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(HANSARD)

Tuesday, November 25, 2025

The Honourable RAYMONDE GAGNÉ,
Speaker

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THE SENATE

Tuesday, November 25, 2025

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

Prayers.

[*Translation*]

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, I received a notice from the Government Representative in the Senate, pursuant to rule 4-3(1), that the time provided for the consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable Ione Christensen, who passed away on September 15, 2025.

I remind senators that, pursuant to our rules, each senator will be allowed only 3 minutes and they may speak only once, and the time for Tributes shall not exceed 15 minutes.

[*English*]

SENATORS' STATEMENTS

TRIBUTES

THE LATE HONOURABLE IONE CHRISTENSEN, C.M., O.Y.

Hon. Pat Duncan: Honourable senators, with profound sadness, Yukoners learned and shared with you the passing of the Honourable Ione Christensen, a former Yukon senator.

The story of Ione Christensen is the story of the Yukon. The family of Ione's mother, Martha Ballentine, arrived in the Yukon during the gold rush with the sourdough starter which I will reference in a moment. Ione often repeated her family story that if you wanted something done in Dawson City, you got it "Ballentined." Her mother Martha Ballentine, a lay nurse, married her father Gordon Irwin Cameron of the RCMP. Ione's early years were spent at the confluence of the Yukon River and the Pelly River at Fort Selkirk. This historic site, a well-known former meeting place and trading post, is now carefully preserved and jointly managed by the Selkirk First Nation and the Yukon government.

A young Ione's lifelong relationship with dogs started with her own dog team. Her dog team was as necessary to run her own trapline as was her .22-calibre gun and knife. The value of carrying a knife was not appreciated when she attended private school in British Columbia, and it was swiftly confiscated.

Back in the Yukon, Ione Christensen broke trail as only a Yukoner well acquainted with the land in all its seasons could do. Her many firsts included: the first female justice of the peace, the first female juvenile court judge, the first female mayor of Whitehorse, the first female Commissioner of Yukon and the first female Yukon senator.

Ione was a founder and board member of the Yukon Foundation, the Wildfire Awareness Society and the Fetal Alcohol Syndrome Society Yukon. She received the Order of Canada and was one of the first to receive the Order of Yukon.

In 1979, she resigned as commissioner after receiving the "Epp letter" from Ottawa. Jake Epp was the then-Minister of Indian Affairs and Northern Development. Rick Nielsen, who shared a love of Yukon history with Ione, gave an explanation for Ione's resignation. It was not a disagreement with the political evolution of the Yukon; it was a point of principle. There was an error in the letter from Ottawa — not the first time that has happened. The error was later corrected. Her resignation was a principled decision required at the time.

The iconic photograph of the Chilkoot Trail — the hike to the goldfields in Dawson — is a challenging hike, jointly managed today by Parks Canada and the U.S. National Park Service. Celebrating the 100-year anniversary of the gold rush in the summer of 1996, Ione somehow persuaded — or "Ballentined" — governments to allow her and a few friends to set up a cookshack and serve pancakes from the legendary sourdough starter to hikers who completed the trail during that summer of celebration.

That was Ione. She hiked the trail 21 times herself. To quote her fellow cook Pat McKenna that summer:

> Ione, your spirit is forever in the northern Yukon skies in the wind through the trees, over the land and lakes you loved so much.

To Ione's family — Philip, Paul, Michelle, Kate and her grandson, Harry — we offer our sincere condolences. To my fellow Yukoners, we are forever grateful to you Ione for breaking trail.

Shâw níthän. Mahsi'cho. Gùnálchîsh.

Thank you.

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I rise today to pay tribute to a remarkable Canadian and former senator, the late Honourable Ione Christensen.

Ione Christensen was born in Dawson Creek, B.C., my home province. She later moved with her family to Whitehorse, Yukon, where she grew up and began her long career in public service.

She was a leader, a businesswoman, a public servant and an advocate. She broke barriers at every turn, becoming the first woman to serve as justice of the peace in Yukon, the first female judge of the juvenile court, the first woman elected mayor of Whitehorse — after defeating seven other male mayoral

candidates — and the first woman appointed as the Commissioner of Yukon. She was a true trailblazer whose courage opened doors for generations of women who would follow in her path.

In 1999, she became the first female senator of the Yukon to be appointed to the Senate of Canada — another first. As a senator, she continued to champion her community and all Canadians, serving on committees such as the Aboriginal Peoples Committee, the Legal and Constitutional Affairs Committee and the Social Affairs, Science and Technology Committee.

The late Honourable Ione Christensen was well loved and respected in the Yukon, as expressed by Premier Mike Pemberton in his official statement on September 16, 2025:

> Over her long life, Ione broke barriers in politics, law and public service. She opened doors, inspired countless Yukoners and showed the power of kindness, hard work and courage. The Yukon is stronger because of her.

Mayor Kirk Cameron of Whitehorse issued the following:

> The Yukon is known to be larger than life, and Mrs. Christensen embodied this spirit in her life and work.
>
> Beyond her many professional accomplishments and distinctions, Ione was a warm, joyful and compassionate individual who loved the North and the people that live here. She was known for her commitment to community and helping others, and made our city a better place throughout her life.

The Honourable Ione Christensen's legacy is one of leadership, courage and tireless service. She paved the way for women in public life and made a lasting impact on the Yukon and on Canada. It is with great respect that we remember and honour her today. On behalf of the Conservative caucus, the official opposition in the Senate, I express my sincere condolences to her family, friends and community. May she rest in eternal peace and may her legacy live on in the lives of all those she touched.

Hon. Pierrette Ringuette: Honourable senators, I rise today to pay tribute to former senator Ione Christensen.

• (1410)

Senator Christensen sadly passed away on September 15 at the age of 91. Senator Christensen sat in this chamber from 1999 to 2006 when she retired to take care of her husband, Arthur, who unfortunately passed away in 2020. That's the kind of caring person she was.

We did not share a long time together in the Senate. I believe only Senator Downe and I had that honour, but that time together in the chamber has left an indelible mark on my life, and I will always remember that time fondly. She was a remarkable and amazing person who led a remarkable and amazing life. She led a life of devotion to the people of the Yukon and to serving the public — a life of perpetual accomplishment. She certainly had a very long list of firsts.

In 1971, she became the first female justice of the peace and also judge of the juvenile court in Yukon. In 1975, she ran for Mayor of Whitehorse against seven men, won the election and became the first woman mayor. Following that, in 1979, she became the first female Commissioner of Yukon and then was the first woman appointed as senator for the Yukon Territory in 1999.

She was a trailblazer, to say the least, and a beacon for the movement of women's equality in our federal-provincial-territorial governments and institutions. Senator Christensen has done so much for the achievements of women, for the Yukon and for all of us in this chamber and in Canada.

