and as a brand-new senator, I had a somewhat romanticized idea of what that would look like. When we got to the plane, it was anything but fancy: It was an elderly turboprop with no lap belts. Instead, the seats were equipped with somewhat daunting three-point full-body harnesses, which gave you the feeling you were strapping in for a risky ride.

I boarded the plane with no little trepidation, and I saw Senator Patterson, calm and cool, the veteran of many northern flights. I plopped myself down right next to him, causing some raised eyebrows, since I, a member of the Independent Senators Group, had dared to sit next to a Conservative.

We talked the whole way to Calgary.

I learned that we had both studied English Literature at the University of Alberta and that Senator Patterson had worked as a journalist. We shared a love of theatre.

Off the plane, I saw how hard and sincerely he worked to make Bill C-69 better. I knew his work ethic was something I wished to emulate.

Following Senator Patterson's lead, though, hasn't always been easy. I remember the day a group of senators and Senate staffers arrived in Prince Rupert for hearings on Bill C-48. We were a large delegation, and there were not enough taxis to get us all to the hotel. Senator Patterson grabbed his luggage and declared he would walk instead. Well, I figured if a 70-year-old senator could walk up that hill in the rain, I could get my 54-year-old senatorial tuchus up there, too.

So I shouldered my computer, grabbed my wheelie bag and set out into what quickly became a downpour of sleet as we tried to navigate our way to the hotel. Thus I learned a cold, wet lesson about the risks of following in Senator Patterson's footsteps or putting trust in his sense of direction.

Happily, his moral leadership in this institution has been far more reliable, whether he was crossing the floor because of his discomfort with the way some within his party embraced the anarchy of the "Freedom Convoy" movement, standing up for civil liberties at the Standing Senate Committee on Legal and Constitutional Affairs or fighting for the interests of his people of his beloved Nunavut.

I will miss his humour, his compassion, his collegiality and all his hard work. I wish him clear skies and clear trails wherever his feet may take him next.

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

**Hon. Julie Miville-Dechêne:** Honourable senators, it is my pleasure to pay tribute to Senator Dennis Patterson, whom I came to know and appreciate in my first year in the Senate.

We certainly had political differences, many of which remain, but it was immediately clear to me that Dennis was a hard-working man, that he knew the political game and that he had a good grasp of public policy.

I was especially struck by the number of substantial, well-researched speeches that Dennis Patterson delivered on a wide range of issues. They were not just about the concerns of northern Canadians; he seemed capable of addressing almost every topic, at length, while wearing a sealskin jacket. For a Montrealer like me, that was pretty special.

Dennis and I had an opportunity to get to know each other better during the long and controversial study of Bill C-48, which sought to prevent oil tankers from entering the northern British Columbia coastline. We travelled there together, and we agreed on a crucial point: First Nations were deeply divided on the ban. Some supported it because they wanted to protect the coastal waters where they fished. Others opposed it because they derived economic benefits from the oil industry.

Senator Patterson and I worked together on an amendment that sought to find a pragmatic, flexible solution. I had no experience. He was patient, and he shared his knowledge. In the end, our compromise failed, for all sorts of reasons. In hindsight, our plan was probably unrealistic. But that failure had nothing to do with Senator Patterson, and it did not lessen the value of his essential commitment: a desire to find reasonable, workable compromises.

This fall, the Transport Committee decided to do a series of case studies across Canada on the impacts of climate change on transportation. But — what a surprise — we quickly received a detailed work plan on northern issues, complete with 15 proposed witnesses, from Senator Dennis Patterson, who does not sit on the committee. He personally knew all the mayors, businesspeople and pilots he had recommended. They all turned out to be excellent witnesses, especially on the disturbing issue of melting ice roads.

Dennis Patterson also attended the hearings, especially the testimony of the spokesperson for Nunavut Tunngavik Inc. Committee members had some difficulty establishing a fruitful dialogue, but it was Senator Patterson who gave this hunter the confidence to express himself.

I'm going to miss you, Dennis. I have one regret: You once invited me to come and discover Nunavut, but we never made it happen. I suppose you were too busy preparing speeches on medieval Viking exploration or Nunavut's advanced space program. Who knows — maybe we'll find the time someday, and I can buy myself a sealskin jacket of my own.

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

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Evelyn Ross, the wife of Senator Patterson (*Nunavut*), as well as Bruce Patterson and Sheila Patterson, his brother and sister. They are accompanied by other family members and friends of the honourable senator.

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

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

#### THE HONOURABLE DENNIS GLEN PATTERSON

##### EXPRESSION OF THANKS

**Hon. Dennis Glen Patterson:** Honourable senators, I know there is important government business awaiting us on the Order Paper, but I don't always get unlimited time to speak. I have suffered through a few of those unlimited-time speeches in my 14 years here, and I know the Christmas break looms, so I will refrain from making one of the three-hour speeches I was known for in the Legislative Assembly of the N.W.T., but I do have a few things I need to say today for the last time, during my last hurrah in this very privileged place, with very special people who are friends. So please bear with me. Hold on to your seats. I may not be quite as diplomatic as I usually try to be.

Those 16 years in my public life in the N.W.T. and now going on 15 years in the Senate have caused me to recollect a few experiences I would like to share. Senator Duncan kindly told the story about the elders who gave me advice to remember that I was not a leader and whom I worked for. I thank you for that because that has, indeed, to the best of my ability, guided my work in the Senate on behalf of Nunavut.

I also want to note Senator Dupuis' gratitude to the people who make us feel safe every day. For some of you who weren't there — there were a few who were — I want to share Wednesday morning, October 22, 2014. It was political caucus day on the Hill. I was in the Centre Block, where the Conservative caucus — every Conservative senator, every MP in the majority government of Stephen Harper, the prime minister and his full cabinet — were meeting all in one room. Only the interpreters were in the room. Cellphones were outside.

Across the hall from us was the opposition Jack Layton's NDP caucus, and downstairs was the then-small Liberal caucus.

Suddenly, in the middle of our meeting, we heard "crack, crack, crack" in the hall right outside our door. There were 31 shots in total. Bullets ricocheted off the walls. One went into the padded door of the NDP caucus. Some of us knew right away that it was not firecrackers. Alarm and panic ensued. Some fainted. Some hit the floor. Some started crying. We thought we were under attack. Chairs were barricaded against the doors by burly parliamentarians. Flag poles were stripped of their flags and military and police veterans in the caucus room armed themselves with their flagpole "spears," awaiting an assault that we thought might come. After a while, the shots stopped. Sergeant-at-Arms Kevin Vickers entered our caucus room to say to our hushed room, "The attacker is deceased."

• (1550)

The moral of this story? Those friendly guys who greet us every day, the Parliamentary Protective Service, will put their lives on the line for you. They did on that day. Constable Samearn Son took a bullet in the leg trying to stop the attacker from entering the building. Every day since then, on the anniversary of the attack, a group of us have offered baked expressions of our gratitude and admiration to those selfless men and women who are devoted to our daily safety and well-being. They make it look easy, but we lost our innocence that day. I thank all those members of the Parliamentary Protective Service especially.

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

**Senator D. Patterson:** We remember that terrible day. We were stuck for 10 hours while the whole precinct was searched for possibly other attackers. It was a traumatic experience.

I also want to talk about a tense period in the Senate in 2015, when our then-government leader of the day, Senator Le Breton, invited the Auditor General to examine each senator's travel claims over 18 months after public concerns were raised about whether senators resided in their regions and about alleged abuses of expense claims. The audit took 18 months, cost \$23.5 million and 80,000 travel claims were examined and 30% were found to be questionable. About \$1 million was found to be owing. After a review of some of those cases by retired Supreme Court Justice Binney, about 55% were found to be owing money to the government. Justice Binney said in his report — and I confess that I was one who owed money: "I impute no bad motives to any of the senators." Monies were paid back. Some cases were referred for criminal trial and dismissed; other charges were dropped. The judge found that the Senate Rules of the day were vague.

No doubt some good things came out of the audit, namely, tightened expense claims; requiring proof of residence; a new, tougher The Ethics and Conflict of Interest Code for Senators and a largely independent Audit and Oversight Committee. However, what I wish to mention upon reflection about this process, dear colleagues, is that I do believe there was, at that time, a rather unfair process of trial in the Senate which occurred without due process and natural justice and victimized some good people. I regret having been part of the majority of senators who did not question what were sometimes harsh judgments which suspended senators from caucuses and caused great personal stress and angst. The media had a field day with these reports.

One of the big issues of the day then was that the PM's chief of staff had been involved in helping to repay a certain senator's expenses, saving taxpayers' money in the process. It was a huge scandal and it was feasted upon by the press when it appeared that the Prime Minister's Office had interfered in the affairs of the Senate in other ways.

[ Senator Patterson (Nunavut) ]

I found it ironic when, just last week, it was revealed that certain of our so-called independent senators were personally called by the PM himself to influence a vote which was no doubt a factor in the acceptance of an amendment that I fear will turn out to have killed a bill passed by a majority in the other place to provide certain exemptions from the carbon tax for farmers who have no alternative forms of energy to employ.

I can accept government-appointed senators supporting the government like the good soldier I was in a partisan Senate, but it bothers me that some proclaim their independence when signs show that is not always the case.

The Senate of Canada has become a different and a sometimes lesser place than it was when I first came here. It was a partisan Senate then. I think it still is to some degree, but then there were only two distinct caucuses: the opposition and government. I must confess that I found working in the Senate at that time productive and rewarding because there was order and predictability and the role of the government and the opposition was clear.

I served in the Senate when my party was in government — minority and majority — and in opposition. The opposition had the power — and still does — to slow and, if necessary, to delay the business of the house, but there was ultimate respect for the pre-eminence of the elected members of the other place.

The Senate, in my opinion, did good work then and scrutinized every bill. True, there were fewer amendments than in the current Senate, which some would say was a bad thing, but we went into consideration and passage of every bill with our eyes wide open. The Senate operated much more efficiently, since there were only two groups whose rules were clear. We now have four groups whose rules are often unclear. Senate business is now more unpredictable and all too often chaotic. I have seen more bad and more rushed legislation in this Parliament than ever before. There's only one group in the Senate, in my opinion, which is truly independent. In my last two years here, I was privileged to work with the Canadian Senators Group and, in particular, as deputy leader to the Honourable Scott Tannas, who has, incredibly — like former Senator Sabi Marwah and other business titans in this country who have been here — decided to apply his skills and experience to work with us in this chamber. Let us never devalue the experience that business people bring to the Senate, just as we value those who have been champions of social issues, academia and government, our hockey players, our coaches and our plumbers.

I leave the Senate as a member of the Canadian Senators Group, which has expressed clear concerns about wanting the Senate to work well. In my view, the current independent Senate under this government too often does not insist on a rigorous, orderly legislative process which is surely the primary role of the Senate. In this group, we have focused on using our small voice to advocate for orderly consideration of bills, since too often we see procrastination and then an unseemly rush to consider bills in a hurry, ahead of sometimes very arbitrary deadlines.

There are many in the chamber who no doubt look on that partisan era as a bad era, but I think the Senate worked — dare I say — far more effectively than it does now.

The strongest work in the Senate is done by committees. Many would agree. Committee chairs are a crucial part of that process. The independent, politically neutral Library of Parliament staff is crucial to this important work. I have the highest respect and regard for those with whom I worked over the years in Senate steering committees and at the library. You know who you are. Thank you for the privilege of working with you and for making a difference to our country in the process.

I want to share with you my first real experience on the power and impact of a Senate committee. I was appointed deputy chair of the Standing Senate Committee on Fisheries and Oceans, chaired by the esteemed late Senator Bill Rompkey. We were tasked with studying a proposal by the Department of Fisheries and Oceans to de-staff remote lighthouses on the East and West Coasts. The then-parliamentary secretary to the Minister of Fisheries made it clear to me that, as a loyal Conservative senator — and, the Conservatives were in power — that the minister wanted the committee to bless the department's plan to save money by de-staffing and automating the remotest light stations. We toured remote lighthouses on the East Coast and West Coast in Coast Guard helicopters, met with generations of keepers and built up a chorus of media stories showing the myriad facets of their work: saving lives, monitoring the environment and maintaining far stronger lights than the proposed automated replacements.

• (1600)

By the time our report entitled *Keeping the Keepers* was released, public opinion was firmly on our side. Within weeks, the government accepted all of our recommendations, firmly rejecting the Coast Guard's plans.

I would like to give some parting comments — that I have never shared before in public — about what it's like to work in the new independent Senate, initiated by our current Prime Minister.

Formerly, committee chairs were selected by seasoned leaders who based those appointments on experience and the leadership abilities that are required to ensure a full but balanced consideration of legislation or the conduct of studies. But now the leaders in the Senate are elected, and now the largest group votes for committee chairs and, in at least one case, seems to overlook legislative experience but also the all-important need for balance and neutrality — with negative consequences.

## BUSINESS OF THE SENATE

**The Hon. the Speaker:** Honourable senators, it being 4 p.m., I must interrupt the proceeding. Pursuant to rule 9-6, the bells will ring to call in the senators for the taking of a deferred vote at 4:15 p.m., on the motion in amendment of the Honourable Senator Plett, seconded by the Honourable Senator Martin.

Call in the senators.

• (1610)

## BILL TO AMEND CERTAIN ACTS AND TO MAKE CERTAIN CONSEQUENTIAL AMENDMENTS (FIREARMS)

THIRD READING—MOTION IN AMENDMENT NEGATIVED

On the Order:

Resuming debate on the motion of the Honourable Senator Yussuff, seconded by the Honourable Senator Duncan, for the third reading of Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms).

And on the motion in amendment of the Honourable Senator Plett, seconded by the Honourable Senator Martin:

That Bill C-21 be not now read a third time, but that it be amended in clause 43, on page 49, by replacing lines 27 to 34 with the following:

“(i) that they are participating in a handgun shooting discipline,

(ii) the disciplines in which they participate, and

(iii) that the handgun in question is appropriate and necessary for participating in those disci-”.

**The Hon. the Speaker:** Honourable senators, the question is as follows: It was moved by the Honourable Senator Plett, seconded by the Honourable Senator Martin:

That Bill C-21 be not now read a third time, but that it be amended —

Shall I dispense, honourable senators?

**Hon. Senators:** Agreed.

Motion in amendment of the Honourable Senator Plett negated on the following division:

Greene  
Greenwood

Woo  
Yussuff—66

YEAS  
THE HONOURABLE SENATORS

Arnot	Mockler
Ataullahjan	Oh
Batters	Patterson ( <i>Nunavut</i> )
Boisvenu	Plett
Carignan	Poirier
Dagenais	Richards
Housakos	Seidman
MacDonald	Wallin
Marshall	Wells—19
Martin	

NAYS  
THE HONOURABLE SENATORS

Anderson	Harder
Aucoin	Hartling
Bellemare	Jaffer
Bernard	Kingston
Black	Klyne
Boehm	Kutcher
Boniface	LaBoucane-Benson
Boyer	Lankin
Burey	Loffreda
Busson	Massicotte
Cardozo	McCallum
Clement	McPhedran
Cordy	Mégie
Cormier	Moncion
Cotter	Moodie
Coyle	Omidvar
Cuzner	Osler
Dalphond	Pate
Dasko	Patterson ( <i>Ontario</i> )
Deacon ( <i>Nova Scotia</i> )	Petitclerc
Deacon ( <i>Ontario</i> )	Petten
Dean	Prosper
Downe	Quinn
Duncan	Ravalia
Dupuis	Ringuette
Forest	Ross
Francis	Saint-Germain
Galvez	Simons
Gerba	Smith
Gignac	Sorensen
Gold	White

ABSTENTION  
THE HONOURABLE SENATOR

Verner—1  
• (1620)

THE HONOURABLE DENNIS GLEN PATTERSON

EXPRESSION OF THANKS

**Hon. Dennis Glen Patterson:** Thank you, honourable senators. You've gathered that I'm on a bit of a roll. Forgive me; this is my last gasp.

I was talking about the importance of committee chairs being neutral and balanced. My advice going forward is that we must never allow any ideologue — no matter what political stripe — to chair any Senate committee. I also yearn for the old days when the Senate committees had the time to do momentous studies which had a huge influence on the public policy issues of the day. I think that Senate committees are now too bogged down with endless Senate public bills. There are a staggering 82 Senate public bills at various stages on the Order Paper today. Surely, we are running out of days and months to recognize causes. And, surely, there are only so many frameworks that can be developed before we get overwhelmed. Senators, something must be done to limit and wean Senate public bills. Even the partisan other place has schemes to triage and speed up consideration of private members' bills.

Thanks for the kind remarks about the Special Senate Committee on the Arctic. I was very fortunate to have had the blessing of the Senate to establish that special committee as the deputy chair with the former Honourable Senator Charlie Watt, and later as the chair with the Honourable Patricia Bovey as my deputy chair. It was a struggle to form that committee — it was resisted, frankly, initially by Senate leadership. We solved the staff resources problem by agreeing to meet on Mondays, and I am proud of the work that we did, which was comprehensive and, dare I say, more credible than the government's Arctic and Northern Policy Framework. Going forward, I recommend that the Senate find ways to undertake in-depth studies on issues of the day, such as the current crisis in our health care system, which is crying out for attention from a non-partisan, sober second thought Senate committee.

What of the legislative process within the chamber in the new independent Senate? I must say that as I depart this august place, I find it ironic that what goes around comes around. Tactics that were condemned when employed by the official opposition in the old partisan days — tactics employed in efforts to delay or kill bills that they didn't like — are now being employed by some so-called independent senators. Some of whom are in leading roles are increasingly seen to be dancing to the government piper, as I did when I was a loyal Conservative senator. I leave this chamber fresh on the heels of heated debate and several of what I consider

to be mischievous amendments to this short-term exemption from the carbon tax for farmers to dry their grain and heat their barns when they clearly don't have immediately available green technology options.

I sympathize with the plight of farmers because I represent another group of harvesters here in the Senate: Inuit hunters who feed their families in these modern days using snowmobiles and all-terrain vehicles that burn gas. There is no appetite for more speeches on Bill C-234 — I know — but hunters in Nunavut do have a common cause with farmers in Southern Canada. As I said before in this chamber, hunters also don't yet have green energy alternatives. They can't go back to dog teams. There are not yet electric snowmobiles. There are no electric all-terrain vehicles on the market.

This past year, the federal government imposed a so-called federal backstop on gasoline prices in Nunavut — the same backstop that caused a revolt by long-time loyal Liberal MPs in Atlantic Canada — which has allowed a temporary reprieve on home heating oil in Nunavut, where we can't go back to igloos, and where heat pumps don't work effectively in our extreme cold. When Environment and Climate Change Minister Guilbeault visited Nunavut shortly after the backstop kicked in, he refused to allow the territorial government to rebate the carbon tax on the price of gasoline at the pumps any longer. The consequent spike in gas prices just hurt the hunters, and made it less affordable to feed their families from the land in a region that has the highest cost of living anywhere. Many of the people who can least afford to pay for this spike in the price of gasoline don't get the tax repaid to them because almost 30% of them, as statistics show, don't even file tax returns.

No wonder the new Premier of the Northwest Territories has recently said that carbon taxes may work in the South but not in the North. We just don't have green energy alternatives as a choice when we're paying a carbon tax which is supposed to incentivize greener choices. I know that it's effective in doing that in Southern Canada, and I was happy that I was able to help persuade the federal government to exempt fuel required to generate electricity in Nunavut, since we still don't have any significant alternative energy sources to generate power. The fuel paid for air travel within Nunavut is now exempt from carbon pricing, but we still pay the carbon tax on airplane fuel purchased in Ottawa, Montreal, Winnipeg and Edmonton for the fresh groceries and other essential supplies that we must bring to the regional hubs in Nunavut in order to distribute to our 25 off-road, fly-in-only communities. There is no logic to this.

Because carbon pricing is the signature climate change policy of our current federal government, and that policy is now under attack, it has been signalled there will be no more exemptions. That will just continue to hurt the folks I represent here in the Senate: They are an Indigenous minority from a remote region — the very people whom the Senate was established to give voice to.

• (1630)

Colleagues, as I reflect on my time in the Senate, please allow me to take a few moments to thank the Prime Minister who appointed me to the Senate, Stephen Harper, and our then Nunavut MP, who recommended my appointment to him, the Honourable Leona Aglukkaq.

I was very grateful that Stephen Harper, who appointed me to the Senate in 2009, took a genuine interest in the Arctic. Stephen Harper took a whole week out of every year to travel the North. I was privileged to accompany him on many of those trips. This was not luxury travel. We flew in uncomfortable, noisy, Canadian Armed Forces Hercules aircraft, slept on the cold ground in military tents with the Canadian Rangers in Gjoa Haven and travelled on naval and Canadian Coast Guard vessels in search of the lost Franklin ships, which were found, with credit to Inuit oral history.

Prime Minister Harper regularly participated in Operation NANOOK, a frequent Arctic military preparedness exercise, and he cared about sovereignty and security in the North. The Stephen Harper government was not there for photo ops. Harper invested in the Geological Survey of Canada, which has led to economic mineral discoveries, including Nunavut's potential first diamond mine a stone's throw from our capital — 125 kilometres from Iqaluit. He built the North's first — and our first — Fisheries and Oceans Canada small crafts harbour ever in Pangnirtung, which now supports a vibrant inshore fishery.

As Senator Cordy kindly mentioned, I was thrilled to attend the official opening of Iqaluit's deep-water port last summer and Pond Inlet's new small crafts harbour the same year. These were projects announced and funded by Stephen Harper.

I pushed and pushed and waited for more than 40 years for something to be done to facilitate marine cargo facilities in our harbour with its 40-plus foot tides at maximum, second only to the Bay of Fundy in their surge. Harper committed to building the magnificent Canadian High Arctic Research Station, hosted by the welcoming community of Cambridge Bay, where Arctic research is done in the Arctic instead of in the South. He established the Canadian Northern Economic Development Agency, which is now headed by an Inuk president, Jimi Onalik.

He fast-tracked devolution of authority from colonial distant Ottawa to the duly elected Government of the Northwest Territories, and he prioritized devolution in Nunavut, which is on the verge of completion. This is decolonization in action.

