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The Honourable RAYMONDE GAGNÉ,
Speaker

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THE SENATE

Tuesday, October 29, 2024

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

Prayers.

SENATORS' STATEMENTS

TRIBUTES

THE HONOURABLE RATNA OMIÐVAR, O.C., O.ONT.

Hon. Raymonde Saint-Germain: Honourable senators, I have the great honour to pay tribute to someone I consider to be a beloved colleague, a dear friend and, most importantly, an eminent Canadian. An eminent Canadian indeed, Senator Omidvar is a recipient of the Order of Ontario, a member of the Order of Canada and an awardee of the cross of the Order of Merit of the Federal Republic of Germany as well as honorary Doctor of Laws degrees from Toronto Metropolitan University and York University.

You will all agree, colleagues, that that is quite the series of accomplishments. It is no wonder why she was selected as part of the first cohort of independent senators to lead the way for Senate reform in April 2016.

Before her distinguished career and all her accomplishments, Senator Omidvar first came to Canada in the early 1980s. She experienced, as she herself described, hardships in “. . . displacement and integration . . .” Those experiences shaped her into the person we all know: a dedicated defender of the rights of migrants, refugees and newcomers to Canada. A true champion for diversity, she always stood strong to make Canada a more welcoming and caring place. At a time when the rule of law is in disarray for people seeking refuge all over the world, the leadership and guidance of Senator Omidvar is truly invaluable.

Before coming to this institution, Senator Omidvar stood out and made her mark as an intellectual, an academic and an active member of her community. As a senator, not only was she able to find her calling, but she also had impressive successes, the likes of which only a few have been able to achieve. This is due to her determination, her ability to negotiate and work with colleagues and her passion for public policy for the greater good of the country.

During all her time in the Senate, she projected leadership and confidence and she was an outstanding parliamentarian, but, most importantly, she did it her way.

In an interview a few months after her appointment, Senator Omidvar was asked why she was proud to be Canadian. Let me quote her response:

I was born into one passport, married into another, but my Canadian passport was my full choice, and the one I worked the hardest to get. This country has given me its protection

and its opportunities. In return, I am committed to making it a better and better place so that it continues to be a land of protection and opportunity for future Canadians.

Senator Omidvar, all those who have followed your actions in the Senate have no doubt that you made Canada a better place.

Ratna, in my name and in the names of all the senators from the Independent Senators Group — your group — we thank you, we congratulate you and we wish you all the best, knowing that this is only the start of a new beginning and that we will still hear your voice.

Thank you, *meegwetch*.

Hon. Senators: Hear, hear.

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, it is my privilege to rise today on behalf of the Government Representative Office to pay tribute to our retiring colleague Ratna Omidvar.

It will be of no surprise to us here in the chamber to learn that Senator Omidvar has been working toward the betterment of our country since her arrival in Canada in 1981. Her very first job opportunity in Canada was with St. Stephen's Community House in Toronto, a community-based social service agency focused on poverty reduction, food insecurity, homelessness, unemployment, isolation, conflict and violence, AIDS, racism, youth alienation and the integration of refugees and immigrants — a modest “plate” of issues, all of which are critical.

Her work to better our country did not stop there. She served in numerous roles, including as president of Maytree, where Ratna took on a lead role in efforts to promote the integration of immigrants. She was recognized for that work by becoming a recipient of the Order of Ontario in 2005 and being named a member of the Order of Canada in 2011.

• (1410)

Since her appointment to this chamber, Senator Omidvar has been a fierce advocate for migration, diversity and inclusion. Just a few short months after joining this chamber, Senator Omidvar got to work, deftly sponsoring and ultimately passing Bill C-6 which amended the Citizenship Act. Ratna, all of us here have greatly benefited from the expertise, experience and compassion that you have brought to so many important debates.

On a personal level, as many of you know, we worked together for some years in the Independent Senators Group and, at times, even in some leadership positions together. You were a great colleague, and I miss those days.

Senator Saint-Germain didn't steal my thunder but captured the devotion to your country in the quote that she offered from your interview. It really does capture your devotion to Canada and its people.

Ratna, after a long career of public service, you have no doubt succeeded in making this country a better place for all Canadians, and I cannot wait to see lies ahead as you open this next chapter in your work. Once again, on behalf of the Government Representative Office, congratulations and happy retirement.

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I rise today to pay tribute to our colleague, the Honourable Ratna Omidvar, as she prepares to take her retirement from the Senate of Canada on November 5, 2024.

Over the years, I have had the privilege of getting to know Senator Omidvar, working closely with her on various issues and initiatives dear to both our hearts. From being on the Special Committee on the Charitable Sector and as deputy leader and legislative deputy at scroll to being sponsor and critic, and vice versa, of several bills, we have worked together to support our colleagues and benefit Canadians.

Prior to her work as a senator, Ratna was a visiting professor at Ryerson University and founded the Global Diversity Exchange. She was president of Maytree, director at the Century Initiative and a councillor on the World Refugee & Migration Council to name some of the many fields of work and organizations that Senator Omidvar has dedicated her time and expertise.

In April 2016, Ratna Omidvar was appointed to the Senate of Canada to serve the province of Ontario. As a respected and knowledgeable voice on migration, diversity and inclusion, Senator Omidvar was an advocate in the Senate Chamber on various pieces of legislation and has served with distinction as Chair of the Senate Standing Committee on Social Affairs, Science and Technology and Deputy Chair of the Special Senate Committee on the Charitable Sector.

I would also like to acknowledge Senator Omidvar's family for their love and support throughout her years as a senator. Thank you.

Senator Omidvar, thank you for your dedication and service to the Senate and to Canada. On behalf of the Conservative caucus, please accept our best wishes as you end this memorable journey and embark on the next one.

Hon. Senators: Hear, hear.

Hon. Scott Tannas: Honourable senators, rising on tributes is often a bittersweet moment. This is one of them. While we recognize the departure of a colleague who is undertaking a new chapter of their lives away from the Senate, it is also a recognition that an important asset of this place is walking out these doors for the last time. This is the case of the departure of our colleague Ratna Omidvar.

Senator Omidvar's retirement will be a great loss to this place. Many senators, when they arrive in the Senate, take time to acclimatize and learn the ropes and the culture of this institution. The pace, process and the tug of war between priorities takes lots of getting used to. When Senator Omidvar took her seat, she was a woman on a mission. She actively participated in debate, asked pertinent questions and raised issues close to her heart like a long-time senator. Her contribution was always thoughtful, fully

informed and with great insight. While I am happy for her to be moving to other things, her absence here will be most certainly felt.

I personally had a great opportunity to travel with Senator Omidvar last summer and spent some time with her and her husband, Mehran. We travelled together to Alberta. From the agriculture-rich part of the south to the majestic mountain views in Banff and to the economic powerhouse of oil production in Fort McMurray, we toured my province over a few full days. She was engaged, inquisitive and eager to learn much about my home and its people.

I also saw a great transformation in her. Not only did I see her wear a white cowboy hat, but she also bought and wore her first pair of jeans. Senator Omidvar, the next step is a pair of cowboy boots and a flannel shirt, and you will fit right in as a Calgarian instead of a Torontonians.

One of the hallmarks of Senator Omidvar's tenure in the Senate is how she cared about Canadians. This was on display with the Social Affairs Committee, which she chaired. Being the chair of a "catch-all committee" with its very vast mandate is a great challenge. It takes a great leader to manage the workload and keep it running. Senator Omidvar has been an outstanding chair and the Senate is better for it.

Senator Omidvar gave a speech once that encouraged all of us to attend a citizenship ceremony. It occurred to me that I had never been to one, so I asked her to help me get an appointment to go to one. I've attended a number since. It is one of the most emotional, impactful and wonderful benefits that we have as parliamentarians, so I echo that. To those of you who weren't here to hear that call, call Senator Omidvar and she'll get you in.

To conclude, I wish you, Ratna, a very happy retirement, and I wish to convey that you will always be missed as you walk through those doors and say goodbye one last time.

[Translation]

Hon. Pierre J. Dalphond: Honourable senators, I'm pleased to rise on behalf of the independent senators of the Progressive Senate Group to pay tribute to our colleague, Ratna Omidvar.

[English]

Our colleague is a defender of human rights around the world, and a leader on Canadian immigration, multiculturalism and charitable sector policies. Senator Omidvar was one of the first seven senators appointed in 2016 as independent under the new arm's-length process.

Early on, she sponsored government Bill C-6 that brought changes to the Citizenship Act, which repealed some of the previous government's barriers to citizenship. This was the bill famous for the principle that "A Canadian is a Canadian is a Canadian."

With Bill C-6, Senator Omidvar supported a major amendment to provide an appeal mechanism to a person facing citizenship revocation on the grounds of fraud or false representation. The

amendment was adopted by this chamber and accepted by the House of Commons. The change became one of the more independent Senate's first major policy achievements.

Personally, I was honoured to collaborate with Senator Omidvar on Parliament's award of honorary citizenship to the recently freed Russian opposition leader Vladimir Kara-Murza, as well as the Senate's call for the release from prison of Jimmy Lai, a hero for democracy in Hong Kong.

Senator Omidvar has also sponsored several Senate public bills. Two of these prompted the government's improvements in 2022 to our laws for the charitable sector and for freezing assets around foreign human rights abusers. As well, Senator Omidvar has served as chair of our very important Social Affairs Committee with great leadership.

She has rightly received many honours, which the previous senators have referred to, for her contributions to Canada and Ontario. Recently, she received the Cross of the Order of Merit of the Federal Republic of Germany, but what impressed me the most is what I saw when I was lining up at my RBC branch in 2018.

I was waiting in line and I saw her photograph on the screen. I said, "I know that person. It is my colleague in the Senate. I've been there for a year." I started watching, and then came the chyron saying that she had been named one of RBC's Top 25 Canadian Immigrants of 2018, so congratulations. Even in my local branch, you are there.

• (1420)

With Senator Omidvar's retirement, we lose a leader on many issues, but her legacy — and, we hope, her advice — will continue to guide us. Ratna, we will miss you, and we wish you all the best in your next chapter.

Thank you. *Meegwetch*.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Mehran Omidvar, Senator Omidvar's husband, their daughter Ramona Omidvar-Khullar, Nylah Omidvar-Khullar, their granddaughter and Flight Corporal, Air Cadet League of Canada, and their grandson Zayan Omidvar-Khullar. They are accompanied by Dan Miller, Senator Omidvar's son-in-law, and Deepa Mehta, award-winning director and screenwriter.

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

Hon. Senators: Hear, hear!

THE HONOURABLE RATNA OMIDVAR, O.C., O.ONT.

EXPRESSION OF THANKS

Hon. Ratna Omidvar: Honourable senators, thank you so much for the kind words everyone has said to me. I'm feeling a slightly out-of-body experience right now because the faces in front of me and the seating plan have changed. I'm completely discombobulated. Your kind words and comments about my time in the Senate are very well received. I will not forget them.

I would like to briefly share my thoughts with you. It's not going to be a long speech, but I want to share with you some of my thoughts about this place, this country and the Senate. I want to start with the conflicting emotions in my head and heart. I think you will all empathize with them. They are relief on the one hand and regret on the other.

However, there is absolutely no conflict about the sincerity of my gratitude and appreciation for all those who keep this place working. I want to start with the people who protect us, the Parliamentary Protective Service. I did not understand what their role was during the first week of my arrival, but then I began to appreciate that they keep us very safe.

I want to pay a special tribute to the people in the background in the Information Services Directorate, or ISD. It doesn't stand for "intelligence services"; it refers to technical services. They have been such a support to a senator who has aged out of technological innovation. I'm a complete Luddite. I call them at 8 a.m. and they are there; I call them at 4:30 p.m. and they are there. I am not quite sure what I will do with them, but I do know I owe them a huge debt of gratitude.

Thank you to the bus drivers, who were especially welcome on cold and windy days in this very cold and windy city.

I have tried to imagine what and whom it must take to have the Senate Hansard ready the next day for reading, even after we sit beyond midnight. I'm not quite sure how it all comes together, but it does.

To the Clerk of the Senate, the Chamber Operations and Procedure Office, or COPO, table, the interpreters and the technicians — I see you all and thank you from the bottom of my heart. Thank you also to the Usher of the Black Rod for his service to us.

I have a special word for our wonderful young pages, who are seated at the edge of the room. They have looked out for me in a very special way because they realize that at the committee meetings I need to be kept supplied with endless cups of mint tea. They do that with such care, and I'm very grateful to them.

Of course, there is a small army — or a large army, I'm not quite sure — in Senate administration, that manage the communications, the finance and the HR. I'm not quite sure how it works; I chose not to get into the internal governance of the chamber, but I'm so grateful it is there and allows us to be the best we can be.

So many have remarked that it is a village here and that it takes a village to keep this place functioning. Upon departing, Senator Lankin made the same comment. I will add to this by remarking that all the villagers here have a huge commitment to this essential institution. Of course, to the chief of our village, the head of our village, Speaker Gagné, thank you so much for your service.

As some of you have heard me say, I am an accidental Canadian and an accidental senator. I did not aspire to be either, but a confluence of accidents — some good, some bad — led me here.

As people have remarked, and as you may well know, I was born in India. I met my partner in Germany at university. We went on a hike in the Bavarian mountains, not knowing each other very well. We came down from the mountains and said we would hike together for the rest of our lives.

Hon. Senators: Hear, hear.

Senator Omidvar: We have not quite been hiking, but we celebrated 50 years together, and that's why this is additionally a very special year for us. We had no desire or need to come to Canada until my family needed sanctuary. I am eternally grateful to this country for taking a chance on us and providing us with safety, security and opportunity. I sometimes think about my life, and I ask my daughter Ramona to think about our lives — what it would have been like if we'd had to stay in Iran.

I must confess that, when I came in 1981, I was only very superficially aware of Canada. My perceptions of this country were coloured very much by a Grade 5 geography unit in school in India. It was all rather romantic: logging camps, lumberjacks, beavers, bears and the RCMP. Maybe that's what I had in mind.

The reality when we hit the ground in Toronto was, of course, very different. I think Mehran and I experienced every hard knock in the school of hard knocks.

We learned early on that we had to be twice as good to be recognized as half as much, yet we survived. I made two decisions very early on which have been central to my journey and — I think — led me here. I was advised almost in the first week of my arrival that because I had no Canadian work experience and a difficult first and last name, I would never get a job — at least, not in the short term. I was told that I could ease my path by changing my name. To be honest, I threw a few names around in my head: Rosa, Runa and Rita. We practised them for two days, but in the end, I couldn't do it; we couldn't do it. I could no more change my name than I could change the colour of my skin, so I wear them both proudly.

However, there is something I did decide to change. I am a teacher like Senator Cordy and Senator Martin. Specifically, I am a teacher of German as a second language. I know that's odd, and how I arrived at German is a story to be told over a drink in a bar. But I quickly realized that no one in Canada would want to learn German from an Indian who had just arrived as a refugee from Iran. I am a pragmatist, after all, and instead, I decided to grab Canadian life with two hands and proceeded to reinvent myself.

• (1430)

It is these two decisions — to remain authentic and to reinvent myself — that I believe led me to this place.

In my 40-plus years in this country, I have been both an insider and an outsider. I believe that the lens I use to look at our country offers up a useful and very positive comparison to the other two countries that I know best, India and Iran. Above everything else, I see that we are a country still in the process of building our nation, so we are a country of aspiration but also of reflection and correction.

We are not perfect and never will be, but we have the courage to look at ourselves in the mirror and be honest about the reflection that stares back at us. It is not a pretty picture. In fact, it can be rather ugly. Yet we have the fortitude to look back at it, warts and all.

Notwithstanding our best efforts, we are often unable to get things completely right, but here is the difference: We try. That is an admirable trait given the many wrongs in our past: the colonization of our Indigenous peoples, the legal discrimination against the Japanese and the Chinese and the institutionalized racism against the Black people of Canada. These are part of our history; I could go on and on. However, few other nations are as open to pathways of finding truth, justice and reconciliation as we are. For that reason, colleagues, I am most proud to be a Canadian.