Ione was a physically imposing woman, but she was always calm and smiling, particularly under pressure. Ione could give a hug like no one else, also reflecting her very loving personality. She was very well respected among her colleagues of all stripes. There are no words strong enough to pay tribute to the life of such a person, but we can strive to honour her by continuing to live up to the highest standards of public service that she embodied. I will always have fond memories of who she was and how she moved her issues forward with determination and grace.

On behalf of myself, the Independent Senators Group and the Senate, I extend my deepest condolences to her family. Love you, Ione.

Hon. Percy E. Downe: Honourable senators, I too am pleased to rise to pay tribute to our former colleague Ione Christensen. Like Senator Ringuette, I'm part of the alumni association of the Senate Liberal caucus, and we used to have Senator Christensen as a valued member of that group.

Colleagues, I'll start by offering a little advice to all senators: Be nice to the younger senators. They will be the ones giving a tribute to you when you pass away. When I served with Senator Christensen, I was much younger.

Senator Christensen was the first woman appointed as senator of the Yukon and the only senator from the Yukon. In that capacity, she was laser-focused on the Yukon. She represented that area for seven years in the Senate, but, as others have mentioned, she had a remarkable career long before that. When I reviewed her CV many years ago, I was struck by how many activities she was involved in, and it was at a time when it was very difficult for women to have the prominence that she obtained.

Others have talked about her running for mayor against seven men and her being the Yukon commissioner. She was also a First Nations economic development officer, and she took on a host of other responsibilities throughout the years while she was working in the Yukon.

I met Senator Christensen long before I came to the Senate. At the time, I was in the Prime Minister's Office, and the former prime minister was looking for a senator from the Yukon, so he asked me to travel to meet Senator Christensen. I was also asked to travel to meet future Senator Cordy. Those were the only two. I trotted off to Whitehorse and went to Senator Christensen's house where we had tea and a wonderful discussion. Of course, I had read her very impressive CV, indicating that she had

received the Order of Canada and other things she had done. I came back to the prime minister, and then the prime minister spoke to her and she was appointed.

As I said, she was focused on the Yukon, which was her responsibility. Imagine being a senator from an area — as Senator Duncan is — where you're the only senator. You have to carry all the responsibilities. There's nobody to share it with. During her time in Ottawa, she worked on issues that were important to her area, such as water supply, global warming and issues surrounding First Nations youth in urban Canada. She was a very hard-working and conscientious senator. She served her community very well.

I imagine that the highlight of her career — in addition to helping win a bid for the winter games in 2007 — was when she sponsored the Yukon Act, which was very important for the citizens in her area.

To her family, I offer my condolences. It was a pleasure serving with her over the years.

Hon. Brian Francis: Honourable senators, I rise today on behalf of the Progressive Senate Group to pay tribute to the late Honourable Ione Christensen.

Her passing in September has inspired countless tributes already, particularly from fellow Yukoners who have witnessed first-hand the impacts of her life's work. I thank our colleague Senator Duncan for her own words in honour of Senator Christensen's vast contributions to their territory.

When she was first introduced in this chamber, the Honourable Alasdair Graham had this to say:

> As we reflect upon the appointment of Senator Christensen to this chamber, we are reminded that the North is our great challenge and our great adventure as Canadians. The Yukon is truly a land of mystery and a land of magic. Ione brings with her an understanding of the mystery, which is unparalleled, and an intuitive sense of the magic which few could rival.

It is clear that Senator Christensen never lost that connection to her land. In fact, I have heard that she used to provide a bit of Yukon magic to some of her fellow senators. Apparently, she would arrange to bring their red Senate lapel pins back home with her, and when she returned to Ottawa with the pins, they would be newly embellished with some Yukon gold. What a fitting way to remind her colleagues to value the contributions of her territory.

As we have heard, Senator Christensen truly embodied the term "trailblazer." She was responsible for a number of important firsts, opening doors and breaking barriers for generations of women, making a name for herself both within the Yukon and throughout our entire country.

She even made a name for herself internationally. Those who visit the international Sourdough Library — either in Belgium or virtually online — will learn that Senator Christensen donated the sourdough starter that had been in her family since at least 1898, travelling with her great-grandfather from New Brunswick to the Klondike Goldfields. She famously made Sunday morning Yukon-style waffles with it. I have no doubt that her own legacy will also endure, as evidenced by the words we have heard today.

On behalf of the Progressive Senate Group, I offer my sincere condolences to the family and friends of the late Honourable Ione Christensen. *Wela'lin*. Thank you.

The Hon. the Speaker: Honourable senators, I would ask that you all rise and join me in a minute of silence.

(*Honourable senators then stood in silent tribute.*)

• (1420)

[*Translation*]

DISTINGUISHED VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of our former colleague the Honourable Mobina S. B. Jaffer, accompanied by her husband, Nuralla Jeraj. They are the guests of the Honourable Senator Saint-Germain.

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

Hon. Senators: Hear, hear!

[*English*]

GURU TEGH BAHADUR JI

ANNIVERSARY OF MARTYRDOM

Hon. Baltej S. Dhillon: Honourable senators, today I rise to reflect on the three hundred and fiftieth anniversary of the martyrdom of Guru Tegh Bahadur Ji, the Ninth Guru of the Sikh faith, whose stand for human dignity remains one of the most powerful in history. On November 24, Sikhs and non-Sikhs around the world came together to honour his teachings, remember his sacrifice and recommit themselves to carrying forward his legacy.

In the 17th century, the Kashmiri Pandits, a community of Hindu scholars and teachers who had lived in the Kashmir valley for generations, faced severe persecution from the regime of that time. They were given a stark ultimatum: convert from their faith and leave their homeland or face death. With no protection and nowhere safe to go, they travelled to seek the help of Guru Tegh Bahadur Ji.

Their plea was simple and universal: They asked for the right to believe without fear and for the freedom to live as themselves, values that are familiar to us here in Canada. They are entrenched in our Constitution and in our Charter of Rights and Freedoms.

Guru Tegh Bahadur Ji chose to defend them, even though they were not part of his own community. He stood for people of another tradition because he believed that no authority may force a person to abandon their conscience. For his refusal to submit,

he was executed publicly in 1675, along with his three companions. His sacrifice endures as one of the greatest acts of courage for personal freedoms and human rights in the world.

His legacy continues to guide Sikhs and non-Sikhs across the globe. He taught that justice must protect the vulnerable. He showed that courage is not only physical courage but moral courage, the courage to stand for what is right even when the cost is high. And he reminded us that dignity belongs to every person, regardless of belief or background.

As Canada confronts rising intolerance as well as attempts to divide communities, his example urges us to stand firm. Defending the rights of others, especially those who differ from us, strengthens the very foundation of our democracy.

As we mark the martyrdom of Guru Tegh Bahadur Ji, let us recommit ourselves to these principles. As senators, we have a unique responsibility to defend and protect the rights of everyone, especially those most vulnerable and under-represented in our society. Let us work toward a Canada where no one fears for their identity, diversity is cherished and standing for justice remains a shared responsibility.