Stephen Harper completed the dream of my hero John Diefenbaker of completing the last leg of Dief's Dempster Highway, which went from Whitehorse to Inuvik, by building the all-weather road to Tuktoyaktuk. This all-weather road has made the development of a liquid natural gas project feasible and now provides another transportation link for freight to western Arctic communities, now that the great Mackenzie River has become impassible in places due to low water levels resulting from climate change.

I have to say, our current Prime Minister comes infrequently to the North. He came to apologize for tuberculosis, for the evacuation of residents and for dog slaughters in the past. He journeyed to Washington, D.C. to announce a moratorium on oil and gas exploration and development without taking even a moment to inform or seek the opinions of the duly elected governments of the territories. He has journeyed north to announce with Inuit leaders the establishment of vast Marine Protected Areas, though they are wholly out of proportion to our share of Canada's oceans. This is in pursuit of United Nations-mandated biodiversity targets and, again, is without regard to the interests of the territorial government, even as the federal government is simultaneously negotiating the devolution of federal responsibilities for managing lands and resources to the Inuit and Nunavut territorial government.

Please don't get me wrong, colleagues. National parks are wonderful and conservation areas are needed to preserve biodiversity in Canada. But we need to do so in a balanced way, which also recognizes the needs of our rapidly growing population for employment and generating wealth as an alternative to our currently still largely public sector and service economy.

I hate to say this, but our northern parks are hardly visited because of their cost and remoteness. One of them had 17 visitors one recent year. Those numbers improve when a cruise ship sends visitors ashore in Zodiacs, but there are hardly any jobs or businesses that result from these huge areas.

I am grateful, though, that the new Tallurutiup Imanga National Marine Conservation Area in what is also known as Lancaster Sound, included in Bill S-14, sponsored capably by Senator Sorensen, will include marine infrastructure in High Arctic communities, and that Canada has committed to building a deep-water port in Qikiqtarjuaq, which will capitalize on their rich and developing fisheries.

I can't say farewell in the Senate without expressing my support for and current concerns about opportunities I see — which must not be squandered — about mineral potential in Nunavut. It is disheartening to me to increasingly see how our few mines in Nunavut, whose existing mine complexes take up only 0.0015% — way below 1% — of our vast lands, are only 26.9 square kilometres in total. The total area of all five mines in Nunavut is less than the 51-square-kilometre area of our capital city of Iqaluit. Yet, mining is too often vilified in many quarters, even though in Nunavut, every mine must undergo rigorous, lengthy permitting by Inuit-dominated and controlled regulatory boards set up under the Nunavut Land Claims Agreement, and they have maintained the highest standards of respect for managing their operations and minimizing environmental impact. I have seen this with my own eyes.

The Agnico Eagle mine near Rankin Inlet, which is only 25 kilometres from the community, runs through a seasonal caribou migration area. When the caribou come anywhere near the mine or the roads, everything shuts down. Then Inuit from Rankin Inlet travel down the road to the mine, and they can and do hunt the caribou in significant numbers during that time. They depend on the caribou for food.

But the mine shuts down completely, and so does the Meadowbank mine near Baker Lake, which shut down for weeks this past summer when 900 workers stayed idle in their accommodations while small groups of caribou migrated across their road. Yet it is the mining company that is being vilified for jeopardizing caribou.

It is the southern-funded NGOs and Indigenous folks from outside Nunavut who are agitating against mineral development in Nunavut, and it is our federal government that has recently given Dene from Manitoba and Saskatchewan standing to participate on an equal footing with Inuit residents of Nunavut — who have a settled land claim — in regulatory hearings about developments in Nunavut.

I wonder how they would take it if Inuit from Nunavut journeyed vast distances into Manitoba and Saskatchewan, armed with consultants and lawyers, to tell them how to manage their lands and resources. Yet our federal government is encouraging this to happen to Inuit in Nunavut.

Southern Indigenous groups and their lawyers and consultants have recently campaigned against wind turbines proposed by mining companies in Nunavut to reduce fossil fuel consumption and lower greenhouse gas emissions. They have also campaigned against expansion of an existing mine, potentially depriving Inuit of Nunavut of the share of royalties they are guaranteed by their settled land claim agreements and by the impact and benefit agreements they have signed, guaranteeing them jobs and benefits.

Why is this happening? The federal government's declaration that there is no more important relationship than with Indigenous people is laudable, but it is being applied in Nunavut with advice from distant, Ottawa-based colonial bureaucrats with such a zeal that the rights of settled land claims beneficiaries are being eroded by Indigenous residents in neighbouring jurisdictions without settled land claims.

We see that elsewhere in our neighbouring jurisdiction in Nunatsiavut, Newfoundland and Labrador, where self-styled Indigenous organizations need merely assert inchoate rights and be recognized and funded by Canada, as if they were rights holders.

Colleagues, Nunavut has huge mineral potential. It is 20% of Canada. It includes critical minerals we need for the green revolution we all want to see. We have the potential to wean our nascent economy from reliance on welfare and public- and service-sector employment and to pay for housing and social programs from mining royalties. However, too often, our current government seems oblivious to that potential north of the sixtieth parallel.

• (1640)

It is, of course, important to redistribute wealth to those in need and to social programs we all care about, but I remain hopeful that Canada will come to understand that investments in infrastructure that we lack in the North — in particular in improved airports and even roads for our 25 fly-in-only communities and in the first deepwater port on our longest,



completely undefended coast, the Northwest Passage — will yield jobs and business opportunities and will contribute enormously to growing Canada's gross domestic product.

The operating mines in Nunavut generate a staggering 41.23% of Nunavut's GDP compared to 18% from government, but they operate with hardly any recognition or support from our federal government, which pursues commuter-time-shortening transit infrastructure for their urban base and investments in multi-billion-dollar job creation schemes like electric battery plants, but as yet has no infrastructure funds to make our rich mineral potential viable.

So in my last speech in this place — and thank you for bearing with me — I'm going to mention three critical investments that Canada should make if it could only have the political will to realize the lofty, aspirational goals of its own Arctic policy framework.

The first is the Grays Bay Road and Port Project, which will be Nunavut's first all-weather road connection from the North American highway system in Yellowknife to the Arctic coast at a natural deepwater port at Grays Bay on the Coronation Gulf on the Arctic Ocean.

The pluses of this project are staggering. First, it will be the first and only deepwater port for our navy and our allies' navies — with our permission to use it — on the Northwest Passage. It will replace melting ice roads serving diamond mines on the N.W.T. side of the border and provide alternative shipping routes for Kitikmeot communities now that the Mackenzie River has become impassable. As well, it will unlock known mineral deposits in the rich Slave Geological Province, which contains critical minerals like lead, zinc, cobalt, copper and rare earths essential to our electric vehicle transition.

It was exciting to learn of Canada's Critical Minerals Strategy, but I fear it will be a massive struggle to get our current government to invest in a mineral-rich but vote-poor region in Northern Canada. Nevertheless, thanks to a commitment from former transport minister Marc Garneau, I was thrilled to be present at Nunavut Mining Day on the Hill last month. Some of you were there, and I thank you. With the support of Minister Rodriguez, there was an announcement of a \$20.7-million contribution from the National Trade Corridors Fund to help launch an Inuit-led proponent for the regulatory process aimed at permitting that road and port, which follows a traditional Inuit travel route and ends at a natural deepwater port also well known to Inuit. Colleagues, this is a visionary nation-building project that will assert Canadian sovereignty, build security and allow us to monitor our Northwest Passage against aggressive, unfriendly threats.

The second important project is about all-important communication improvements and reduced reliance on greenhouse gas emissions for the largest, most remote and isolated region of this country. The Inuit of our central

Kivalliq — formerly Keewatin — Region north of Manitoba and Saskatchewan have worked hard to lay the foundation for a hydro and fibre-optic link between Manitoba and Nunavut, which would not only bring clean energy to the region's seven communities but also power orderly mineral development. As well, the fibre link will free up bandwidth currently provided only by satellite to give the entire territory the potential to achieve internet speeds taken for granted in the rest of Canada.

Finally, there is the Baffinland project in the far north of Baffin Island. There are mountains of the purest iron ore in the world — iron ore so pure it does not need to be smelted. You can take two chunks of that ore and weld them with a torch; there is so much iron in the rock. It just needs to be crushed, and then it can go straight into blast furnaces to make the product that Europe is now actively seeking, so-called green steel, which has significantly lowered greenhouse gas emissions because the smelting stage can be skipped. It is the Inuit of Baffin Island — Qikiqtaaluk — who own those rich deposits, and Baffin Island is the closest point to the steel mills in Europe, which love its purity and proximity.

In 2022, after a long and intense four-plus years of regulatory process and community hearings, Baffinland Iron Mines Corporation was told by the Inuit-led Nunavut Impact Review Board, or NIRB, that their proposal to ship ore from their Mary River deposits north on a road to Milne Inlet through Eclipse Sound and near adjacent High Arctic communities posed a risk of disrupting the rich marine mammal population in the region and jeopardized the reliance of those communities on hunting belugas, narwhals and seals for food.

The company had made efforts to limit the shipping season to the narrow window of summer open water. That window is now changing. It's lengthening with climate change. Pond Inlet still, amazingly, has open water today in December. The company also agreed to slow the speed of their ore carriers, actively monitor for whales and employ larger ships to yield fewer ship transits. Most impressively, the company had offered an unprecedentedly generous impact and benefit agreement, which would have given the seven so-called impacted communities a daycare in each community, training and learning centres, gasoline for hunting and cash — a total of \$2 billion in royalties for Inuit over the roughly 20-year life of the first deposit.

Despite these commitments in the so-called certainty agreement, the regional Inuit association rejected the agreement, and the impact review board denied the company's request to double their production. Baffinland is now securing support — and community support is building — to build a railway south from their deposit to Steensby Inlet, far from any Inuit settlements or hunting areas and even closer to Hudson Strait and the green steel mills of Europe.

Still, the costs of such infrastructure in the Arctic are significant. However, Canada's export development corporation exists to support ventures like this. This is a railway and port that I believe can and should be financed, built and operated by Inuit. Canada can and does provide loan guarantees and other support

for infrastructure to foster economic growth in other parts of Canada, but it only rarely does so in the Arctic, even though our rich natural resources have the potential to very positively impact Canada's GDP because everything we need to build in the Arctic is sourced and shipped from southern Canada.

Please don't forget the Arctic. There are enormous dividends for Canada from these investments.

An inspiration for Canada and for Nunavut Inuit is the NANA land holding corporation's win-win partnership with Canadian miner Teck to build the Red Dog lead-zinc mine with the largest deposits of zinc in the world, accounting for 10% of the world's zinc production, in Alaska. NANA received \$175 million in proceeds from Red Dog in 2020. Red Dog accounts for half of the state of Alaska's mineral revenues. Anyone who wants to work can work.

This story points the way for Canada to partner with the Inuit and Baffinland, building on hundreds of years of the richest iron ore deposits in the world. This will be a game changer for Nunavut and Canada. Because of the historic Nunavut Land Claims Agreement, which was signed by another great Canadian prime minister Brian Mulroney and his visionary northern affairs minister Tom Siddon, it is the Inuit who will benefit from mineral development through a guaranteed share of resource revenues from projects built on their lands, while at the same time it is the Inuit who have the power to ensure that the land and marine environment will be protected and impacts mitigated through a guaranteed voice in the regulatory process.

We have the formula for win-win, orderly development of our rich natural resources in Nunavut, a guaranteed share of resource revenues, a requirement that every company that develops our resources and every major development must complete the Inuit Impact and Benefit Agreement and a major, strong role in the regulatory review of developments.

• (1650)

Canada, we have figured it out in the North. Learn from us. The bitter wrangles over development projects on Indigenous lands in the Ring of Fire and in the Wet'suwet'en need not occur if federal and provincial governments share Crown lands, resource revenues and give Indigenous peoples more than token consultative roles in the regulatory progress. We are making it work in Nunavut. Unfortunately, our regulatory process has been too often influenced or even hijacked by outside, southern-funded "we know best" environmental organizations like anti-development Greenpeace, which demonized our subsistence seal hunters and destroyed a viable source of income, the Arctic chapter of the World Wildlife Fund and the U.S.-funded, fossil-fuel-endowed Pew foundation's Oceans North.

[ Senator Patterson (Nunavut) ]

Now, in a misbegotten effort at reconciliation, our own northern affairs minister has granted Dene from Manitoba equal standing in the regulatory process in Nunavut, providing intervenor funding to Dene from Manitoba to flood recent regulatory hearings in Nunavut, far away from the sixtieth parallel, to oppose any development in Nunavut. The anti-development Nunavut Planning Commission, imbalanced by protectionist zealots, has once again recommended vast protected areas of limited development in our territory, freezing the existing footprints of mines so they will never attract investment to extend their mine life, even where known long-term deposits exist in their now fourth draft of a Nunavut land use plan, which also legitimizes the so-called "asserted rights" of Dene from Manitoba.

I believe this is wrong in law and damaging policy created on the advice of colonial officials in Ottawa who want to turn Nunavut into a vast park and conservation area in a territory with a rapidly growing population, with 10,000 young people who will be potentially joining the job market in the next 10 years. We will have to resort to welfare and poverty unless we realize the potential for creating wealth and jobs from our rich renewable and non-renewable resources.

Honourable senators, I now wish to conclude my remarks. Before I do that, though, I want to give some thanks and some advice. There is only one senator and one MP for our vast territory, encompassing Canada's largest land mass and longest coastline, and as I have said, many pressing issues and opportunities. I think it is urgent that the position be filled without delay. I am concerned that the application process for a senator from Nunavut is not open now. There is no way that anyone can apply to be the next senator for Nunavut. I want to say that I believe the next senator for Nunavut must be an Inuk, reflective of the population of Nunavut.

I've been privileged to serve as your senator, though not being an Inuk. I want to thank the Inuit of Nunavut and their leaders who have shown me enormous support without regard to my racial status and who have my earnest respect.

Dear colleagues, I want to express my gratitude to you. You have always shown respect for my views and concerns as the only voice for my region in this chamber.

I conclude with the regret that I leave this chamber with unfinished business. It is about my bill to eliminate the ridiculous \$4,000 property and net worth requirement to be eligible for appointment to the Senate. Senators should reside in their regions. It should not matter where they live in their regions. Everyone agrees that this is elitist, and it currently eliminates persons who are First Nations living on-reserve under a ministerial permit and folks who rent. The Minister of Finance just said that is a third of people in Canada. It is a much higher proportion in Nunavut because building houses is so expensive.

My bill would eliminate this requirement in nine provinces and the three territories if the bill is approved by Parliament, but there is a wrinkle. Because of the historic anomalies of so-called “divisions” for senators in Quebec, the elimination of these elitist provisions in Quebec would require a resolution of the Quebec National Assembly. I have engaged with Quebec senators to seek their support to advance the bill in the rest of Canada and then throw the challenge to the Quebec National Assembly to put their citizens on an equal footing with citizens everywhere else, but there was mixed enthusiasm. You risk reopening the Constitution, someone told me. Perish the thought.

Senator Dalphond gave me pause for second thought by saying that he would support my bill, but he suggested I should agree to amend it so that it would not come into force unless it also applied in Quebec, subject to the approval of the Quebec National Assembly. That is now the version of the bill that is currently on the Order Paper.

That’s as far as I got. Other Senate public bills have preceded mine. Like I said, there are a staggering 82 bills at various stages on the Order Paper. I had promised the late Honourable Tommy Banks from Alberta to take up the torch on this bill when he retired. Now I must pass on the torch to you, my colleagues. I was very gratified to be approached by Senator Mary Jane McCallum who has offered to take up the cause. I know many of you will support her in that important modernization of the Senate.

I want to close, finally — mercifully, I’m sure some of you are saying — by thanking those who have supported me in my work. My late father, Glen Patterson, who lived independently all of his 97 years, was my biggest inspiration and my unconditional supporter, who taught me to love politics from a very young age at the dinner table. I was thrilled to have made a statement in his presence in this chamber, thanking him for instilling in me a love of politics from my youngest years.

His sister, my beloved aunt Jean Edwards, also turned 97 a few days ago. She is also an inspiration and a loyal supporter. Thank you. I love you, Aunt Jean.

Her son, my dear cousin Paul Edwards and Helen, my dear brother Bruce and Elsa and my dear sister Sheila and Buggy, who were with me in the former Senate Chamber for my swearing in 14 years ago, have travelled to be here with me. To my kids, Bruce, George, Alexander and Jessica, and my step-daughters, Andrea and Adriane, I thank you for your unwavering support.

Twenty years ago, I was at a picnic with Filipino family friends at a park in the summer on the West Coast. I saw a striking young woman whom I knew to be a political science student at Queen’s. She was reading a book, the title of which I recognized — Plato’s *The Republic*, a book I revered. I asked her, “What is a self-respecting young woman like you doing reading Plato’s *The Republic* on your summer break?” “Future leader,” she said. Nine years later, when I was in the Senate, after my beloved director of parliamentary affairs George Braden from Yellowknife passed away, I gave her a chance on probation to

learn about the Arctic and connect with my network in the Inuit government and mining sectors. She plunged into it with boundless energy and enthusiasm. In 2018, in the dead of winter, she persuaded me to tour all 25 remote fly-in communities in a single-engine Pilatus PC-12 Swiss short take-off-and-landing single-engine plane. My also beloved late executive assistant came with us, consulting on the bill to legalize cannabis.

As a result of that epic tour and the recommendations of the Indigenous Peoples Committee — which I have been so proud to work with throughout all my years in the Senate — I am happy to report that the Nunavut recovery centre is now under construction in Iqaluit, along with a program to train trauma-informed Inuit counsellors to help folks recover from addiction issues.

I’ve been with Claudine to every mine site in Nunavut. She has been my indefatigable resource, confident and consummate director of parliamentary affairs for all those years. I’m happy to think we have influenced significant Senate committee studies, and we’ve introduced hundreds of amendments.

• (1700)

During the Senate Energy Committee’s detailed consideration of Bill C-69, which Senator Simons talked about today, a massive 400-page revamping of the impact assessment regime in Canada, Claudine was a key staffer with respect to the over 200 amendments accepted by the Senate, which were developed in a subcommittee of the Energy Committee. That’s where the charting numbering system for amendments was developed, which is now in common use in our committees.

Actually, Canada might have avoided a recent ruling by the Supreme Court that certain provisions of Bill C-69 were ultra vires for encroaching upon provincial jurisdiction if most of our amendments had not been rejected out of hand.

She was the driver of something we’re very proud of in the Canadian Senators Group, or CSG: the paperless digital scroll, in French and English, which we’ve adopted. I marvel at Claudine’s devotion to her work despite valiantly fighting what I’m happy to say has turned out to be a successful battle against cancer and being a devoted mother to her special-needs son. She has always been there for me. She’s put up with emails sent at midnight — and later. She demanded her phone in the recovery room following her first bout of cancer surgery so she could transmit amendment packages to me in committee. She has stopped me from sending inflammatory letters and excised words from speeches I would have later regretted using — you can tell she didn’t write this speech today. She challenges me often, knowing that the final decision on what to do or say is mine.

Any successes I’ve had in the Senate I largely owe to Claudine Santos. She’s also taught me that things get done in Ottawa when you befriend ministers’ political staffers. The key ones I need to deal with are on her Rolodex. Don’t count on ministers to get things done; my advice is to go to their political staffers.

Also, I think she’s a respected leader among Senate staffers — the future leader she jokingly expressed the desire to become when I met her at the picnic 20 years ago.

Claudine, I love and respect you.

She loves working at the Senate. I'm so happy that she will remain as Director of Parliamentary Affairs for the Honourable Paul Prosper after my retirement.

Finally, I turn to the one who has stood by me for my entire career in the Senate. Unlike me, she's not a political animal or, as I describe myself, a political junkie. I savour that difference in outlook between us. She came back to Ottawa to be here with me today, having just lost her 88-year-old dad.

Evelyn, I am so grateful that you have put up with my obsession with this complex, fascinating and important work we do, as well as enduring phone calls and Zoom meetings during precious holidays and break weeks and the inevitable interruptions for work on days I told you I was free. I am now so ready and eager to devote myself to you in my autumn years. I thank you for putting up with and waiting for me — although, she's told others, "I don't know what I'm going to do with him." So I'll still want to remain connected with friends, my son and grandsons in Nunavut. I'll be tempted to work on some projects I care about. I'm looking forward to putting down some thoughts in writing. There are stories to tell.

Dear colleagues, I will miss you and this amazing place. I still pinch myself every day I'm here in these hallowed halls. But I leave this position as senator for the largest region in the country at peace and so grateful for your support and collegiality, as well as the privileged position and platform I was given. Thank you, *qujannamiik, wela'liog*.

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

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## ROUTINE PROCEEDINGS

### CANADA ELECTIONS ACT

#### BILL TO AMEND—FIRST READING

**Hon. Donna Dasko** introduced Bill S-283, An Act to amend the Canada Elections Act (demographic information).

(Bill read first time.)

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

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

[ Senator Patterson (Nunavut) ]

## INTER-PARLIAMENTARY UNION

### ASSEMBLY AND RELATED MEETINGS, OCTOBER 11 TO 15, 2022— REPORT TABLED

**Hon. Salma Ataullahjan:** Honourable senators, I have the honour to table, in both official languages, the report of the Inter-Parliamentary Union concerning the One Hundred and Forty-fifth Assembly and Related Meetings, held in Kigali, Rwanda, from October 11 to 15, 2022.

[*Translation*]

## AUDIT AND OVERSIGHT

### NOTICE OF MOTION TO AFFECT COMMITTEE MEMBERSHIP

**Hon. Raymonde Saint-Germain:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, notwithstanding any provision of the Rules or previous order, the Honourable Senator Yussuff take the place of the Honourable Senator Dupuis as one of the members of the Standing Committee on Audit and Oversight as of January 17, 2024.

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[*English*]

## QUESTION PERIOD

### ENVIRONMENT AND CLIMATE CHANGE

#### COST OF TRAVEL

**Hon. Donald Neil Plett (Leader of the Opposition):** Leader, Prime Minister Trudeau and his government have often lectured Canadians that his carbon tax is necessary to change their behaviour, but it's never changed his behaviour. He's never had to worry about his personal finances and how much the carbon tax is going to cost him. He never has and never will.

It's not just him, though. This past summer, common-sense Conservatives called on Minister Guilbeault not to attend a meeting of the China Council for International Cooperation on Environment and Development. He flew to Beijing anyway. Yesterday, Brian Lilley reported that Minister Guilbeault's three-day visit in August to the world's largest emitter cost Canadian taxpayers at least \$140,000.