Adding to this, I don't believe we have a fixed sense of our identity. It is a constantly evolving one, and, given the nature of our demographics, it will continue to evolve and change. I admire that we are not rigid about these matters and are willing to allow this identity to be shaped by the people of this country, and as they shift and change, so do we, and so does our collective identity. We are — and, I believe, should always remain — a work in progress, not perfect but in search of perfection.

This combination of being self-reflective on the one hand and self-corrective on the other — combined with our ability to shift and change with the aspirations of Canada — sets Canada apart from so many other places, especially as polarization threatens many parts of the world and seeps into our narrative too.

I have learned a great deal about how this country works in this chamber and why it sometimes does not. We are always arguing amongst ourselves and all our constituent parts. That appears to be the nature of our federation. As the discourse globally and even nationally continues to disintegrate into incivility and outright coarseness, the Senate has an obligation to be the hallmark for democracy and demonstrate that we can disagree with each other, at times loudly and vociferously but always with civility.

This place too has evolved as Canada has. It is now more independent and less tied to the partisan politics of the House of Commons. It makes sense to me that we are better able to serve Canadians without being a mirror of the other place. But with greater independence, I think we also know, comes greater responsibility. In exercising this responsibility, Senator Shugart cautioned us to exercise restraint, stay in our lane as the house of sober second thought and not extend our independence by becoming free agents relying only on our personal opinions. He reminded us that we are, after all, the unelected people.

Yes, we must exercise restraint, but restraint does not equate with faint-heartedness or passivity. It is for those who have courage. It requires courage to stay within our boundaries, no matter how much we may believe otherwise.

But it also requires courage for another reason: We are the last legislative port of call for the protection of minority rights. This chamber is the voice for those who are voiceless. Courage will be called on to defend their rights regardless of who may come into power next year or this year. I am lost in all the rumours in this place.

My colleagues here have fought hard to protect those rights. Sometimes they have succeeded, and sometimes they have failed, but every time they have stood up to attempt to do so, they have demonstrated courage as individual senators. The time may come for us, for this place, to demonstrate collective courage. Senator Harder's motion to reject the study of bills that invoke the notwithstanding clause may well be that moment for collective courage.

Civility, constraint, restraint and courage — I hope, colleagues, that you will continue to add to this lexicon of words.

I still remember my first impressions of this place in 2016 when I was inducted. This is a storied place steeped in history and tradition. It is also a place that reflects the colonial roots of our country and our ties to the Westminster model. While we have improved on that model a great deal to suit our Canadian reality, it is still grounded in the past. I, for one, wish for Canada to shake off its colonial roots at some point and stride with confidence into the future on its own terms. If that is to come, colleagues, you here in this chamber will play an essential role in this transformation.

In this chamber, I have met senators who come from very different lives, realities and political ideologies, but I know from experience that in all our diversity we find the way to commonalities. I believe that if we can walk together, talk together and drink together — some of you may remember the malt whisky nights we used to have — we are then better able to work together.

I thank everyone in this chamber who worked with me on issues related to Iran, Ukraine, the Rohingya people, Afghanistan and others. I give a special nod to my colleagues who have worked with me on human rights issues because the encroachment on human rights in other parts of the world, or even in our country, is a slippery slope. If we tolerate it elsewhere, then we run the risk of normalizing it everywhere.

I want to say a few words about my home team, the Independent Senators Group, or ISG. The ISG has been the keeper of the flame for an independent Senate. The independence of the Senate is more secure today because of your leadership.

It does a remarkable job. Look at the size of us; we are so big, and yet our leadership does a remarkable job of keeping us under one big tent, even though we may have very different views on different matters. Our leadership is strategic, persistent and inclusive. Most of all, these three wonderful women complete their work with great grace and elegance. I thank you for that very much.

As to my legacy, I don't think it's up to me to determine or tell you what it is. It is up to you. But the issues I have worked on — such as charities, Afghanistan, refugees, immigration and Ukraine — have all been the inspiration of leaders from civil society. Some of them are in the gallery. I cannot thank you all enough for enabling me to be your parliamentary and legislative voice. I have carried your ideas in this chamber, hopefully with some success. I thank you very much for allowing me to do so.

I have been privileged to chair one of the best committees in the Senate, the Standing Senate Committee on Social Affairs, Science and Technology. We are, frankly, challenged by the scope of our issues. I regret that science and technology, important as they are, always get short shrift in our work. I hope the chamber pays attention to the proposal of reforms coming to modernize the Senate committee mandates so that they are more in keeping with the times. But in the time that I have chaired it, I have been blessed with extraordinary committee members who are committed, passionate and engaged about their issues, including my fantastic steering committee, who are here today. We work really well together, and we were just thinking maybe we work really well together because we are all women. I think that may make a difference.

• (1440)

Of course, we have a fantastic and extremely capable clerk, Emily Barrette, who helps us, and, of course, our very gifted Library of Parliament analysts.

Finally, I want to get to the difficult part of my speech, about relief and regret. I'm sure you will empathize with why I feel relief. I will no longer need to schlep my very sorry bones from Toronto to Ottawa twice a week, depending on the vagaries of our weather, Air Canada and whatever may transpire in the House of Commons.

I will not miss the freezing temperatures in this chamber nor the absence of a healthy, nutritious meal at least once a day. But most of all, I will no longer leave a piece of my heart every week with my family in Toronto only to come back on Friday to them and run twice as hard to make it up to them again. We all know that even as we may earn some small measure of credit and even perhaps a bit of glory in our time, our families pay the greatest price. I am so looking forward to being a full-time partner, mother and grandmother to my family.

To Mehran, my golden partner — as we celebrated 50 years together — you have been the wind behind my sails. Everything I do here has only been possible because you have held the fort at home. To my daughters, Ramona and Yasmin, my six grandchildren, two of whom are here today, and my wonderful son-in-law Daniel Miller, they should all know their Nani is back.

As for regrets, there will be many. I regret that I will no longer be a member of this chamber, of this community of friends and colleagues. I will only be able to watch from afar as you study new laws. I will miss the opportunity of leaving my fingerprints on the legislative narrative of this country, which has been the greatest privilege of my life.

I believe I will miss the return to the old House of Commons Chamber and the old Senate block, but many of you may well miss that, too.

Most of all, I will miss the people and especially the two people who have been constantly by my side. We all know we're only as good as our teams. I have benefited enormously from the expertise and commitment of my team. They have stood by me on discouraging days. On days when I was willing to give up, they have encouraged me, sometimes pushed me, to go the extra mile. Whatever success I have had in this place is due a great deal to Paul Faucette and Stephanie Saunders. I wish to say the following words to them directly.

Paul, you have been my Director of Parliamentary Affairs for roughly seven years. You shaped my political understanding and helped me understand political opportunity. You were my guide to the intricacies of legislation and legalisms. During all the chaos generated by an emotional and often chaotic senator, you were always the steady and sober hand. We have been well matched, I think. You are the ice to my fire, and together we have achieved outcomes that seemed unattainable at the start.

Finally, to the person I will miss the most — and we have promised each other today that we will not cry. Stephanie Saunders has worked with me for 25 years. Stephanie, you will remember that you came to work for me when you were fresh out of grad school 25 years ago. Your career has closely matched mine. You are my right hand and my left hand. You are trustworthy, loyal. You are not afraid to speak truth to power. I think of you as the little sister I never had. We will, of course, stay in touch, but I will miss your daily presence, even though sometimes it has been a nagging presence — yes, like the phone call I got today at seven o'clock.

Paul and Stephanie will transition to working as a team for Senator McBean. Senator McBean, you get the A-team. The wind is behind your sails.

As for me, I am 75. I believe it's just another number. Whilst I retire from the Senate and return to life as a private citizen, I will always remain an engaged one. Our country will continue to hear from me one way or another.

So, thank you, colleagues for all your kind words, for the collegiality you have shown me. Let's always remember that this place is an essential place and you do essential work. I wish you

all the best for the future, and I hope every now and then you will remember me with the same degree of fondness with which I will remember you. Happy Diwali! Thank you.

Hon. Senators: Hear, Hear!

TRIBUTE ON RETIREMENT

Hon. Stan Kutcher: It's tough to follow that.

Honourable senators, when the Prime Minister proposed a different approach to selecting senators in 2015, there were many questions: What was this going to look like? Who would apply? Would this institution be better able to serve Canadians? Then the first slate of senators was appointed. One of those was a familiar name to me — Ratna Omidvar. She had worked with my wife, Jan, with my wife's sister Dawn and my brother-in-law Kevin. She was practically part of our family. They had sung her praises all the time.

Colleagues, I was in awe of Ratna before I even met her. When I arrived here, it was amazing to move in across the hall from Ratna and her team. They were welcoming and so very helpful. Stephanie and Paul, you have become valued colleagues, and your hard work has mirrored that of Senator Omidvar's.

Ratna has demonstrated the meaning of what it is to be an independent senator. She has drawn on her previous work and expertise to collaborate widely, to work towards what is just and what is right. She has constructively criticized this government when she did not think that it was doing what it should or could do. She has not been shy about suggesting alternatives or different directions and has rolled up her sleeves to work on improvements. She is a doer.

Always a staunch ally of the charitable and human rights sectors, she has brought those perspectives forward in her work as a committee chair and a senator. She has educated us and supported those who work to create a more just and equitable Canada.

I'm just going to focus on one issue. Her personal history has made her keenly aware of the geopolitical challenges that face us today and the importance of us becoming involved. One example is her work on seizing Russian assets to help fund Ukraine's military and humanitarian response to Russia's genocidal war on Ukraine. These efforts have been recognized nationally and globally and have been greatly appreciated by the Ukrainian diaspora here.

Ratna, I am personally thankful for your friendship, collaboration, mentorship and guidance. I want to thank you for choosing to come to this place. Our chamber has been the better for your presence here. You have used your role as a senator wisely. You have improved our Canada because of what you have done here. Your voice and your wisdom will be missed in this chamber. I, like everyone here, wish you well.

Ratna, in my mother tongue, we never say goodbye. We say, "Do pobachenia," which means, "Until we see each other again."

So, Ratna, thank you and *do pobachenia*.

• (1450)

Hon. Salma Atallahjan: Honourable senators, I rise today to pay tribute to Senator Ratna Omidvar, a very dear friend and colleague.

As a Canadian of South Asian descent, I share Ratna's love of the beautiful, colourful culture of that part of the world. We are not alone in this. Colleagues, I don't know how many of you are aware, but there is a small Desi group in the Senate. "Desi" means a person of South Asian descent who lives abroad, and our group started when Senator Marwah was still here. With the retirement of Senator Marwah, Senator Jaffer and now Senator Omidvar, our Desi group is shrinking at an alarming rate. In case you're wondering what we did, we ate and ate our way through the many Desi restaurants in Ottawa.

Although Ratna and I come from a subcontinent marred by disagreements of historic proportions, we worked wonderfully well together, proving that we are stronger when we work side by side. The special friendship that we share runs deeper than our culture and heritage; it is embedded in our deep commitment to diversity, inclusion and human rights.

When Ratna joined the Senate, she brought with her lived experience caring for the vulnerable and the disadvantaged. How I enjoyed having her in the Standing Senate Committee on Human Rights, where we witnessed her wisdom and commitment to the less fortunate, and we can clearly see this in the recent study that she proposed on forced global displacement.

Ratna, I'm sorry to see you go. It was such a pleasure to work with a person who is so passionate and so authentic, who is never afraid to take a stand and who always speaks from the heart. I will miss our monthly dinners and our discussions about Desi movies, Desi places and all things Desi.

You have a special place in my heart. Rest assured that even though you're leaving the Senate, the contributions you have made for the people who feel that they are fighting their battles alone will always be remembered. You have made a difference, and we all thank you for it.

I quote Rumi: "Some human beings are safe havens. Be companions with them." Ratna, you are a safe haven. It is such an honour to be your friend. I will miss you.

Hon. Donna Dasko: Honourable senators, way back in 1985, I was chair of the board of a settlement house called St. Stephen's Community House in Toronto. Among other things, we ran a child daycare centre. One day, my executive director said she wanted me to meet one of the daycare moms who was a new immigrant to Canada and whom she was very impressed with. That's how I met Ratna. We decided to hire her right there on the spot; it was Ratna's first job in Canada.

From there, she went from success to success. She quickly became our director of development, then went on to lead a non-governmental organization, or NGO, called Skills for Change, then became the long-time president of the Maytree Foundation, and then became the founder of the Global Diversity Exchange at Toronto Metropolitan University.

These roles gave her a platform from which she built a city-wide profile through leadership in the Toronto City Summit Alliance, then a national profile for advocacy and social justice, and then an international profile through initiatives with the World Refugee and Migration Council and the World Economic Forum. She has won way too many awards for me to even mention here.

Ratna is one of the most successful advocates that this country has ever seen, taking on poverty reduction, immigration, integration, the charitable sector, global human rights and other vital issues. She is "resourceful, relentless and highly respected," to quote one very admiring colleague from her days at the Toronto City Summit Alliance.

Her reputation for hard work and the ability to get things done is legendary. She told me that when appointed to the Senate, she made a long list of things she wanted to accomplish: sponsor a bill, present a motion, launch an inquiry, take on a leadership position and more. After just two years here, she had already achieved most of the items on that list. She has had an extraordinary Senate career.

She's also interested in having fun. She has hosted great Diwali parties in Ottawa and Toronto, as well as great receptions; I especially remember Ramona's fabulous wedding, where Vic came in on a white horse. But her approach to fun is equally focused. "Tonight, I'm having fun between 6 p.m. and 8 p.m.," she might say, and the rest of us would smile knowingly.

Ratna has often said that her own experiences of immigration, displacement and integration have motivated her work. However, her work was not undertaken for her benefit but for the benefit of others in order to make this a better and more just society for all those who are disadvantaged and arrive on our shores, and for all Canadians. Our friendship came full circle when she walked with me into our Senate Chamber as my Senate sponsor 33 years after we first met at St. Stephen's. Ratna, it's a great joy of my life to have you as my friend. Thank you.

Hon. Senators: Hear, hear.

[Translation]

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Nathalie Dubois, President of Accent Stratégies Inc. She is the guest of the Honourable Senator Cormier.

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

Hon. Senators: Hear, hear!

[English]

PAY EQUITY

Hon. Peter Harder: Ratna, I'm sorry; I am going to change the rhythm, but it is a theme that you will appreciate, I'm sure.

Honourable senators, 25 years ago today, the Government of Canada and the Public Service Alliance of Canada, or PSAC, signed a historic settlement putting an end to over 15 years of litigation, thereby resolving the long-standing issue of pay equity complaint.

Only a few weeks earlier, the former Secretary of the Treasury Board and Nycole Turmel, who is the former president of PSAC, met in the upstairs private room of a local restaurant and, over a pot of cold coffee, agreed to the financial terms of these prolonged negotiations. This settlement provided retroactive pay adjustments to over 230,000 Canadian public servants, whose work had been undervalued for years when compared to their male counterparts.

Since that settlement, the Government of Canada adopted the Pay Equity Act requiring federally regulated employers to proactively address pay inequities between men and women.

[Translation]

There is still a lot of work to be done to close the pay gap between men and women across the country. Respect for other fundamental rights and freedoms also needs some work, since many disputes on these issues remain unresolved both here at home and elsewhere in the world.

Today, as we reflect on the efforts that led to the 1999 pay equity agreement, let us remain conscious that advances in fairness, equality and fundamental rights occur when the parties involved deliberately decide to put aside their differences and take a creative and courageous approach to working out solutions through respectful dialogue.

[English]

While I no longer enjoy my coffee cold, I'm glad to have played some small part in pay equity of the public service, which portrays our better Canadian ideals.