Honourable senators, Guru Tegh Bahadur Ji's life reminds us that a single act of courage can illuminate the path for generations. In *chardi kala* always. 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 Jeff Brown, Keldon Bester, Lawson Hunter and Brian Laghi. They are the guests of the Honourable Senator Klyne.

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

Hon. Senators: Hear, hear!

16 DAYS OF ACTIVISM AGAINST GENDER-BASED VIOLENCE

Hon. Krista Ross: Honourable senators, I rise today to recognize the 16 Days of Activism against Gender-Based Violence, encompassing Canada's National Day of Remembrance and Action on Violence Against Women, where we remember and honour the 14 women killed in the École Polytechnique massacre on December 6 and ending December 10 on Human Rights Day.

This campaign is an important opportunity to reflect, to raise awareness and to advocate for an end to gender-based violence in Canada and across the world. Violence against women and girls remains one of the most pervasive human rights crises of our time. Globally, nearly one in three women will experience some form of gender-motivated violence in their lifetime. Yet far too often, these forms of violence remain hidden and unspoken, as women and girls face the risk of stigma or disbelief.

This remains a prevalent issue here at home. Every 48 hours in Canada, a woman or girl is killed in an act of gender-based violence. In 2023, in Canada, there were over 123,000 police-reported instances of intimate partner violence. In 78% of these cases, the victims were women. But we need to remember that statistics are not just numbers. They represent mothers, daughters, sisters, friends and members of our communities whose lives have been changed forever.

Many factors contribute to the increased risk of gender-based violence, including systemic inequality, economic insecurity, discrimination and social norms that perpetuate harm. Increasingly, we must also recognize the growing threat of digital and technology-facilitated violence where women and girls face online harassment, threats and coercive control that can follow them into every part of their lives.

Progress is happening but at a painfully slow pace. This campaign is an opportunity not only to reflect on these realities but to commit ourselves to action. It reminds us that violence against women is a threat to our communities, our safety and our shared future.

During this campaign and throughout the year, I invite everyone to raise awareness of the risks faced by women and girls across our country and around the world. It is our collective responsibility to build safer communities, advocate for prevention, support survivors and champion initiatives that promote education, accountability and change. Thank you. *Wela'lin*.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Serge Le Guellec, Chair of the Board of Directors of Clear Seas. He is accompanied by other members of the Board of Directors. They are the guests of the Honourable Senator Wilson.

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

Hon. Senators: Hear, hear!

[*Translation*]

CLEAR SEAS

Hon. Duncan Wilson: Honourable senators, I rise today to tell you about an organization that is vitally important to Canada as we seek to diversify our trade. This organization, Clear Seas, was born from a fact-finding mission to Norway that I had the privilege of leading as part of my work with the Vancouver Fraser Port Authority. This occurred at a time when big and contentious pipeline debates were swirling. We brought together First Nations, industry and government representatives to have a serious look at best practices around tanker safety and oil spill prevention and disaster response.

[*English*]

We travelled together to Norway to get a better understanding of that country's leading practices with respect to these issues. The act of bringing together diverse and sometimes opposing interests and exposing them to the same information led to shared perspectives in terms of what best practices could look like. This was not just in the event of something like a pipeline expansion but also being better equipped to respond to spills from existing shipping activity along our coastlines.

From that trip and social experiment was born the idea that has become Clear Seas. Clear Seas is a Canadian not-for-profit organization that provides fact-based information to enable governments, industry and the public to make informed decisions on marine shipping issues. Clear Seas fills knowledge gaps and builds capacity in an important sector of the Canadian and global economies. They achieve this through comprehensive research, communications and people-development programs, including Indigenous-led research and Indigenous-focused development.

• (1430)

Just like that original fact-finding mission to Norway, Clear Seas is governed by a diverse and experienced board of directors that includes members of First Nations, the public sector, port authorities, the scientific community and marine-related industries.

Colleagues, this evening, in the senators' lounge, I invite you to join parliamentarians, officials and industry representatives to meet staff and board members from Clear Seas to celebrate their tenth anniversary and learn about the important work they do.

International trade by sea is the only way to fully diversify Canada's trade partnerships. A safe and sustainable marine transportation system is needed to unlock the return on major infrastructure project investments. Providing Canadians and policy-makers with quality information and research is essential in that pursuit.

Hay ce:p qa'. Meegwetch. Thank you.

INDIGENOUS DISABILITY AWARENESS MONTH

Hon. Mary Jane McCallum: Honourable senators, I have been honoured to be the spokesperson for the Indigenous Disability Canada / British Columbia Aboriginal Network Disability Society to celebrate Indigenous Disability Awareness Month, or IDAM. IDAM was created to recognize, support and celebrate the lives of Indigenous Peoples with different abilities.

Recently, I had the privilege of participating in the Voices of Inclusion project, an initiative led by Indigenous Disability Canada that brings Elders and Knowledge Keepers together to speak about disability through an Indigenous lens — that everyone who is born has a purpose and that everyone matters.

Today, over one third of Indigenous Peoples in Canada live with a disability, yet they remain among the most overlooked and underserved populations in this country. They face barriers that are not of their making — barriers created by colonial policies, inaccessible systems and environments that fail to reflect their realities. Still, they continue to show strength, resilience and hope that carry their families and communities forward.

They deserve to feel supported by us in this chamber. And we, in turn, have a responsibility to use our positions to help shape programs and services and create environments that remove all barriers. Indigenous disability is not a partisan issue — it is a matter of justice, equity and human dignity.

As I shared in my interview for the Voices of Inclusion project:

> Our work must be intersectional. Whether we are discussing health, the environment, or legislation, we must ask, "How will this impact people with different abilities?" People deserve to meet us in spaces that feel safe, where their voices direct the solutions — not where decisions are made for them.

In Indigenous Disability Awareness Month, I ask you to join me in honouring the resiliency, beauty and strength that Indigenous Peoples with disabilities carry and in recognizing the vast, immeasurable contributions they make to our communities and to Canada.

Thank you. *Kinanâskomitinawow*.

[*Translation*]

THE LATE BERNARD GRANDMAÎTRE, C.M.

Hon. Lucie Moncion: Honourable senators, I rise today to pay tribute to a great politician who devoted his life and career to advancing and defending Ontario's French-speaking community. The Honourable Bernard Grandmaître, an exceptional Franco-Ontarian, passed away on October 28 at the Montfort Hospital at the age of 92. I attended his funeral service this morning at 11 a.m. at Notre-Dame-de-Lourdes church in Vanier.

Bernard Grandmaître is originally from Eastview, now known as Vanier, in the Ottawa area. He quickly became involved in municipal politics, first as an alderman for the City of Vanier from 1969 to 1974.