Leader, what was the full cost of that trip?

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

I don't know the full cost of the trip, but I do know that what the minister was attempting to do, as any responsible minister seized with a mandate for climate change would, is engage with, as you correctly pointed out, the world's largest emitter.

We have complicated relationships with China. Some members in this house have travelled to China seeking knowledge, if not opportunities. This country has tried to engage with China on a commercial basis; our farmers depend upon access to markets. However, we've also been victimized by the aggression of China in our politics.

• (1710)

The fact remains that we share this planet together, and the Minister of Environment, in a government with a credible climate change policy, engaged with China, as he and this government must if we're going to reduce the global warming that's threatening our very existence.

**Senator Plett:** The question was what the cost was, not what he did there. The Trudeau government has refused to give Parliament information on Minister Guilbeault's current trip to Dubai. Clearly, you're not giving us anything today again. For eight long years, the Prime Minister said:

. . . we committed to set a higher bar for openness and transparency in Ottawa. Government and its information must be open by default. . . .

Leader, if that's the case, why is your government hiding the details of whom Minister Guilbeault is meeting with in Dubai and the specific matters discussed? Why won't you provide details on the costs incurred by the minister? Where is the higher bar?

**Senator Gold:** Thank you for the question. Minister Guilbeault and the Government of Canada are engaged in the serious and responsible business of governing and engaging in the world on matters important to Canadians, and they will continue to do so.

## GLOBAL AFFAIRS

### ISRAEL-HAMAS CONFLICT

**Hon. Leo Housakos:** Senator Gold, yesterday on the floor of the United Nations, the Trudeau government embarrassed itself and the country by aligning itself with Russia, Iran, Turkey and totalitarian Beijing in handcuffing Israel for its legitimate right to defend its territory and its people by supporting a ceasefire motion that doesn't say a single word or doesn't once call out the totalitarian terrorist regime called Hamas.

Senator Gold, in your view as government leader, as representative of the government, is this something that you recommended to the Prime Minister and this government to do? In your view, do you support this motion?

**Hon. Marc Gold (Government Representative in the Senate):** Normally, one thanks one for the question, but I'm not going to thank you for the question.

I support Canada's position in the Middle East, a long-standing position of all governments on a two-state solution so that Israelis and Palestinians can live in peace and security.

Let me read to you from the joint statement that the Prime Minister made with our democratic allies in the Five Eyes, Australia and New Zealand:

We unequivocally condemn Hamas' terror attacks on Israel on October 7, the appalling loss of life, and the heinous acts of violence perpetrated in those attacks, including sexual violence. We condemn Hamas' unacceptable treatment of hostages and call for the immediate and unconditional release of all remaining hostages.

With regard to the idea of a ceasefire, this is what the Prime Minister said with his allies:

We want to see this pause resumed and support urgent international efforts towards a sustainable ceasefire. This cannot be one-sided. Hamas must release all hostages, stop using Palestinian civilians as human shields, and lay down its arms.

There is no role for Hamas in the future governance of Gaza.

As representative of the government and personally, I subscribe to each and every one of these words.

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

**Senator Housakos:** Calm down, everyone, because none of those words are in the motion of the United Nations that was supported — none of those words. What we saw in that motion was no condemnation of Hamas and no reiteration of a two-state solution whatsoever. When our government signed onto that motion, it was a message that it is open season on Canadians of Jewish faith, allowing Canadians in this country to go in front of Jewish establishments and call for the death of Israel and the death of the Jewish people.

Take those words from the statement the government put out here in Canada and put them into that UN declaration, and then you can say you support it.

**Senator Gold:** I did not say anything other than I supported the words that I read, and I stand by what I said.

**Senator Housakos:** The UN declaration has your government's support and you support it.

**Senator Gold:** I believe that I still have the floor.

**Senator Housakos:** You have it.

**Senator Gold:** I repeat what I said. You are entitled, as your party has done since the Harper era, to use the Israeli-Palestinian situation as a wedge issue. You are entitled to ask me any question you want in this chamber, even though you know where I come from and where I stand. I stand by what I said. I stand by Canada's position in the Middle East, a long-standing position

that has not played wedge politics with something that is so painful and difficult for members of my community, the Arab and the Islamic community. Shame on —

**The Hon. the Speaker pro tempore:** Senator Gold.

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

## IMMIGRATION, REFUGEES AND CITIZENSHIP

### SPECIAL IMMIGRATION MEASURES

**Hon. Ratna Omidvar:** Senator Gold, I wish to align myself — colleagues, I have the floor. I have the floor, I believe, not Senator Lankin.

**Senator Plett:** No, but she was speaking.

**The Hon. the Speaker pro tempore:** Colleagues, please. I know we're all tired, but right now we're in Question Period, and it's Senator Omidvar's turn to ask a question.

**Senator Omidvar:** Senator Gold, I first wish to align myself completely with the statements and sentiments expressed by Senator McPhedran last Monday on the situation in Israel and Palestine. I would draw our attention to the 1.8 million Palestinians who have been displaced from their homes, including people with disabilities, women and children. Many of them are, in fact, family members of Canadian citizens.

The Government of Australia has implemented a specific immigration measure, including a special visa program, to expedite the visa assessment process for vulnerable individuals wishing to leave Gaza.

Will the Government of Canada create special immigration measures to help vulnerable Gazans, such as women and children?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. The situation is deeply concerning in Israel and Gaza and, indeed, in the West Bank. The government's top priority, I'm advised, is to ensure the safety of Canadian citizens, permanent residents and their families.

In responding to an international crisis such as the one the region is living through, Canada attempts to tailor each response to address the unique situation and circumstances and the needs of those on the ground. While I understand that applications from people in Israel, Gaza and the West Bank who are already in Canada continue to be processed, I have been assured that the government continues to monitor the situation, and any new developments will be shared when appropriate.

**Senator Omidvar:** Thank you, Senator Gold. The first victims on October 7 were Israeli men, women and children. There were kidnappings, indiscriminate killings and horrific acts of sexual violence. Over 100 people are still being held hostage. What Hamas did was disgusting and deplorable.

[ Senator Gold ]

I wish to ask you what our government is doing in partnership with international allies to, first, free the hostages and, second, hold the perpetrators to account.

**Senator Gold:** Canada is working with democratic allies, including the United States, where it really matters, to continue to put pressure on Hamas to unequivocally condemn them and to hope that all hostages are released safely and quickly.

## NATIONAL DEFENCE

### ARCTIC SOVEREIGNTY

**Hon. Tony Loffreda:** My question is for the Government Representative in the Senate.

Senator Gold, Canadians often forget that we have a third coast in the North. It is critical to our national sovereignty and the protection of Indigenous peoples living in the Arctic that Canada can defend all three of its coasts. I understand that the government is working to procure several ships and submarines capable of maintaining Canadian Arctic sovereignty and that National Defence has been conducting training exercises in the High Arctic under Operation NANOOK.

Senator Gold, how does Canada compare with our Arctic neighbours in our capability to defend our national interests in the High Arctic?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. I don't think one can overstate the importance of doing what we need to do to defend our sovereignty in the North.

You are correct, senator, the government is making significant new investments in the Arctic, including investments in six new Arctic and offshore patrol ships, four of which, as I understand, have already been delivered. This is in addition to the important strategic investments made to enhance our northern defence capability, including those through the *Strong, Secure, Engaged* policy and through NORAD modernization commitments.

**Senator Loffreda:** Thank you for that response. The United States is one of Canada's closest allies and a fellow member of the Arctic Council. It is essential for Canadian Arctic sovereignty that we are on the same page as our allies and work together to promote peace in the High North.

At an Arctic Council meeting in Finland in 2019, U.S. Secretary of State Pompeo made suggestions that Canada's claim to the Northwest Passage was illegitimate. How is the government working with our American and NATO allies on recognizing and maintaining Canadian Arctic sovereignty?

• (1720)

**Senator Gold:** It's a fundamental priority for this government to ensure Canadian sovereignty both on our land and in our waters; that includes safeguarding the Northwest Passage, which serves as a gateway to the Arctic. Neighbours always have disagreements, especially when it comes to borders and waters, but I can assure this chamber that the Canadian government is

working closely with its allies, not only the United States but European allies as well, on common interests in defending the North, and this government will always defend Canada's interests in that regard.

## INFRASTRUCTURE

### CONFEDERATION BRIDGE AND BRIDGE TOLLS

**Hon. Percy E. Downe:** Senator Gold, when Prince Edward Island joined Confederation, Canada made a commitment for continuous transportation. Over the years, that has evolved from seasonal ferries and iceboats in the winters to year-round ferries and now the joy of the Confederation Bridge, which we very much appreciate. It was a wonderful public-private initiative. However, the cost has become a problem. It costs over \$50 for a round trip. It became a larger problem when the government changed the long-time user-pay infrastructure policy that required tolls on federally owned bridges when the Champlain Bridge was constructed. Can you update us — I asked you last week, and you were going to check — on whether the government is going to continue the initiative they enacted last year, which was a hold on the cost-of-living increase for the existing tolls?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your follow-up question. You are a persistent fellow, if I may quote you in a different context. But, unfortunately, no, I don't have any further information, though I did make inquiries, Senator Downe. I hope any announcements in that regard will be forthcoming as soon as possible.

**Senator Downe:** In the spirit of the season, I'll try to be persistent without being aggressive, so let me word the follow-up question this way: Within the last year, the Minister of Transportation wrote to the Government of Prince Edward Island, indicating they would like to set up a joint committee between the federal government and the provincial government on how they can look toward the final solution of eliminating tolls. Can you give us an update on whether that committee has been set up? If it hasn't, can you find out when it's going to become active?

**Senator Gold:** I don't have an update on that. Thank you for the question. I'll certainly make inquiries.

## PRIVY COUNCIL OFFICE

### CLERK OF THE PRIVY COUNCIL

**Hon. Salma Atallahjan:** Senator Gold, I have in my possession an email that was sent by John Hannaford, Clerk of the Privy Council and Secretary to the Cabinet, to federal employees. Mr. Hannaford reports directly to the Prime Minister, and the email concerns the events of October 7 in Israel, the conflict between Israel and Hamas and the subsequent rise in hate-motivated incidents in Canada. Senator Gold, this email is far from neutral or inclusive. Is it standard practice for your government to send to its employees such emails?

**Hon. Marc Gold (Government Representative in the Senate):** I'm not aware of the contents of the email, senator, so I certainly can't comment on it. I don't know what else to say. I simply don't know what you're referring to.

**Senator Atallahjan:** Senator Gold, sadly, in the world we live in, there are countless territorial and religious conflicts, civil wars or even instances of political polarization across the globe; however, we are fortunate to live in a democratic country, where we are free to practise the religion of our choice and voice our opinions.

Will it become standard practice for the Clerk of the Privy Council to direct employees to do or not do something in the context of those different conflicts?

**Senator Gold:** Senator, I'm at a loss to respond. I don't know what the content of the email is. You are asking me to comment on something both in ignorance and in the abstract. With the greatest of respect — which you know I have for you — I can't answer that. But I would be happy to discuss the matter, if you could share this with me on another occasion. I'll certainly do my best to understand your concerns and see what we can do together.

## INDIGENOUS SERVICES

### INDIGENOUS BUSINESSES

**Hon. Yonah Martin (Deputy Leader of the Opposition):** My question for the government leader concerns the procurement strategy for Indigenous businesses, which sets aside procurement opportunities for Indigenous businesses.

On Monday, it was reported that two IT firms that received millions of dollars for the ArriveCAN app — Coradix and Dalian — were never audited to ensure they complied with this program from which they have regularly benefited. The Trudeau government admits it only requested Indigenous Services Canada audits on these two firms after *The Globe and Mail* asked if they met the program's requirements to support Indigenous entrepreneurs. So, leader, could you tell us why your government never checked to see if these firms complied with the terms of this program?

**Hon. Marc Gold (Government Representative in the Senate):** I do not have specific information about the various steps that may have been taken in the awarding of the contract, and I regret that I cannot answer that particular question. I do know that serious investigations are under way. Contracts have been suspended. The government is aware of the ongoing RCMP investigation. I have every confidence that all matters relevant to this particular file are being looked at and that the facts will be dealt with and analyzed when they're fully available.

**Senator Martin:** I'm glad that you are making that commitment to make public the results of —

**Senator Gold:** That is not what I said.

**Senator Martin:** Okay. I'm asking for you to make a commitment on the results of the audit. I think I'm hearing what I want to hear because it is important that we get to the bottom of what happened. The CEO of the National Aboriginal Capital Corporations Association told *The Globe and Mail* that they have been hearing talking points and haven't seen the reporting. They would like to see the results of the audit made public.

**Senator Gold:** Let me simply say this: Programs to benefit and empower Indigenous businesses, organizations and individuals are fundamentally important. It is categorically wrong if those are exploited or taken advantage of and not for the benefit of those for whom the program was designed, and the government will take that very seriously.

## EMPLOYMENT AND SOCIAL DEVELOPMENT

### GUARANTEED LIVABLE INCOME

**Hon. Pat Duncan:** My question is for Senator Gold, the Government Representative in the Senate.

Government-funded research so ably provided by our dear colleague Senator Pate has demonstrated that a guaranteed livable income could help those who are homeless find housing more quickly and save money for governments — and could do so without driving up rent. For those housed but struggling to make ends meet, guaranteed livable income cash transfers can mean not having to worry about losing everything.

The Government of Prince Edward Island has made a request to the Government of Canada, as have many municipalities, to examine the potential of a guaranteed livable income. Senator Gold, are you able to provide us with an idea of when Prince Edward Island and these municipalities might receive a response from the government concerning a guaranteed livable income?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you very much. The issue of guaranteed livable income, and different versions of it, is something that has been much studied in academic circles, much debated in this place and worthy of continued study. It is an important issue, and it is regrettable that some of the pilot projects that had been under way were not completed in time — or, at least, were not continued long enough for the data to be as helpful as we would hope it would be.

I can't answer your question about the Government of Canada's response, but I would encourage municipalities, provinces — and, indeed, think tanks and this institution — to continue to look at this. It is an attractive approach to address poverty and the lack of dignity that so many people struggle with, but it is a complicated social policy issue, as we all know, and requires further study.

**Senator Duncan:** Thank you for that response, Senator Gold. I do appreciate that it is a very complicated proposal involving many Government of Canada departments. The issue I have is that Prince Edward Island has made a direct request. The Government of Yukon has a guaranteed livable income in their Putting People First Strategy.

Can you perhaps advise the chamber on who has been assigned as the government's point person to respond?

**Senator Gold:** I'll certainly make inquiries as to the status of these requests, and I'd be pleased to do that. This is a program that will engage not only the federal government but, of course, territorial and provincial governments and, indeed, municipalities, if we are going to take a proper, comprehensive look at all the supports that we try to provide to people in need and how those might be affected by some new policy.

• (1730)

## FISHERIES AND OCEANS

### DATA COLLECTION

**Hon. Iris G. Petten:** My question is to the Leader of the Government in the Senate. Senator Gold, approximately 72,000 Canadians make their living directly from fishing and related activities. In fact, in 2021, Canada's commercial marine fisheries were valued at \$4.6 billion. However, a recent report from the Auditor General found that Fisheries and Oceans Canada remains unable to collect catch data. According to the Auditor General, without dependable and timely catch data, the department does not have the important information it needs to support the sustainable management of fisheries. It runs the risk that fish stocks are overexploited.

Senator Gold, how is the government planning to address this serious issue?

**Hon. Marc Gold (Government Representative in the Senate):** It is a serious issue, and I thank you for the question. The government thanks the Commissioner of the Environment for the important work that he does and agrees with all the recommendations in the report. I've been advised that Fisheries and Oceans Canada has a number of sources of information that enable it to monitor fisheries effectively and integrate those data into the decision-making process. That said, there is always room for improvement. As a former deputy chair of the Standing Senate Committee on Fisheries and Oceans here, I can say that with some confidence.

That's why the government will continue to improve the management of the fisheries based on the best available science and in collaboration with other reliable sources of information. I understand that the Government of Canada will continue to work closely with the commissioner's office to implement his recommendations and sustainably manage marine commercial fisheries for the benefit of future generations.

**Senator Petten:** Senator Gold, the collapse of the Atlantic cod population in the 1990s has shown that the recovery of fish stocks is far more difficult and resource-intensive than keeping a species' numbers at a healthy level. Will the government commit to developing and implementing a nationally consistent procedure for systematically tracking whether third party observers deliver fisheries catch monitoring information as required?



**Senator Gold:** It is my understanding that the Department of Fisheries and Oceans is in the process of its third party monitoring program review, which includes both the At-sea Observer and Dockside Monitoring programs. It is currently engaged in identifying gaps in the current model and won't hesitate to make changes if the review demonstrates that's necessary. It is of paramount importance to the government that the third parties it deals with ensure efficient and effective monitoring of fish stocks.

[Translation]

## PRIME MINISTER'S OFFICE

### COMMENTS OF PRIME MINISTER

**Hon. Claude Carignan:** My question is for the Leader of the Government in the Senate.

Leader, the Prime Minister has begun his round of year-end media interviews. He was asked about his statement accusing India of being linked to the murder of an activist in Canada. In his responses to the media, the Prime Minister said the following, and I quote:

They chose to attack us and undermine us with a scale of misinformation and disinformation in their media that was comical.

"That was comical." The Prime Minister used those words. Don't you think the Prime Minister is fanning the flames?

**Hon. Marc Gold (Government Representative in the Senate):** The evidence, the information that the Prime Minister shared with Canadians about India's involvement in the killing of a Sikh community leader, Hardeep Singh Nijjar, was sadly confirmed through shared intelligence, confirmed and communicated by our allies, including the United States. What happened wasn't "comical," it was serious. The Government of Canada, with the significant contribution of India and with the people of India, will continue to call on that country to collaborate with us to come up with a solution, so that we can simply understand what happened and so that justice can be served.

**Senator Carignan:** Don't you think the Prime Minister was fanning the flames when he described the Indian media coverage as "comical" in his year-end interviews? Won't this once again damage relations between Canada and India? Is this the kind of international relationship he wants to maintain?

**Senator Gold:** I think it's important for our government to take an honest and serious look at what happened on Canadian soil. I think the relationship between Canada and India is strong enough to survive certain statements about the media in India.

[English]

## HEALTH

### MEDICAL ASSISTANCE IN DYING

**Hon. Donald Neil Plett (Leader of the Opposition):** Leader, just over a year ago, Meghan Nicholls, Chief Executive Officer of Food Banks Mississauga, gave an interview with Global News where she said that she received phone calls from food bank clients seeking help with assisted suicide. She said:

People who are living at the bottom income percentile in our community are talking to us now about taking their own lives because it's too hard to be poor any longer.

Leader, in February, a report from Parliament's Special Joint Committee on Medical Assistance in Dying, or MAID, stated, "A person should not be approved for MAID due to socio-economic suffering."

Over the past year, leader, how many other food banks have reported similar requests? Is that something the Trudeau government tracks? If not, should it not do so?

**Hon. Marc Gold (Government Representative in the Senate):** I don't have knowledge of whether the Canadian government tracks what goes on in the food banks across Canada. You raise a number of important issues about people who are suffering. The government has put into place a hotline for those who are having suicidal ideations. The government is providing assistance, as are communities, not-for-profit organizations, provinces and municipalities, to address the growing food insecurity crisis that too many Canadians face.

There is, of course, a process, a joint parliamentary committee, that is addressing the issue of medical assistance in dying, as we know.

All I can say is that you have raised a number of troubling matters that are facing Canadians, and we all have a responsibility, I think, not only to show our compassion for them but to do what we can to alleviate those challenges.

**Senator Plett:** Health Canada recently reported:

The annual growth rate in MAID provisions has been steady over the past six years, with an average growth rate of 31.1% from 2019 to 2022.

Leader, can you explain why Health Canada calls annual growth rate in MAID provisions of over 30% in just a few years "steady growth"? Isn't that more than steady growth? What's this?

**Senator Gold:** I must be missing something. I'm not understanding what lies behind the question. Those who are suffering intolerably from pain and are taking advantage of laws that we have passed in this place to alleviate human suffering, each and every one of them is a precious life; each and every one of them has made a decision in the full dignity and autonomy of

their lives and, I hope, surrounded by loving family, friends and support. Honestly, Senator Plett, I just don't understand what you are asking or why you are asking it.

## ORDERS OF THE DAY

### BUSINESS OF THE SENATE

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, pursuant to rule 4-13(3), I would like to inform the Senate that as we proceed with Government Business, the Senate will address the items in the following order: Motion No. 150, followed by third reading of Bill C-21, followed by second reading of Bill C-56, followed by consideration of the sixth report of the Standing Senate Committee on Energy, the Environment and Natural Resources, followed by all remaining items in the order that they appear on the Order Paper.

• (1740)

[*Translation*]

### BILL TO AMEND CERTAIN ACTS AND TO MAKE CERTAIN CONSEQUENTIAL AMENDMENTS (FIREARMS)

#### TIME ALLOCATION—MOTION—DEBATE

**Hon. Marc Gold (Government Representative in the Senate),** pursuant to notice of December 12, 2023, moved:

That, pursuant to rule 7-2, not more than a further six hours of debate be allocated at third reading stage of Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms).

He said: Honourable senators, I rise to speak to Government Motion No. 150, which proposes to allocate an additional six hours to the debate on Bill C-21.

This bill seeks to better protect Canadian communities from gun violence in all its forms, including gangs, domestic violence, mass shootings and suicide. It is, without exaggeration, a matter of life and death, and we have a duty to deal with this bill without delay, while studying it thoroughly.

[*English*]

Bill C-21 is vital legislation that aims to better protect Canadian communities from gun violence in all its forms. It was a key electoral platform committed by this government. It has been a government priority throughout this mandate, and it has been thoroughly studied in both chambers of Parliament. As such, I am now moving this motion seeking agreement on a road map to get Bill C-21 to the finish line at long last.

[ Senator Gold ]

Applying time allocation to an item of government business is not a decision I take lightly. This is only the second time that the Government Representative Office has done so, and it is not our preferred way of dealing with legislation. However, on occasion, it is the appropriate way, and I will explain why I believe that this is such an instance.