I would like to acknowledge the many public servants and PSAC officials who worked on this file for many years. For my part, I would single out the leadership of H el ene Laurendeau, Jean-Claude Bouchard and the late Alain Jolic eur, all of whom subsequently became deputy ministers and leaders on equity issues in their respective departments.

It's a day to celebrate. Thank you.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Dr. Gerry Turcotte, President and Principal of St. Mark's College and Corpus Christi College. He is the guest of the Honourable Senator Martin.

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

Hon. Senators: Hear, hear!

• (1500)

CORPUS CHRISTI COLLEGE AND ST. MARK'S COLLEGE

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I rise today to recognize a remarkable institution that has stood as a beacon of academic excellence and spiritual growth since its inception in 1956. St. Mark's College was founded by the Congregation of St. Basil and received its charter from the Legislative Assembly of British Columbia. This legacy of education highlights the Basilian Fathers' commitment to higher education.

Corpus Christi College was established in 1999, embracing the Jesuit tradition and further enriching the educational landscape. Located on the University of British Columbia Vancouver campus, Corpus Christi-St. Mark's offers a unique opportunity for students to embark on their academic journeys for the first two years of university studies.

Corpus Christi-St. Mark's offers over 100 courses across various disciplines, including arts, business, science and digital media. With year-round admissions, Corpus Christi-St. Mark's provides the flexibility that allows students to tailor their academic schedules to fit their lives. Corpus Christi-St. Mark's truly embodies the "best of both worlds." Their smaller campus fosters an accessible and supportive learning environment, while UBC's expansive amenities are just steps away. At Corpus Christi-St. Mark's, they cultivate a community that feels like a home away from home.

I would like to acknowledge Dr. Gerry Turcotte, who has served as President of Corpus Christi College and Principal of St. Mark's College since August 2022.

Dr. Turcotte's dedication to education is a long and storied one. Before his time at Corpus Christi-St. Mark's, he served as President of St. Mary's University in Calgary for 11 years. He is the author and editor of 18 books including the novel *Flying in Silence*, which was shortlisted for the Age Book of the Year in 2001. He was awarded the Governor General's International Award in Canadian Studies in 2011, Queen Elizabeth II's Diamond Jubilee Medal in 2011 and Queen Elizabeth II's Platinum Jubilee Medal in 2023.

One of his greatest honours was being gifted his Blackfoot name, Mountain Thunder, for his outstanding work on reconciliation. His strong leadership, along with the dedication of the faculty and the support of the alumni community, has played an instrumental role in the success of Corpus Christi-St. Mark's.

Honourable senators, please join me in recognizing the importance of Corpus Christi-St. Mark's College, which is committed to "... giving students the best start to their university studies..." Thank you.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of students from Kitigan Zibi School in Maniwaki and Immaculata High School in Ottawa. They are the guests of the Honourable Senators LaBoucane-Benson and Brazeau.

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

Hon. Senators: Hear, hear!

STUDENTS OF KITIGAN ZIBI SCHOOL AND IMMACULATA HIGH SCHOOL

Hon. Patrick Brazeau: Honourable senators, Senator LaBoucane-Benson and I have the great pleasure of hosting these young people you see in the gallery today. Unfortunately, some had to catch buses home.

They are visiting us from the Kitigan Zibi Anishinabeg reserve, my home community, and from Immaculata High School here in Ottawa. I feel very proud of these young people. Although it is only a few hours away according to the map, Parliament and all its trappings can seem a world away. For a kid from Maniwaki, it can seem like an alien planet.

With this visit today, I hope our visitors can see that it is not really that alien at all. At its most basic level, this is a place where people need to talk. Yes, it looks fancy and strange, the doors and the floors, the stairs and the chairs — this is, indeed, a unique physical environment — but, beauty aside, it is also just a workplace like any other. People gather here to try to solve problems. We approach problems just as all students approach school projects or personal goals: by learning as much as one can about an issue and then doing one's best to find possible solutions.

Many young people like the idea of becoming a parliamentarian, a city councillor or a chief, but they keep it private. No one wants to be ridiculed for having such ambitions or be accused of being grandiose. It can sometimes be wise to keep one's dreams private for a time, but don't let those dreams die. Instead, it is important to keep that fire burning and learn all you can about jobs in which you can contribute the way you want to. If anyone feels a calling to this place, to this kind of work, protect and nurture that impulse.

I welcome these students in this chamber, as do all my colleagues. They sit up there today. One day, they may be sitting down here looking up at the gallery at the next generation of young people eager to contribute to the betterment of Canada.

Finally, a special thank you to the teachers at Kitigan Zibi School and Immaculata High School. We have all been teenagers and created our share of drama — some more than others. No doubt we exasperated our teachers with some of our antics and our variable attention spans. We all owe a big debt to the teachers in our lives who offered patience, kindness and set high standards for us to reach.

On behalf of all my colleagues, I want to acknowledge these teachers and thank them for their dedication and perseverance. To the students of Kitigan Zibi, *pjâshig*.

ROUTINE PROCEEDINGS

HEALTH OF ANIMALS ACT

BILL TO AMEND—FOURTEENTH REPORT OF AGRICULTURE
AND FORESTRY COMMITTEE PRESENTED

Hon. Robert Black, Chair of the Standing Senate Committee on Agriculture and Forestry, presented the following report:

Tuesday, October 29, 2024

The Standing Senate Committee on Agriculture and Forestry has the honour to present its

FOURTEENTH REPORT

Your committee, to which was referred Bill C-275, An Act to amend the Health of Animals Act (biosecurity on farms), has, in obedience to the order of reference of May 9, 2024, examined the said bill and now reports the same with the following amendment:

1. *Clause 1, page 1:* Replace line 6 with the following:

“9.1 No person shall”.

Your committee has also made certain observations, which are appended to this report.

Respectfully submitted,

ROBERT BLACK

Chair

(For text of observations, see today's Journals of the Senate, p. 3199.)

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

• (1510)

[English]

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

[Translation]

L'ASSEMBLÉE PARLEMENTAIRE DE LA FRANCOPHONIE

MINISTERIAL CONFERENCE OF LA FRANCOPHONIE,
NOVEMBER 4-5, 2023 AND GOOD OFFICES MISSION,
NOVEMBER 6-7, 2023—REPORT TABLED

Hon. Éric Forest: Honourable senators, I have the honour to table, in both official languages, the report of the Assemblée parlementaire de la Francophonie concerning the Forty-fourth Ministerial Conference of La Francophonie, held in Yaoundé, Cameroon, from November 4 to 5, 2023, and the Good Offices Mission, held in Libreville, Gabon, from November 6 to 7, 2023.

MEETING OF THE APF EDUCATION, CULTURE AND
COMMUNICATION COMMITTEE AND THE PARLIAMENTARY
NETWORK ON HIV/AIDS, TUBERCULOSIS AND MALARIA
MEETINGS, APRIL 3-5, 2024—REPORT TABLED

Hon. Éric Forest: Honourable senators, I have the honour to table, in both official languages, the report of the Assemblée parlementaire de la Francophonie concerning the Meeting of the APF Education, Culture and Communication Committee and the Parliamentary Network on HIV/AIDS, Tuberculosis and Malaria Meetings, held in Bucharest, Romania, from April 3 to 5, 2024.

MEETING OF THE COMMITTEE ON ECONOMIC, SOCIAL
AND ENVIRONMENTAL AFFAIRS, APRIL 10-11, 2024—
REPORT TABLED

Hon. Éric Forest: Honourable senators, I have the honour to table, in both official languages, the report of the Assemblée parlementaire de la Francophonie concerning the Meeting of the Committee on Economic, Social and Environmental Affairs, held in Luang Prabang, Laos, from April 10 to 11, 2024.

MEETING OF THE PARLIAMENTARY AFFAIRS COMMITTEE,
APRIL 24-26, 2024—REPORT TABLED

Hon. Éric Forest: Honourable senators, I have the honour to table, in both official languages, the report of the Assemblée parlementaire de la Francophonie concerning the Meeting of the Parliamentary Affairs Committee, held in Podgorica, Montenegro, from April 24 to 26, 2024.

QUESTION PERIOD

FINANCE

COST OF FOOD

Hon. Donald Neil Plett (Leader of the Opposition): Before I begin today, I need to comment and acknowledge the new seating plan in the chamber. Canadians can finally see the entire Senate government caucus solidly behind Senator Gold.

On the weekend, a Liberal member of Parliament described the Prime Minister's dismissive response to his caucus revolt, Senator Gold, as tone-deaf and disrespectful. You had the same kind of response to Senator Martin's questions last week about 15,000 Canadians waiting hours in the rain for free produce: tone-deaf and disrespectful. When I challenged you on your comments, you denied making them, Senator Gold.

Leader, you've had the time to think it over. Will you withdraw your comments and apologize not just to Senator Martin, but to all the Canadians who can't afford food?

Hon. Marc Gold (Government Representative in the Senate): Senator Plett, I think I was clear in my response the day after the question-and-answer exchange, and I'll try to be clear again. I do not believe — it was certainly not my intent, nor do I think it was my words that cast disrespect or lack of sympathy or understanding to those who are facing challenges putting food on their table. I'm not going to continue to remind this chamber that, at least from my point of view, the government that I represent and myself personally are trying as best as we can to answer your questions, however you frame them, factually and on the basis of policy. In that respect, again, I stand by what I said and by the commitment of this government to help Canadians in need.

Senator Plett: I would suggest you check Hansard, because we just might for you and bring it here.

Just yesterday, Food Banks Canada reported that a record-breaking 2 million-plus Canadians visited food banks in March alone, an increase of 6% over last year.

Leader, they're not "slogans," like you like to say. They're not "talking points," like you like to accuse us of. They're fellow Canadians, Senator Gold.

Why aren't questions about their struggles worthy of your respect, Senator Gold? And don't they deserve a government that will put their needs first?

Senator Gold: Senator Plett, again, you are stating what is not true. I have enormous respect, sympathy and empathy for each and every Canadian who is struggling, as too many are. I stand by that, and no amount of your innuendos changes how I feel and how this government is acting on behalf of Canadians.

Hon. Yonah Martin (Deputy Leader of the Opposition): Leader, as Senator Plett just mentioned, the annual *HungerCount* report from Food Banks Canada was released yesterday. According to this report, my province of British Columbia saw food bank usage increase by 15% over the past year, more than double the national increase of 6%. As well, over 23% of food bank users in B.C. are people with jobs. This is higher than the percentage of food bank users who are on social assistance, those on disability-related income supports or those who are jobless. Please think about that for a moment, leader. If your government's plans are working, then why are a quarter of B.C.'s food bank users people who have jobs?

Senator Plett: Hear, hear.

Senator Gold: Senator, thank you for your question. The use of food banks has risen dramatically in my province as well. It is a problem across the country. This government has never denied it, nor have I in this chamber. This government has focused, in large measure, on concrete measures to help Canadians get through the affordability crisis. In addition to the provisions and support that it has provided for Canadians directly in regard to their pocketbooks, the government has also expanded significantly, and importantly, the social safety net which contributes to the well-being of families, with programs like the Canada Child Benefit, a National School Food Program, \$10-a-day early learning and child care and national dental care. These are all concrete measures that contribute to help Canadians weather the challenging times that they face.

Senator Martin: Yes, but the fact is your government has created this crisis. The report also shows that 67% of food bank users in B.C. over the past year are renters. As we know, rent has doubled under the NDP-Liberal government. It is heartbreaking that so many Canadians cannot afford food and housing at the same time. Even those with a job cannot make ends meet. When will Canadians get the carbon tax election that is so clearly needed?

Senator Housakos: We're getting poorer.

Senator Gold: The decision whether and when to have an election is largely in the hands of elected officials in the other place and the government. This government will continue to apply itself, whether it is to building — with serious policy — more affordable housing, continue to provide support to renters and continue to do its part, along with municipalities and provinces, to address the affordability issues that are plaguing this country.

[Translation]

HEALTH

MEDICAL ASSISTANCE IN DYING

Hon. Julie Miville-Dechêne: Senator Gold, beginning tomorrow, Quebec will allow advance requests for medical assistance in dying for people suffering from a serious and incurable illness leading to incapacity, such as Alzheimer's. Federal Health Minister Mark Holland felt compelled to make the following clarification. He pointed out that the government

hasn't amended the Criminal Code and, accordingly, advance requests continue to be illegal, while also confirming that Quebec would not be prosecuted. This paradoxical provision remains unclear for doctors in Quebec, who are the ones who evaluate advance requests for MAID. Is that the federal government's intended objective?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. As senators know, medical assistance in dying is a matter of shared jurisdiction in Canada. The federal framework set out in the Criminal Code of Canada was carefully designed with strict safeguards to affirm and protect the inherent and equal value of every person's life. As a health service, MAID is provided by provincial and territorial health care systems as part of end-of-life or complex care under provincial laws and policies. That said, the federal government has made it very clear that the Criminal Code does not authorize the provision of MAID. In the case of advance requests, the person must be able to reconfirm their consent to receive MAID immediately before such assistance is provided. The department also recognized the need for a broader conversation in Canada.

Senator Miville-Dechêne: With regard to that conversation, Minister Holland mentioned that he would have liked to hold consultations before Quebec took action. Did you think about the ethical issue that is being debated in Quebec? How can we ensure that we have the consent of a person with Alzheimer's at the time of the injection, particularly if the person is physically resisting the lethal injection? I think this is a fundamental ethical issue. It hasn't been resolved and it is the subject of great debate in Quebec right now.

Senator Gold: I completely agree. The government does recognize that advance requests are an ethically and practically complex issue on which people have a broad range of perspectives. The federal government will therefore be launching a national conversation about advance requests to consult with the provinces and territories, experts and Canadians and hear their views.

IMMIGRATION, REFUGEES AND CITIZENSHIP

TEMPORARY FOREIGN WORKERS

Hon. Julie Miville-Dechêne: I have another question about a different matter. On October 24, the federal government announced a series of measures to reduce the number of temporary foreign residents in Canada. Many Quebec businesses see this as a real catastrophe. One such company is Saint-Jean-sur-Richelieu's Tremcar, which will lose half of its foreign workers, most of them welders, and is even considering moving part of its manufacturing to the United States. Beauce Carnaval employed 25 foreign workers this year because no Quebecers were interested in working unusual schedules and travelling all around the province. What is that business supposed to do next year? Did you really calculate the impact of this measure on businesses before making this decision?

• (1520)

Senator Gold: Thank you for the question. The decisions were complex and difficult. In fact, this government has made many decisions while rising to the challenges and addressing the issues surrounding our country's capacity to properly integrate, host, house and feed our immigrants and others arriving through other programs.

Ultimately, the government tried to strike the proper balance. On the one hand, we needed to grow, not only to fill positions in Quebec and elsewhere, as you mentioned, but also to expand our economy. That's important. On the other, we have a moral duty to ensure that people who come here at our invitation are properly received and housed.

By reverting to prepandemic levels for now, temporarily, the government was trying to strike the right balance.

Senator Miville-Dechêne: At the same time, I think that it's also causing short-term problems. New Brunswick's new premier, Susan Holt — and I'll take this opportunity to salute her — thinks that measures aimed at reducing the number of temporary workers will be extremely detrimental to her province, especially in the agricultural sector. We know that very few Canadians want these jobs. These are our harvests, our fruits and vegetables. What are we going to do?

Senator Gold: Given the complex context with so many competing interests and far-reaching consequences, not only for our economy but also for our businesses, cities, lands and systems, there will always be someone who sees the glass as half empty. That being said, it is the government's job to make these difficult decisions.

[English]

Hon. Flordeliz (Gigi) Osler: Senator Gold, there is significant concern that the recently announced cuts to immigration numbers, particularly regarding the reduced numbers of temporary foreign workers and permanent residents, will have a negative impact on my home province of Manitoba.