In 1974, he became mayor of Vanier and remained at that post for nearly 10 years. He officially entered provincial politics in 1984 as the MPP for Ottawa East. He then joined an English-dominated environment as Minister responsible for Francophone Affairs in David Peterson's Liberal government. During his career in provincial politics, he served as Minister of Municipal Affairs and then Minister of Revenue.

As Ontario's Minister responsible for Francophone Affairs, he played a key role in passing the French Language Services Act in 1986, which fundamentally changed the province's linguistic landscape. He made such an important contribution that he became known as the father of the French Language Services Act. This act provided a legal and institutional foundation for a previously fragile francophone community, while strengthening the recognition and protection of francophone rights in Ontario.

The act, which came into force on November 19, 1989, stipulated that the Government of Ontario and its service providers had to offer services in French in 25 designated regions.

The passage of this act was also part of a national unification effort at a time when the country was divided and Quebec was pursuing its quest for independence. Liberal Premier David Peterson, a francophile, gave Bernard Grandmaître the mission to pass this law.

The Honourable Bernard Grandmaître received many awards in recognition of his remarkable career and his contribution to the francophone community. He was awarded two honorary doctorates and made a member of the Ordre de la Pléiade and the Order of Canada. A rink in Vanier and a Catholic elementary school in Ottawa both bear his name. The Bernard Grandmaître Award, which is given out annually by the Association des communautés francophones d'Ottawa, seeks to recognize the outstanding contribution of an individual from Ottawa's francophone community.

The Honourable Bernard Grandmaître was a man of values and principles, whose entire life and career were guised by integrity and determination. Reflecting his commitment, he exceeded expectations and faced adversity with courage, perseverance and determination. Ontario's francophone community mourns his passing, but his memory lives on. His tangible contributions continue to promote francophone culture across the country.

He leaves behind his family, his sons, his grandchildren and great-grandchildren, his friends and everyone who had the privilege of working with him and witnessing his generosity of spirit and sharp mind.

His legacy, marked by commitment, resilience and passion for the francophone community, will continue to inspire and guide future generations. Bernard Grandmaître will forever remain an iconic figure whose memory will live on in the hearts of Franco-Ontarians.

Thank you.

Hon. Senators: Hear, hear.

[*English*]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Senator Petten's brother Ross and his son Jason, along with Senator Petten's sisters, Ina, Ivy and Leverna, accompanied by their spouses. They are the guests of the Honourable Senators Petten and Manning.

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

Hon. Senators: Hear, hear!

SULLIVAN'S SONGHOUSE

Hon. Fabian Manning: Honourable senators, today, I am pleased to present Chapter 97 of "Telling Our Story."

As many of you are aware, an incredible amount of Newfoundland and Labrador's history and culture has been passed down for generations and shared with the world through our songs and stories. For an immersion in everything Irish, one would only have to drive a short distance from the capital city of St. John's to a region called the Southern Shore where Irish traditions are embedded in the DNA of the people who live there.

Growing up in the small fishing community of Calvert, Sean Sullivan learned at an early age how to sing, play an instrument and entertain a crowd whether at the community centre or the kitchen table.

Following his retirement, Sean wanted to realize a dream he had thought about for years, which was to turn an old saltbox house that a neighbour had left him in his will into a place to gather with music and friends. He talked to his wife, Angie, about it, and her reply was, "Might as well. It is already a songhouse."

Thus Sullivan's Songhouse was created, and it opened its doors on August 9, 2017. Since then, Sean and Angie have welcomed people from all around our province, across Canada and from countries all around the world, including Türkiye, Iran, Denmark, the United States and beyond. If you want to see what people think about their experience at Sullivan's Songhouse, you can check it out on Tripadvisor.

• (1440)

To sum up what a visit to this unique, one-of-a-kind visitor experience would be like, I want to read you a recitation written by Harry Ingram of Arnold's Cove in Newfoundland and Labrador called "The House of Songs":

> If you're fed up with life, and the frustrations of town,
> I'll tell you a secret, there's this place that I found.
>
> It'll do your heart good, put right all your wrongs,
> So head up the shore, for this house full of songs.
>
> With a hand shake and hug, you're greeted come on in.
> Have a quick mug up, before the music begins.
>
> And what happens next, would fill up your heart,
> All the instruments emerge, and the *seanchai* starts.
>
> He's the kindest of hosts, and he sings the first song.
> And we listen intently, or perhaps sing along.
>
> From A Grey foggy day, this song has its charm,
> To another about longliners, out in Joe batt's Arm.
>
> Then he passes the torch, as they go round the room.
> Each singing in turn, or perhaps play a tune.

On banjo or fiddle, and mandolins to boot.
And for those who don't sing, a recitation or two.

The finest of stories, some new songs or rare.
Some funny, some touching, they'll relieve all your cares.

And the loveliest hostess, she sure keeps an eye,
So you'll never go hungry, or never go dry.

You might even see dancers, that swing 'round the floor.
Oh the kindness and laughter, how could you want more.

But like all good things, it must come to an end,
But you sure won't forget, all the music and friends.

They bid you farewell, with more hugs and a smile,
It's like a page from history, a step back in time.

It's hard to describe, but try as I might,
It's like being wrapped in a blanket, on a cold winter's night.

So if you're fed up with life, and the frustrations of town,
Remember my secret, this place that I found.

And head up the shore, and bring 'long your spouse,
You're sure to feel welcome, at Sullivan's Song House.

It is, indeed, another jewel in the Newfoundland and Labrador tourism crown, but my advice to you is to call early and book your reservations. Sullivan's Songhouse has become a very popular destination.

Thank you.

ROUTINE PROCEEDINGS

INDIAN ACT

BILL TO AMEND—FIRST REPORT OF INDIGENOUS PEOPLES COMMITTEE PRESENTED

Hon. Margo Greenwood: Honourable senators, on behalf of Senator Audette, I have the honour to present, in both official languages, the first report of the Standing Senate Committee on Indigenous Peoples, which deals with Bill S-2, An Act to amend the Indian Act (new registration entitlements).

(*For text of report, see today's* Journals of the Senate*, p.* ***437****.*)

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

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

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

FIRST REPORT OF COMMITTEE PRESENTED

Hon. Peter Harder: Honourable senators, I have the honour to present, in both official languages, the first report of the Standing Committee on Rules, Procedures and the Rights of Parliament, entitled *Recommendations on Question Period with a Minister*.