Bill C-21 was introduced in May 2022, over a year and a half ago. It was extensively studied by members of Parliament with numerous amendments proposed — some withdrawn, some defeated, some adopted — and the bill was ultimately passed by the other place in May of this year with support from over 200 members of Parliament representing four different parties.

We received the bill in our chamber on May 18. Over the course of three weeks in June, eight senators spoke on debate before we referred the bill to the Standing Senate Committee on National Security, Defence and Veterans Affairs. That committee studied Bill C-21 for 33 hours over 12 meetings this fall. It heard from more than 60 witnesses and received 34 written briefs. It reported the bill back to the chamber last week unamended, although with extensive observations. We've now been debating it at third reading for several days.

[*Translation*]

All that to say that this bill has undergone a meaningful review. I'd like to thank the many senators who took part, especially the members of the Standing Senate Committee on National Security, Defence and Veterans Affairs. After a year of study in the other place, six months of study in the Senate, and more than two years since an election campaign in which one of the government's main commitments was to ensure better gun control, it's high time to proceed with the final stages of the process.

This is all the more true in light of the years, even decades, of hard work put in by victims of gun violence and activists, who have never stopped calling for tangible measures to better protect our communities.

[*English*]

Colleagues, we just marked December 6, the National Day of Remembrance and Action on Violence Against Women. On that day in 1989, 14 women were murdered at École Polytechnique in Montreal; another 10 women and 4 men were injured. In the 34 years since, the survivors of that shooting, along with friends and family members of the victims, have been calling for legislation like Bill C-21, and during that time, they've been joined by people whose lives have been turned upside down by far too many shootings in places all across this country. They have been joined as well by survivors of intimate partner violence and those who work with and advocate for them. They've been joined by medical professionals, from emergency room doctors to pediatricians to those who specialize in suicide prevention. They have been joined by mayors and police chiefs who work every day to address the scourge of gang violence in their communities. And they've been joined by people vulnerable to — as Professor Pam Palmater described at committee — the link between hate groups and gun violence.

They were joined this fall by Brian Sweeney whose daughter Angela was murdered in Sault Ste. Marie. Mr. Sweeney took the stage at the December 6 commemoration in Montreal last week as one of the newest members of the community of victims, advocates and survivors that no one wants to be part of. No one wants to be part of that community.

From the podium, he said he travelled to Montreal “. . . to support the other victims here that have been suffering for a lot longer than myself.” In a letter to senators about Bill C-21, he wrote:

Implementing these measures is urgent. The bill is the result of years of advocacy from victims and women’s groups, and women have died while the bill has been debated.

Colleagues I would not be moving this motion for time allocation if we were at the start of the process, but at this point, the Senate has conducted a thorough and conscientious review. We have analyzed the bill from all angles. We are very well aware of all the arguments for and against. So, after a lengthy parliamentary process and after decades of hard work by advocates, it is time to agree on a road map that gets us to a final vote.

Pursuant to rule 7-2, I have spoken with the Leader of the Opposition, but we’ve not reached an agreement to allocate time for the remainder of the debate. Accordingly, I urge and encourage honourable senators to support this motion to allocate an additional six hours for the third reading debate of Bill C-21. Thank you for your kind attention.

**Hon. Donald Neil Plett (Leader of the Opposition):** Honourable senators, Senator Gold has found in his tool box the tool that Senator Furey left with him — the ability to use the power of the government majority to shut down debate.

Don’t let the form of Senator Gold’s motion fool you. Chapter 7 of our Rules talks about a motion to allocate time, but what we are talking about in reality is shutting down debate. Let me quote from a few good old Liberals in the good old days. Let me quote Senator Jim Cowan, Leader of the Opposition in December 2012. He said:

Some honourable senators opposite, and certainly the . . . government, try to say that this is a process issue, not important to Canadians, and of course, the motion before us sounds dry and technical — time allocation. Who could be interested in that?

Let me tell you who is interested. It’s the senators who wanted to add their voice to this debate and who wanted to improve the bill, the thousands of Indigenous people who were never consulted about this bill, the hundreds of thousands of law-abiding firearms owners who were and are constantly being targeted by this government, the millions of Canadians who feel cheated by this move of the government to shut down debate on a bad bill.

As I said, the term used in the *Rules of the Senate* is “time allocation.” Since I’ve been here a few years, I am trying to remember the synonyms that were used over the years by our Liberal colleagues who were then in opposition. It might help the

Trudeau-appointed senators who were not here at that time to understand what time allocation really is. I think that using the words of these old Liberal senators, some of whom are still here, could convince the new Liberal senators, disguised as independents, that Senator Gold’s motion is bad.

What Senator Gold and the Trudeau government want to do has been described as an effort to do time allocation, do time limitation, invoke closure, curtail debate, limit debate to a maximum degree possible, cut off debate, shut down debate in Parliament, ram Bill C-21 through and cut off debate, run shortcuts around due process, avoid careful scrutiny, silence our voices on the most critical issues facing Canadians, and slam through its agenda without listening to either Parliament or to Canadians.

What Senator Gold is doing has been called undemocratic; a guillotine imposed by the government on this chamber; using power to secure more power; the muzzling of Parliament; the muzzling of Parliament and, through that, of the Canadian people; an abuse of Parliament; and denying Parliament its right — our duty — to seriously examine what is proposed to be the law of the land.

• (1750)

With Senator Gold’s motion, we have been told that Parliament is being emasculated and our examination of important government legislation has been radically truncated.

This is what Liberal senators said about time allocation about 10 years ago. Let me quote, again, Senator Cowan when he spoke about the words “time allocation”:

They are words used to stop debate, to kill it outright, to prevent each one of us from asking questions about the very important and complicated bill before us, to stop us from looking too closely at this government’s plans for our country.

To look closely is, of course, our job. It is what Canadians expect us to do, what we are paid to do, what we were summoned here to do. . . .

The use of time allocation by a Leader of the Government who is neither the leader nor a member of the government caucus was a departing gift to the government from former Speaker Furey.

You all know that I have — and I have always had — great respect for our former Speaker. However, one thing I will remember is the level of creativity and novelty that he could bring in his April 25 decision. There are those who apply rules and those who rewrite rules.

The Liberal Party of Canada is the governing party. Senator Gold is not a member of the Liberal Party. He admitted that this is so. No matter the facts, we are told to imagine that Senator Gold is the leader of a theoretical governing party —

**An Hon. Senator:** He is when it is convenient.

**Senator Plett:** — a party that exists only for the purpose of giving Senator Gold the ability to shut down debate. This ruling was wrong then, and it is still wrong today. It was purely a political decision. In normal circumstances, it would have been reversed by a new Speaker, but we are not in normal circumstances.

I understand that some of the new senators may not be familiar with the notion of time allocation or closure. You have to know, colleagues, that this place functioned for 124 years without any form of limitation on debate. It was the debate on the GST and the antics of the Liberal senators — who used their right to debate the bill for weeks and weeks — that convinced everyone that the government should have a tool to limit what amounts to a filibuster.

The overuse by Liberals of their privilege to unlimited debate was studied by the Rules Committee, which came up with what is now Chapter Seven of our Rules. The use of time allocation is a reaction to a filibuster by the opposition.

Again, let me quote my friend Jim Cowan — this time, it's from March 2012. I miss Jim Cowan. He said:

I readily acknowledge that there may be circumstances in which proceeding in this way is justified, for instance when a deliberate filibuster drags on and on . . . .

Debate at third reading on Bill C-21 started one week ago — on December 6 — when the sponsor, Senator Yussuff, spoke. The day after, Senator Boisvenu spoke. Then, on Monday, at the next sitting, Senator Carignan spoke. I spoke yesterday. That's hardly dragging our feet. I am the critic of this bill. Normally, I would speak last. I offered to speak early. I hardly sat down in my seat when Senator Gold jumped up to give notice of his time allocation motion. Four senators spoke at third reading. At every sitting since third reading was moved for the bill, a senator spoke. That is no filibuster, colleagues — not by any stretch of the imagination.

I will continue to quote former Liberal senators. Maybe their words will enlighten senators also appointed by a Liberal Prime Minister. This is what Senator Joan Fraser said in July 2010:

There are occasions when time allocation, drastic as it may be, may be necessary. It may be necessary on a major piece of legislation when the opposition is being obstructionist for pure obstruction's sake. . . .

I will admit that sometimes our caucus has filibustered a bad bill or a motion. How can someone seriously accuse us of being obstructionist when we speak on the bill at each sitting? Remember when Mark Gerretsen accused me of holding up the bill before we even had it in the chamber? The Senate never adjourned debate on third reading of Bill C-21 — not once. Yet, how is this a filibuster? How are we being obstructionist? We never hid the fact that we do not like this bill, that we wanted to

amend it thoroughly and that, if the bill were not amended, we would vote against it. We were not being obstructionist in any way.

I submit to you, colleagues, that this use of time allocation has one objective only: to shut down the Senate early. It is not used to counter a filibuster. There is no filibuster. That's why the use of time allocation by the government is so outrageous and should be opposed.

The other reason usually invoked for imposing the guillotine on debate is the urgency of passing a bill. I am sure we all agree that debate should be limited when time is of the essence. If a legislature is called upon to pass a bill in order to stop a strike in a hospital, for instance, where patients are in danger, it is easy to understand that it is fair to put parameters on the duration of the debate.

However, there is no urgency in the case of Bill C-21. This bill — in its current form, or as tabled in previous parliaments — has been around for years. The then-Minister of Public Safety — or “public safety disaster,” as some like to call him — Marco Mendicino amended the bill, and then rejected his own amendments. The legislative process of this bill will become a classic story of what not to do for future generations of parliamentary assistants. Bill C-21 may be important to the Prime Minister. Bill C-21 may be important for some Canadians. But Bill C-21 is not urgent. If it had been urgent, do you think the government would have left it lying in the House of Commons for a year, doing nothing with it?

The essence of Bill C-21 merely confirms orders-in-council that have already been enacted by the government. That is the case with the ban on the purchase and sale of handguns, and it is the case in relation to the expanded definition of “prohibited firearms.” Even the so-called “red flag” provisions in the bill duplicate powers that the police and chief firearms officers already possess.

Colleagues, as this bill is not urgent, the use of time allocation by the government should be opposed.

As I said, before Senator Gold gave his notice that he intends to invoke time allocation, only four senators had spoken at third reading. This means that 90 senators have not yet spoken to this bill. With only six hours of debate left, that means at least 66 senators will be deprived of their right to speak. With this motion, Senator Gold is telling at least 66 of his colleagues that the government has absolutely no interest in listening to what they have to say.

As the then-Deputy Leader of the Opposition, Senator Claudette Tardif, said in 2012:

I find it hard to believe that members of this government, who proudly boast that they defend freedom of expression, would use any means available to them to limit the opposition senators' right to speak.

I have some questions for the Trudeau-appointed senators who are ready to give Senator Gold the hammer to shut down debate on Bill C-21: When the Prime Minister called you to announce your appointment to the Senate of Canada, did he tell you that,

on the whim of the government leader, you would have to hold your nose and shut down debate after four days of debate on a bill? Did he mention that he would gladly use the good old tools of the past to silence the opposition, and that he would do — with your help — what he and his Liberal senators were denouncing when the Conservative government was doing it? This is what is asked from you today.

• (1800)

Senator Gold is telling us the following: “I don’t care what senators have to say. The government wants this bill now. We have to bow to the Prime Minister’s wishes.”

I have given you several quotes from the ghosts of the Liberal past. Let me now quote a senator who ended his Senate career as a member of the Progressive Senate Group.

In 2012, Senator Dennis Dawson said —

**The Hon. the Speaker:** Honourable senators, it is 6 p.m. Pursuant to rule 3-3(1), I am obliged to leave the chair until 8 p.m. when we will resume, unless it is your wish, honourable senators, to not see the clock.

Is it agreed to not see the clock?

**Some Hon. Senators:** Agreed.

**Some Hon. Senators:** No.

**The Hon. the Speaker:** I hear a “no.”

Honourable senators, leave was not granted. The sitting is, therefore, suspended, and I will leave the chair until 8 p.m.

(The sitting of the Senate was suspended.)

(The sitting of the Senate was resumed.)

• (2000)

#### TIME ALLOCATION—MOTION ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Gold, P.C., seconded by the Honourable Senator LaBoucane-Benson:

That, pursuant to rule 7-2, not more than a further six hours of debate be allocated at third reading stage of Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms).

**Hon. Donald Neil Plett (Leader of the Opposition):** I left off by saying I had given you several quotes from ghosts of the Liberal Senate past. Now I want to give you a quote from a senator who ended his career here with the Progressive Senate Group, or PSG. In 2012, Senator Dawson said:

Parliamentarians are supposed to debate the government’s proposed legislation. They are not supposed to rubber-stamp measures proposed by public servants or the executive. They are supposed to carefully consider the measures, talk about them, amend them, study them and ensure that taxpayers’ concerns have been fully expressed.

What Senator Gold is doing here tonight is ramming Bill C-21 through and cutting off debate. This is an affront to our job as senators. We are not here to govern. We are here to hold to account those who do. To do that, we need the ability to debate legislation and propose amendments.

Senator Gold’s motion would not only restrict our ability to debate; it means none of you can present amendments. I repeat: The government is doing that while 90 senators have not spoken to the bill. This means 90 senators have been stripped of their right to present an amendment and no longer have the ability to try to improve this flawed bill.

Not only does time allocation take away the right of senators to speak on this bill, it silences the voices of all those whom the government failed to consult. If we vote in favour of this motion and allow it to pass, then we are complicit with the government’s clear intent to silence those who need to be heard.

Colleagues, as you know, stakeholders cannot walk into this chamber and make their views known. We are here to represent them. We are required to protect the voices of Canadians who would otherwise not be heard. Today, that is gun owners.

Whether you agree with this bill or not, you should support the rights of stakeholders to be heard. This motion removes that. It silences all of those voices before they are heard.

Senator Boisvenu put it well when he said:

. . . I will address one of the most obvious things that’s missing from the current version of Bill C-21, something that’s at the root of all the problems with this bill. This flaw is due to the fact that the government held almost no consultations while drafting this bill.

Senator Boisvenu went on to give example after example of the government’s failure to consult.

The Indigenous peoples were not consulted.

Paul Irrngaut, Vice-President of Nunavut Tunngavik Incorporated, said:

We understand that Inuit Tapiriit Kanatami, the national Inuit organization commonly known as ITK, had received a briefing of the most recent version of the bill shortly before it was tabled in May. However, neither ITK nor NTI has been fully consulted on the language and impacts of the bill.

Jessica Lazare, Chief of the Mohawk Council of Kahnawake, said, “We only had one meeting and that wasn’t necessarily an adequate consultation, so I wouldn’t consider it consultation whatsoever.”

The government also failed to consult with sport shooters.

Sandra Honour, Chair of the Board of Directors of the Shooting Federation of Canada, said:

The Shooting Federation of Canada was not asked to participate in the committee that discussed Bill C-21, nor did we have letters answered to us after we wrote to the minister several times to request.

I have no confidence in the minister.

We heard yesterday from Senator Deacon; she all of a sudden renewed her confidence in the minister that he promised her something. He promised us that he had consulted.

Gilbert White, Chairperson of the Saskatchewan Wildlife Federation recreational firearm community, said, “The Saskatchewan Wildlife Federation was not consulted.”

When asked if his organization had been consulted, Doug Chiasson, Executive Director of the Fur Institute of Canada, said, “No, we were not.”

Colleagues, the list goes on. The views of Canadians impacted by this legislation were not sought and, when they spoke up to say no, they were shut out. By cutting off debate, we are silencing them once again.

Let me quote, once again, the Leader of the Opposition at the time, a member of the Justin Trudeau Liberal caucus, Jim Cowan, from March 2012:

We all know that this bill is contentious, and we have all received hundreds of emails and other communications from very concerned Canadians — asking us — pleading with us — to reflect carefully on the proposals in this bill.

How insulting to these people to then invoke closure, to shut down debate, to limit it to the maximum degree possible, and to do so immediately . . .

Colleagues, you have no idea how many emails we have received asking us to do exactly the same thing. This applies perfectly here with Bill C-21.

Since 2016, we have heard over and over how the Trudeau senators are independent. Their voting record is with the government 96% of the time, but they are independent. They sponsor government legislation, but they are independent. The vote on this motion will be another test of this independence.

We have to remember, colleagues, that debate is not simply trying to convince one another to vote a certain way. Debate is part of a process of ensuring that, before we make a final decision on a bill, we have fully considered the issue; that we have taken the time to listen and consider all voices on the issue, not just those that agree with us.

The government has not done that. Now, through this motion, the government wants to prevent us from doing that. That is unfortunate.

The Senate of Canada serves as an integral component of the nation’s legislative process, with one of its key roles being the representation of marginalized, under-represented voices. This function is crucial in ensuring a comprehensive and inclusive approach to governance.

The Senate acts as a platform where interests and concerns of minority groups, individuals in remote or less-populated regions and those whose voices are often overlooked in the political arena are brought to the forefront. The importance of this role cannot be overstated.

In a diverse country like Canada, there are a myriad of perspectives and issues that may not always find adequate representation in the more politically driven House of Commons.

The Senate’s mandate to listen and give voice to these less-heard segments of the population is a cornerstone of its existence. The process of consultation is vital in this context. The Senate’s effectiveness in representing these groups hinges on its ability to actively engage with them, understand their concerns and reflect these in the legislative process.

Through consultations, the Senate gathers insights and viewpoints that are essential in crafting laws and policies that are equitable and inclusive.

Believe it or not, colleagues, this role of the Senate of Canada becomes particularly significant in the context of debates over issues like gun control, where diverse viewpoints need to be heard and considered. Gun control is a contentious issue in Canada, encompassing a wide range of perspectives, from public safety concerns to the rights of gun owners.

While the primary focus often lies on enhancing public safety and reducing gun violence, it is essential to recognize that lawful gun owners also represent a significant segment of the Canadian populace. These individuals include hunters, sport shooters and rural residents for whom firearms are a part of their lifestyle and culture.

Whether you agree with them or not, the Senate’s role in representing gun owners is vital. By ensuring that their voices and concerns are heard in the legislative process, the Senate contributes to a more balanced and comprehensive discussion.

This motion to cut off debate strikes to the core of the Senate's role of representing the voices of the unheard. This is regrettable, colleagues. We should not approve this motion.

Let me reflect for a few moments.

The fact that we got this bill as late as we did is not our fault; it's the government's fault. They didn't give us the opportunity.

We are going to receive a few more bills this week. We don't know when, because the government leader doesn't know when.

Today in the other place, we are waiting for a bill in this chamber — concerning the Canada-Ukraine Free Trade Agreement — that we don't have. Our government leader says we have to pass that before we go home for Christmas. We don't have the bill.

Today, when the government had the opportunity to present that bill, what did they do? They called Bill C-58, the scab workers legislation, to send it to committee, to sit at committee until February when they come back and do nothing, instead of bringing Bill C-57, concerning the Canada-Ukraine Free Trade Agreement, to the forefront so we can have it.

• (2010)

What's going to happen at the end of the week when we receive that bill, and we want to do proper debate and send it to committee? We're going to have the government leader say, "No, we're out of here next week on Wednesday, and I'll bring time allocation." He's going to come in here and say, "I spoke to the Leader of the Opposition, and I told him I was doing time allocation," — not that I consulted; I told him I was going to do time allocation.

These people in the other place — this government — can't organize a two-car parade over there, and then they send this to us on their way out the door. That's what is going to happen, colleagues. They're going for Christmas on Friday, trust me, and they're going to send it on the way out the door: Senate, deal with it. The government leader is going to say, "We're not going home until we deal with it. Can you give me leave?"

I have a feeling my friends over in the far corner, where they're hard to recognize some days, are going to say, "No, we're not giving leave." So there we are. I would give leave — I know that — but they won't.

So there we are. We're going to have to be here, and then we're going to have time allocation. We're going to cut off debate, and Canadians won't have the right.

Colleagues, we heard earlier today when this bill came to us — and let me just refresh your memory about when we got this bill. We received the bill on May 18. Senator Yussuff spoke on May 31. I spoke on June 21, which was three weeks later. I think there were eight speakers in between. The first committee meeting was on October 4. Of course, on June 21, we went home for the summer break. On October 4, we came back for consideration of a draft agenda. We went through the committee meetings, as agreed, with the entire committee. We weren't holding anything up. Yes, we presented amendments, but we had all the committee meetings.

I think December 5 was the date that we agreed when it was brought into the chamber for the report. Senator Yussuff spoke on the December 6. Here we are on December 15.

I spoke yesterday. I wasn't in my seat when Senator Gold jumped up with "I'm now doing time allocation," cutting off every opportunity. I am beside myself with trying to work with this government to try to move legislation forward — not pass legislation, but move legislation forward — that the people in the other place cannot organize; they can't get us legislation. This bill languished in the other place for a year, colleagues. This is not a money bill. Nobody is going to go hungry at Christmastime if this bill isn't passed.

We all know that, in due course, the government members — 60- or 70-some government members in this chamber — are going to pass this bill. We understand that and we accept that, but why the hurry? What's going to happen if we come back February 5, and we continue another couple of weeks of debate on this bill? The government can do everything through regulation; they're already doing it. They can continue to do all of it through regulation, but no, we're being told to cut off debate.

Then the leader says, "We have done thorough debate." How is that thorough debate? I think there are four speakers tonight, at least so far, who would like to speak to the main bill when we have our six hours later on sometime. There might be more, but they have to do it tonight because debate has been cut off. Now they have to get their comments on record.

It's just unfair. This has happened before. As Senator Gold said, this is the second time in this particular government's history here that they have done time allocation. The last one was done with no consultation with the opposition — none — and the Speaker devised a way of calling Senator Gold, the Leader of the Government — he refuses to accept that styling. He says, "I am not the Leader of the Government." Yet, Senator Gold has to be in order to do what he did tonight, honourable senators.

I challenge you, Your Honour, to ask this leader to at least admit that he is the Leader of the Government — he is the leader of a registered party; he is the leader of the Liberal government of Canada — if he wants to do this. If he does that and stands in this chamber, Your Honour, and says, "I am the leader of the Liberal government, and I invoke closure," I will vote for it. I will vote for it.

**An Hon. Senator:** Hear, hear.

**Senator Plett:** But he won't do that. Why? He is embarrassed. I would be embarrassed, too; I wouldn't want to call myself leader of that government, either. I'm proud to be the Leader of the Conservative Senate caucus.