Manitoba has a 5.7% unemployment rate, which is lower than the Canadian average, and it relies on international immigration to meet the needs of our labour market. Especially concerned are employers and smaller communities in rural Manitoba, where temporary foreign workers and permanent residents fill essential labour gaps. Communities like Neepawa, Steinbach and Brandon are not Toronto, Vancouver or Montreal, and they face different challenges.

What is the federal government's plan to address regional needs for immigration outside the big three cities?

Hon. Marc Gold (Government Representative in the Senate): The Government of Canada recognizes that provinces and territories play an important role in nominating candidates they need to address their respective labour markets. There is variation, as you properly point out, across this large country.

The provincial nominee program allocations increased significantly following the pandemic to protect our economy and allow for a speedy recovery, which thankfully occurred. However, the economic context has changed since then.

Through the 2025-2027 Immigration Levels Plan, the government — as I mentioned in response to our colleague's question — is returning to pre-pandemic levels. That's for two years so we can make the necessary, albeit at times painful, adjustments.

The government will continue to work with provinces and territories to ensure that they have the support they need to grow their economies while at the same time balancing the pressures on housing, infrastructure and essential services.

Senator Osler: Manitoba's Minister of Labour and Immigration, Malaya Marcelino, has stated that the reality in Manitoba is that we need skilled labour, particularly in rural and northern areas. Employers regularly scout immigrants to fill labour gaps in trades, education and health care.

How will the federal government work with provinces to address the negative labour impacts caused by the immigration cuts on sectors that are already struggling to fill jobs?

Senator Gold: As part of the plan, the government will put an emphasis on the federal economic priorities and programs, including the Canadian Experience Class and regional immigration programs, to attract the workers we need, whether in areas of certain occupations and trades or health care.

Additionally, there will be a focus on economic immigration, with approximately 62% of total permanent resident admissions dedicated to the economic class in key sectors such as health and trades.

[Translation]

IMMIGRATION LEVELS

Hon. Amina Gerba: I will pursue this same line of thought. The Prime Minister's announcement has received extensive coverage. The decision to reduce new permanent resident numbers by 100,000 in 2025 and to continue to decrease those numbers for two years is attracting a lot of attention.

Following this announcement, the Canadian Federation of Independent Business, or CFIB, the largest network of SMEs in the country, expressed its serious concerns regarding the government's decision to drastically reduce permanent immigration levels. The CFIB said that it has been getting panicked calls from a lot of small business owners who are distraught over losing foreign workers whose visas will soon expire. How does the government intend to reassure them?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. It is my understanding that the government plans to adjust economic immigration flows to give priority to workers already in Canada to ensure their transition to permanent resident status and to respond to labour market needs. I've been informed that over 40% of permanent resident admissions in 2025 will come from people already in

Canada as temporary residents. These skilled and educated newcomers can continue to support the workforce and our economy without placing an additional burden on social services.

Senator Gerba: According to the CFIB, there are still 379,000 vacancies in the private sector. In such a context, the organization has explained that it's very difficult to maintain a strong workforce without robust immigration. Does the government have a plan to avoid serious labour problems for Canadian businesses?

Senator Gold: The government recognizes that immigration is essential to grow our economy and strengthen our communities. That's why, when developing its plan, Immigration, Refugees and Citizenship Canada, or IRCC, takes into account economic and regional needs. In addition, IRCC works with a wide range of stakeholders and partners, including the provinces and territories, throughout the year to gather their input while developing the plan.

[English]

PUBLIC SAFETY

FIREARMS LEGISLATION

Hon. Salma Atallahjan: Senator Gold, last week you were asked several questions about a recent statement from the Prime Minister on the second anniversary of the firearms ban.

The York Regional Police Association had this to say in response to the Prime Minister:

Very disappointing. This statement doesn't reflect the reality our members face each day on the job.

In fact, Statistics Canada Uniform Crime Reporting indicates an increased trend of incidents and victims of police-reported firearm related violent crime . . .

Does your government dispute these comments from the women and men of York Regional Police, and if so, why?

Hon. Marc Gold (Government Representative in the Senate): No, senator, on the contrary.

This government not only understands the important and fundamental perspective the men and women in our police services provide but respects enormously and honours the work they do to protect us.

The difference in policy that I think gives rise to your question is that this government believes the measures it has taken to reduce firearms and put into place to enhance our criminal justice system to make it Charter compliant and more evidence-based are the right policy responses, regrettable though it is that too many crimes are committed with illegal firearms on the streets of our country.

• (1530)

Senator Atallahjan: Senator Gold, the fact is that people simply do not feel safe in their own homes.

In a press conference last week, the police department in Hamilton said that there have been a record 54 shootings in the city so far this year. When will your government go after gangs and gun smugglers and not law-abiding gun owners?

Senator Gold: The Government of Canada is focusing on gun smuggling. It is focused on illegal trafficking, point one.

Point two, the legislation this government passed on several occasions did not target lawful Canadians, and the careful study of this legislation demonstrated that, colleagues. Once again, there is a philosophical difference between this government and your party.

INFRASTRUCTURE AND COMMUNITIES

HOUSING AND INFRASTRUCTURE

Hon. Leo Housakos: Senator Gold, in the nine years since 2015, when 194,000 new homes were built under the then-housing minister Pierre Poilievre, the only thing that has gone up under your government is the cost of housing. Average monthly mortgage payments after nine years of Justin Trudeau are double; average rent for one-bedroom apartment, double; average down payment for a new home after nine years of Justin Trudeau, double. Double, double, double.

The good news is Pierre Poilievre has a new plan that will see more sorely needed houses that will be built. As prime minister, he will axe the tax on the new home builds, cut the GST for the sale of homes under \$1 million. Those are pretty good ideas, ideas that your government can't manufacture because you don't have the wherewithal or the desire to accept that you have failed.

The only question that remains is this: When will your government call an election, get out of the way and allow Pierre Poilievre and his government to get to work for Canadians?

Hon. Marc Gold (Government Representative in the Senate): Senator Housakos, thank you for giving me the opportunity to correct the record. In that regard, I congratulate you and your party on being very good at politics. Unfortunately, you are getting a failing grade in policy. Here is the record: When Pierre Poilievre was housing minister, he lost 800,000 affordable apartments and he got a total of 6 built. To boot, 50,000 fewer homes were being built in this country per year during that period.

In just the past year, this government eliminated the GST on apartment construction to bring down the cost of rent. What did the leader of your party propose to do? He introduced a bill to put the tax back on middle-class apartments.

You have announced a plan to completely cut the federal programs to get more homes built and solve the housing crisis for the middle class and the most vulnerable. The plan will crater home building across the country, driving housing costs up well beyond the savings that he promised.

Senator Housakos: Senator Gold, next you're going to tell us that Pierre Poilievre during the Harper government had running debts and deficits, and thank God to you guys you balanced the budget and the debt.

An Hon. Senator: He is.

Senator Housakos: Stop living in a mythological world.

Senator Gold, Pierre Poilievre's plan to axe the tax on new homes will result in an additional 30,000 homes being built compared to your government. Housing expert Mike Moffatt not only confirms that number but calls this a plan "... far more bold than anything we've seen from the government." You like experts. Here is an expert telling you this is a good plan. Embrace it or call an election once and for all.

Senator Gold: Sir, you are wonderfully good at omitting certain facts. How does Pierre Poilievre plan to pay for this attractive political bobble he is dangling? By eliminating the government programs that have been put in place to help municipalities build more houses, to increase the housing — excuse me. There is politics, bravo, and there is policy. And this government is focusing on policy to help Canadians.

[*Translation*]

PRIME MINISTER'S OFFICE

SENATE REFORM

Hon. Raymonde Saint-Germain: My question is for Senator Gold.

In March 2016, the first senators appointed in accordance with the Senate reform Prime Minister Trudeau wanted arrived in the Senate. Now, eight and a half years later, we have 71 independent senators across three groups on both sides of the chamber. They represent the business community, public services and the sciences. They are lawyers, engineers, doctors and so on. In the government's opinion, did this reform add value to the fundamental mission of the Senate of Canada as a complementary chamber to the elected House?

Hon. Marc Gold (Government Representative in the Senate): That has been the government's position since 2016. The changes made here, the diversity of perspectives and the fact that a significant majority of senators operate independently of political control, unlike in the other place, not only add value to the legislative process in a way that benefits Canadians, but is also directly related to the Senate's original mission, which is that it should truly be an assembly that complements the House of Commons.

[Senator Gold]

As Government Representative, I must admit that these changes aren't necessarily making things easy for the government, but the government continues to support this undertaking anyway.

Senator Saint-Germain: In order to ensure that the Independent Senators Group isn't accused of colluding with the government, can you confirm that I didn't inform you that I would be asking this question? It came to me after hearing a comment from my cherished colleague Senator Plett.

Senator Gold: Thank you.

I can confirm that I was surprised by that question. I am pleased that you gave me an opportunity to speak to this issue. I'm very proud of the work that we are doing, even if it creates a lot of challenges for my two colleagues and me in moving the legislative agenda forward. We are doing good work, and I am proud of that.

[*English*]

FINANCE

PUBLIC ACCOUNTS

Hon. Krista Ross: Senator Gold, for the past decade, barring the election years, typically, the Auditor General has signed their independent report in September, and the government tabled public accounts by October 29, today. At Finance Committee last Wednesday, we heard from the Auditor General they have not signed off on their independent auditor's report on the Government of Canada's 2024 financial statements because the government has not closed its books. They also said there are accounting issues that the government is trying to resolve.

I am wondering what accounting issues the government is dealing with and when they will be able to table the public accounts.

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. Thank you for bringing this to my attention because I was not aware of this or the appearance, frankly, before the committee. I was not in attendance.

I'm afraid I don't have the answer to this; clearly, you didn't get it at committee. I'll certainly raise it with the minister at the earliest opportunity I have.

Senator Ross: Thank you, Senator Gold. The financial statements apparently have not been signed. The Receiver General has indicated that 30 business days are required to prepare all materials for tabling. We're already looking at a tabling date of at least a month from now. In fact, we know Canada doesn't adhere to the International Monetary Fund's standard for advanced fiscal reporting, which recommends governments publish their annual financial statements within six months of the end of the fiscal year.

Is the government concerned with timely access of financial statements for proper parliamentary scrutiny?

Senator Gold: Well, indeed, this government, as any government, should be responsive to and responsible for the timely scrutiny. Again, I don't know the reasons for this particular delay. I will certainly make the inquiries to which I referred.

CANADA REVENUE AGENCY

Hon. Donald Neil Plett (Leader of the Opposition): Senator Gold, yesterday Canadians learned that the Canada Revenue Agency, or CRA, has been massively under-reporting privacy breaches that have paid out millions to scammers. The CRA previously told the Privacy Commissioner that 113 privacy breaches had occurred over the past four years. They now admit the real number is 31,000 — 113 to 31,000 — impacting 62,000 taxpayers. The Canada Revenue Agency, or CRA, also admitted it has authorized \$190 million in payments connected to these breaches between 2020 and earlier this month.

• (1540)

Leader, this is absolutely not worth the cost. When did the NDP-Liberal government learn that the CRA hasn't been telling Canadians the truth, and is that \$190 million gone for good? Can you confirm that I did not previously give you this question?

Hon. Marc Gold (Government Representative in the Senate): I can confirm that you have never given me a question in advance, and I would be shocked if you would. That's not your job.

My understanding is that in the current context — and the CBC broke the story — these were breaches not of the CRA, but of H&R Block, if I recall.

I've been informed that in the event of fraudulent use of personal data, the CRA — the agency — directly contacts the individuals targeted by the fraudsters and carries out close follow-ups to ensure monitoring and security of these accounts. Indeed, the government has been clear that combatting all forms of tax fraud is an important responsibility of the CRA.

The CRA is, unfortunately, a prime target for fraud attempts, and the security measures that are put in place are constantly reinforced to counter these attempts. I've been informed that processes and procedures are in place to quickly respond and mitigate threats to taxpayer information and taxpayer accounts.

Senator Plett: We were all equally surprised that the CBC finally did their job.

When the Minister of National Revenue was asked about this yesterday in the other place, she said that the CRA's systems are solid and robust.

How can this incompetent government say that with a straight face? Can you say that with a straight face given what we have learned?

Leader, has this fraud been referred to the Royal Canadian Mounted Police for investigation? Yes or no?

Senator Gold: I'm not aware of what steps may have been taken or will be taken with regard to the breach that the CBC reported. Again, it's important for Canadians to understand this was not a breach of the CRA's security but rather of the tax advising company whose data was, in fact, breached.

ANSWERS TO ORDER PAPER QUESTIONS TABLED

AGRICULTURE AND AGRI-FOOD—SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Agriculture and Agri-Food Canada, including Canadian Pari-Mutuel Agency, Canadian Grain Commission, Farm Products Council of Canada, Canadian Dairy Commission and Farm Credit Canada.

ATLANTIC CANADA OPPORTUNITIES AGENCY—
SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Atlantic Canada Opportunities Agency.

CANADIAN NORTHERN ECONOMIC DEVELOPMENT AGENCY—
SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Canadian Northern Economic Development Agency.

NATIONAL REVENUE—SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Canada Revenue Agency.

ECONOMIC DEVELOPMENT AGENCY OF CANADA FOR THE
REGIONS OF QUEBEC—SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Canada Economic Development for Quebec Regions.

FISHERIES, OCEANS AND THE CANADIAN COAST GUARD—
SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Fisheries and Oceans Canada, including the Canadian Coast Guard, and Freshwater Fish Marketing Corporation.

INDIGENOUS SERVICES—SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Indigenous Services Canada, including Indian Oil and Gas Canada.

NATIONAL DEFENCE—SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — National Defence, Military Grievances External Review Committee, Military Police Complaints Commission, National Defence and Canadian Armed Forces Ombudsman and Communications Security Establishment.

ENVIRONMENT AND CLIMATE CHANGE—
SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Environment and Climate Change Canada, Impact Assessment Agency of Canada and Parks Canada.

EMPLOYMENT, WORKFORCE DEVELOPMENT AND OFFICIAL
LANGUAGES—SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Employment and Social Development Canada, Accessibility Standards Canada and Canadian Centre for Occupational Health and Safety.

FEDERAL ECONOMIC DEVELOPMENT AGENCY FOR SOUTHERN
ONTARIO—SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Federal Economic Development Agency for Southern Ontario.

FEDERAL ECONOMIC DEVELOPMENT AGENCY OF NORTHERN
ONTARIO—SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Federal Economic Development Agency for Northern Ontario.

FINANCE—SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Department of Finance Canada, Bank of Canada, Canada Deposit Insurance Corporation, Canada Development Investment Corporation, Canada Pension Plan Investment Board, Office of the Superintendent of Financial Institutions and Royal Canadian Mint.

EXPORT PROMOTION, INTERNATIONAL TRADE AND ECONOMIC
DEVELOPMENT—SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Global Affairs Canada, Invest in Canada, Export Development Canada, Canadian Commercial Corporation and International Development Research Centre.

HEALTH—SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Health Canada, Public Health Agency of Canada, Canadian Food Inspection Agency, Canadian Institutes of Health Research and Patented Medicine Prices Review Board.

CROWN-INDIGENOUS RELATIONS—SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Crown-Indigenous Relations and Northern Affairs Canada.

HOUSING, INFRASTRUCTURE AND COMMUNITIES—
SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Infrastructure Canada, Canada Infrastructure Bank, Canada Mortgage and Housing Corporation, Jacques-Cartier Champlain Bridges Inc. and Windsor-Detroit Bridge Authority.

IMMIGRATION, REFUGEES AND CITIZENSHIP—
SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Immigration, Refugees and Citizenship Canada and Immigration and Refugee Board of Canada.

INNOVATION, SCIENCE AND INDUSTRY—
SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Innovation, Science and Economic Development Canada, including special operating agencies, Copyright Board of Canada, Canadian Space Agency, National Research Council Canada, Natural Sciences and Engineering Research Council of Canada, Social Sciences and Humanities Research Council of Canada, Statistics Canada, Standards Council of Canada, Destination Canada and Business Development Bank of Canada.