(*For text of report, see today's* Journals of the Senate*, p.* ***449****.*)

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

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

BUDGET 2025 IMPLEMENTATION BILL, NO. 1

NOTICE OF MOTION TO AUTHORIZE CERTAIN COMMITTEES TO STUDY SUBJECT MATTER

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, notwithstanding any provision of the Rules, previous order or usual practice:

1. in accordance with rule 10-11(1), the Standing Senate Committee on National Finance be authorized to examine the subject matter of all of Bill C-15, An Act to implement certain provisions of the budget tabled in Parliament on November 4, 2025, introduced in the House of Commons on November 18, 2025, in advance of the said bill coming before the Senate;

2. in addition, the following committees be separately authorized to examine the subject matter of the following elements contained in Bill C-15:

   (a) the Standing Senate Committee on Agriculture and Forestry: those elements contained in Division 8 of Part 5;

   (b) the Standing Senate Committee on Banking, Commerce and the Economy: those elements contained in Divisions 4, 9, 10, 11, 12, 13, 14, 15, 16, 17, 22, 23, 37, 39, 43 and 45 of Part 5;

   (c) the Standing Senate Committee on Energy, the Environment and Natural Resources: those elements contained in Divisions 32, 40, 41 and 42 of Part 5;

   (d) the Standing Senate Committee on Fisheries and Oceans: those elements contained in Division 33 of Part 5;

(e) the Standing Senate Committee on Foreign Affairs and International Trade: those elements contained in Divisions 18 and 27 of Part 5;

(f) the Standing Senate Committee on Indigenous Peoples: Part 4 and those elements contained in Division 35 of Part 5;

(g) the Standing Senate Committee on Legal and Constitutional Affairs: those elements contained in Divisions 30 and 31 of Part 5;

(h) the Standing Senate Committee on National Security, Defence and Veterans Affairs: those elements contained in Divisions 19, 20 and 21 of Part 5;

(i) the Standing Senate Committee on Social Affairs, Science and Technology: those elements contained in Divisions 25, 36 and 44 of Part 5; and

(j) the Standing Senate Committee on Transport and Communications: those elements contained in Divisions 1, 2, 24, 28 and 29 of Part 5;

3. each of the committees listed in point 2 that are authorized to examine the subject matter of particular elements of Bill C-15:

(a) submit its final report to the Senate no later than February 13, 2026; and

(b) be authorized to deposit its report with the Clerk of the Senate if the Senate is not then sitting;

4. as the reports from the various committees authorized to examine the subject matter of particular elements of Bill C-15 are tabled in the Senate, they be placed on the Orders of the Day for consideration at the next sitting, provided that if a report is deposited with the Clerk, it be placed on the Orders of the Day for consideration at the next sitting following the one on which the depositing is recorded in the *Journals of the Senate*;

5. the Standing Senate Committee on National Finance be authorized to take any reports tabled under point 3 into consideration during its study of the subject matter of all of Bill C-15; and

6. the Standing Senate Committee on National Finance be authorized to deposit its report with the Clerk if the Senate is not then sitting.

• (1450)

[*Translation*]

QUESTION PERIOD

FINANCE

ECONOMIC GROWTH

Hon. Leo Housakos (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate.

Senator Moreau, the Bank of Canada announced that Canada is currently caught in a vicious circle of weak productivity that is impoverishing Canadians and weakening our economy. Nicolas Vincent, the external Deputy Governor of the Bank of Canada, has openly criticized your government's track record, which involves over-regulation, long approval processes and a lack of competition in key sectors. This comes as no surprise: That is what happens when a government over-regulates, over-taxes and causes businesses to lose confidence.

Senator Moreau, after 10 years in office, why has your government still not managed to create an investment climate and the right conditions for real economic growth?

Hon. Pierre Moreau (Government Representative in the Senate): Thank you for the question. Last week in Question Period, I reminded senators that a new government was elected in April and that the first bill it introduced was one that seeks to promote major projects by removing the barriers inherent in implementing such projects.

I think that the government is extremely aware of the importance of expediting projects, investing in the economy and investing more and spending less to grow the Canadian economy, increase funding for infrastructure and affordable housing and create jobs for all Canadians in all sectors.

What we need to understand about the Bank of Canada is that it is basically an economic watchdog. The government is very aware of its obligations and the direction that it needs to take.

Senator Housakos: It's the former Liberal government with a new Prime Minister, but the result is the same.

Leader, the Nutrien company's decision to move billions of dollars to the United States clearly shows what investors think about Canada's business climate. Canadians can't afford to listen to lip service any longer; they need action. Does the Prime Minister really want to build a more competitive, affordable economy, or is he as indifferent as he seems about repairing our trade relations with the United States?

Senator Moreau: The new Liberal government replaced the former Liberal government, and that's the decision that Canadians made during the last election, Senator Housakos. I understand that it's not the outcome you wanted, but it's the democratic choice of Canadians.

The government is committed to ensuring that Canada has a strong and resilient economy, which is why this government, all of its departments and the Prime Minister are investing so much effort in the process.

PUBLIC SERVICE CUTS

Hon. Claude Carignan: Leader, I hope you can clear something up for me.

My first question is about the actual number of public servants. When the federal budget was introduced, the government committed to reducing the number of federal public servants by 40,000. How many public servants are there, in fact?

On page 206 of the 2025 budget, it says that, after cutting 40,000 public servants, the government will reach its target of 330,000. In 2023-24, there were almost 368,000 public servants. However, according to the Treasury Board website's numbers over a period of seven years, there were 266,433 public servants as of March 31, 2024.

That's not all. Adding to the confusion, the Parliamentary Budget Officer, who received the 2025-26 departmental plans, stated that the number of full-time equivalents as of July 15 —

The Hon. the Speaker: I'm sorry, Senator Carignan, but your time is up.

Senator Moreau: I did indeed notice some confusion in your question. You didn't have time to finish your question, Senator Carignan, but I can guess where you were going with that, so I'll give you an answer.

The government has made a commitment to reduce the size of the public service in a responsible manner through attrition and retirement. I think that's what Canadians want, and that is what the government has committed to do.

We will have an opportunity in the coming weeks to study the government's budget in detail. A motion has been tabled to that effect. I'm sure you'll have the opportunity, at the many committee meetings you'll attend, to ask questions that interest you regarding all the mathematical equations, which are too complex for a one-minute question here.

Senator Carignan: Leader, how many public servants do you have in the government? Is it 266,433, 370,000 or 441,000 full-time equivalents? Is my question clear enough?

Senator Moreau: What is also clear is that the government has made a commitment to reduce the number of public service employees, because the Canadian government is responding to what Canadians want. It will do so, as I explained in my answer to your overly long question, through attrition and retirements. I'm sure you will have an opportunity to add to the very important question you're asking, Senator Carignan.

[*English*]

IMMIGRATION, REFUGEES AND CITIZENSHIP

IMMIGRATION LEVELS

Hon. Tony Loffreda: Senator Moreau, I would like to address the government's new 2025-2027 Immigration Levels Plan, which coincided with the Carney government's first budget.

Budget 2025 notes that slower population growth and a return to sustainable immigration levels have eased overall labour market pressure. Yet, the government also acknowledges that slower hiring has made it harder for both youth and newcomers to find their first job.

• (1500)

Youth unemployment has significantly increased since 2022. Given these trends, how is the government ensuring that scaled-back immigration targets do not inadvertently deepen barriers to employment for young Canadians while also supporting a successful labour market integration of newcomers?