Your Honour, I am going to ask at the end that we certainly vote against this. I'm going to ask you to rule against it, but I should have started my speech in a different manner if I wanted you to do that. I challenge Your Honour and everybody in this place to ask the honourable senator to call himself what he needs to be in order to move this.

Thank you very much, colleagues.

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

**Hon. Peter Harder:** Would the honourable senator take a question?

**Senator Plett:** Certainly.

**Senator Harder:** I know there's very little time left, but in the four years of the last majority government, how many times was time allocation invoked?

**Senator Plett:** Many times. If you had paid any attention to my speech, you would have heard how many times Senator Cowan said we had done it. I have no issue. I said here, Senator Harder, that I will support it if he admits who he is. He has every right to invoke time allocation if he is the Leader of the Government. He doesn't admit that he is Leader of the Government.

**Senator Harder:** It was 24 times, colleagues.

How many amendments were introduced and accepted in that government?

**Senator Plett:** We were part of the caucus. I'm not sure where you're going with that.

**The Hon. the Speaker:** Senator Plett, did you want five more minutes? Very well.

**Hon. Raymonde Saint-Germain:** Honourable senators, I will not speak to the merits or the issues of Bill C-21. The debate has happened and will continue to happen for an additional six hours, in accordance with the motion, if passed.

However, I will take this opportunity to highlight the many senators who have spoken on the bill, in favour or against. I will simply explain why the time allocation motion brought forward by the government representative is warranted and needed at this time.

[*Translation*]

In my view, Bill C-21 has been thoroughly studied for nearly two years in Parliament and it is acceptable at this point to set a limit and circumscribe the amount of time devoted to the debate on this government bill. Without the government's exceptional use — and I emphasize the word “exceptional” — of this tool, which, as Senator Gold pointed out, is being used for only the second time since 2015, I fear that this bill will be the target of delaying tactics for the purpose of blocking its passage.

Reassure me, Senator Carignan, because I am genuinely concerned.

[*English*]

Before the House adjourned for the summer on June 24, 2014, the Conservative government managed to pass their seventy-fifth motion since they were in power. They did so on time allocation.

[ Senator Plett ]

I look at the issue of *Hansard* from June 29, 2012 — time allocation has then been used seven times in the past seven months. That is one time allocation per month.

I do believe that the House of Commons has also very thoroughly studied Bill C-21. It was introduced in the other place on May 30, 2022 — around one year and seven months ago. It proceeded through the different steps at the House for around one year and was adopted at third reading in May 2023, which is when we received it. Eighteen meetings of the House of Commons Standing Committee on Public Safety and National Security took place in order to study the bill between October 2022 and May 2023. At the third reading vote, the bill had the support of the Liberals, the Bloc Québécois, the NDP and the Green Party — that is the majority of the elected parliamentarians.

• (2020)

Now I will speak about the Senate: The bill was also studied thoroughly in the Senate. It was received in May 2023. It was debated during six different sittings at second reading. The Standing Senate Committee on National Security, Defence and Veterans Affairs had 12 meetings on Bill C-21, where they heard from 66 witnesses. The witnesses included the following: the Minister of Public Safety, Democratic Institutions and Intergovernmental Affairs; federal officials from relevant departments and agencies; academic researchers and individuals appearing on their own behalf; selected provincial chief firearms officers; and representatives of advocacy groups, non-governmental organizations and Indigenous organizations and governments, as well as law enforcement agencies. The committee also received 34 briefs from organizations and individuals — some of whom did not appear as witnesses.

Today is our fifth day debating this bill at third reading. Colleagues, I believe we can say, without a doubt, that this bill has — so far — received the necessary amount of scrutiny and sober second thought. Every senator has had the time and opportunity, if he or she so wished, to hear from others and look at this bill in order to form their own idea on the content and how they should vote.

I now have a few words on the Salisbury Convention.

Firearms regulations have been part of the electoral platform of the Liberal Party since their accession to government in 2015. It was also a key part of their electoral platforms for the 2019 and 2021 federal elections. It is part of a multi-layered approach that has included a buyback program for firearms owners and a previous bill — Bill C-71 — which received Royal Assent on June 21, 2019. As such, we are in a situation in which the Salisbury Convention clearly applies. It is our duty to consider the will of the elected chamber.

Now I will say a few words on the political context surrounding Bill C-21. The Conservative Party has expressed a strong opposition to Bill C-21, both in the House and in the Senate. They have promised to delay this bill, which is part of the government platform and supported by all other parties in the other place — as I've already demonstrated — at all costs.



In his speech at second reading on June 21, 2023, Senator Plett, the Leader of the Opposition in the Senate, made it perfectly clear:

. . . having personally reviewed the very negative implications of this bill, I wish to say that since the last speaker in this chamber spoke on the bill literally two minutes ago, I have now officially begun to delay Bill C-21. So let there be no question, and let the minister know so the minister and his parliamentary secretary can mark that in their calendars for future reference.

As such, colleagues, I believe that a time allocation motion is the only common sense solution for Bill C-21 to see the light of a third reading vote in the Senate. This motion as well as this bill finally getting to a vote at third reading is in the interest of Canadians. It is the will of the elected House and the wish of the Canadian people.

The status quo is no longer sustainable. Let's vote for respecting the democratic process, and vote for Motion No. 150.

Thank you. *Meegwetch*.

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

[*Translation*]

**Hon. Claude Carignan:** Thank you, Your Honour. I am very familiar with this motion.

Honourable senators, I wish to speak to the time allocation motion moved by the government.

This motion is based on our rule 7, which states, and I quote:

**7-2.** (1) At any time during a sitting, the Leader or the Deputy Leader of the Government may state that the representatives of the recognized parties have failed to agree to allocate time to conclude an adjourned debate on either:

- (a) any stage of consideration of a government bill, including the committee stage; or
- (b) another item of Government Business.

This rule has not been used very often in the past few years, but it should be explained for the benefit of our many new colleagues in this chamber.

The 2015 edition of *Senate Procedure in Practice* provides a very clear explanation beginning on page 106. It states, and I quote:

Time allocation establishes a limit on the time that can be spent to debate an item of Government Business. It is primarily used to allot time for the study of government bills . . . Only the government can propose time allocation and only for its own business.

In summary, when the government wants to end the study of a matter before the Senate, it usually tries to negotiate with the recognized parties to reach an agreement on organizing our work and allowing the Senate to fulfill its role as the chamber of sober second thought.

As you know, honourable senators, the unique feature of the Senate is that it serves as a place for reflection, not totally free from partisanship, but to a much lesser extent than in the other place. Generally speaking, the Senate offers fora for discussion, whether in the chamber itself or in committee, where we can engage in sober second thought. That is why we usually organize our work by consensus, with each group getting the space it needs to assert its priorities.

There are several characteristics that set the Senate apart from the other place. In this chamber, discussions are generally calmer, and studies are more exhaustive. I like to say that we approach our work like a council of the wise.

The study of Bill C-45, an act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other acts, which was passed in the Senate on June 7, 2018, was a prime example of a respectful study by all senators.

Colleagues, those of you who were here at the time will remember how emotionally charged the debate on that bill was. Public opinion was extremely polarized, and this was reflected in the Senate. That bill was going to profoundly change the body of Canadian legislation regarding the legalization of cannabis. Still, the Senate organized this debate in a perfectly civilized way, even setting aside days to address specific issues, such as youth, mental health, the economy and the black market. The leaders of the various parties represented in the Senate agreed on a course of action.

What happens when it seems like an agreement is out of reach? That's when the government, and only the government, can introduce a time allocation motion to limit debate on an item of government business.

Going back to *Senate Procedure in Practice*, page 109 reads, and I quote:

Time allocation does not take effect until the Senate adopts a motion to allocate time, which is debated during Orders of the Day under "Government Motions." . . . Time for debate on the motion is limited to a maximum of two and one-half hours, after which the Speaker must put the question.

That, honourable senators, is the framework for a time allocation motion. It is a legitimate tool provided for in our Rules, but I believe that it should be used sparingly. It should be used to break a procedural deadlock, not to silence and muzzle senators who still have relevant points to make, and it should be used to resolve serious issues.

When I was Leader of the Government in the Senate, there were times when I used this measure, but I never abused it. Quite frankly, it is a drastic way of cutting short debate and thus limiting senators' right to speak, which is not something that we generally want to do in the upper chamber.

• (2030)

Whenever I introduced such a motion, what was the reaction of the official opposition, made up of Liberal senators, who were still welcome in the Liberal Party of Canada at the time? Allow me to quote Senator Claudette Tardif, who was the Deputy Leader of the Opposition for the Liberal Party in 2013. I'm quoting from a speech she gave on November 4, 2013, regarding a time allocation motion. She said, and I quote:

The government is trying with all its might to hastily impose sanctions by bringing in this time allocation motion. . . . it is also denying the senators the right to speak by cutting short the debate. We cannot claim to be fulfilling our mandate of sober second thought and objective review if such limits are imposed when senators oppose the will of the government.

. . . I do hope that other senators opposite will carefully consider the closure motion that they are being asked to support today. I believe that the government is doing a disservice to the institution we represent by doing things this way. I must oppose this time allocation motion, and I would encourage all honourable senators to do so.

Honourable colleagues, I want to ask you the following question. Does Bill C-21 present us with an issue so serious that, as Senator Tardif said, we should deny senators the right to speak by cutting short the debate? Should we prevent senators from doing the work that Canadians pay us so handsomely to do?

I said at the beginning of my speech that time allocation should be used sparingly, and I would argue that now is not an appropriate time to use it. Several witnesses pointed out in committee that Bill C-21, in its current form, is too soft on gun violence.

I presented amendments at the National Security, Defence and Veterans Affairs Committee that would definitely have improved Bill C-21, but the non-Conservative senators voted as a group to reject them. It is troubling that so-called independent senators all think the same way.

In light of this observation, one last thought came to my mind after learning that the government had decided to use time allocation to pass this bill. Usually, a government that resorts to this tool is confident that its motion will be adopted. Otherwise, why would it deliberately risk a rebuff?

Today, how can the government be sure that it can get a time allocation motion adopted and, most of all, why?

Leader, this motion is completely unnecessary because, of the senators who wanted to speak during the debate on this motion specifically, only a few wished to comment. I am willing to bet that the six-hour debate will likely last an hour or two at most, proving that this motion is being abused. Leader, that is what I would describe as kicking down a door instead of turning the handle to open it.

That is the choice you have made, a choice I consider abusive under the circumstances, because the coming debate will clearly last an hour at most, not six. This proves that it is pointless to use this motion.

[ Senator Carignan ]

Thank you, honourable senators.

[English]

**Senator Harder:** Is the senator prepared to take a question?

[Translation]

**Senator Carignan:** Of course.

[English]

**Senator Harder:** As the author of 24 time allocations, perhaps you could remind everyone here of the time you introduced time allocation at the same time the bill was introduced.

[Translation]

**Senator Carignan:** I am so happy you asked me that question, and I see Senator Ringuette clapping very loudly and enthusiastically. I can't — if I may, I must answer this question, so I will ask for another minute.

**The Hon. the Speaker:** Is leave granted?

**Hon. Senators:** Agreed.

**Senator Carignan:** I would remind you that we had some mischievous Liberal senators here at the time. They took pleasure in getting us to the point where we had to move a time allocation motion so that they could then claim that mean old Prime Minister Harper, in the other place, was being very authoritarian and anti-democratic. That is why there were so many time allocation motions. It was a strategy used by my friends, Senators Cowan, Tardif, Ringuette, Fraser and others.

[English]

**Senator Harder:** Did you take dancing lessons from Senator Plett?

**Senator Carignan:** The time has expired.

[Translation]

**The Hon. the Speaker:** You still have 10 seconds to respond.

**Senator Carignan:** My throat is sore.

[English]

**Hon. Michael L. MacDonald:** Honourable colleagues, I rise to speak on the government's motion to impose time allocation cutting off debate on Bill C-21. Before I go to my prepared remarks, I want to say a few words about gun issues in general.

I am a person who has never had much interest in guns. I grew up in a house where there were always the same four guns: a .32 Special — a rifle — a 10-gauge, a 16-gauge and a .22. My father and one of my brothers hunted. I wasn't interested in hunting.

The first time I went after animals of any sort, I was 10 years old. My grandfather taught me how to tie rabbit snares. That was great until the day I went out and found a couple of rabbits in the snares, with their eyes popping out and their tongues hanging out. That was enough rabbit hunting for me.

Once, when I was about 12, my father took me out hunting. A big beautiful buck came out into the clearing; I screeched and the buck took off. That was the last time my father took me hunting.

I was never much for shooting animals or hunting, but I had a lot of friends who hunted. I like venison. If people showed up with venison, I was more than willing to eat it. My father knew how to prepare venison. I am not against hunting and people handling long guns.

I remember back in the 1990s, when Allan Rock, with the Chrétien government, brought in the gun registry. We were assured it would cost \$2 million. It cost \$2 billion. We know what it accomplished: absolutely nothing. It was just a big expensive bureaucracy that accomplished nothing but picking on lawful gun owners.

We also know that we are susceptible to media. We see some of the extreme things that occur in the U.S., but we have a different gun culture in Canada. I don't think there is any doubt about that. I think we should respect that gun culture. I think we are fairly modest when it comes to dealing with these issues.

I have no stake in gun issues, because I have no interest in guns. I put guns in the same category as motorcycles and skydiving; I would just as soon avoid them. It is not something I am interested in. But I am interested in treating law-abiding citizens properly.

In this country, we've had the regulation and registration of handguns since the 1930s. We've always been fairly responsible when it comes to handguns. We also know that in this country, 96% of the firearm-related charges that were laid against unlicensed criminals were for the illegal possession of firearms. It was always unlicensed criminals with illegal firearms, and we know that almost 96% of the illegal handguns in this country are brought across the Canada-U.S. border.

I'm not sure what this bill is going to solve, but I think it is very unfair to the law-abiding gun owners of this country.

We see the government bringing up time allocation. I am disappointed but not particularly surprised with this motion since it is perfectly in keeping with how the government has approached this entire bill.

The Senate committee reviewing this bill met for 12 meetings and heard from dozens of witnesses, most of whom opposed the bill and many of whom suggested important amendments. Yet, not one amendment was supported by the government majority in this committee.

The entire review of Bill C-21 in committee turned out to be little more than a sham. The witnesses who took the time to appear, and who offered detailed proposals for amendments, fundamentally wasted their time, and now the government is

imposing time allocation. That means that important issues that have not yet been touched on by this chamber in relation to the bill will simply be ignored.

• (2040)

I want to touch on just one of those issues, concerning the so-called red flag provisions in the bill.

The red flag provisions in Bill C-21 will permit any individual to make an application to the court for an emergency firearm prohibition order to immediately remove firearms for up to 30 days from any individual whom they believe may pose a danger to themselves or to others.

It also permits an application to be made for the removal of firearms from an individual whom they believe may be at risk of providing access to firearms to another person who is already subject to a firearms prohibition order.

What does this provision actually add to the current law? That is something that we as senators should actually take the time to understand.

The reality is that, as witnesses at committee stated, the police already have full authority to remove firearms from any individual whom they believe may pose a public safety threat. The police can do this without issuing a warrant.

Right now, any individual has the ability to call the police, or the Chief Firearms Officer, or CFO, of their province and raise public safety concerns. The police or CFO then responds to such concerns.

The government argues that these new provisions in Bill C-21 will add "another tool to the tool box," enabling citizens to go through the courts if they so choose.

But we really need to ask ourselves who is going to take days, weeks or months to go to the court when they can just call the police?

We are told that there are certain circumstances where the police may not act. They may reject complaints that have been made by neighbours. In those circumstances, where there has been a police investigation and the police have talked to the person concerned and to his or her family, we are to believe that reasonable people will then decide to go to court instead of relying on what the police have found.

If we are going to be honest with ourselves, such cases will likely be few and very far between. Legitimate cases may, in fact, be practically non-existent.

But this provision then gives rise to new concerns.

The Criminal Justice Section of the Canadian Bar Association has argued the following:

. . . the current law contains sufficient powers to accomplish the goal of seizing weapons believed to have been used in a crime or removing them from the hands of persons who are believed to be a danger to themselves or to others.

The Criminal Justice Section of the Canadian Bar Association also:

. . . believes the proposed amendments included in Bill C-21 “pose a threat to public safety and a disproportionate risk to marginalized groups” . . . .

Tim Thurley, a firearms researcher and policy specialist who appeared before the committee, made a similar point. He said:

The ill-considered red flag proposals are . . . problematic. Under Canada’s existing licensing system, police and judges already have the power to remove guns and revoke licences from those who pose a threat. The new provisions have no requirements to consider Indigenous hunting rights, for the complainant to have any relationship to the accused or for the accused to be heard in court. Indigenous people are disproportionately impacted by the criminal justice system and are also the most reliant on firearms for subsistence. We will undermine the built-in safeguards of the existing red flag law. Where people hunt to feed families, this has real consequences.

Noah Schwartz, Assistant Professor, Department of Political Science, University of the Fraser Valley noted:

This new change would allow for ex parte revocations, which means that an accusation could be made by someone who doesn’t even know the person they are accusing. They might not have ever met them in real life. There would be no way for the accused to know who is making that accusation.

Natan Obed, President of Inuit Tapiriit Kanatami, echoed the same concerns when he testified before our committee.

Chief Jessica Lazare of the Mohawk Council of Kahnawake said:

In terms of red flag and yellow flag provisions, we do have concerns regarding the anonymous tip kind of approach, where this could be a potential for racial discrimination.

Serious concerns have been raised about the constitutionality of these provisions in Bill C-21.

An amendment was, therefore, proposed in committee to narrow the scope of these provisions to enable immediate family, persons residing with an individual, police and health professionals to make such ex parte applications. All other complaints would be made, as they are today, to the police or to the Chief Firearms Officer.

However, the amendment was rejected by the government majority, meaning that these witnesses’ concerns have all been ignored.

So now, in the red flag section of the bill, I believe that, at a minimum, we have a provision that is unlikely to be used, except perhaps by angry neighbours who cannot get a response to their liking from the police or who don’t particularly like their neighbours.

At worst, the provision will pose yet another burden on our already overloaded courts, and perhaps will even be found to be unconstitutional.

This is a concerning component of the bill, but it is hardly the worst part of the bill. Yet, we have not discussed this matter in this chamber at all. And now, because of time allocation, there will be no opportunity to do so.

I suppose that means that the majority of government senators are content to simply leave this matter to our already overburdened courts.

**The Hon. the Speaker:** I am sorry to interrupt, but the time for debate has expired.

**Senator MacDonald:** My 10 minutes are up?

**The Hon. the Speaker:** That’s correct.

**Senator MacDonald:** I don’t think we should support this.

**Hon. Salma Atallahjan:** Honourable senators, I rise to speak in opposition to the government’s motion to introduce the time allocation on Bill C-21.

The more one looks at the actual provisions of Bill C-21, the more one realizes how many issues have been given short shrift in the Senate’s review of this legislation.

One major issue that has been ignored is the total inadequacy of the current bill when it comes to the spike in violent crime — in particular, gun crime — that is plaguing some of our most vulnerable communities.

As a Toronto senator, I have seen the horrendous rise in gun violence. I have been asked repeatedly by community members who worry about their friends and family, what is being done to protect their loved ones.

In fact, I was at a community event this weekend, and the one thing everyone was talking about was how unsafe they are feeling in their homes. They were asking, “What are we going to do?” and “What is the government prepared to do?”

We have already had some idea about how the government’s ill-considered measures in Bill C-5 and Bill C-75 have ensured a spike in violent crime in urban Canada.

We know, for example, that under Bill C-5, the government repealed several mandatory sentences for gun crime, including using a firearm or imitation firearm in the commission of an offence; possession of a firearm or weapon knowing its possession is unauthorized; possession of a prohibited or

restricted firearm with ammunition; possession of a weapon obtained by commission of offence; discharging a firearm with intent; robbery with a firearm; and extortion with a firearm.

The government argued that none of these specific measures related to bail would “. . . ensure that release at the earliest opportunity is favoured over detention . . . .”

The impact of that has been nothing short of devastating.

In British Columbia, one study examined 425 bail hearings involving a suspect accused of a violent crime and with a breach of bail conditions on their file. Of those 425 hearings, the Crown sought detention orders in only 222 cases or 52% of the time. That meant that in nearly 50% of the cases, violent criminals with bail breaches on their files were back on the streets.

My province of Ontario has experienced a 57% increase in serious violence and weapons cases before the courts between 2018 and 2021.

There is no question in my mind that our courts are already overburdened, and some cases are often years behind in being heard. For example, the Toronto Police Service reports that in the last two years, 17% of those charged in Toronto with shooting-related homicides were already out on bail at the time of the alleged fatal shooting.

Therefore, every decision we take in this chamber matters. It will have a ripple effect throughout the country and impact the communities we live in.

When we pass legislation that is ill-considered, it is Canadian communities and often the most vulnerable in those communities who suffer the most. Now the government is intent on doing that once again by cutting off debate on Bill C-21.

• (2050)

However, I believe the fact that the Standing Senate Committee on National Security, Defence and Veterans Affairs dedicated 12 meetings to this bill is indicative that we too must be diligent in our debates. Senators, we are here to debate and listen to each other's views whether we agree or disagree.

Honourable colleagues, I urge you to reject this motion, if only to ensure that vulnerable communities do not pay the price of a speedy adoption of Bill C-21.

You only have to look at cities like Mississauga and Brampton, where people are feeling unsafe in their homes, where we're having home invasions, and guns are used. People are being pistol-whipped. The fear is real. I worry when my own daughters go out in Toronto. I worry about what they will be facing because there are so many shootings. Young people go to clubs; we can't stop them. I am up the whole night until they get home. For some of us, especially parents in Mississauga and Brampton who have spoken to me, this fear is real. Thank you.

**Hon. Leo Housakos:** Honourable senators, this debate is far deeper than just the motion of the time allocation. Senator Ataullahjan, you are absolutely right. We come here to debate ideas, at times controversial ideas, and that's the role of parliament in a democracy. We are not just here to hear each other's points of view; we have to particularly hear the point of view of the minority. That's the role of this chamber. It is the constitutional role of this chamber. It's the role of parliament.