JUSTICE AND ATTORNEY GENERAL—
SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Department of Justice Canada, Canadian Human Rights Commission and Administrative Tribunals Support Service of Canada.

ENERGY AND NATURAL RESOURCES—
SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Natural Resources, Canada Energy Regulator, Canadian Nuclear Safety Commission, Northern Pipeline Agency and Atomic Energy of Canada Limited.

PACIFIC ECONOMIC DEVELOPMENT AGENCY—
SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Pacific Economic Development Canada.

CANADIAN HERITAGE—SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Canadian Heritage, Canadian Radio-television and Telecommunications Commission, Library and Archives Canada, National Battlefields Commission, CBC/Radio-Canada, Canadian Museum for Human Rights, Canadian Race Relations Foundation, National Film Board of Canada, Canada Council for the Arts, Ingenium – Canada's Museums of Science and Innovation, Canadian Museum of History, Canadian Museum of Immigration at Pier 21, Canadian Museum of Nature, National Gallery of Canada, Telefilm Canada, National Arts Centre, Canadian Conservation Institute and Canadian Heritage Information Network.

PRIVY COUNCIL OFFICE—SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Privy Council Office.

PUBLIC PROSECUTION SERVICE—SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Public Prosecution Service of Canada.

PRAIRIES ECONOMIC DEVELOPMENT—
SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Prairies Economic Development Canada.

PUBLIC SAFETY, DEMOCRATIC INSTITUTIONS
AND INTERGOVERNMENTAL AFFAIRS—
SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Public Safety Canada, Canada Border Services Agency, Canadian Security Intelligence Service, Correctional Service of Canada, Parole Board of Canada and Royal Canadian Mounted Police.

PUBLIC SERVICES AND PROCUREMENT—
SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Public Services and Procurement Canada, Canada Lands Company, Canada Post Corporation, Defence Construction Canada, National Capital Commission and Shared Services Canada.

WOMEN AND GENDER EQUALITY AND YOUTH—
SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Women and Gender Equality Canada.

TREASURY BOARD—SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Treasury Board of Canada Secretariat, Canada School of Public Service and Public Sector Pension Investment Board.

TRANSPORT—SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the

Order Paper and Notice Paper in the name of the Honourable Senator Plett, regarding social media influencers — Transport Canada, Canadian Transportation Agency, Atlantic Pilotage Authority, Canadian Air Transport Security Authority, Federal Bridge Corporation Limited, Great Lakes Pilotage Authority, Laurentian Pilotage Authority, Marine Atlantic Inc., Pacific Pilotage Authority and VIA Rail Canada.

PUBLIC SAFETY, DEMOCRATIC INSTITUTIONS AND
INTERGOVERNMENTAL AFFAIRS—CANADIAN
INTERGOVERNMENTAL CONFERENCE SECRETARIAT—
SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Canadian Intergovernmental Conference Secretariat, Public Service Commission of Canada and Transportation Safety Board of Canada.

VETERANS AFFAIRS—SOCIAL MEDIA INFLUENCERS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 55, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding social media influencers — Veterans Affairs Canada and Veterans Review and Appeal Board.

FINANCE—LARGE EMPLOYER EMERGENCY FINANCING FACILITY

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 62, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Large Employer Emergency Financing Facility — Department of Finance Canada.

INNOVATION, SCIENCE AND INDUSTRY—LARGE EMPLOYER
EMERGENCY FINANCING FACILITY

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 62, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Large Employer Emergency Financing Facility — Innovation, Science and Economic Development Canada.

ENERGY AND NATURAL RESOURCES—LARGE EMPLOYER
EMERGENCY FINANCING FACILITY

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 62, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Large Employer Emergency Financing Facility — Natural Resources Canada.

PRIVY COUNCIL OFFICE—LARGE EMPLOYER EMERGENCY
FINANCING FACILITY

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 62, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Large Employer Emergency Financing Facility — Privy Council Office.

TRANSPORT—LARGE EMPLOYER EMERGENCY
FINANCING FACILITY

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 62, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Large Employer Emergency Financing Facility — Transport Canada.

• (1550)

ORDERS OF THE DAY

COMMISSIONER OF LOBBYING

MOTION TO APPROVE REAPPOINTMENT ADOPTED

On the Order:

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

That, in accordance with section 4.1 of the *Lobbying Act*, R.S.C. 1985, c. 44 (4th Supp.), the Senate approve the reappointment of Nancy Bélanger as Commissioner of Lobbying for a term of seven years.

Hon. Colin Deacon: Honourable senators, thank you for allowing me a moment to speak on this matter. I will not take much of your time.

Senator Tannas commented on this motion last Thursday, and I recognize that this chamber has decided not to have officers of Parliament appear at committee for scrutiny upon their

reappointment. I believe this is a missed opportunity and limits our ability to provide oversight over these roles, but I understand this is not the perspective of my colleagues.

I would simply like to put on the record a few considerations as they relate to the reappointment of the Commissioner of Lobbying and why this chamber is missing an opportunity to have a meaningful review of her new tenure.

This indeed applies to all appointments or reappointments of agents of Parliament. It is our duty as parliamentarians to exercise scrutiny and to understand their perspectives on decisions that they've made related to their important mandates.

In this case, as you know, the Commissioner of Lobbying is an independent agent of Parliament responsible for administering the Lobbying Act and the Lobbyists' Code of Conduct. It is our responsibility, along with the House of Commons, to approve their appointment.

I would ask for a moment to make you aware of some items that I think would benefit from our scrutiny.

The Lobbying Act is years behind its five-year statutory review, which was last completed by the House of Commons Standing Committee on Access to Information, Privacy and Ethics in 2012, and it doesn't appear that the current government has plans to examine it in the near future.

At the House of Commons Standing Committee on Access to Information, Privacy and Ethics, on April 16, 2024, the commissioner stated that most of the current "regime's identified deficiencies can only be addressed through legislative amendments."

Last year, the Office of the Commissioner of Lobbying consulted with registered lobbyists on updates to the Lobbyists' Code of Conduct and updated the document.

The commissioner has garnered a strong reputation of engaging in consultations with various stakeholders; however, there are clearly many issues that could benefit from our review as it relates to the agility and objectives of the code.

Colleagues, I'm far from advocating against robust lobbying rules. Lobbying must be regulated in a transparent manner. But we must also allow for the ability of stakeholder groups that represent various voiceless entities to enter the legislative process. The reality is that Canada has some of the most restrictive rules, and these are at risk of being further entrenched.

My worry is that the existing practices of this officer of Parliament and the lack of legislative review may limit the ability of members of partisan caucuses to receive differing views on policy matters, particularly those contrary to their party's partisan position. This could narrow the ability of parliamentarians in partisan caucuses to make fully informed judgments.

A Committee of the Whole often does not deliver a meaningful understanding for parliamentarians that a more succinct committee hearing may, and this is why I requested that this be up for consideration for future appointments or reappointments.

Thank you, honourable colleagues, for your consideration of my position.

Hon. Scott Tannas: Honourable senators, I'll be brief as well. I just want to reiterate on behalf of my group, the Canadian Senators Group, that we have some concerns about the way in which we have handled the reappointment of these folks.

The law requires us to approve these appointments and extensions. In the past, we have held Committee of the Whole hearings as part of the approval process.

I think in this particular case, the performance of these departments and the intentions of these officers returning to this position deserve some scrutiny. A Committee of the Whole, or perhaps even simply a referral to a committee, would have been helpful to our deliberations and would have allowed those senators who have a real interest or expertise to attend those committee meetings. In a relatively short period of time, I think we could have had some valuable reflection.

Officers of Parliament are servants of Parliament. They are appointed with the consent of both chambers, and they are accountable to both chambers, not to the government. In fact, their purpose is to assist parliamentarians in their duty to hold the government to account.

If we don't meaningfully engage with these officers, then we aren't just contracting out a key part of our duty to hold the government to account, but we are also in fact divesting ourselves of it completely. We wanted to register our concern here today, and as we move to the motion, we ask that it be passed, if it is, on division. Thank you.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

(Motion agreed to, on division.)

NATIONAL FRAMEWORK ON ADVERTISING FOR SPORTS BETTING BILL

THIRD READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Deacon (*Ontario*), seconded by the Honourable Senator Greenwood, for the third reading of Bill S-269, An Act respecting a national framework on advertising for sports betting.

Hon. Percy E. Downe: Honourable senators, this item stands adjourned in the name of Senator Housakos. I ask for leave of the Senate that following my remarks, the balance of his time to speak to this bill be reserved.

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

Hon. Senators: Agreed.

The Hon. the Speaker: So ordered.

Senator Downe: Honourable senators, I wish to add my support to Senator Marty Deacon's Bill S-269 on gambling advertisements.

A recent report by the CBC showed how many televised sporting events contain ads for gambling sites. It seems the ads are now competing with the actual sporting event, given the large number of ads shown. The total impact is beyond the pale.

For far too many Canadians, such ads are more than a mere annoyance interfering with the simple enjoyment of sporting events.

For anyone with a gambling addiction, or for anyone who thinks they can make easy money, they are at risk of suffering severe financial damage — damage not only for themselves but for their family as well.

In Prince Edward Island, we are constantly hearing in the media about fraud cases caused by gambling addiction, leading to jail time.

Evidence of the abuse of sports betting is as close as a newspaper or the latest sports report. As Senator Marty Deacon noted, sports betting has enjoyed revenue in the billions of dollars in recent years, and what often follows money is corruption.

Recently, in Major League Baseball, a player's friend and employee was charged with theft to feed what can only be described as a massive sports gambling habit.

In basketball, the head coach for the Cleveland NBA team told reporters that he received "crazy messages about where I live, and my kids" from someone betting on basketball. With so much money involved, the temptation toward misconduct is almost overwhelming.

In the words of the coach:

... it is a dangerous game and a fine line that we're walking for sure. It brings added pressure, a distraction to the game that can be difficult for players, coaches, referees, and everybody that's involved in it. I think we really have to be careful with how close we let it get to the game and the security of the people who are involved in it because it does carry weight. A lot of times, people who are gambling, this money pays their light bill or pays their rent, and then the emotions that come from that.

• (1600)

Fans are also beginning to wonder, given the amount of gambling money involved, if the games they are watching are fixed.

Earlier this year, Jontay Porter, a player for the Toronto Raptors, was banned for life from the National Basketball Association after an investigation by the league. Mr. Porter was determined to have been betting on NBA games, including a Raptors game. He also disclosed confidential information about his health to a known bettor, the type of inside information that can affect bets and the odds of a payoff.

Perhaps most seriously, the NBA found that he had:

. . . limited his own game participation to influence the outcome of one or more bets on his performance in at least one Raptors game.

In that case, a US\$80,000 bet was placed that Porter would score fewer than two three-point baskets in the Raptors' March 20, 2024, game. In that game, he did not even attempt a three-point shot, leaving the game after a couple of minutes, claiming illness. That bet raised suspicions, was reported to the league, was investigated, and he was expelled.

Colleagues, Canadians are wondering how many other cases of game fixing are being missed. There are serious concerns that games might be rigged, not only by the players but also by officials. Are "missed calls" truly missed, or are they something else? After all, if you can't be sure the game is fair and not fixed, why bother watching it or, more importantly, even bet on it?

There's a lot of money at play in these games. A single NHL game can generate millions in bets — enough money for some to regard their bet as an investment to be secured by whatever means necessary. As ex-Major League Baseball commissioner Fay Vincent stated:

. . . I don't think the next 20 or 30 years is going to be a pretty story about gambling in the sports world because the money is going to be so enormous, and wherever the money is enormous the corruption follows.

Colleagues, a key argument in favour of the legalization of single-event sport betting when it was before the Senate was that it would:

. . . regulate sports betting in Canada, strengthen consumer protections to ensure the safety of those participating and bring revenues and tax dollars inside our borders to invest back into our communities.

We now have the legislation. It is time to focus on regulations to ensure the safety of those participating. And just how much of the revenue gained is being invested back in our communities?

We often hear from representatives of the gambling industry that gambling is legal, but so are tobacco and cannabis, for that matter. That does not exempt these products from strict regulation regarding their sale, consumption and advertising. After all, driving is legal as well, but every aspect of it from the driver to the car to the road itself is subject to varying levels of regulation. It is time to impose restrictions on gambling ads.

Of course, if it were that easy, it would have been done by now. Senator Deacon of Ontario has cited the Charter of Rights and Freedoms as well as the proactive legal battles to restrict tobacco advertising as major hurdles to imposing the same restrictions on gambling advertising.

However, exploiting people and their hopes for an easy win is at the very heart of gambling. After all, "Give us your money, and, in all likelihood, you'll never see it again" is not much of a marketing slogan. As the saying goes, you're the one gambling; the house knows it will always come out ahead.

The Charter sets a high bar when it comes to restricting the right to free expression, but that right is not absolute, including when it comes to advertising. It is not a matter of saving people from themselves. You cannot legislate away human weakness, but you can limit the ability of others to profit from that weakness.

It may well be that the Broadcasting Act might provide an avenue by which this problem can be addressed. Under the act, the Canadian Radio-television and Telecommunications Commission, the CRTC, has the power to make regulations ". . . respecting the character of advertising and the amount of broadcasting time that may be devoted to advertising." It seems to me that this issue relates to the character of advertising, so we may have an opening there.

Furthermore, although the commission has stated that "the CRTC doesn't directly regulate advertising content, except advertising to children and alcohol ads," the fact that exceptions have been made in the past suggests that more can be made in the future. Even restricting the time of day such ads may be broadcast could be helpful. Perhaps the successful campaign to restrict alcohol advertising can provide guidance for similar efforts in this area.

Personally, I would like to see the maximum restrictions possible on sport gambling advertising. This is not the immediate purpose of the bill before us today, but it is something to consider. This bill is an important first step.

Looking at the study of Bill C-218 back in 2021, I was struck by an attitude of "Well, people are going to gamble whether it's legal or not, so we may as well legalize it, and that way we can keep an eye on things." However, with these constant ads, it appears that we are trying to induce many more people to gamble.

Recently, in introducing the Professional Women's Hockey League Ottawa team to the Senate, Senator Pate mentioned watching "Hockey Night in Canada" with her father every Saturday night. Imagine parents watching sports today, having to explain to their children what those betting ads mean. How many future lives will be destroyed when they follow their sports heroes' advice and start betting on games?

Given that senators have fixed terms in office, we have the opportunity for a more detailed review of legislation and its impacts, intended or otherwise, than our colleagues in the House of Commons. To that end, I suggest to Senator Marty Deacon that the Senate undertake a study of what was promised when

Canada legalized single-game sports betting and what has actually happened. How much money is made? Is that money staying in Canada? Where is it going? Have there been unforeseen impacts? This is an opportunity to study the impacts of legislation we have already passed.

But getting back to the business at hand, despite my belief that Bill S-269 does not go far enough, it does go in the right direction. That is why I support this bill. I thank Senator Deacon of Ontario for her work on this policy file.

Thank you, colleagues.

Hon. Marty Deacon: Will the honourable senator take a question?

Senator Downe: Yes. I didn't even know you were here. Thank you.

Senator M. Deacon: Thank you very much for speaking to this bill today. I am particularly struck by some of the comments at the end with respect to study. That is something we talked about at great length.

At committee, one of the items that have come up is a concern that maybe we should kind of watch and wait longer so we can collect more data appropriate to some of our Canadian cities. I just wonder what your thoughts are on that or if you believe that we are learning enough from Canada and other countries to keep the pressure on this to "get 'er done."

Senator Downe: Thank you, Senator Deacon. With the new seating plan, I wasn't sure where you were sitting. I'm glad to see you are here.

Again, I want to thank you for your initiative on this work. Given your personal background in sports, you are well aware of the impacts of gambling ads. I think we have enough information now. There has been a tremendous backlash. Ontario has already removed celebrity sports heroes from their advertising.