Hon. Pierre Moreau (Government Representative in the Senate): Senator Loffreda, that is an important issue.

The Government of Canada is making it easier for newcomers to work in the fields in which they're trained. That is why the government has launched the Foreign Credential Recognition Action Fund to help provinces and territories speed up credential approvals, especially in health care and the skilled trades, so internationally trained workers can fill real shortages without displacing young Canadians.

The government is aligning immigration levels with labour market needs — that's very important — through the International Talent Attraction Strategy and Action Plan.

The government is prioritizing sectors with clear shortages and high-growth potential ensuring immigration complements the opportunities available to young Canadians everywhere in the country.

Senator Loffreda: Thank you for that response.

The budget highlights significant reductions in temporary foreign worker arrivals, international students and asylum claimants.

Can you clarify what specific measures the government will implement to ensure these dramatic reductions in immigration pathways do not constrain sectors that rely on new entrants? What targeted supports will be provided to help youth secure jobs that these newcomers previously filled?

Senator Moreau: In 30 seconds, it would be difficult to make an exhaustive list. Many of the measures in Budget 2025 will strengthen pathways for young Canadians entering the workforce.

The latest budget enhanced Canada's research ecosystem, namely with training apprenticeship and targeted support for early career workers so that our youth can access the good jobs created by the government's innovation and growth agenda.

[*Translation*]

FINANCE

BUDGET 2025

Hon. Éric Forest: My question is for Senator Moreau.

There's a $94-billion difference in Budget 2025 between the capital investment estimates of the government and those of the Parliamentary Budget Officer. We need clear definitions so that parliamentarians and the public can hold the government to account in terms of its commitment to balance the budget. The Parliamentary Budget Officer is calling for the creation of an independent panel of experts to clarify the definition of capital expenditures —which I consider capital — to eliminate government bias or projections.

Does the government representative agree that the Minister of Finance's commitment to balance operating expenditures would have more credibility if the government had fewer opportunities to fund public expenditures by going into debt?

Hon. Pierre Moreau (Government Representative in the Senate): I think that the statements by the Minister of Finance are extremely responsible and should be taken in a broad sense.

The government has made a very clear commitment to balance its operating expenditures and significantly increase investments in Canada's infrastructure so that debt to GDP ratios steadily decline over the next few years.

I am sure that senators will have an opportunity to ask these kinds of questions during the budget review to come in the next few weeks. I'm certain, Senator Forest, that you'll find the right time and place to ask these questions in great detail.

As for the commitments that the Parliamentary Budget Officer hopes to see, I cannot make commitments on the government's behalf in that regard.

Senator Forest: Yes, we do need to find the appropriate place.

The government made a formal promise to balance the operating budget by 2028-29. Notwithstanding that promise, the Parliamentary Budget Officer estimates that $87 billion in new operating expenditures will go on the credit card over the next five years.

Does the government representative agree that fiscal discipline begins with clear commitments to control operating expenditures?

Senator Moreau: The government recognizes that the Parliamentary Budget Officer does very important work, but it has already indicated that it believes the investments that would be generated by the actions outlined in the budget will ensure that the Parliamentary Budget Officer's more pessimistic prediction will not come to pass. The government believes that these investments will lead to private sector investment by other levels of government and that this predictability bodes well for the Canadian economy.

[*English*]

TRANSPORT

HIGH-SPEED RAIL

Hon. Jim Quinn: Will the Government Representative explain how and why the federal government is showing leadership by proposing that Parliament invoke the declaratory power in relation to the high-speed rail corridor between Quebec and Ontario in Division 1, Part 5 in the Budget Implementation Act?

Hon. Pierre Moreau (Government Representative in the Senate): This is an important infrastructure project. The government is committed to go forward rapidly with that project. The magnitude and the nature of the project is still raising questions, but the government is committed to proceeding in an expedient way to enhance public transportation between Ontario and Quebec.

This is a major investment. This is a major project. There is a clear commitment by the government concerning that project.

Senator Quinn: Could the government confirm if they had the political consent of the National Assembly of Quebec and Legislative Assembly of Ontario prior to proposing the use of the declaratory power?

At first glance, the use of the declaratory power, Bill C-15, affects the property and civil rights of the provinces by preventing landowners in Quebec and Ontario from either selling or building on their private property for up to four years if it might be needed rather than actually required for the high-speed rail corridor.

Senator Moreau: I can confirm that there is ongoing discussion with the Government of Ontario and the Government of Quebec, with stakeholders and the local communities that are impacted by the realization of that important project. This is to find a better way to proceed and to have that project built with respect to all stakeholders' interests.

[*Translation*]

GLOBAL AFFAIRS

FEMINIST INTERNATIONAL ASSISTANCE POLICY

Hon. Julie Miville-Dechêne: Senator Moreau, I was surprised to learn while reading *The Globe and Mail* on Sunday that Prime Minister Carney did not consider our foreign policy to be feminist, which abruptly ended eight years of Canada's efforts to ensure that our international aid prioritized combatting gender inequality and the lack of autonomy of women and girls. I'm

deeply disappointed, especially given that in crisis situations, women hold the keys to their families' survival. Why this sudden about-face?

Hon. Pierre Moreau (Government Representative in the Senate): Senator Miville-Dechêne, this is a very important issue. The government has been clear and consistent in its commitment to combatting gender discrimination, eliminating gender-based violence and empowering women and girls in Canada.

The Minister of Foreign Affairs, in particular, was clear during her speech at the United Nations. Canada's foreign policy is based on three principles, specifically defence and security, economic resilience and our values. Feminism is one of the government's values and will play an important role in our foreign policy through the Prime Minister's efforts to diversify our international trade and attract investment. The government has also been clear that it will continue its efforts to combat gender-based violence and inequality around the world.

Senator Miville-Dechêne: Thank you for that answer, but I fail to understand why the Prime Minister is reluctant to use the words "feminist policy" if he is doing everything that people say needs to get done in that area.

This change of direction comes at a time when the Government of Canada announced $2.4 billion in cuts to international assistance over the next four years. Oxfam is concerned that women's reproductive health and sexuality initiatives might be affected. Is that so?

Senator Moreau: International development investments by the Canadian government focusing on women are among the most impactful as far as economic development is concerned. Every dollar invested in educating girls generates $3 on average, which works out to billions of dollars in additional GDP. From education to agriculture to peace efforts, greater participation by women remains a constant driver of economic growth and poverty reduction for everyone.

• (1510)

[*English*]

NATIONAL DEFENCE

MILITARY SPENDING

Hon. Yonah Martin (Deputy Leader of the Opposition): Government leader, in September, Senator Housakos asked about your government quietly scaling back Transport Canada-operated aerial surveillance flights over the Arctic this past summer, citing insufficient capacity to maintain its three turboprop planes.