It is only natural, colleagues, and it is not new to this government. Of course, the Trudeau government has taken it to new heights, but governments of all ilks and all colours look at Parliament as an obstacle, as a problem in their hurry to get to the finish line of their agenda. It doesn't matter if they are Liberals or Conservatives. I always say that prime ministers have a use for Parliament when they are in opposition. When they become prime minister, it seems to take a back seat. That goes to the principle that power corrupts, and absolute power corrupts absolutely. This is when the House of Commons and the Senate kick in. In those moments, it is incumbent on us to hold the government to account and to reel them in.

The House of Commons has a particular role in our democracy because they are the elected chamber. They are the chamber of confidence. But even this chamber of sober second thought had a significant role to play in reeling back governments that got carried away with themselves. They played that role of sober second thought. Many were hopeful that this new independent Senate would take it a step further, but it is unfortunate that independence, to this government, seems to have been extricating the authority of senators in this chamber from Parliament.

I remind people, as much as we've gone through this Trudeau experiment of an independent Senate, the truth of the matter is that until we change the Constitution, Canada is still a bicameral British parliamentary Westminster-based system. We have two chambers in our Parliament. The roles are a little bit different. They are nuanced. Everybody keeps talking about the Salisbury Convention, which is great. One day, probably, when I'm back on the other side of government, I will refer to the Salisbury Convention as well. But I remind the senators who have only been here for a few years, beyond the Salisbury Convention, to read section 18 of the Constitution, which defines our role when we are summoned here.

Section 18 of the Constitution of Canada makes it clear that both the House of Commons and the Senate are modelled after the House of Commons of Westminster. Each parliamentarian in the Parliament of Canada, in both the House of Commons and the Senate, have the same rights and privileges under section 18 of the Constitution as the chamber of the House of Commons in Westminster. Ultimately, that means you have the obligation to hold the government to account, you have the obligation to be a voice for the regions, the constituents, the stakeholders of the country and the regions you represent.

The truth of the matter is that over the last eight years — and this was intentional — the once important role of senators, all of you — and we might have the debate, and some of you say you are not as Liberal as we say, and I say you are not as independent as you proclaim. One thing there is no doubt about is that all of you are very accomplished, competent people from various walks of life in various regions of the country who have big things to

offer this Parliament. For the last eight years, you've been denied that fundamental right in section 18 of the Constitution by this government and this Prime Minister when he refuses to allow you to be the voice of your region, using your skill set and your experience in the national governing cabinet.

Senator Harder, you asked a legitimate question — why there were so few amendments in the last four Parliaments. It's because each and every one of the senators who were appointed to this chamber, the most important role we had was not sitting in national caucus; it was not sitting here. For me, the most important role I had was sitting on ministerial advisory committees, Senator Harder. Because I sat on various committees in the Senate, I had an opportunity to engage in debate here, but the floor, when we were in government, was dominated by the Liberal opposition. That's how it should be.

Where we as government members of the Senate had our say was at the ministerial advisory tables when legislation was being crafted. That's when our opinions were being asked for and being voiced, even before the legislation got to the national caucus. When it got to national caucus, let me tell you, all of my colleagues here were not shy to speak out to the interests of New Brunswick, Nova Scotia, Ontario and often Quebec whenever the government wouldn't listen.

There is a lot of expertise in this place that would save this current government a lot of grief if many of you had a voice at those ministerial tables when legislation is being crafted. Many of you would be able to save them from a lot of embarrassment. Many of your opinions would be worth gold for this government if once a week you were allowed to express some of those opinions at national caucus.

Once upon a time, there were government leaders in this place who sat in the cabinet, some even as ministers at various cabinet levels. Senator Gold, based on the questions we ask on a daily basis and self-admittedly, we get the impression that you are not consulted that often. They could benefit from much of your wisdom, Senator Gold.

The exception I take is the amount of contempt that I have seen from this Prime Minister and this government toward this institution and toward the senators they have appointed. They are always spending a lot of time trying to convince you how legislation has to pass quickly because it is imperative. We have tons of examples where it is not COVID aid money, it is not bills and legislation or votes of confidence, when we have to get money out the door because the government agenda has the imperative. You are right, they are the ultimate house on questions of confidence. But bills like Bill C-21, Bill C-11 and Bill C-18 — it is nice to name leaders from Indigenous communities in this place and the Prime Minister to take credit for it, but when Bill C-11 and Bill C-18 were being debated in this place, the Broadcasting Act, and I heard Indigenous groups saying that they weren't consulted in the other place, it is important that we stand up and push back. We need to say to the government, "Wait a month; wait six months. We need to hear from other people as well."

The truth is that Senator Klyne stood up at that time and made sure that some of those groups were heard at committee, so credit to him. There are many senators here who are open-minded and

push back against the government, but this is one of those times as well. The government wants to move forward with draconian measures, like the time allocation tool. It is a legitimate government tool, but the government wants to use it when they want to claim they don't have government members in this chamber. It is an affront to the Rules of this institution.

Again, the government will find a way to get rulings and to beat around the Rules and say, "We have the majority; it doesn't matter." That's the worst thing you can say amongst yourselves or in your various groups — to say that because you have the majority, you will ram it through. The moment we curtail debate and we don't allow the minority voices to be heard, then we fall into a great deal of traps and risks. We should not allow that to happen.

The Salisbury Convention is fantastic. We use it to say that we are not an elected body, like the House of Lords, so we should never challenge the government because they are elected. But the Salisbury Convention should also apply when the elected house overwhelmingly sends a bill to this place and says the country is in favour of it democratically, like Bill C-234. The Salisbury Convention can't only be something you invoke when it suits the government's interests to say, "This is in our agenda, and we want it to pass."

• (2100)

The House of Commons is the ultimate expression of democracy in this Parliament, in this country. We as an unelected body ignore them and we turn our back against it and we say, "The government wants this."

Well, Parliament trumps government. The executive branch in this country gets its mandate from the elected house. Our job is to be an added value to hold the government to account. Nothing more, nothing less, and to be a voice for regions and voices that don't necessarily get heard in the other house.

Colleagues, we have to be consistent, and it demands a lot of courage. At the end of the day, you all get your independence from one thing: the fact that you're summoned here by a Prime Minister of Canada and your nomination can never be revoked.

So you can have ministers calling you, you can have the Prime Minister's Office calling you, you can have the government leader/representative saying this is important, if it doesn't get done by Christmas, it is going to fall apart. There will be no more sun in the sky. There is going to be all sorts of cajoling and pressure put on each and every one of you by the Prime Minister that appointed you. That was the case since day one.

That's how politics work. The Prime Minister that brought me here, and the Prime Minister that brought Percy Downe here — which was a lovely Liberal prime minister — would put pressure on him. But you know what? We are here now, and they're no longer here. The prime minister who brought you here, he will be gone eventually. But your independence starts today. I, too, am against this.

[Translation]

**Hon. Julie Miville-Dechêne:** Perhaps I am rising on debate because I don't think there is any more time for questions.

Listen, Senator Housakos. I heard you, and I couldn't help but rise because I think you're living on a planet that doesn't exist. You have this idea that you've been completely muzzled and that you can't speak. We worked on bills like Bill C-11, which took six months of study. Do you feel like we prevented you from bringing in all of the witnesses that you wanted, for weeks on end?

I am thinking of Bill C-18. I have been here for five years. The idea that the opposition is being prevented from doing its job is completely absurd to me. That is simply not the case. You referred to the House of Lords, to our British system. In England, there is a House of Lords with cross-benchers. They do exist. Such independence is not a joke.

Every day, you say that we are Liberal senators, that we don't have any freedom and that we are kowtowing. That is absolutely shameful. I can't take it any more. We are people with minds of our own. I certainly don't consider myself to be under the heel of Prime Minister Trudeau.

Have you seen the number of amendments that we're trying to get adopted? It's nothing like it was in your day. You're just making up a story. You're making yourselves out to be victims. You're saying that there is no more democracy.

Listen, we have debates here. That happens. I honestly don't know where you got this idea about us. I can't take it any more. It's not true. We're not puppets. That's not true.

There. I think I've said enough.

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

[English]

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

**Hon. Senators:** Question.

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

**Some Hon. Senators:** Yes.

**Some Hon. Senators:** No.

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

**Some Hon. Senators:** Yea.

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

**Some Hon. Senators:** Nay.

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

*And two honourable senators having risen:*

**The Hon. the Speaker:** Any advice on the bell?

**An Hon. Senator:** An hour.

**The Hon. the Speaker:** The vote will take place at 10:04. Call in the senators.

• (2200)

Motion agreed to on the following division:

YEAS  
THE HONOURABLE SENATORS

Arnot	Klyne
Aucoin	Kutcher
Bellemare	LaBoucane-Benson
Boehm	Lankin
Boniface	Loffreda
Burey	Massicotte
Busson	McPhedran
Cardozo	Mégie
Clement	Miville-Dechêne
Cordy	Moncion
Cormier	Moodie
Cotter	Omidvar
Coyle	Osler
Cuzner	Patterson ( <i>Ontario</i> )
Dalphond	Petitclerc
Dasko	Petten
Deacon ( <i>Nova Scotia</i> )	Prosper
Downe	Quinn
Duncan	Ravalia
Dupuis	Ringuette
Forest	Ross
Francis	Saint-Germain
Gerba	Simons
Gignac	Smith
Gold	Sorensen
Greenwood	Tannas
Harder	Verner
Hartling	White
Jaffer	Woo
Kingston	Yussuff—60

NAYS  
THE HONOURABLE SENATORS

Anderson	Martin
Ataullahjan	Mockler
Batters	Oh

Black	Pate
Boisvenu	Plett
Carignan	Poirier
Dagenais	Seidman
Housakos	Wallin
MacDonald	Wells—19
Marshall	

ABSTENTIONS  
THE HONOURABLE SENATORS

Nil

• (2210)

**AFFORDABLE HOUSING AND GROCERIES BILL**

BILL TO AMEND—FIFTEENTH REPORT OF NATIONAL FINANCE  
COMMITTEE ON SUBJECT MATTER OF BILL TABLED

Leave having been given to revert to Presenting or Tabling of Reports from Committees:

**Hon. Percy Mockler:** Honourable senators, I have the honour to table, in both official languages, the fifteenth report of the Standing Senate Committee on National Finance, which deals with the subject matter of Bill C-56, An Act to amend the Excise Tax Act and the Competition Act.

**BILL TO AMEND CERTAIN ACTS AND TO MAKE CERTAIN  
CONSEQUENTIAL AMENDMENTS (FIREARMS)**

THIRD READING—VOTE DEFERRED

On the Order:

Resuming debate on the motion of the Honourable Senator Yussuff, seconded by the Honourable Senator Duncan, for the third reading of Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms).

**Hon. David Arnot:** Honourable senators, I rise today to speak to Bill C-21. I thank our colleague the Honourable Senator Yussuff for sponsoring this legislation in his usual comprehensive and professional fashion. I also want to thank Senator Dean for chairing and overseeing the hard work of the committee, and I thank both of them for encouraging thorough debate in this chamber on this bill.

I'm going to address four issues: First, the failure of the federal government in their fiduciary duty; second, the failure to consult with key stakeholders affected by this legislation; third, what I believe is a fundamental flaw, that being the bill does not create a legislative authority and discretion for chief firearms officers in

Canada to manage firearms in their jurisdiction; and fourth, a lack of policies and programs to ensure the goals of the act are successful.

Before I begin, I ask you to consider the nature of the rhetoric — the psychology, if you will — used in debates about this issue.

First, let us consider the just-one-life argument: an argument that we must pass this bill even if it saves just one life. As a former human rights commissioner and a former provincial court judge, I can tell you that the just-one-life argument does not hold in this country. It is not true in our hospitals, where life-and-death decisions are made. It is not true on our country's highways, where speed limits minimize risk but do not eliminate it. It is not true in hockey rinks, where injury, disability and even death are established by actuaries. I'm not saying that hospitals, highways and hockey rinks are similar to the concerns about illegal use of handguns or firearms. Unequivocally, every life matters equally.

We must, however, dispense with false dilemma or false dichotomy arguments — logical fallacies that present two opposing options as the only possibilities when, in fact, more options exist. We must also ignore the mantra of, "You're either with us or against us," a fallacy which oversimplifies issues and ignores the possibility of neutral or alternative positions, which makes it easier to sway opinion by presenting an either/or choice that is actually misleading.

Colleagues, I know that we all well understand the importance of persuasive discourse in the chamber. Today, however, we must dispense with false narratives that suggest Bill C-21 in its current form will effectively prevent deaths, harms and crimes caused by firearms and that there is no real choice but to pass Bill C-21 in its current form. We have to dispense with the false narrative that this bill is what victims and victims' families want and need. It is, alas, the only thing on offer — take it or leave it.

As a provincial court judge, I presided over many gun crime offences, and I can tell you that neither victims nor families want to be in a courtroom. They want the crime to have never taken place; they want to have never lost a loved one. Victims' groups and advocates are quite rightly deeply invested in firearms legislation. They quite rightly want and deserve change, including assurances of safety and security in their homes, schools, communities, mosques, synagogues and other places or worship. However, it is not a sign of respect to victims of violence to rubber-stamp flawed legislation or legislation that will have limited outcomes. We need intentional, well-designed programs and policies that address the root causes of firearms violence and work in concert with solid legislation to save many lives.

Bill C-21 as drafted will require our courtrooms to determine the impact of this legislation's ability not to save lives but to pass judgment on those who violate or may have violated the law. Experience tells us that courtrooms offer lagging indicators and statistics, not measures of lives saved.

Unequivocally, Canada needs legislation and measures to prevent firearms tragedies, horrifying acts like those which occurred in Portapique and in the northern community of La



Loche, Saskatchewan, like the shootings and murders at the Quebec City Islamic Cultural Centre and the gender-based and misogynistic shootings and murders that took place at École Polytechnique. These tragedies tear at the hearts of Canadians and what it means to be a citizen in our democracy. We need legislation that protects the public good of public safety.

It has been argued that Bill C-21 is proactive legislation that will reduce crime by reducing guns, and that will make Canada a safer place. Is that true? Is it accurate?

I answer this question with these remarks. I reiterate the words of the Canadian Association of Chiefs of Police as stated in the other place:

. . . the real issue, which is illegal firearms and illegal handguns obtained from the United States that have led to the disturbing current trend in gun violence that is largely related to gangs, street gangs and more sophisticated organized crime groups.

The City of Regina Chief of Police Evan Bray also said that “. . . restricting lawful handgun ownership will not meaningfully address the real issue . . .”

I reflect on the pages of observations generated through the witness testimony before the Senate standing committee. There was disappointment with the consultation process from Indigenous groups, farmers, hunters, trappers, ranchers, sport shooters and collectors. It also disappointed researchers and even victims' group advocates.

Bill C-21 does not speak effectively to the needed policies and programs that respond to domestic violence, intimate partner violence and suicide. Canada needs sufficient psychologists, psychiatrists, doctors and staff to ensure the well-being of our fellow citizens who are struggling with mental health issues. Canada needs public education about the fundamental civic responsibility to respect and preserve the safety and security of all citizens equally — education that quashes white nationalism and other domestic threats. Unfortunately, Canada also needs more shelters for women and children escaping domestic violence, including our 2SLGBTQI+ citizens, as well as removing firearms from such violence through effective gun ownership background checks.

• (2220)

Colleagues, Canada is a very diverse country. We all know that what is required in urban Canada is not necessarily required in rural Canada. Chief firearms officers have a significant role to play in bridging that divide between rural and urban. Chief firearms officers are the people tasked with implementing much of the on-the-ground aspects of this legislation, and here is a key point in what I believe is missing in this legislation.

The chief firearms officers of each province and territory should have the legislative authority, discretion and tools to customize the implementation of this bill in their respective jurisdictions. They understand how to engage with municipalities, both rural and urban.

Just two weeks ago, in the province of Saskatchewan, the government signed a memorandum of understanding with Métis Nation-Saskatchewan to promote firearms safety through education. The Chief Firearms Officer of Saskatchewan, Robert Freberg, and the Chief Firearms Officer of Alberta, Dr. Teri Bryant, have demonstrated their effectiveness in creating necessary change through dialogue, stakeholder engagement and public education. They operate models of excellence, yet they were shut out of providing any input whatsoever into the legislation, despite trying desperately.

To be specific, I believe the Chief Firearms Officer of Saskatchewan is operating a professional, positive, pragmatic and proactive approach for all of Canada to emulate.

Let us be clear — firearms safety is directly related to enforcement, and firearms enforcement is directly related to the investment of financial resources and to meaningful consultation with those affected by legislation. We have heard little to date about how the funding will work to meet the cost of implementing and enforcing this legislation. Without additional funding, chronically underfunded municipal and provincial police forces will not be successful in implementation without receiving specific, dedicated new funds.

The Assistant Commissioner of the RCMP F Division in Saskatchewan, Rhonda Blackmore, is short \$20 million required to maintain just existing services in that province. There is an additional problem of recruitment facing all police forces in Canada.

I've already spoken about how Bill C-21 is contrary to treaty and Indigenous rights. I will only elaborate to say that the courts have cautioned the federal government against using the court system to solve problems.

In the 1997 *Delgamuukw* decision, the Supreme Court of Canada specifically told the Government of Canada to work with First Nations proactively and in good faith. I recall Chief Justice Lamer's admonition. I will paraphrase here. He said, "Don't keep coming back to the courts for a solution. The courts don't have the tools you need to find the solution." The issues require political solutions, which can only be found in a political forum — in other words, consultation, constructive dialogue and a problem-solving ethos.

On this bill, consultation did not occur with First Nations, Métis and Inuit peoples. If meaningful consultation did not occur, how can we assess the merits of this bill, let alone support it? My fundamental concern is that the Senate will be anointing the tyranny of the majority over the minority if it passes this legislation. This place, in this instance, right now, is the last bastion of protection for the rights of Indigenous people. I ask this question: If not now, when? If not you, senators, who?

Rights without respect, without enforcement and without implementation are, in fact, meaningless. With this vote, take the opportunity to demonstrate that the Senate has the utmost respect for our Canadian Constitution when others apparently do not.

One of the fundamental roles of the Senate is to protect minorities from the tyranny of the majority. Please live up to the expectation of your duty. The only effective way to compel the cabinet is to reject this legislation. You have the power to use that tool now.

The current government has less than three years left in its mandate. It is enough time to cure these flaws and to create the legislation that Canada really needs. Legislation is needed that is generated in compliance with the Constitution and necessarily incorporates all the advice, information and tools that are available.

We have heard the government's explanations but not its reasons for ignoring its responsibility. Why? Because there is no valid justification and no valid excuse for breaching the Constitution in the manner that has been demonstrated in the creation of this legislation. The most effective way to ensure the government responds to these omissions and breaches of the Constitution is to defeat this bill.

Colleagues, in order for Canada's model of federalism to operate, the principles of collaboration, cooperation and compromise are required. We need statesmanship from the leaders of the federal, provincial and territorial governments. If any one of these governments creates impediments to a constructive relationship, the result will impede the safety of Canadian citizens.

As it stands, this bill, first, is not founded on meaningful consultation with legitimate rights holders, including treaty rights, Indigenous rights and human rights. Second, it is not founded on meaningful consultation with those who have a legitimate workplace safety issue. Third, it is not founded on meaningful consultation with those who will enforce the legislation in each province and territory, especially chief firearms officers. Fourth, it is not based on the ability to target the guns that create gun crimes — the illegal guns that cross Canada's border. Fifth, it is not based on awareness and education measures that establish what it is that Canadians want, which is crime reduction and personal safety. Sixth, it does not address adequate funding to allow enforcement that will be effective.

Do I believe that Bill C-21 can be fixed? Yes. Do I believe that Bill C-21 needs to be fixed? Yes. Do I believe that as a chamber of sober second thought, it is our responsibility to resolve the incongruity between what is being offered and what is needed? Yes.

If Bill C-21's fundamental flaws were fixed, I would be its champion. However, Canada does not need or benefit from legislation that is based on placating and soothing promises that it is the best that we can do; that if you pass this bill, it will make things better; and on promises of programs and policies that do not yet exist.

Colleagues, let us not abdicate our responsibility on this issue. I support legislation that enables public safety, but I cannot support this particular legislation. I will vote against Bill C-21, and I invite you to do the same. Thank you.

**Hon. Dawn Anderson:** Honourable senators, I rise in the Senate today to speak to Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms). I want to acknowledge that today, I speak from the unceded territory of the Algonquin Anishinaabe Nation.

Colleagues, I believe we share a common understanding of the urgency to tackle Canada's escalating problem of illicit firearms in circulation, especially concerning instances of intimate partner violence involving these dangerous weapons. My remarks today stem from the specific ramifications of certain clauses within Bill C-21 rather than from a critique of the bill's overarching purpose.

As an Inuk woman, I intimately understand the impact of federal legislation on our communities. Whether it aims to undermine our Indigenous identity or carries well-meaning intentions, legislation often poses risks to the North and Indigenous peoples when crafted without due consideration for our unique circumstances. It comes as no surprise that these concerns are evident within the fabric of Bill C-21.

Three primary concerns stemming from this bill encompass, first, the critical role of the chief firearms officer and their primary residence outside the territory that they represent; second, a lack of meaningful consultation; and third, the "red flag" provisions.

• (2230)

In 1972, Chief Dan George said:

Let no one forget it. We are a people with special rights guaranteed to us by promises and treaties. We do not beg for these rights, nor do we thank you. We do not thank you for them because we paid for them, and the price we paid was exorbitant. We paid for them with our culture, our dignity and self-respect. We paid until we became a beaten race, poverty-stricken and conquered.

It is ironic that my initial plea is not about seeking special treatment but, rather, advocating for equality, aiming to grant the Yukon, Northwest Territories and Nunavut the same rights as all 10 Canadian provinces. Canada's Arctic and Northern Policy Framework rightly highlights the long-standing disparity faced by Arctic and northern residents, particularly Indigenous communities, in accessing services, opportunities and living standards comparable to other Canadians.

Bill C-21 serves as a stark example of this disparity. Notably, the chief firearms officers, or CFOs, for the Yukon, Northwest Territories and Nunavut are located in Surrey, British Columbia; Edmonton, Alberta; and Winnipeg, Manitoba, respectively. This arrangement starkly contrasts with the provincial set-up, where each CFO operates within their respective province. This discrepancy emphasizes the fact that all three territorial CFOs are

situated in the southern regions, amplifying the ongoing lack of equitable access and representation for Arctic and northern communities, especially Indigenous peoples.