That said, I saw one the other night while watching a game where Jamie Foxx, an American actor, was selling something or other. Now you can bet on part of a game or the whole game. You can bet on somebody scoring in the next 10 minutes. It goes on and on. It is far too accommodating.

• (1610)

There is nothing wrong if people want to bet on a game. I go to the horse races in Charlottetown occasionally and bet on a horse. I rarely cash a ticket, but I'm not spending a lot of money doing it.

My concern is people who are triggered into addiction, people trying to recover from gambling addiction and, most importantly, young people. As I mentioned, the ads on now are impacting young people. It is a tremendous problem when young people see celebrities on TV urging them to take action and thinking they can make easy money. Of course, with gambling, we always hear about something who cashes the \$4,000 ticket. We never hear about people who, year after year, lose \$1,000 or \$5,000. They don't speak up. That impacts the perception that you can make easy money.

[Senator Downe]

I think we have more than enough data, and we should act now. I think this is the chamber to do it because we have tenure here. We have the time it takes. This chamber passed the legislation, and we know the House of Commons is not going to do anything. They are somewhat dysfunctional at the moment, and some would argue are constantly dysfunctional compared to the Senate. This is the chamber that can do it. We have the resources and expertise. We have the people. I looked around at some of your seatmates who have experience in sports. We have people with experience in the law and in business. We have the capacity to undertake this study and correct this problem.

Senator M. Deacon: I have a supplementary question, if there is time. Thank you.

That is the piece about the data. The other piece was that balance we hear about between wanting to do right for our young people who are struggling and a pretty lucrative financial success story for the other aspect of the business. I'm just wondering when you are looking at that, how you balance those?

Senator Downe: I think the balance is important, obviously. One of the arguments we heard about cannabis when we legalized that was that we needed to take it out of the black market and make it safer for people who wanted to consume it, but I don't recall a lot of ads on TV saying you should go to the local store if you have never tried it. In fact, I think consumption has decreased. I think in Prince Edward Island it has since it was legalized, so there wasn't a rush of people trying it. I think there is a rush of people trying gambling because when you're sitting there watching the game, you might think, "I know what's going to happen." You are an armchair quarterback for the team, and you think you know better than you actually do, and you lose money — a lot of money in some cases.

(Debate adjourned.)

COPYRIGHT ACT

BILL TO AMEND—THIRD READING—DEBATE ADJOURNED

Hon. Colin Deacon moved third reading of Bill C-244, An Act to amend the Copyright Act (diagnosis, maintenance and repair).

He said: Honourable senators, I rise today to speak as sponsor of a private member's bill, Bill C-244, An Act to amend the Copyright Act (diagnosis, maintenance and repair) or, in other words, the "right to repair" bill.

This is one of two bills that amend the Copyright Act that are currently under consideration at third reading in the Senate. The other is Bill C-294, An Act to amend the Copyright Act (interoperability), which Senator Housakos spoke to last Thursday as sponsor.

They both relate to technological protection measures, or TPMs, or what's often called "digital locks" that companies use to prevent third parties from accessing software that would enable them to choose to connect to their appliance, farm

equipment or automobile with another related device that they own in the case of Bill C-294 or to diagnose, maintain or repair any devices that they own in the case of Bill C-24.

As stated by a representative from the Copyright and Trademark Policy Directorate at Innovation, Science and Economic Development Canada, or ISED, when answering a question in committee, “These two bills complement each other very well” and go “to the same spirit.”

You will hear me speak to Bill C-294 as a very friendly critic later today, but I will focus the remainder of this speech on Bill C-244.

Back in February, I spoke to you at length at second reading about the purpose of this bill and the crucial importance of enabling a “right to repair” framework in this country.

In that speech, I underlined the intended policy objectives of this legislation, the importance of it to our economy and environment and the broad consensus it achieves, even among MPs in today’s divided Parliament. After four panels of testimony at the Standing Senate Committee on Banking, Commerce and the Economy earlier this fall, I believe my colleagues on the Banking Committee feel the same way.

A right to repair framework has long been called for and has already moved ahead in multiple jurisdictions worldwide. Provincially, Quebec has also advanced legislation to this effect, in particular relating to planned obsolescence.

Right to repair responds to several consumer and small business gripes where far too often it is more cost-effective to buy a new product than repair an existing one, primarily due to the unintended use of the Copyright Act. Consequently, Canadians end up paying more for products and use them for shorter periods of time.

In a study by Équiterre, 91% of Canadians surveyed have purchased an appliance or electronic device in the last two years, and within those two years, 63% of respondents said that the appliance or device broke and yet only 19% had it repaired. The results are increased profits of global manufacturers, higher costs to Canadian consumers, increased greenhouse gases and more garbage in our landfills.

Colleagues, the purpose of the Copyright Act, according to Canadian Intellectual Property Office of ISED, is as follows:

... to further the public interest by promoting the creation and dissemination of works of the arts and intellect, and to allow creators a just reward for their creations.

It is a law of general application.

Over two decades ago, as the online distribution of music was replacing our beloved compact discs, cassette tapes and vinyl, the concept of a technology protection measure, or TPM, was devised, and an amendment to the Copyright Act was passed to prevent the distribution of creative works without fair compensation to artists via programs like Napster. This made sense.

However, since then, virtually all appliances and machines have become more and more embedded with digital technology. Clever lawyers have co-opted TPMs to protect anything they could think of that had software in it.

An ISED official stated the following to the Banking Committee:

The use of TPMs by manufacturers, together with the ban on bypassing TPMs, reduces our traditional ability to repair our own products when they break. It is now clear that the Copyright Act, specifically the TPMs regime, may be an obstacle for Canadians who want to repair their products containing software.

The consequences have been dire. The unintended use of copyright laws limits competition and increases consumerism to the detriment of quality over quantity, reaping harm on our wallets and the environment.

I spoke at length about this in my second reading speech. It was the avocado-green appliance speech if you remember. Those would still be working, I think.

I would simply like to address here some of the main assertions and concerns that were expressed during study in committee.

First, let me be clear that this bill only provides an exception to circumventing the Copyright Act for the purposes of repair, diagnosis and maintenance. It does not alter the intellectual property protections, including copyright protections and warranty agreements. This was made abundantly clear by various testimonies. It’s still illegal to break copyright law.

Second, yes, certain industries will benefit more than others. It is no surprise that large automobile companies, dealerships or farming equipment producers stand to lose their monopoly power as a result of this amendment.

• (1620)

They have benefited from unintended protections which have cemented their profits for years and will have to adjust to the realities of more competitive markets. Personally, I find that heartwarming.

Third, it is crucial to maintain an industry-agnostic bill. Many industry groups have advocated for carve-outs, which in the past have been hurdles to any form of changes in this regard. The Copyright Act is a law of general application and applies federally. A harmonious federal level change in this regard will help prevent a patchwork of exceptions and enable consistent guidance for provincial jurisdictions to work within.

Fourth, it was made clear that these changes to the Copyright Act are highly unlikely to cause issues under any existing trade agreements, notably under the Canada-United States-Mexico Agreement, or CUSMA. To date, there have been no specific retaliations occurring in other jurisdictions as a result of right to repair, and indeed, dozens of U.S. states have some form of right-to-repair legislation in the books, as do European countries.

Issues related to warranties and contracts can arise regardless of the changes in Bill C-244 and whether or not a technological protection measure, or TPM, is circumvented to facilitate repair. An amendment at the House Committee on Industry and Technology also addressed any potential issues in this regard.

Fifth, numerous advocacy groups representing medical devices, various industries, video games — among others — expressed concern that removing TPM protections under the Copyright Act would decrease the quality and safety of products. Colleagues, federal regulators should not be using copyright law as a crutch for a lack of proactive regulations to protect Canadian citizens. They should be constantly updating their regulations to manage consumer and environmental risks. Specifically, this bill does not supersede existing regulations related to specific classes of products. Those regulations remain unaffected whether they exist for safety, health, design, the environment or other purposes.

Let me provide you with an example. In committee, a representative of the Global Automakers of Canada made the following statement:

Having a blanket opening under the guise of right to repair or diagnosis will allow more bad actors to, potentially, access that software, bypass it and make it easier to steal a vehicle

This same witness also said to me, when meeting in my office, that the changes proposed in Bill C-244 create risks that will accelerate Canada's globally leading levels of car theft. This is an outrageous claim. The only ones currently circumventing TPMs in Canada are car thieves. That's how they are stealing cars out of a driveway in 30 seconds. So criminals are benefiting from the fact that global automobile manufacturers are relying on TPMs to stop your car from being stolen despite blatant evidence that it's an utterly failed strategy.

British regulators are not listening to these sorts of outrageous claims. CBC's "Marketplace" recently compared features on cars sold in the U.K. with the same models being sold in Canada. Interestingly, 6 of the top 10 on the list of stolen vehicle models in Canada are sold in the U.K., but they are not stolen there. "Marketplace" found that additional security features that are only available in the U.K., not in Canada, made for the exact same models, make them harder to steal. Seriously, they are the same manufacturers and the same models. These global car manufacturers are choosing to not include effective security

measures in Canada, harming Canadian consumers and the Canadian economy and unnecessarily putting consumers and police at risk. Stuff like this just makes my blood boil.

Thank you to CBC's "Marketplace" for uncovering this story. I absolutely encourage you to keep an eye on CBC's "Marketplace," not just last week's program but every week's. They have really intriguing stories about areas where consumers are just not getting a fair shake.

Now, that's not to say there are not legitimate concerns. The video game industry, for example, arguably does produce creative work in software format and is especially vulnerable to piracy. While the changes in Bill C-244 do not change the fact that piracy is illegal, it may increase the burden of proof during litigation and the need for them to innovate so that they can identify better protection measures and mechanisms in the future.

Through a brief submitted to the Banking Committee and my meetings with Medtech Canada, it was made clear that regulatory gaps related to third-party medical device service providers would also need to be addressed. Indeed, regulatory entities responsible for medical devices must update their regulations and, without a doubt, should no longer rely on the Copyright Act as a way to protect medical safety. Specifically, the changes in C-244 lay bare deficiencies in our regulatory system that should be addressed by the appropriate bodies. Health Canada should consider broadening the scope of their existing regulatory framework to include oversight over all independent third-party medical device service providers.

Colleagues, as I've said before, the lack of the right to repair impacts farmers, mechanics, technicians, construction workers, electronic repair shops, artisans and all sorts of small business owners. Bill C-244 helps to fulfill a government priority and, therefore, is supported by the government and by Innovation, Science and Economic Development Canada, or ISED.

This is just one piece of the puzzle for a right-to-repair regime in Canada. As an ISED official stated during our Committee on Banking, Commerce and the Economy hearings, the bill:

. . . . creates an exception to the prohibition to circumvent TPMs in the Copyright Act. This removes only one of the many barriers that could prevent the repair of products. More than Bill C-244 would be needed to create a positive right to repair.

These amendments to the Copyright Act are important steps forward in aligning with the realities of the digital and data era. Along with amendments to the Competition Act put forward in Bill C-59, a federal right-to-repair framework is developing in this country and will allow federal, provincial and territorial regulators to move forward with much-needed changes and safety measures to the benefit of Canadians.

I encourage us to call the question on this bill at the earliest possible opportunity. Parliament is in a tenuous position, and these bills and those similar to them have not made it through in past Parliaments. I encourage you, colleagues, to move these two bills along as quickly as possible. Doing so is very much to the benefit of Canadians.

Thank you, colleagues.

Hon. David M. Wells: Honourable senators, I rise today to speak at third reading of Bill C-244, an Act to amend the Copyright Act (diagnosis, maintenance and repair). I am critic for the bill.

I want to thank the members of the Banking Committee for their work on the bill and all those who have an interest in and contributed to where we are on this today.

When I spoke at second reading, I noted that, in principle, I supported the bill and that it was in harmony with the global effort in support of the right to repair in the United States, Europe, Australia and elsewhere. It is also in harmony with other legislation in Canada, including sister bill, Bill C-294, which addresses the interoperability of parts issue that frustrates our farmers and which the Banking Committee studied concurrently with C-244, Bill 29 in Quebec, Bill 187 in Ontario and prospective legislation in other provinces.

Indeed, the Banking Committee heard from witnesses that that Bill C-244 was a piece of the legislative puzzle needed to address the issue before us, which I do not think is planned obsolescence, although that is surely the source of the issue. I'll get to that.

At second reading, I raised several questions and issues that I thought needed addressing by the committee that were not properly attended to in the other place that worried the bill's opponents. Those concerns included questions around the infringement of intellectual property rights, which gave rise to technological protection measures — known as TPMs — to begin with; safety and liability issues if repairs were not done properly by unauthorized shops; the need to meet quality and performance standards, like emission requirements; security concerns for devices, such as smartphones and computers, that store or transmit sensitive data, the worry being that third-party repairs could lead to data breaches; the argument of some manufacturers that the right to repair could negatively impact their business models, which may include revenue from after-sales service and repairs; the issue of complexity of modern technology, that modern electronic devices are often highly complex and require specialized knowledge and tools for repair and without proper training and equipment, repairs might be ineffective or further damage the device; and concerns that repairs done outside the manufacturer's network could void warranties or lead to a decrease in brand reputation if consumers associate poor repair quality with the original product. A few of these are more or less the same issue. The safety and liability issue, the need to meet performance standards, the specialized

knowledge and the void warranty issue are just elements of this proposition: "Only we can do this properly, and if you don't allow us to do it, all heck will break loose."

I changed that mid-sentence.

• (1630)

I was happy to see that the committee did give these issues a fair hearing during its study of the bill. From the hearings, I was not particularly convinced by the arguments of the opponents of Bill C-244 who were seeking amendments to the bill.

Lucas Malinowski of Global Automakers of Canada worried about the impact of the bill on emissions and safety requirements and asked the committee to create an exemption for vehicles. He said:

Barring that, we would ask the committee to amend Bill C-244 to include a review mechanism, much like the triennial rule-making process in the U.S., and, as a bare minimum, we would ask that the committee provide an observation for the need to ensure the government addresses the potential impacts of these amendments to the Copyright Act on vehicle safety, emissions and privacy systems.

Others argued that the committee should understand that their particular industry was the exception and that an amendment addressing their "unique and specific" concerns should be made to the bill.

Craig Drury of Vermeer Canada and the Associated Equipment Distributors argued that his organization:

. . . [does] not support unrestricted access to critical software that governs environmental and safety protections Allowing access to this software could have dangerous consequences. It could undermine emissions controls, and it could disable safety features that protect both operators and the public. Unqualified individuals attempting repairs on sophisticated machinery could put themselves and others at risk.

He continued:

Other legislatures around North America have looked at this carefully and exempted heavy equipment. We are very different from everyday consumer products like phones and fridges. New York, California, Oregon and Minnesota have exempted off-road equipment.

Finally, he said:

Parliament and this committee need to slow down and get this right. An amendment at this committee stage should be introduced to send a clear message to provinces: Exempting off-road vehicles will keep workers, communities and the environment protected.

Similarly, Christina De Toni of the Entertainment Software Association of Canada, known as ESAC, contended:

. . . Bill C-244 could create a scenario where the piracy, illegal downloading and sale of video games increase in Canada, expose the industry to content theft, undermine player privacy and allow bad actors to modify consoles all under the guise of repair.

She continued:

We at ESAC believe federal legislation cannot be a one-size-fits-all approach, and we recommend game consoles, components and peripherals must be excluded from this bill.

The witnesses received robust questioning by colleagues on the committee, and it led me to the conclusion that perhaps some of their concerns were overblown, given that there are warranty provisions that might give consumers and repair people pause. In fact, in most cases, in order to do the technical and often complicated work required, they are professionals who are licensed and Red Sealed. They have as much of an interest in seeing that the products work properly and are in conformance with regulations as do the manufacturers. Of course, there are nefarious characters out there with nefarious aims, but that is why we have laws.