Now, following Budget 2025, we have learned that most, if not all, of Transport Canada's aviation assets will be transferred to the Department of National Defence under the guise of the department's Comprehensive Expenditure Review, or CER. Experts, however, are questioning this decision, suggesting it may be aimed at artificially inflating defence spending to meet Canada's NATO commitments.

Senator Moreau, is the government repurposing a civilian, aging and partially inoperable fleet to artificially boost defence spending to comply with NATO obligations despite adding $81.8 billion in defence spending by 2035?

Hon. Pierre Moreau (Government Representative in the Senate): Senator Martin, I would like to remind you that the government is investing over $72 billion through the new defence policy, *Our North, Strong and Free*, and nearly $40 billion to the NORAD modernization plan, which supports an increased Canadian Armed Forces presence in the North and the Arctic. The government knows that defending the northern Arctic requires a consistent, long-term, well-equipped Canadian Armed Forces presence, and the government is committed to fulfilling that requirement.

This is exactly why the government is procuring new equipment: to ensure it can have a year-round presence in the region — the Arctic and the North.

Senator Martin: Yes, we all agree on how important the North is to Canada, but Senator Moreau, specific to the Transport Canada civilian operations that were already severely limited by this government's neglect of its fleet, including Arctic environmental surveillance, how will transferring these assets to the Department of National Defence further undermine these essential civilian functions?

Senator Moreau: The government commitment towards the Arctic is quite clear. Those investments are unprecedented. I don't think that we can question the commitment of the government in making sure that our sovereignty is assured in the Arctic, the northern regions or elsewhere in Canada.

PUBLIC SAFETY

FIREARMS BUYBACK PROGRAM

Hon. Salma Ataullahjan: Government leader, we know that the federal government is pressing ahead with its nationwide Assault-Style Firearms Compensation Program, or ASFCP, even though the six-week pilot in Cape Breton collected only 22 of the 200 guns it aimed for. That's barely 11% of its target.

How do you defend moving ahead with such an expensive, politically driven program, when the pilot, which was supposed to test the system, fell so dramatically short of its objective?

Hon. Pierre Moreau (Government Representative in the Senate): Thank you for raising the question. The pilot's objective was to ensure that the government is fully prepared to launch the Assault-Style Firearms Compensation Program nationally. It was not a question of quantity; it was a question of being prepared to do that, and that's exactly what the pilot showed to the government.

The government continued to have a robust ability to complete the program, with collection facilities across Ontario and municipal police participation. It will expand the program elsewhere in Canada.

The main idea is to keep guns off our streets, and I think that Canadians deserve to feel secure in their own environment. That's what the program is all about. The commitment of the government is to go forward with that program everywhere in Canada. The pilot proves that it's possible to do that in a very efficient manner.

Senator Ataullahjan: Leader, taxpayers have already watched more than $70 million thrown into that program, with credible estimates reaching as high as $746 million, yet Canadians still don't know the true cost. So much so, that the Canadian Taxpayers Federation has been forced to go to court simply to obtain basic, transparent cost figures from your government.

Why does the government continue to pour hundreds of millions of dollars into targeting licensed, law-abiding gun owners while refusing to disclose what this program actually costs?

Senator Moreau: What is the cost of saving lives? What is the cost of insuring that Canadians feel safe? Do you have an answer, Senator Batters? What is the cost of saving lives? What is the cost of having Canadians feel safe in their own neighbourhoods? Do you think that assault rifles have a place here in Canada, in our neighbourhoods? We want to protect all Canadians, and I think it's not a cost-related program.

GLOBAL AFFAIRS

CONFLICT IN SUDAN

Hon. Marilou McPhedran: I appreciate this opportunity.

Senator Moreau, in the style of Senator Miville-Dechêne, since 2023, Sudan has been entangled in a bloody war between government and rebel forces, neither elected by the Sudanese people. Both armies sanction the killings of civilians and the use of sexualized violence as a weapon of war. This civil war is devastating all of Sudan's 18 provinces, disabling at least 70% of hospitals. Sudan is now the world's largest humanitarian crisis, with about 24.8 million people needing life-saving assistance.

Canada has extended special immigration measures and allocated approximately $75 million in assistance.

Senator Moreau, can you please assure this chamber —

The Hon. the Speaker: Thank you, Senator McPhedran.

Hon. Pierre Moreau (Government Representative in the Senate): Unfortunately, you did not have time to finish your question. It was quite difficult for me because your voice is stronger than mine, but unfortunately, I was unable to understand your question. Maybe in your supplementary question, I'll see what assurance I can give you by answering both your principal and supplementary questions.

Senator McPhedran: Thank you so much for the opportunity. The question I asked was to assure this house that the aid is actually reaching the Sudanese people who are suffering. On this first day of the "16 Days of Activism against Gender-Based Violence," could you report back whether Canadian aid is actually reaching and helping survivors of gender-based violence?

Senator Moreau: On both questions, I will raise the issue with the minister to see how we make sure that the aid is actually reaching the proper destination. I will get back to you on both of your questions, Senator McPhedran, as soon as I can.

HEALTH

CANADA HEALTH ACT

Hon. Flordeliz (Gigi) Osler: Senator Moreau, yesterday the Government of Alberta tabled Bill 11, the Health Statutes Amendment Act, which would enable a dual-practice model allowing some surgeons and specialists to operate in both the public and private systems. This bill creates a new class of flexibly participating physicians who can decide on a patient-by-patient basis whether to bill the province or to charge patients privately.

The Canada Health Act is clear. Medically necessary or medically required services must be fully insured by the provincial or territorial plan for that jurisdiction to receive its full federal cash contribution.

Will the federal government review Alberta's Bill 11 for potential non-compliance with the Canada Health Act? What immediate steps will it take to ensure that medically necessary care will be based on need and not the ability to pay?

Hon. Pierre Moreau (Government Representative in the Senate): You're raising an important question. I will raise the issue with the minister. She is probably aware of the Alberta legislation which has been tabled. I'll get back to you about whether action will be taken by the federal government on that specific point.

I did not understand from your question whether the legislation has already been adopted. It was only tabled recently, so we will surely monitor the evolution of that piece of legislation, whether or not it is implemented. Therefore, the Government of Canada will advise on whether or not it is implemented as a matter of fact.

Senator Osler: Thank you, Senator Moreau. It was tabled yesterday.

We've seen instances in the past in which federal deductions under the Canada Health Act were minimal, delayed or insufficient to deter provinces from introducing measures that test its limits. Dual practice models risk diverting surgeons and specialists into paid private work, leaving those who cannot pay with no option but to wait longer.

Will the federal government commit to a stricter enforcement of the Canada Health Act?

• (1520)

Senator Moreau: As I mentioned, since the bill has been tabled yesterday, I'm convinced that we will monitor this situation closely, and I will be able to advise whether the legislation goes forward and is adopted by the Government of Alberta.