According to testimony from Natan Obed, the President of Inuit Tapiriit Kanatami, on November 6, 2023, before the Standing Senate Committee on National Security, Defence and Veterans Affairs:

Clause 70.3's provisions, allowing for a conditional licence, is not guaranteed but rather subject to the discretion of the CFO. This is not an equitable measure, particularly when considering the geographical and logistical barriers Inuit face when accessing CFOs. The officer responsible for Nunavut, for example, is located in Winnipeg. The distance is more than geographical; it is also cultural and practical. We must ask whether such officials can adequately assess and understand the unique circumstances and necessities of Inuit hunters. . . .

My attempt to propose an amendment in committee — requiring chief firearms officers to reside and operate within their designated territory — unfortunately failed. As legislators responsible for sober second thought, it seems crucial that we address the persisting inequities and disparities within Canada.

Why is it that while the Yukon, Northwest Territories and Nunavut are subject to the same legislation as the rest of Canada, they lack commensurate access to services and support provided to the 10 provinces? I note that, subsequently, the Minister of Public Safety, Democratic Institutions and Intergovernmental Affairs Dominic LeBlanc has written a letter to all three territorial premiers regarding the potential appointment of resident CFOs in each territory. While this is promising, I believe that there is a moral and legal obligation that must be addressed by the immediate placement of CFOs in all three territories. Anything less than this corrective action is unacceptable and represents a failure of Canada's duties.

Second, I emphasize, once more, the continual lack of meaningful consultation with Indigenous peoples, echoing an alarming and recurrent pattern evident in prior legislation. This repetition persists ad nauseam, despite the existence of section 35 of the Constitution; the United Nations Declaration on the Rights of Indigenous Peoples, or UNDRIP; the Calls to Action by the Truth and Reconciliation Commission; and Canada's persistent commitment to reconciliation, including the affirmation of meaningful consultation.

I note that the Northwest Territories Indigenous population is 49.6%; Nunavut is 85.9%; and the Yukon is 22.3%. The lack of consultation is particularly concerning as the right of Indigenous people to hunt is asserted and affirmed in section 35 of the Constitution and in historic and modern treaties as well as land claim agreements. A 1974 journal article entitled "Inuit Hunting Rights in the Northwest Territories" states:

The Inuit culture and identity are based upon an intimate relationship with the lands and waters they have traditionally occupied and used. Hunting for food and clothing is part of their traditional and continuing culture. Their lands and waters are an integral part of their total being. Few Canadians realize that many Inuit are experiencing within a

single lifetime a tremendous cultural transformation from that of a food gathering tribal community to an industrial society. . . .

Therefore, the preservation of Inuit hunting rights has the effect of enhancing their cultural identity in a rapidly changing society. The present economic benefits of hunting will be increasingly incidental to the cultural aspects, rooted in thousands of years as a hunting people. The protection of Inuit hunting rights can be viewed as a mechanism to preserve Inuit culture, without cost to the rest of Canadian society.

This statement is just as true 49 years later, where subsistence hunting is central not only to our identity but also to our survival. Hunting and, thus, guns remain central to our ability to address food insecurity and the high cost of living. Guns are also a necessity to ensure our safety from predatory animals in and outside of our communities.

According to witness testimony from Mr. Paul Irgaut, the Vice-President of Nunavut Tunngavik Inc., on November 8, 2023:

There has not been sufficient consultation on the bill. We understand that Inuit Tapiriit Kanatami, the national Inuit organization commonly known as ITK, had received a briefing of the most recent version of the bill shortly before it was tabled in May. However, neither ITK nor NTI has been fully consulted on the language and impacts of the bill.

Additionally, I will reiterate the viewpoint expressed by my colleague Senator Don Plett in the chamber. On November 6, 2023 — on Bill C-21 — during witness testimony in relation to consultation, Mr. David, Director of Legal Affairs at Inuit Tapiriit Kanatami, stated:

Put simply, there was none. The minister had reached out and offered, and we had reached out and requested, but that consultation never occurred. We're still waiting.

I share that sentiment. I'm still waiting — waiting for Canada to honour and hold their commitments to Indigenous peoples. Despite my role as a senator, and despite the numerous opportunities and privileges afforded to me as a parliamentarian, I am constantly reminded that I am an Inuk woman in a place whose history has deeply influenced and moulded not just myself but also my family, community and generations of Inuit in immeasurable, harmful and profound ways.

Parliamentarians should be deeply concerned when Canada consistently passes legislation without meaningful consultation, despite the presence of crucial frameworks like UNDRIP, section 35 of the Constitution and the Calls to Action of the Truth and Reconciliation Commission, alongside Canada's explicit commitment to reconciliation. This ongoing disregard for meaningful consultation undermines the integrity of the legislative process, and contradicts Canada's pledges to uphold Indigenous rights, respect Indigenous sovereignty and engage in a genuine reconciliation process. Such actions perpetuate systemic inequalities, erode trust and disregard the voices and rights of Indigenous peoples, hindering the nation's progress toward genuine reconciliation and equitable governance.

This brings me to the new red flag provisions that would allow any person to make an *ex parte* application to a provincial court judge for an order that would allow for the search and seizure of firearms with or without a warrant.

According to Mr. Thurley, a firearms researcher and policy specialist:

The ill-considered red flag proposals are also problematic. Under Canada's existing licensing system, police and judges already have the power to remove guns and revoke licences from those who pose a threat. The new provisions have no requirements to consider Indigenous hunting rights, for the complainant to have any relationship to the accused or for the accused to be heard in court. Indigenous people are disproportionately impacted by the criminal justice system and are also the most reliant on firearms for subsistence. We will undermine the built-in safeguards of the existing red flag law. Where people hunt to feed families, this has real consequences.

Mr. Thurley also highlighted a critical concern: the anonymity of complaints and sealed court records could potentially render the system susceptible to false, trivial or vexatious complaints against prominent figures, including law enforcement officers and military personnel. For Indigenous Canadians — already overrepresented in the justice system — navigating this process to reclaim firearms unjustly confiscated could prove exceptionally challenging.

- (2240)

According to ITK President Natan Obed:

The red flag system is another example of a balanced measure that creates a mechanism that could disrupt Inuit families disproportionately. Inuit often live in multi-generational homes. Thus, the seizure of firearms could have unintended repercussions on entire families, not just the individuals targeted by the provisions of the bill. The confidential nature of the application process and the prospect that the target of the application or their household wouldn't even know about the application could also lead to actions being taken without adequate notice or understanding of a family's circumstances. On the other hand, the limited access to justice faced by Inuit also means the applications themselves would likely be hampered simply by the fact that Inuit may not be able to apply in the first instance.

In the Northwest Territories, 21 out of the 33 communities are accessible only by fly-in, and in Nunavut, all 25 communities are solely accessible via air travel. The remoteness and lack of infrastructure in these regions result in significant portions of the territories relying on fly-in courts, where judges, lawyers, Crown counsel, Legal Aid and court staff operate. These fly-in court

sessions occur every two to three months but are susceptible to postponements or cancellations due to adverse weather or unforeseen circumstances.

For Indigenous peoples in these territories, accessibility remains restricted, not only due to the reliance on fly-in courts but also because the majority of lawyers are accessed through Legal Aid.

In regard to the red flag provisions, Mr. Will David stated:

I suppose the system itself presumes that there are police to enforce it, yes. It also presumes that there are effective provincial courts available in all communities at all times. There's a real challenge there in terms of whether or not someone seeking an order has access to the means to be able to do it. From the perspective of trying to prevent violence, the red flag system itself may not be entirely helpful within all communities within Inuit Nunangat. On top of that, it allows for one to apply for an *ex parte* order, so you could have police, where the red flag system is available, showing up unannounced to seize firearms from people who are not aware that those police are . . . showing up to seize those firearms.

The entire system itself seems set up to work well in areas where there's a lot of legal and enforcement infrastructure. The problem here is that we don't perceive that there is adequate infrastructure to actually make the provisions effective, either for community safety or for the delicate balance that the legislation seeks to strike between, essentially, section 35 rights holders and harvesters and then victims or potential victims of domestic violence.

For these reasons, the implications of the red flag provisions pose some very real logistical challenges to the three territories, especially in light of the lack of meaningful consultations and the fact that no amendments were adopted despite the testimony of witnesses heard within the Standing Committee on National Security, Defence and Veterans Affairs.

**The Hon. the Speaker:** Senator, I'm sorry. The time allowed for debate has expired. Are you asking for a few more minutes?

**Senator Anderson:** Yes.

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

**Hon. Senators:** Agreed.

**Senator Anderson:** Even with Minister LeBlanc's recent efforts addressing deficiencies in Bill C-21 concerning Indigenous peoples and Northern Canada, my hopefulness remains tempered by the ongoing uncertainties about the sincere implementation of impactful measures to narrow the support gap for Indigenous peoples, the three territories and the disparities among provinces and territories. It is imperative for Canada to recognize Indigenous peoples as active collaborators in the legislative process, not just merely as its subjects.

According to ITK President Natan Obed:

The rights affirmed by the UNDRIP can only be implemented if they are interpreted as legal rights and implemented and enforced accordingly. Our human rights are not second-class rights and deserve the same protection as the rights of other Canadians.

*Quyanainni. Mahsi'cho. Koana.* Thank you.

**Hon. Mary Coyle:** Honourable senators, I rise today on the unceded lands of the Anishinaabe Algonquin Nation to speak at third reading on Bill C-21, a bill that aims to build on existing national gun-control legislation and other measures designed to build a safer Canada for all of us.

Colleagues, Sunday marked the conclusion of the 16 days of activism against gender-based violence, and last week we marked our National Day of Remembrance and Action on Violence Against Women. And here we are tonight considering a violence-prevention bill.

This important and long-awaited legislation has more than one purpose. Bill C-21 is aimed at reducing and preventing gun violence that we are seeing in cities, often perpetrated by gangs. It is aimed at preventing further mass tragedies, such as the one experienced in my province in 2020, as well as the Quebec City mosque massacre targeting Muslims and the École Polytechnique massacre targeting women.

Bill C-21 is aimed at addressing violence against women, all forms of gender-based violence and family violence in rural and urban areas. Finally, it aims to reduce devastating incidents of self-harm and suicide.

We often feel smug living next to our gun-toting American neighbours to the south, where there are 400 million civilian firearms owned and, tragically, where gun violence and mass shootings have reached epidemic proportions. But, colleagues, Canada has one of the highest rates of gun ownership among industrialized countries. We are fourth among the 38 OECD countries in the rate of firearm death, and we have the third-highest rate of firearm homicide among populous high-income countries after the U.S. and Chile.

Bill C-21 will — and I will explain what it is going to do — bring in a national handgun freeze. This is not a ban. There will be no confiscation of legally owned handguns. The number of legally owned handguns has grown since 2006 from 360,000 to over 1 million, owned by 275,000 Canadians.

Second, it brings a new prospective — not retroactive — definition of assault-style weapon characteristics. Hunters will not lose their guns. It is estimated that there are 7 million to 8 million rifles and shotguns owned by 2.5 million Canadians.

Bill C-21 introduces red flag and yellow flag laws with the purpose of reducing and preventing family violence, intimate partner violence, self-harm and suicide.

It also has measures to strengthen border control, to prevent firearms smuggling and trafficking and requiring a firearms licence in order to import ammunition.

The bill includes measures to address illegally manufactured guns done through 3-D printing, often referred to as “ghost guns.” It introduces new firearms-related offences and strengthens penalties.

Colleagues, at its most basic, the expectation is that over time this bill will reduce, or at least cap, the number of guns circulating in Canada and thus reduce the opportunities for gun-related death and harm in our society.

Those are the basics. Senator Yussuff already provided us with far more detail on the bill and its key components.

Unfortunately, some of our fellow Canadians have been misled on some aspects of the bill and, frankly, on some of the broader issues around guns, gun-related crimes, gun-control legislation and gun rights in Canada.

The area of misinformation and, in some cases, intentional disinformation is one I would like to probe a little in my remarks on Bill C-21 today. It's important to understand some of the powerful influences at play here. We've seen cases of misinformation and disinformation in relation to other important societal matters — ones we've discussed in this chamber — related to COVID, climate change and, more recently, the rights of LGBTQ children and youth. These are a threat to our democracy.

It is very important for all Canadians to understand that, as Justice Peter Cory said, quoted in R. Blake Brown's article “Firearm ‘Rights’ in Canada: Law and History in the Debates over Gun Control”:

Canadians, unlike Americans, do not have a constitutional right to bear arms. Indeed, most Canadians prefer the peace of mind and sense of security derived from the knowledge that the possession of automatic weapons is prohibited.

Some disinformation circulating suggests that Bill C-21 would ban hunting guns and that potentially all guns could be banned by the bill.

• (2250)

Rich Igercich, National President of the National Firearms Association, said this of Bill C-21:

This is one of the worst attacks against rights and freedoms and livelihoods and property in Canadian history.

Although the Canadian Coalition for Firearms Rights claims that it is in fact anti-gun lobbyists who are spreading false rumours about American involvement in Canadian gun lobbies, two recent *Bloomberg* articles draw some concerning connections with the U.S. government, the American firearms industry, the NRA and other U.S. gun lobbies and their counterparts in countries like Canada. In the first *Bloomberg* article entitled

“NRA-Style Politics Transformed Canada’s Gun Culture — and Shootings Rose 869%,” the authors wrote that “The NRA helped the homegrown Canadian Sport Shooting Association set up a political arm to battle the expanded rule.”

At that time, that was the long-gun registry.

The American organization also coached the Canadian group’s members in grassroots advocacy to promote pro-gun candidates in the 2006 election.

I continue citing the *Bloomberg* article.

Over the past 2 decades, the annual volume of US-made semi-automatic firearm imports into Canada has increased almost 10 fold. During this period, the annual number of crimes fell slightly, while the number of violent crimes remained fairly flat . . . yet firearms related crimes more than doubled . . . and shootings increased 869% from 219 in 2003 to 2,123 in 2022. In January, the US Bureau of Alcohol, Tobacco, Firearms and Explosives disclosed for the first time that of the almost 25,000 Canadian crime guns it traced from 2017-2021, 1 in 3 had been legally imported from the US.

The *Bloomberg* article continues:

The NRA says its “quiet diplomacy” makes it the world’s most influential firearm advocate. James Baranowski, the organization’s director of international affairs, cited the Canadian debate over Trudeau’s policies while addressing the group’s January 2021 board meeting. He said the NRA’s efforts are often “in the shadows” but the results can be seen and heard around the world.

In the second *Bloomberg* article entitled “US Gun Exports Surge, Fueling Violence Around the World,” the authors indicate that:

To fuel its overseas push, the US firearms industry, through its political allies, has managed to weaken gun-control laws and seed pro-gun advocacy in other countries.

They state that “. . . the US government has helped push international sales of rapid-fire guns to record levels.” Canada is a top customer.

The US Commerce Department has played a booster role in the firearms industry, even as America’s mass shootings horrify the world and gun crime rates rise in many of the importing countries.

SIG Sauer, a successful U.S.-based firearms exporter, has donated hundreds of thousands of dollars to the NRA and the U.S. National Shooting Sports Foundation, and in 2016 donated \$100,000 to #GUNVOTE, a Super PAC that heavily supported former President Donald Trump.

Now in the Canadian media, *The Walrus* magazine published an article in September 2021 entitled “Why Gun-Rights Advocates Partner With Islamophobic Groups.” The article outlined how a then-field officer for the Canadian Coalition for Firearms Rights, Colin Saunders, spoke on the podium at an event on Parliament Hill sponsored by Canadian Combat Coalition, or C3, a known anti-Muslim hate group. He stood and said, “I’m proud to stand here with a bunch of real Canadians who stand up for real values.” Linkages between guns and White supremacists have been identified in both the U.S. and Canada. Giffords Law Center has an interesting article on how America’s gun laws fuel armed hate, and *Time* magazine in 2022 published an article entitled “White Supremacy Is Deadly. Guns Make It Deadlier.”

In a 2019 *Macleans* magazine article, Dr. Pam Palmater wrote, “Guns and white supremacists don’t mix.”

Colleagues, we know that definitely not all members of Canadian firearms rights organizations are heavily influenced by the U.S. gun lobby and that most gun owners in Canada are certainly not predisposed to be members of hate groups. However, we do know that hate groups and their members tend to own and amass stashes of weapons, and that makes them more dangerous, and we know that academics are beginning to trace connections between extreme right-wing and White supremacist groups and the gun lobby.

We also know that some members of the Canadian gun lobby are employing NRA-style intimidation and silencing strategies on those in Canada calling for greater gun control. Dr. Najma Ahmed, a doctor who treated some victims of the 2018 Toronto Danforth shooting and a member of Canadian Doctors for Protection from Guns, was targeted by the Canadian Coalition for Firearms Rights. The CCFR encouraged their social media followers to file complaints against Dr. Ahmed with the College of Physicians and Surgeons of Ontario. The doctor was also told to “stay in your lane, doctor,” reminiscent of what the NRA had told the American College of Physicians to do a few months earlier after ACP issued a paper framing gun violence as a public health issue.

R. Blake Brown, Canada’s foremost historian on gun control, said:

In the 1970s, there weren’t a lot of Canadian gun groups. They were mostly hunting groups that adamantly rejected being labeled as lobbies. But times have changed. Canadians who once rejected the idea that they were somehow affiliated or influenced by the NRA in the 1970s are now more willing to adopt some of those ideas.

Of course, there was no social media in the 1970s.

Colleagues, it really does come down to what kind of society we want to live in and leave for future generations. Our proximity to the U.S. and this age of powerful social media influence makes our jobs as legislators and the jobs of all who

want a Canada safe from gun violence all the more difficult and complex. We know that countries like Australia and the United Kingdom and Japan have implemented more comprehensive gun control measures than Canada, and these countries have achieved lower rates of firearm-related deaths and mass shootings compared to Canada.

The U.K. banned handguns following the Dunblane school massacre in Scotland in 1996. There have been no school shootings and one mass shooting event since then in the U.K.

Bill C-21 passed without amendments at committee. Colleagues, we know this bill is not perfect, but I believe it takes several important steps to respond to the recommendations of the Nova Scotia Mass Casualty Commission, the Renfrew County inquest, and to the pleas of the mass shooting victim groups, PolySeSouvient, Danforth Families for Safe Communities, and Centre Culturel Islamique de Québec.

Honourable colleagues, in conclusion, I support Bill C-21 and its measures designed to safeguard Canadians from gun violence in all its forms. Colleagues, life, after all — all lives — are precious gifts. Let's pass what I consider a sensible gun control bill which, as the evidence demonstrates, is designed to protect and to save lives. Honourable colleagues, Canadians want a safer Canada. Let's take this important step while at the same time continuing to insist on much more. Thank you, colleagues. *Wela'liog.*

**Hon. Donna Dasko:** Honourable senators, I rise today to speak at third reading to Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms). This bill enacts substantial changes and reforms to the Criminal Code and to the Firearms Act dealing with firearms. The Minister of Public Safety introduced this bill at first reading on May 30, 2022. The bill made its way here on May 18 of this year and was sent to our Standing Senate Committee on National Security, Defence and Veterans Affairs on June 21. Our committee held 12 meetings on Bill C-21 and heard 66 witnesses.

• (2300)

Led by our chair, Senator Dean, the process was thorough and extensive. We covered the issues well. Our committee reported back with no amendments, but with an extensive list of observations. I feel that our work is done — and that it was done well. This important bill takes its rationale from crime statistics as well as the increasing number of guns in this country. In his second reading speech introducing the bill on June 9, 2022, Minister Mendicino cited a 2022 Statistics Canada report which, in his words, shows:

Gun violence is up 81% since 2009. Gun homicides are up. Handgun violence, specifically, is up, and this is the number one type of gun used in homicides. Alarming, domestic violence, intimate-partner violence and gender-based violence are all up in connection with the presence of guns and gun violence. . . .

Others cite the rise in the number of guns itself as justification for the measures in the bill. For example, Senator Yussuff — in his sponsor speech here — noted an increase in the prevalence of handguns in Canada. Between 2010 and 2020, he noted, the number of handguns increased by 74% to 1 million handguns owned by approximately 275,000 individuals in this country.

There is a theory here about the increase in guns, and it goes as follows: The more guns we find in society, the more harms we find that involve guns, and that harm is found not just in gun crime, but in other harms such as suicide, misuse and accidents. As a corollary to this theory, reducing the number of guns will reduce these harms. Fewer guns mean fewer harms.

If we need proof of this theory, all we have to do is look south of the border to see the magnitude of killings and deaths attributable to the abundance of guns and the ideology of gun ownership run wild.

We in this country will never accept the gun dystopia which is the United States of America. Bill C-21 tackles the central issue of limiting the availability of guns in several ways. There is a handgun freeze: Bill C-21 would implement a national freeze on the sale, purchase, transfer and importation of handguns. This is not the handgun ban that some people were seeking, and none of the handguns owned by legal licence holders will be confiscated; however, over time, this freeze will limit the numbers of handguns in this country.

Then there is the problem of assault-style weapons. In 2020, by order-in-council, the government prohibited a list of approximately 1,500 makes and models of assault-style firearms. This bill adds another measure to deal with the assault guns by prohibiting future assault-style firearms from entering the Canadian market. Again, this approach does not go as far as some would like since it does not deal with the other makes and models currently held by Canadians. The government proposes to set up a council to identify these firearms, which might then be subject to a ban. So again, looking down the road, these measures should help to reduce the number of assault-style firearms in this country.

Then there are the so-called ghost guns: the firearms or firearm parts that can be manufactured, which have proliferated in recent years. Bill C-21 will create new offences aimed at the use of 3-D printing for the manufacturing and trafficking of firearms and will classify ghost guns and other illegally made firearms as prohibited.

These provisions relating to handguns, assault-style weapons and ghost guns, if all implemented, will limit the number of guns in this country going forward.

Two other parts of the bill are extremely important. Bill C-21 addresses intimate partner violence and gender-based violence by enacting red flag and expanded licence revocation laws. The new red flag law would enable anyone to apply to a court to remove firearms for up to 30 days from a person who may pose a danger

to themselves or others. A longer-term prohibition of up to five years is possible if there continue to be reasonable grounds to believe that the individual poses a risk.