That said, we shouldn't minimize the concerns of some of the witnesses. I am not persuaded by the testimony of the sponsor of the bill, MP Wilson Miao, that we should not worry because future legislation will take care of some of these caveats. That is far from reassuring. But the whole discussion reminds me of something I said when I spoke to Bill S-269 concerning advertising in sports betting.

I said then that we had fallen victim in legalizing sports betting to the law of unintended consequences, which states that the actions of people and especially governments always have effects that are unanticipated or unintended. That is why in passing Bill C-218, the Safe and Regulated Sports Betting Act, we ended up with Senator Marty Deacon's Bill S-269.

The introduction of technological protection measures, or TPMs, via the Copyright Modernization Act in 2012 is a case study in unintended consequences. A well-meaning and necessary measure to address intellectual property concerns has had all kinds of spinoff effects, leading us to where we are today with this bill. We would be foolish to think that the concerns of some of the witnesses, even if exaggerated, had absolutely no foundation and should not be accommodated in some manner.

At committee, Senator Marshall asked department officials specifically if they had done any research on the bill as to the unintended consequences, and the answer — while roundabout — seemed to be, no, they had not.

Senator Massicotte asked what the solution is, and then he provided an answer to his own question by suggesting a five-year review. I believe testimony indicated that review is something inherent to the Copyright Act. And that perhaps explains why we did not see an observation of this effect coming out of the

committee's clause-by-clause consideration of the bill. However, when looking at the Copyright Act and the language about a five-year review, it's a little unclear to me in this regard.

Section 92 of the Copyright Act states:

Five years after the day on which this section comes into force and at the end of each subsequent period of five years, a committee of the Senate, of the House of Commons or of both Houses of Parliament is to be designated or established for the purpose of reviewing this Act.

Colleagues, it doesn't sound like a five-year review is guaranteed to take place — only that a committee of either of the two houses of Parliament or both will be designated to carry out a review. If it is a House committee that is designated, a Senate committee may not be.

I am not satisfied with that when it comes to a bill in which some legitimate concerns were raised about unintended consequences while no amendments or even observations of any kind were made to accommodate them. I would suggest that the Senate Banking Committee undertake its own separate review of this particular issue in the coming years — but not more than five years — should Bill C-244 receive Royal Assent. The committee can bring back the witnesses whom we heard and others, if need be, to see what unintended consequences have resulted.

I believe that the real issue we are faced with here is not so much a question of planned obsolescence — which has been around for a hundred years, benefiting the repair industry as well as manufacturers — but of organizations reserving for themselves a monopoly on repairs, without facing competition on the price of those repairs.

The committee heard that these repairs can be a vital part of their revenue scheme. That's fine for the manufacturers, but, as we all know, competition in the marketplace not only leads to better, perhaps fewer, obsolescent products but also better prices for consumers. And I think with Bill C-244, we will be taking the steps to achieving that. Thank you.

Hon. Bernadette Clement: I move the adjournment of the debate.

Some Hon. Senators: No.

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

Some Hon. Senators: Yea.

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

Some Hon. Senators: Nay.

The Hon. the Speaker pro tempore: In my opinion the "yeas" have it.

(On motion of Senator Clement, debate adjourned, on division.)

COPYRIGHT ACT

BILL TO AMEND—THIRD READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Housakos, seconded by the Honourable Senator Martin, for the third reading of Bill C-294, An Act to amend the Copyright Act (interoperability).

Hon. Colin Deacon: Honourable senators, I rise today as the friendly critic of Bill C-294, An Act to amend the Copyright Act (interoperability).

We received this bill last June, and its progress so far is thanks to the important work of its sponsor, MP Jeremy Patzer, from Saskatchewan, and Senator Housakos in this chamber.

As I mentioned a few moments ago when I was speaking to Bill C-244, both Bill C-244 and Bill C-294 address the unintended consequences that have emerged in the application of copyright law following the rapid increase in digitization of all of our appliances, machines, devices and tools. Both bills relate to the unintended use of technological protection measures, or TPMs, specifically in ways that have resulted in increased costs and other challenges that are particularly harmful to consumers, farmers, fishers and small businesses.

I don't want to repeat the background on TPMs, which I just provided in my speech as sponsor of Bill C-244. You likely don't want me to repeat it either. Suffice it to say, a TPM is a digital lock. In the case of interoperability, a TPM prevents the seamless transfer of data, essentially rendering a replacement device or piece of equipment unusable because it cannot communicate with other devices.

• (1640)

Let's focus on the importance of interoperability, how this bill is intended to enhance interoperability between devices and what possible concerns might result.

Why does interoperability matter? Our lives are filled with connected devices. Our wristwatch is connected to our smartphone, telling us how many steps we take each day, our heart rate and countless other things. Our smartphone wirelessly connects to our car screen and sound system, allowing us to play podcasts, take calls and find our way. We increase or reduce the temperature in our home or a given room without even being in the house or that room, or change a song that is playing without getting out of our chair. We can even see who is ringing the doorbell when we're not home or even if we're not in the country.

This world is known as the Internet of Things, or IoT. However, not every manufacturer is playing fair when it comes to this connected IoT world. Let me put this in the most basic terms in order to explain the importance of interoperability.

Just imagine that every time you bought a different brand of laptop, you also had to buy a new printer, new cables, new desktop screen and new headphones because your old ones would not connect to your new brand of laptop as a result of TPMs or unique cable connectors.

Imagine having a printer in your home that only worked with the laptop but not any other computer or mobile device in your home. A world without interoperability would fill our life with hassles, costs and waste. This is an example of the physical barriers that emerge when interoperability is not universally enabled.

Simply put, life is improved when barriers to interoperability are removed. Bill C-294 is designed to stop the Copyright Act from being used to prevent interoperability as a result of the unintended use of TPMs or digital locks.

I want to be clear: The bill's application is limited to making devices, software and any other data interoperable in situations where TPMs have been used in an unintended manner. Just like Bill C-244, Bill C-294 does not protect any act that may constitute copyright infringement under the Copyright Act.

Now I would like to take the opportunity to address some of the main concerns raised in committee regarding Bill C-294.

First, Bill C-294 would create more risks to intellectual property through the circumvention of TPMs. This is not true. In fact, the Copyright Act already allows for interoperability, but it is only limited to making two computer programs interoperable.

However, as an Innovation, Science and Economic Development Canada, or ISED, official said in committee:

. . . with the growing number of software products that include TPMs, such as agricultural equipment, achieving interoperability may require more than making two computer programs interoperable.

This bill would, therefore, expand on the existing interoperability permissions to allow compatibility of information from third-party add-ons without compromising core intellectual property.

This also means that for the big companies that are concerned about their proprietary or unique software, the legal system is still strong enough to prevent piracy or other illegal breaches of information. This bill, therefore, ensures that proprietary software remains protected, which is crucial for Canada's trade and intellectual property, or IP, agreements, including the Canada-United States-Mexico Agreement, or CUSMA.

This leads me to the next concern raised about the bill, specifically, whether it would jeopardize Canada's international trade agreements and obligations. This is a valid concern, as it is crucial that we remain a reliable partner by complying with global standards. Again, we were reassured in committee that this bill aligns with CUSMA. In fact, the House's Industry and Technology Committee accepted amendments from the government to ensure that the bill was in line with CUSMA and other trade agreements, ensuring that we maintain our

international obligations while empowering our domestic industries, such as farming and agricultural equipment manufacturing, that would greatly benefit from the bill.

Lastly, there have been concerns that Bill C-294 presents a piecemeal approach to legislative reform rather than a comprehensive overhaul of the Copyright Act. I agree that a more comprehensive review is necessary to fully address modern-day challenges of copyright in the digital era. However, this bill is a step in the right direction. We were assured by a department official of the support for this bill, as it aligns with the minister's mandate and the government's ongoing consultations on interoperability.

The question of whether this bill goes far enough also came up in the committee's deliberations. Professor Alissa Centivany from Western University, who is also a respected researcher in this field, suggests that the legislation does not go far enough in mandating interoperability. In a brief she submitted to committee, she argued that:

The government should implement comprehensive legislation that mandates RID —

— that is, repair, interoperability and durability —

— by design. . . . It should create programs, policies, and initiatives that empower consumers, businesses, and institutions to increase efficiency and reduce waste through RID. . . .

Other jurisdictions — most notably the EU — are leading by example in interoperability by design, an instance being the recent adoption of USB-C as a universal standard for charging devices.

When asked about the bill's limitations, an ISED official acknowledged that while the federal government cannot directly enforce product standards, which often fall under provincial jurisdiction, this bill also would not prevent any future advancements in Canada's interoperability framework. He emphasized that the Copyright Act would not hinder the progress of new developments and interoperability standards. This is important to ensure that the Copyright Act supports rather than impedes technological advancements.

Colleagues, Bill C-294 represents a crucial opportunity to create a more competitive and innovative Canadian economy. It would unlock further opportunities for Canadian innovators to develop technologies that are compatible with existing platforms. It would also bring Canada up to par with our major trading partners like the United States and the EU, levelling the playing field for our businesses and fostering a healthy competitive environment.

I congratulate MP Jeremy Patzer on the tabling of Bill C-294. I very much support the bill. I hope you will too, and I encourage the chamber to call the question.

Thank you, colleagues.

Hon. Leo Housakos: Would the senator take a question?

[Senator Deacon (Nova Scotia)]

Senator C. Deacon: Absolutely.

Senator Housakos: Thank you, Senator Deacon, for your work on this and for being a critic on Bill C-294. I also compliment you on the work you have done on Bill C-244. These are two bills that are intrinsically intertwined and interrelated. They both have overwhelming support from the House of Commons. The critics have spoken on both of these bills. The sponsors have spoken on these bills. Is there any reason that both of these bills shouldn't pass immediately?

Senator C. Deacon: With the willingness of colleagues in the chamber, I completely agree with you. I would love it if we did that because Parliament is tenuous at this time. This is work that has been ongoing for years in our own Parliament, and progress has been made around the world. Thank you, Senator Housakos, for the question.

There is every win here for Canadian consumers. I don't know that there is a lot more to debate, and it's something that I hope we could move to a third reading vote and receive Royal Assent on these bills. Thank you.

Hon. Sharon Burey: Senator Deacon, will you take a question?

Senator C. Deacon: Absolutely, Senator Burey.

Senator Burey: Thank you, Senator Deacon, for all the work you have done. As a physician, I want to bring my perspective to this issue because I had the misfortune of trying to change electronic medical records, or EMRs. There was a lack of interoperability with these EMRs, which led to significant issues, patient safety, lack of coordination, repeating of one's medical history over and over again and a burnout in the medical profession.

Can you speak to this and to the increasing costs that this leads to?

Senator C. Deacon: Thank you, Senator Burey. What amazes me is the extent to which companies that exercise monopolistic power can have a negative effect on the lives of millions of people around the world on a daily basis.

• (1650)

I'm a big believer in competition. I believe competition moves the world ahead. It provides consumers with more innovative, cost-efficient services — businesses, as well. I can only imagine, when you get into a space where the margins are so significant — like in health care — and where recurring revenue is so relied upon, if we don't help consumers, business and governments in Canada ensure that manufacturers are competing fairly and not putting up artificial barriers, the whole system slows down, everything costs more and the time spent trying to get around these artificial barriers takes away from the productivity of important services like health care.

I couldn't agree with you more. Thank you.

Hon. Bernadette Clement: I move the adjournment of the debate.

Some Hon. Senators: No.

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

Some Hon. Senators: Yea.

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

Some Hon. Senators: Nay.

The Hon. the Speaker pro tempore: In my opinion the "yeas" have it.

And two honourable senators having risen:

The Hon. the Speaker pro tempore: Call in the senators for a vote at 5:51.

• (1750)

Motion agreed to on the following division:

YEAS
THE HONOURABLE SENATORS

Arnot	Loffreda
Audette	MacAdam
Boehm	McBean
Boudreau	McNair
Busson	Mégie
Clement	Miville-Dechêne
Cormier	Moncion
Cotter	Oudar
Coyle	Pate
Dasko	Petten
Deacon (Ontario)	Ravalia
Dean	Ringuette
Duncan	Saint-Germain
Forest	Senior
Gerba	Simons
Gold	Sorensen
Greenwood	Varone
Hartling	Wells (Alberta)
Kingston	Woo
Kutcher	Yussuff—41
LaBoucane-Benson	

NAYS
THE HONOURABLE SENATORS

Adler	Housakos
Anderson	MacDonald
Ataullahjan	Martin
Aucoin	McCallum
Batters	McPhedran
Bernard	Mugli
Black	Osler
Burey	Plett
Carignan	Quinn
Cordy	Richards
Dagenais	Robinson
Dalphond	Ross
Deacon (Nova Scotia)	Seidman
Downe	Smith
Francis	Verner
Fridhandler	Wallin
Gignac	Wells (Newfoundland and Labrador)
Harder	White—36

ABSTENTIONS
THE HONOURABLE SENATORS

Al Zaibak	Youance—3
Tannas	

• (1800)

CRIMINAL CODE

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Ringuette, seconded by the Honourable Senator Ravalia, for the second reading of Bill S-239, An Act to amend the Criminal Code (criminal interest rate).

Hon. Bernadette Clement: Honourable senators, I note that this item is at day 15, and Senator Petitclerc wishes to speak to it. Therefore, with leave of the Senate and notwithstanding Rule 4-14(3), I move adjournment of the debate in the name of Senator Petitclerc.

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

Hon. Senators: Agreed.

(Debate adjourned.)

NATIONAL THANADELTHUR DAY BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator McCallum, seconded by the Honourable Senator White, for the second reading of Bill S-274, An Act to establish National Thanadelthur Day.

Hon. Marilou McPhedran: Honourable senators, I want to acknowledge that I come from Manitoba, Treaty 1 territory, and it is the homeland of the Red River Métis Nation.

[*Translation*]

I want to point out that the Parliament of Canada is located on unceded and unsurrendered Algonquin Anishinaabe territory.

[*English*]

I thank Senator McCallum for bringing this bill to the Senate of Canada. Bill S-274 honours the life and legacy of Thanadelthur as the ambassador of peace in the early 18th century. Thanadelthur was a young Indigenous woman of strength, resilience and fierce determination to protect her people. Records from the time speak of her as a skilled guide, peacemaker, interpreter and negotiator who played a crucial role in the expansion of the fur trade in the early 1700s. More importantly, at a time when Dene and Cree were traditional enemies, Thanadelthur was the indispensable key to forging peace between the two nations.

Her remarkable story allows us to reflect both on the extraordinary impact she has had in shaping our shared history as a nation and, lamentably, on the many ways in which Indigenous stories, cultural practices and contributions have been ignored for far too long. By supporting this bill, we are sending a strong message and affirming our commitment that these Indigenous stories will no longer be forgotten.

This story takes place before Canada became a nation, before Manitoba existed. Born in the late 17th century, Thanadelthur was a member of the Dene nation, a group indigenous to the sub-Arctic region of what is now known as Nunavut and northern Manitoba. Little is known about her early years, but in 1713, while on a caribou-hunting expedition with her family, she was captured by the Cree, an Indigenous group rival to the Dene. Thanadelthur managed to escape after a year of captivity, and after a harrowing journey that left her near death, she finally reached York Fort, now called York Factory, which was an early Hudson's Bay Company trading post.

Thanadelthur's great work came about in 1715 when she was employed as the guide, interpreter and negotiator for the Hudson's Bay Company in their efforts to establish peaceful relations between the Cree and the Dene. Her Dene, Cree and English trilingualism, her tenacity and perseverance and her skill as a negotiator led to a historic peace agreement between the two traditionally warring peoples. I mark the wisdom, humility and the depth of character it must have required of her to forgo any

feelings of revenge or hostility towards those who were her traditional enemies and her captors and, instead, to choose to forge a path to peace.