In addition, a firearms licence could be revoked from someone in cases of domestic violence or criminal harassment, i.e., stalking, when a protection order has been issued against a licence holder or when a red flag order is issued.

There is much more in Bill C-21, but for me these are the key points.

Of course, this bill is very far from perfect, and I was surprised and very disappointed to see some of the serious missteps the government made along the way. We heard last week and in committee about the lack of adequate consultation with Indigenous groups and others, such as chief firearms officers in the process of drafting the bill. We heard about unresolved issues, including those involving handgun shooting sports. Many of us recall the introduction of amendments in November 2022 involving a long list of assault-style firearms, which were to be prohibited. This resulted in a storm of protests from hunters and farmers who claimed that hunting guns were also on that list, and thus, the government ended up withdrawing this list that they had put forward in February of this year. This was a setback in the effort to limit assault-style weapons in this country.

Nevertheless, Bill C-21 is very worthy of our support. I'm very impressed that the bill has gained approval from such a wide range of experts, academics, health researchers, activists and law enforcement agencies. Here are some examples of the supporters: the Canadian Association of Emergency Physicians, Canadian Doctors for Protection from Guns, the Canadian Paediatric Society, the Coalition for Gun Control, Danforth Families for Safe Communities, Families of Dawson, the National Association of Women and the Law, the Islamic Cultural Centre of Quebec City, PolySeSouvient, Regroupement des maisons pour femmes victimes de violence conjugale and Women's Shelters Canada. These are just some examples of the many stakeholders who support this bill.

For example, Dr. Wendy Cukier, speaking for the Coalition for Gun Control, which represents over 200 health, crime prevention, policing and women's organizations, stated, "We are asking that you pass this legislation in its current form. . . ."

Dr. Najma Ahmed, Professor of Surgery and Trauma, University of Toronto, speaking for the Canadian Doctors for Protection from Guns, stated, "Canada needs Bill C-21. It will save lives. . . ."

Nathalie Provost, spokesperson for PolySeSouvient, which represents survivors of the December 6 femicides at École Polytechnique, stated:

. . . today we urge you to pass Bill C-21 without amendments as quickly as possible. It is a good bill. It is not perfect and not complete, but it freezes handgun sales and helps protect women from domestic murders. It will save lives.

She also said, ". . . we feel that the bill must be passed for Canada to move forward. We value the bill very much. . . ."

Also Dr. Natasha Saunders, Staff Physician, Hospital for Sick Children, speaking for the Canadian Paediatric Society, stated, "As an organization, we support the passage of Bill C-21. . . ."

Colleagues, I also want to note the endorsement of Bill C-21 among law enforcement officials. I must admit that I was surprised by this initially and expected more criticism from them, but Deputy Chief Bill Fordy, whom we've heard about before in earlier remarks, speaking on behalf of the Canadian Association of Chiefs of Police, or CACP, told our committee that:

The CACP supports Bill C-21 in principle and believes this law is introducing essential provisions to the Criminal Code and the Firearms Act.

He also said:

. . . I think it is helpful rather than hurtful. I think the stronger language around prohibited firearms is helpful. I think the efforts to reduce domestic violence are helpful, and as the previous witness referenced, the fatality attached to some of those incidents.

He is the chief law enforcement witness that we had at committee. He represents the Canadian Association of Chiefs of Police.

His sentiments were echoed by other law enforcement witnesses, including Fiona Wilson, Deputy Chief Constable, Vancouver Police Department, who stressed that the bill is positive and gives the police additional tools in many areas.

• (2310)

However, on the other side, I think everyone in this chamber understands that well-organized groups have lobbied hard against it. Senator Coyle has mentioned some of the groups.

In my case, I've counted over 2,000 pieces of correspondence since we got the bill in May in the Senate. The vast majority of the correspondence is from groups opposed to this bill. Their presence on social media is huge.

How representative are these opposing views? It turns out these views are not very representative at all. I decided to commission a public opinion survey about key aspects of the bill. The national survey found that the vast majority of Canadians, in fact, support stricter gun control. There is no doubt about it — 73% of Canadians support "freezing the sale, purchase, transport and importation of handguns." Meanwhile, 85% of Canadians support prohibiting new assault-style firearms from entering the Canadian market.

Over 90% each support the red-flag provisions — that is, allowing firearms to be removed by court order from a firearm owner who may pose a danger to themselves or others. And 96%



of Canadians support the ability to remove a firearms licence from someone in cases where there's been domestic violence or criminal harassment.

A majority of Canadians across all regions, both genders — men too, but particularly women — and all age categories support all four of these measures. Colleagues, these are not the elites that we have heard about; these are the views of ordinary Canadians.

Let's be very clear about it. Canadians are saying yes to stronger gun controls and yes to the key provisions of Bill C-21. Also, by approving Bill C-21, this country will take another important step away from the destructive gun culture and away from the ubiquitous gun violence of our neighbour to the south.

Colleagues, I will be voting for this bill. I hope you will too. Thank you very much.

**The Hon. the Speaker:** Senator Batters has a question. Senator Dasko, will you take a question?

**Senator Dasko:** Yes.

**Hon. Denise Batters:** Thank you. The poll that you spoke about, how much did that poll cost and did you pay for it out of your Senate budget?

**Hon. Donna Dasko:** Thank you, senator, for your question.

The poll cost \$3,400. I did pay for it from my Senate budget. That has to be the best \$3,400 I have ever spent. I can't believe that you can actually consult Canadians for a fee of \$3,400 on a bill like this. You can ask substantial questions. Whatever the result is, in any case, what a deal that was, that \$3,400.

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

**Some Hon. Senators:** Question.

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

**Some Hon. Senators:** Agreed.

**Some Hon. Senators:** No.

**The Hon. the Speaker:** Those in favour of the motion will please say "yea."

**Some Hon. Senators:** Yea.

**The Hon. the Speaker:** Those opposed to the motion will please say "nay."

**Some Hon. Senators:** Nay.

**The Hon. the Speaker:** I think the yeas have it.

*And two honourable senators having risen:*

**The Hon. the Speaker:** I see two senators rising. Any advice on the length of the bell?

Pursuant to rule 7-4(5)(c), the vote is deferred until 5:30 on the next sitting day.

[*Translation*]

## AFFORDABLE HOUSING AND GROCERIES BILL

### BILL TO AMEND—SECOND READING

**Hon. Éric Forest** moved second reading of Bill C-56, An Act to amend the Excise Tax Act and the Competition Act.

He said: Honourable senators, I rise this evening as sponsor of Bill C-56, the affordable housing and groceries act, which is now at second reading.

[*English*]

It has been an honour to be asked to sponsor this bill in the Senate.

[*Translation*]

In her recent speech before the Standing Committee on Finance in the other place, the Deputy Prime Minister summed up why Bill C-56 is so important. In short, it would address two of the most pressing challenges facing Canadians today, namely access to housing and the cost of living.

When it comes to housing, the challenge is clear. Canada simply doesn't have enough housing, so we need to build more, and fast. In fact, the Canada Mortgage and Housing Corporation estimates that Canada needs to build an additional 3.5 million housing units by 2030, on top of the current construction rate, to finally restore access to affordable housing and to rebalance the market for Canadians.

[*English*]

And while this problem seems simple, the solutions are not. Building the homes that Canada needs will clearly require a great national effort.

[*Translation*]

Federal, provincial, territorial and municipal governments will need to work together, in partnership with home builders, business people, community housing providers, post-secondary institutions, and Indigenous organizations and governments, to achieve this goal.

The Government of Canada has gone the extra mile in its recent budgets and economic statements. Federal investments in housing are \$9 billion higher than they were in 2013-14.

Since 2015, the federal government has more than doubled its average annual investment in housing, but it is clear that much remains to be done, as CMHC has indicated.

[English]

So let's take a moment to consider in more detail what the measure in Bill C-56 will do.

First of all, they will remove the GST on the new purpose-built rental housing with the goal of helping get more homes built faster and creating more housing supply across the country.

[Translation]

The support available through this measure is as follows: a two-bedroom rental unit valued at \$500,000 would qualify for \$25,000 in tax relief. It seems reasonable to assume that such significant support would give developers more options to move forward with projects.

In fact, the housing sector is already showing signs of this. For example, a Toronto real estate company has already announced plans to build 5,000 new rental units across the country thanks to this measure. To quote the Deputy Prime Minister:

This is about making the math work for builders, giving them an incentive to build more homes that would otherwise not move forward due to construction costs.

There is already proof that this measure will have a positive effect.

In announcing this measure, the government asked provinces that currently apply a provincial sales tax, or the provincial part of the HST, to rental housing to join it by matching the federal rebate on new rental housing units. To date, Ontario, Nova Scotia, Prince Edward Island and Newfoundland and Labrador have announced their intention of offering similar tax relief. This kind of concerted effort will be essential for achieving the desired results and building more homes faster.

When we talk about speeding up construction, it is also important to mention that the support for new rental housing construction in Bill C-56 specifically seeks to speed up housing construction in the short term.

The GST rebate proposed in the bill would apply only to projects where construction starts between September 14, 2023, and the end of 2030 and is completed by 2036.

At the same time, this GST relief will be carefully targeted to protect Canadian renters from what is referred to as "renoviction," the practice of evicting renters from their homes so that renovations can be done. The government has made it clear that the GST rebate would not apply to substantial renovations of buildings that are already occupied.

[ Senator Forest ]

The housing measures in this bill also form the basis for some of the measures that the government recently announced in the 2023 Fall Economic Statement to support housing construction.

• (2320)

They include the proposal to expand eligibility for GST relief to include purpose-built, long-term rental housing co-ops, provided the required conditions are met. Using this measure to expand the relief provided in Bill C-56 would be fitting, and it is something that members of the Standing Committee on Finance have specifically called for.

Clearly, the government will not be able to provide this new support for co-op construction before Bill C-56 comes into force. It is apparent that these measures to support the construction of new rental housing are deliberately focused to avoid unintended consequences.

It is also clear that they underpin other measures to support housing construction, which are sorely needed given the current situation.

On another note, in order to make groceries more affordable for Canadians, we now need to consider how this bill would also help stabilize food prices for Canadians. We know that, although inflation has dropped to 3.1%, many Canadians, particularly the most vulnerable, are still feeling the pressure of rising food prices, so to help them, Bill C-56 includes measures designed to bring prices down by strengthening competition throughout the economy, particularly in the grocery sector.

Specifically, the bill would achieve this by amending the Competition Act to give the Competition Bureau the power to compel the production of information to conduct effective and comprehensive market studies, and to crack down on abuses by large, dominant chains. It would also abolish the efficiencies defence, which currently allows companies to use efficiency gains as an argument in favour of potentially anti-competitive mergers.

These changes would enable the bureau to take action against collaborative ventures that impede competition and consumer choice, particularly in situations where large grocers prevent smaller competitors from setting up shop in the vicinity of their stores. Increased competition means lower prices and more choice for consumers.

While strengthening competition and cracking down on unfair and anti-competitive practices, this bill would help stabilize prices for Canadians. This initiative would supplement other measures taken by the federal government to support competition in the grocery sector.

These include getting Canada's five largest grocery chains, which represent 76% of the grocery sector, to make commitments to stabilize prices for Canadians.

Another measure involves establishing a grocery task force to oversee the work of the big grocers so as to stabilize prices and investigate and control other practices in the grocery sector, like shrinkflation.

Again, the proposed amendments to the Competition Act in Bill C-56 are essential to move other more recent measures forward.

For example, the 2023 Fall Economic Statement proposes additional amendments to the Competition Act in order to further modernize the review of mergers, particularly by giving the Competition Bureau the means to better detect and counter anti-competitive acquisitions and other anti-competitive mergers. It proposes to strengthen protections for consumers, workers and the environment, specifically by prohibiting misleading greenwashing claims and by placing greater emphasis on the impact on workers in competition analyses.

It proposes to empower the Commissioner of Competition to review a wider selection of collaborations and seek meaningful remedies to ensure that harmful conduct is not repeated. It proposes to broaden the reach of the law by enabling more private parties to bring cases before the Competition Tribunal and receive payment if they are successful.

In the 2023 Fall Economic Statement, the government also proposes to amend the Competition Tribunal Act to ensure that legal cost awards during case adjudication do not prohibit a robust defence of competition.

I believe that the changes proposed in Bill C-56 that seek to strengthen the Competition Tribunal constitute a solid foundation for progress on all these fronts. Taken together, these measures would enable Canada to align with best international practices to ensure that domestic markets encourage fairness, affordability and innovation.

[English]

Moreover, I will underscore that these are not just among the highest priorities of Canadians but they are among the most immediate. People are feeling pressure on this front right now, so the action to be taken to address them must be undertaken right now.

[Translation]

Honourable senators, I hope that we keep that important factor in mind as we assess the merits of Bill C-56.

[English]

Thank you, honourable colleagues, for this opportunity to make my case today. *Meegwetch.*

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

**Hon. Senators:** Agreed.

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

**Hon. Senators:** Agreed.

(Motion agreed to and bill read second time.)

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

(On motion of Senator LaBoucane-Benson, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

## PROTECTING CANADA'S NATURAL WONDERS BILL

BILL TO AMEND—SIXTH REPORT OF ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE ADOPTED

The Senate proceeded to consideration of the sixth report of the Standing Senate Committee on Energy, the Environment and Natural Resources (*Bill S-14, An Act to amend the Canada National Parks Act, the Canada National Marine Conservation Areas Act, the Rouge National Urban Park Act and the National Parks of Canada Fishing Regulations, with amendments*), presented in the Senate on December 12, 2023.

**Senator Miville-Dechêne** moved the adoption of the report, for Senator Galvez.

She said: Honourable senators, I rise today to briefly speak on the sixth report of the Standing Senate Committee on Energy, the Environment and Natural Resources that addresses Bill S-14, An Act to amend the Canada National Parks Act, the Canada National Marine Conservation Areas Act, the Rouge National Urban Park Act and the National Parks of Canada Fishing Regulations.

The bill would expand the boundaries of seven national parks and one national park reserve, clarify offences in relation to the discharge of substances in a national park, establish a new national park and change the name of another park.

I wish to thank the members of the committee for their work in bringing this report forward.

In its study, the committee heard from 10 witnesses, including the Minister of Environment and Climate Change, representatives from concerned First Nations and Inuit communities, civil society organizations, an academic and a rancher.

After thoughtful consideration, the committee proposes three amendments to the bill. Two of the amendments make it mandatory, rather than a suggestion, for a park superintendent or, upon their failure to do so, the minister, to order a person to take reasonable measures to prevent, mitigate or remediate harm and to prevent or minimize danger in the park.

The third amendment limits the entry into leases of public lands by the minister in Akami-Uapishk<sup>u</sup>-KakKasuak-Mealy Mountains National Park Reserve to existing cabins and tilts in order to preserve the existing traditional users' rights while also protecting the ecological integrity of the park reserve.

Colleagues, Bill S-14 will contribute to our commitment to protect biodiversity and 30% of our land by 2030. The proposals were made by Parks Canada in consultation with all the concerned First Nations and Inuit communities, as well as other stakeholders.

The committee has done a careful review of the bill, and I encourage you to support the passage of this bill.

Thank you, *meegwetch*.

• (2330)

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

**Hon. Senators:** Question.

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

**Hon. Senators:** Agreed.

(Motion agreed to and report adopted.)

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

(On motion of Senator Sorensen, bill, as amended, placed on the Orders of the Day for third reading at the next sitting of the Senate.)

## BUSINESS OF THE SENATE

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, with leave of the Senate and notwithstanding rule 5-13(2), I move:

That the Senate do now adjourn.

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

**Hon. Senators:** Agreed.

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

**Hon. Senators:** Agreed.

(At 11:31 p.m., the Senate was continued until tomorrow at 2 p.m.)

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## CONTENTS

Wednesday, December 13, 2023

	PAGE		PAGE
<b>Visitors in the Gallery</b>		<b>ROUTINE PROCEEDINGS</b>	
The Hon. the Speaker . . . . .	5253	<b>Canada Elections Act (Bill S-283)</b>	
		Bill to Amend—First Reading	
<b>Business of the Senate</b> . . . . .	5253	Hon. Donna Dasko . . . . .	5278
		<b>Inter-Parliamentary Union</b>	
<b>Affordable Housing and Groceries Bill (Bill C-56)</b>		Assembly and Related Meetings, October 11 to 15, 2022—	
Consideration of Subject Matter in Committee of the Whole		Report Tabled	
Hon. Chrystia Freeland, P.C., M.P., Deputy Prime Minister		Hon. Salma Ataullahjan . . . . .	5278
and Minister of Finance . . . . .	5253		
Hon. François-Philippe Champagne, P.C., M.P., Minister of		<b>Audit and Oversight</b>	
Innovation, Science and Industry . . . . .	5256	Notice of Motion to Affect Committee Membership	
Hon. Yuen Pau Woo . . . . .	5263	Hon. Raymonde Saint-Germain . . . . .	5278
Report of the Committee of the Whole			
Hon. Pierrette Ringuette . . . . .	5264		
<b>Business of the Senate</b>		<b>QUESTION PERIOD</b>	
The Hon. the Speaker . . . . .	5264		
		<b>Environment and Climate Change</b>	
		Cost of Travel	
		Hon. Donald Neil Plett . . . . .	5278
		Hon. Marc Gold . . . . .	5278
<b>SENATORS' STATEMENTS</b>		<b>Global Affairs</b>	
		Israel-Hamas Conflict	
<b>Tributes</b>		Hon. Leo Housakos . . . . .	5279
The Honourable Dennis Glen Patterson		Hon. Marc Gold . . . . .	5279
Hon. Scott Tannas . . . . .	5264		
Hon. Marc Gold . . . . .	5264	<b>Immigration, Refugees and Citizenship</b>	
Hon. Yonah Martin . . . . .	5265	Special Immigration Measures	
Hon. Bernadette Clement . . . . .	5265	Hon. Ratna Omidvar . . . . .	5280
Hon. Wanda Thomas Bernard . . . . .	5266	Hon. Marc Gold . . . . .	5280
Hon. David M. Wells . . . . .	5266		
Hon. Mary Jane McCallum . . . . .	5267	<b>National Defence</b>	
Hon. Pat Duncan . . . . .	5267	Arctic Sovereignty	
Hon. Jane Cordy . . . . .	5268	Hon. Tony Loffreda . . . . .	5280
Hon. Paula Simons . . . . .	5268	Hon. Marc Gold . . . . .	5280
Hon. Julie Miville-Dechéne . . . . .	5268		
		<b>Infrastructure</b>	
<b>Visitors in the Gallery</b>		Confederation Bridge and Bridge Tolls	
The Hon. the Speaker . . . . .	5269	Hon. Percy E. Downe . . . . .	5281
		Hon. Marc Gold . . . . .	5281
<b>The Honourable Dennis Glen Patterson</b>		<b>Privy Council Office</b>	
Expression of Thanks		Clerk of the Privy Council	
Hon. Dennis Glen Patterson . . . . .	5269	Hon. Salma Ataullahjan . . . . .	5281
		Hon. Marc Gold . . . . .	5281
<b>Business of the Senate</b> . . . . .	5271	<b>Indigenous Services</b>	
		Indigenous Businesses	
<b>Bill to Amend Certain Acts and to Make Certain</b>		Hon. Yonah Martin . . . . .	5281
<b>Consequential Amendments (Firearms) (Bill C-21)</b>		Hon. Marc Gold . . . . .	5281
Third Reading—Motion in Amendment Negatived . . . . .	5271		
		<b>Employment and Social Development</b>	
<b>The Honourable Dennis Glen Patterson</b>		Guaranteed Livable Income	
Expression of Thanks		Hon. Pat Duncan . . . . .	5282
Hon. Dennis Glen Patterson . . . . .	5272	Hon. Marc Gold . . . . .	5282

## CONTENTS

Wednesday, December 13, 2023

	PAGE		PAGE
<b>Fisheries and Oceans</b>		Hon. Raymonde Saint-Germain . . . . .	5290
Data Collection		Hon. Claude Carignan . . . . .	5291
Hon. Iris G. Petten . . . . .	5282	Hon. Michael L. MacDonald . . . . .	5292
Hon. Marc Gold . . . . .	5282	Hon. Salma Ataullahjan . . . . .	5294
		Hon. Leo Housakos . . . . .	5295
		Hon. Julie Miville-Dechéne . . . . .	5297
<b>Prime Minister's Office</b>		<b>Affordable Housing and Groceries Bill (Bill C-56)</b>	
Comments of Prime Minister		Bill to Amend—Fifteenth Report of National Finance	
Hon. Claude Carignan . . . . .	5283	Committee on Subject Matter of Bill Tabled	
Hon. Marc Gold . . . . .	5283	Hon. Percy Mockler . . . . .	5298
<b>Health</b>		<b>Bill to Amend Certain Acts and to Make Certain</b>	
Medical Assistance in Dying		<b>Consequential Amendments (Firearms) (Bill C-21)</b>	
Hon. Donald Neil Plett . . . . .	5283	Third Reading—Vote Deferred	
Hon. Marc Gold . . . . .	5283	Hon. Dawn Anderson . . . . .	5300
		Hon. Mary Coyle . . . . .	5303
		Hon. Donna Dasko . . . . .	5305
		Hon. Denise Batters . . . . .	5307
		<b>Affordable Housing and Groceries Bill (Bill C-56)</b>	
		Bill to Amend—Second Reading	
		Hon. Éric Forest . . . . .	5307
		<b>Protecting Canada's Natural Wonders Bill (Bill S-14)</b>	
		Bill to Amend—Sixth Report of Energy, the Environment and	
		Natural Resources Committee Adopted . . . . .	5309
		<b>Business of the Senate</b>	
		Hon. Patti LaBoucane-Benson . . . . .	5310
<hr/>			
<b>ORDERS OF THE DAY</b>			
<b>Business of the Senate</b>			
Hon. Patti LaBoucane-Benson . . . . .	5284		
<b>Bill to Amend Certain Acts and to Make Certain</b>			
<b>Consequential Amendments (Firearms)</b>			
Time Allocation—Motion—Debate			
Hon. Marc Gold . . . . .	5284		
Hon. Donald Neil Plett . . . . .	5285		
Time Allocation—Motion Adopted			
Hon. Donald Neil Plett . . . . .	5287		
Hon. Peter Harder . . . . .	5290		