The Bay records from that period make it clear that peace would have been unattainable without her pivotal role. In June 1715, a delegation of 150 people set out from York Fort on a peace mission and travelled some 1,000 kilometres in eight months, pushing through an Arctic winter. It was Thanadelthur's guidance and determination that kept the delegates from turning back. It was her skill and knowledge that kept them from perishing in the wild, and, ultimately, it was her fortitude that saw the final peace accord struck and honoured.

To quote from a record of that period:

She made them all stand in fear of her as she scolded at some . . . and forced them to be at peace.

Her voice was said to be hoarse from persuading her people.

Sadly, she succumbed to illness less than two years later and died on February 5, 1717, buried in York Fort. Hers is a story that still resonates within Cree and Dene communities in their oral history to this day. Examining her story from a distance of over 300 years, we can learn modern lessons.

Thanadelthur is but an early example of the tireless leadership and resolute quality of Indigenous women who both nurture as mothers and protect as warriors. I think of contemporary Thanadelthurs, who, despite obstacles, hardship and opposition, are similarly leading restorative peace and reconciliation efforts in our own time, such as Indigenous activists like the late Mary Two-Axe Earley, Cindy Blackstock, Pam Palmater, Autumn Peltier, Diane Redsky and our former senator colleagues the Honourable Sandra Lovelace Nicholas and the Honourable Lillian Dyck.

I think of Inuit leader Rosemarie Kuptana, artist Daphne Odjig, Manitoba's own Jackie Traverse and my family's beloved friend the legendary filmmaker Alanis Obomsawin, now 92 and working on her fifty-fourth film. In this place, we are blessed with Indigenous women leaders who were all esteemed trailblazers before agreeing to be named to this chamber.

Indigenous women and girls play a key role in preserving their communities. They often act as agents of peace, leading movements that eventually bring the warring parties to the negotiation table. These strong, clear Indigenous women leaders are often the first to speak truth to power, including within their own communities, to address the root causes of a conflict and increase community engagement.

When I was home in Winnipeg this weekend, I met with three of Winnipeg's most effective leaders — Hilda Anderson-Pyrz, Sandra DeLaronde and Keely Ten Fingers — to debrief on their recent trip to the United Nations headquarters in Geneva to contribute to the review of Canada under CEDAW, the Convention on the Elimination of All Forms of Discrimination against Women, as members of the largest delegation of Indigenous women ever to attend such a CEDAW review.

Before coming to this chamber, I was a professor who, with a team of students in our human rights program at the University of Winnipeg's Global College, ensured that Canada's first National Action Plan on Women, Peace and Security noted the importance of domestic peace building and Indigenous women's leadership.

International studies have conclusively shown that women's participation in peace agreements leads to better and more sustainable outcomes, with higher rates of implementation.

Honouring this historic and heroic peace builder, Thanadelthur, through the passage of this bill also honours Indigenous women as leaders. As an example of some progress, I'm pleased to read to you from Canada's recently released third National Action Plan on Women, Peace and Security:

The action plan also recognizes that the Government of Canada is implementing the WPS agenda through a range of efforts aimed at addressing gender-based discrimination, violence, oppression and marginalization faced by women and gender-diverse people in Canada, particularly Indigenous women, girls, and Two-Spirit people. It acknowledges the intersecting discrimination and violence based on gender, Indigenous identity, socio-economic status and other identity factors, as well as underlying historic causes — in particular, the legacy of colonialism and the devastation caused by the residential school system. It also acknowledges that leadership by Indigenous women, girls, and Two-Spirit and gender-diverse people is essential to achieving sustainable peace and security for all.

The second lesson I draw from her story is more sombre because Thanadelthur is also a symbol of unknown, effaced and obscured Indigenous voices, stories sadly forgotten or deliberately erased if not for the oral traditions that keep their small lights burning.

• (1810)

She speaks to our ongoing tragedy of Missing and Murdered Indigenous Women and Girls, colonial repression, racism, sexism and all other forms of violence against Indigenous women and girls.

Research shows Indigenous women are 400% more likely than other Canadians to go missing. The problem is so pervasive that the Canadian government does not know how many Indigenous women are missing or have been murdered.

Ironically, these women are over-policed but underprotected. Estimates suggest that around 4,000 Indigenous women have been lost. Thanadelthur's own grave is lost. Estimates that, like this, point to the reality, for example, of the bodies of Morgan Harris and Mercedes Myran, believed to be buried in a Winnipeg landfill still waiting to be recovered.

In the case of Thanadelthur's grave, the land of the original Fort York has eroded and washed out to sea. Without a monument to mark her resting place, a beautiful tradition has developed in northern Manitoba. Every February 5, to mark the date of her passing, people lay red roses into the waters of the Hudson Bay.

Senator McCallum, in speaking to her bill, brought another modern dimension to this historic tale as she shared aspects of her own Cree upbringing in Manitoba and the ongoing joining of Cree and Dene communities across boundary lines, family ties and generations of hostility.

History is a living, growing thing. When history is herstory, wisdom transcends time.

To conclude, Thanadelthur's contributions provide a powerful example of the importance of commemorating Indigenous histories, as called for in the Truth and Reconciliation Commission Call to Action 79, which calls for the federal government to ". . . develop a reconciliation framework for Canadian heritage and commemoration. This would include . . ." it continues, ". . . the contributions of Aboriginal peoples to Canada's history."

Further, Bill S-274 moves Canada a step toward actualizing our commitments under the United Nations Declaration on the Rights of Indigenous Peoples. Specifically, Article 15 of Canada's UNDRIP Act provides to Indigenous people the right to:

. . . dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.

I commend Senator McCallum for introducing Bill S-274, An Act to establish National Thanadelthur Day. This bill is an excellent starting point in giving equal place to Indigenous stories. This story is about a peacemaker who brought about harmony in conflict that strengthened the foundations for a Canada to be.

By commemorating Thanadelthur's achievements, not only will we fulfill commitments under the TRC Calls to Action and the UN Declaration on the Rights of Indigenous Peoples, and Canada's act of the same name, but also ensure that Indigenous contributions are a visible and celebrated part of our shared heritage. Let us move this bill to committee.

Therefore, Your Honour, I call question on this bill.

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

Hon. Yonah Martin (Deputy Leader of the Opposition): I move the adjournment of the debate.

An Hon. Senator: 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: I see two senators rising. Is there an agreement on the length of a bell?

An Hon. Senator: Now.

The Hon. the Speaker: Now?

Is there agreement?

Is there a leave for now?

An Hon. Senator: Agreed.

An Hon. Senator: No.

The Hon. the Speaker: I hear a “no.” Therefore, the bells will ring for one hour. The vote will be at 7:14.

Call in the senators.

• (1910)

Motion agreed to on the following division:

YEAS
THE HONOURABLE SENATORS

Arnot	Loffreda
Ataullahjan	MacAdam
Aucoin	MacDonald
Batters	Martin
Boudreau	McNair
Busson	Mégie
Carignan	Moncion
Clement	Plett
Cotter	Ravalia
Dasko	Ringuette
Deacon (<i>Nova Scotia</i>)	Robinson
Deacon (<i>Ontario</i>)	Ross
Downe	Seidman
Duncan	Tannas
Forest	Varone
Greenwood	Wallin
Housakos	Wells (<i>Newfoundland and Labrador</i>)
Kingston	Youance
Kutcher	Yussuff—38

NAYS
THE HONOURABLE SENATORS

Audette	McPhedran
Bernard	Miville-Dechéne
Black	Muggli
Cordy	Osler
Coyle	Oudar
Dalphond	Pate
Francis	Petten
Gerba	Senior
Gold	Simons
Klyne	Wells (<i>Alberta</i>)
LaBoucane-Benson	White
McBean	Woo—25
McCallum	

ABSTENTIONS
THE HONOURABLE SENATORS

Nil

• (1920)

The Hon. the Speaker: Honourable senators, it is now after seven o'clock. Pursuant to rule 3-3(1), I'm obliged to leave the chair until eight o'clock, when we will resume, unless it is your wish, honourable senators, to not see the clock.

Is it agreed to not see the clock?

Hon. Senators: Agreed.

The Hon. the Speaker: So ordered.

POINT OF ORDER—SPEAKER'S RULING

Hon. Mary Jane McCallum: Honourable senators, I would like to register my thoughts and concerns with the adjournment that just occurred and the catalyst behind this adjournment.

I would like to note that I first introduced this bill in the Senate at first reading on September 19, 2023, with my second reading speech occurring on September 21, 2023. In the year-plus that has elapsed since my second reading speech, there has not been a single other speech that has occurred on the matter prior to Senator McPhedran's speech this afternoon.

I would also like to contest that I have been deferential throughout the Senate process of Bill S-274. To this point, I have twice written to the four leaders and their deputies on September 13 and October 7, requesting that the second reading

vote be allowed to occur following Senator McPhedran's remarks. To quote from the October 7 letter, I stated:

While Senator McPhedran will provide additional reflections on the bill, I acknowledge that there is little more that can be added in further speeches that would not be a regurgitation of the facts and insights provided within these two speeches. As such, I again request that the vote please be enabled to occur following these remarks in the hopes that deeper understanding of the importance of this reconciliatory bill can be garnered through a committee study.

This constitutes a month and a half's worth of notice that I had given in advance of my request for a vote to occur on this bill, which has been stagnant on the Order Paper for over 13 months.

I am left to ask why the request for a vote has been denied and why adjournment was taken, specifically by the Conservatives. My assumption and the only logical rationale would be because a critic has not delivered a speech. Your Honour, this is the heart of my point of order, which I request your ultimate ruling on.

The *Rules of the Senate* are quite clear and absolutely explicit that a critic does not have to speak to a bill before it comes to a vote, nor does a bill require a certain unspecified period of time on the Order Paper or require a specific number of speakers on the matter before a vote can occur. Yes, I concede that this practice surrounding the critic's speech has become something of a norm and the expected practice; however, that generalization does not equate to a must.

There is a prevailing myth and misunderstanding perpetuated by some, quite convincingly, that being the critic grants this individual with the fantastical and authoritative power to veto, delay, dictate or derail the progress of a bill. This is simply not the truth. However, it has been perpetuated for so long that I fear many senators are under this misrepresentation and have accepted it as factual when it is certainly not.

Incidentally, the same is true for a senator who may have the item adjourned in their name. Holding adjournment gives that senator precedence to speak on debate to the bill, yes, but it does not afford them special control to impede progress in the event the question is called. In short, while I do not agree regarding our view that the usual practice is to expect the critic will speak and that the sponsor is expected to exercise deference to provide time for them to speak, I assert, first, that there is no absolute necessity or requirement that the critic must speak prior to a vote. This myth has formed into the conveyance of an authority that does not exist and to which this chamber is not beholden. Moreover, this so-called requirement as well as the requirement that a bill must hang around the Order Paper for an unidentifiable and arbitrary length of time are both only enforced when it is deemed suitable by the majority.

I would also like to reiterate my deferential approach to this bill as second reading debate has sat dormant for over a year. My two letters requesting a vote, which represent an explicit request for over a month and a half, also represent utter deference.

Going back to the role of the critic in the Senate in reviewing the *Rules of the Senate*, the critic is only mentioned twice in its entirety. Rule 6-3(1)(d) specifies that the critic can speak up to

45 minutes at second reading and third reading. Additionally, the definition section defines the critic of a bill, specifying simply that while the critic is often the second senator to speak to a bill, this is not always the case. It says nothing beyond that in regard to speaking rights.

In a further and closer look at the sister document to the *Rules of the Senate*, the *Senate Procedure in Practice* affirms what is found in the Rules, yet that simple affirmation of the Rules is all that it provides. *Senate Procedure in Practice* does not afford or stipulate any further role, authority or power that the critic may hold.

To synthesize this argument in a nutshell, the critic does not have the right to veto or dictate progress on a bill, regardless of whether they have spoken or not. While it may be the usual practice for a critic to speak to a bill, a review of both the *Rules of the Senate* and *Senate Procedure in Practice* confirms that a critic does not have such fantastical powers that a bill cannot receive a vote unless they have spoken. That would be akin to legislative hostage taking.

If a senator is able to point to where in either of these documents such an authority is established, I would be happy to hear of it. Moreover, I urge any senator to do so, as it would be a good learning opportunity for all of us here. Conversely, if any senator is unable to highlight exactly what rule or section it is that legitimately grants this profound authority, perhaps a concession is in order that such a power does not actually exist and that no individual senator holds that authoritative power to dictate the progress of any bill in this place.

It is also critical to note that the so-called requirement for a critic to speak is seemingly arbitrarily applied. For example, this past spring, 10 different bills were voted on with a negligible number of speakers and with only a minimal amount of time spent before the Senate. Bill C-281 received its second reading vote on May 29, 2024. Senator Housakos, the sponsor, was the only individual to speak to this bill; there was no critic speech. Bill S-259 received its second reading vote on May 30, 2024. The sponsor, Senator Loffreda, and one other Independent Senators Group senator spoke to it; there was no critic speech. Bill C-320 was moved at second reading on May 30, 2024. After two speeches, it received its second-reading vote the same day, with no other debate.

• (1930)

Bill C-321 was also moved on May 30, 2024. After two speeches, it too received its second-reading vote the same day, also with no other debate.

Additionally, that same week, there were another two bills that received a vote with only two senators speaking to them, Bill S-17 and Bill S-260, while another bill was passed with only three senators having spoken to it, Bill S-279.

In a more recent instance, colleagues in this chamber will likely recall what happened with Bill C-49, An Act to amend the Canada—Newfoundland and Labrador Atlantic Accord Implementation Act and the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act and to make consequential amendments to other Acts. Coming out of

committee study on this bill, both myself and one of our colleagues, Senator Prosper, had let our intentions be clearly known that we wished to speak to this bill at third reading. However, our right to debate was dismissed in favour of third reading, which occurred in a single sitting.

It is glaringly apparent that the arbitrary and uneven application of procedural conventions constitutes a severe disadvantage for some in this chamber, especially those who do not hold positions of power or authority. If more senators are allegedly interested in speaking to this bill, why are they afforded the right to defer endlessly after a year of stagnation when other senators are disallowed the right to speak to another bill when requesting to do so by merely adding a second day of debate? It makes no sense.

Your Honour, I respect and defer to your diligence and wisdom in this important matter. However, I urge you to rule on this point of order now if you feel that is agreeable. I am sure that a very quick conferral with the procedural gurus we are blessed to have will yield a swift confirmation of what I am advocating, thus paving the way for us to progress accordingly here today. Thank you.

The Hon. the Speaker: Senator, you have raised very interesting points. Thank you.

The Senate adopted the adjournment of debate on Bill S-274 following proper process. The concerns described are not procedural in nature, since the motion to adjourn debate did not deal with the role of the critic, and the point of order is not established.

Hon. Donald Neil Plett (Leader of the Opposition) moved:

That the Senate do now adjourn.

He said: Your Honour, let me, first of all, at least clarify one thing, if I could, before I go on. I want to go on the record as saying the vote that has just happened, I think, was 38 yeas, 25 nays. We are 9 in the Conservative caucus, yet we were being accused of being the ones who held this up, so I'm not sure where the math works out in that, that 38 take away 9 is 29. So whether this would have been 29 to 25 or 38 to 25, I think the result would have been the same. So to stand up here and blame one caucus for something, I find a little troubling.

With that, Your Honour, clearly tensions are frayed and nerves are frayed. I think maybe the best thing is that we all go back to our offices and our rooms and sleep on this overnight and come back refreshed tomorrow. Hopefully, the government will have some legislation for us. They seem to not be able to get any, but maybe by tomorrow they can get their act together and bring us some government legislation that we can debate, and then we will, of course, be happy to continue.

With that, Your Honour, I would move the adjournment of the Senate.

Some Hon. Senators: Hear, hear.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(At 7:35 p.m., pursuant to the order adopted by the Senate earlier this day, the Senate adjourned until 2 p.m., tomorrow.)

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