NATIONAL REVENUE

MEDICAL EXPENSE TAX CREDIT

Hon. Kristopher Wells: Senator Moreau, in the last election, Prime Minister Carney promised to make in vitro fertilization, or IVF, an eligible health expenditure under the Assisted Human Reproduction Act and expand the medical expense tax credit to include costs that have been reimbursed to a surrogate for IVF expenses. This promise is about helping families, including many 2SLGBTQI+ families, deal with sometimes prohibitively high costs of IVF. However, many Canadians were deeply disappointed to see nothing about this critical promise in Budget 2025.

Senator, children are the future of this country. Does the government remain committed to delivering on this important pledge, which will help provide vital support to all kinds of families in all parts of this country?

Hon. Pierre Moreau (Government Representative in the Senate): I appreciate the question, Senator Wells. The government is very aware that fertility treatments such as IVF can be both challenging as well as heartbreaking for anyone trying to have a child and that the affordability of fertility treatments remains a challenge for many Canadians. I am informed that the government will have more to say on this issue in due course, but, unfortunately, I can't give you more specific information on that question today.

Senator K. Wells: Thank you.

> More and more Canadians are becoming parents via adoption or surrogacy. For LGBTQ2 people, it is often the only way they can have the family they have always wanted. But there are still many barriers these couples face.

These are not my words. They are taken directly from the Liberal Party election platform, and I couldn't agree with them more. I know I speak for many Canadians across the country in calling for the government to move forward on this important promise. It is a matter of equity and simply the right thing to do. Do you agree with its importance?

Senator Moreau: I want to note that I believe that what you said was from a previous election platform and not this government's election platform.

As I say, the government is very aware of the challenge many Canadians face with IVF and will have more to say in due course.

TRANSPORT

POTASH EXPORTS

Hon. Leo Housakos (Leader of the Opposition): My question is for the government leader.

Last week, Nutrien, a flagship Canadian company and the world's largest potash producer, chose to invest $1 billion into a new export terminal not anywhere in Canada but in Longview, Washington. Their message was clear. The decision was purely economic: lower costs, fewer bottlenecks and more reliable transportation infrastructure. After a decade of Liberal governments, Canada's ports are congested, labour disruptions are routine, regulatory approvals are slow, and promises of streamlining our supply chains remain just that.

How did your government allow a $1-billion investment to slip out of our hands and into the United States, giving Donald Trump a billion-dollar win while giving Mark Carney and the Canadian people a billion-dollar loss?

Hon. Pierre Moreau (Government Representative in the Senate): The government values that kind of investment, and you want to have it in Canada. The answer of the government is the first bill that was tabled and adopted at the beginning of the mandate. It's Bill C-5. Bill C-5 and the actual budget provide new investment in infrastructure. That was part of your question. We know that we need to invest in our infrastructure. That's exactly what the government is committed to doing. It's committed to it through Bill C-5 and through the last budget that was tabled. We want to grow a strong economy through investing in our infrastructure. Further investment of that kind will be realized here in Canada if we do it properly. That's the commitment of this government.

Senator Housakos: Old Liberal government, new Prime Minister, same results. And I appreciate the results of the last election. That was eight months ago.

Nutrien's move is a damning indictment of Canada's supply chain infrastructure problem. When a Canadian company says it's cheaper to move potash through a U.S. port, the problem isn't Nutrien. It's Ottawa.

How can Canadians trust this government or anything they say to fix our supply chain and reignite and inject some confidence back into this economy?

Some Hon. Senators: Hear, hear.

Senator Moreau: That's what the government has been doing day after day since the last election. You are referring to an old government. I'm referring to an old preamble in your question. In the last decade, Canadians had to make a judgment. They did so last April, Senator Housakos, and their judgment was to elect the actual government. And they're confident, just like the government, that our economy will grow.

BUILDING CANADA ACT

REVIEW OF GOVERNOR IN COUNCIL AND MINISTER'S EXERCISE OF POWERS AND PERFORMANCE OF DUTIES AND FUNCTIONS UNDER THE ACT—APPOINTMENT OF SPECIAL JOINT COMMITTEE—MESSAGE FROM COMMONS

The Hon. the Speaker: Honourable senators, I have the honour to inform the Senate that a message has been received from the House of Commons which reads as follows:

Thursday, November 20, 2025

EXTRACT, —

That, pursuant to subsection 24(1) of the Building Canada Act and section 62 of the Emergencies Act, a special joint committee of the Senate and of the House of Commons be appointed to review the Governor in Council's and the Minister's exercise of their powers and performance of their duties and functions under the Building Canada Act, and to report to each House of Parliament the results of its review, at least once every 180 days while Parliament is neither prorogued or dissolved provided that:

(a) the committee be composed of five members of the Senate and 11 members of the House of Commons, including five members of the House of Commons from the government party, five members of the House of Commons from the Official Opposition and one member of the House of Commons from the Bloc Québécois;

(b) the joint chair of the committee on the part of the Senate shall be as determined by the Senate and the joint chair of the committee on the part of the House of Commons shall be a member representing the Official Opposition;

(c) in addition to the joint chairs, the committee shall elect two vice-chairs from the House of Commons, of whom the first vice-chair shall be a member representing the government party and the second vice-chair shall be the member representing the Bloc Québécois;

(d) the House of Commons members be named by their respective whips by depositing with the Clerk of the House the lists of their members to serve on the committee within one calendar week of the adoption of this motion;

(e) the quorum of the committee be nine members whenever a vote, resolution or other decision is taken, so long as both Houses, including one member of the government party in the House of Commons and one from the opposition in the House of Commons, are represented, and that the joint chairs be authorized to hold meetings to receive evidence and authorize the printing thereof, whenever five members are present, so long as both Houses, including one member of the government party in the House of Commons and one member from the opposition in the House of Commons, are represented;

(f) changes to the membership of the committee, on the part of the House of Commons, be effective immediately after notification by the relevant whip has been filed with the Clerk of the House;

(g) membership substitutions, on the part of the House of Commons, be permitted, if required, in the manner provided for in Standing Order 114(2);

(h) the committee have the power to:

(i) sit during sittings and adjournments of the House,

(ii) report from time to time,

(iii) send for persons, papers and records,

(iv) print such papers and evidence as may be ordered by the committee,

(v) retain the services of expert, professional, technical and clerical staff, including legal counsel,

(vi) appoint, from among its members such subcommittees as may be deemed appropriate and to delegate to such subcommittees, all or any of its powers, except the power to report to the Senate and House of Commons,

(vii) authorize video and audio broadcasting of any or all of its public proceedings and that they be made available to the public via the Parliament of Canada's websites;

(i) all documents laid before the House pursuant to the Act shall be referred to the committee, and any such documents tabled prior to the adoption of this order shall, instead, be deemed referred to the committee; and

(j) that a message be sent to the Senate requesting that House to unite with this House for the above purpose and to select, if the Senate deems advisable, members to act on the proposed special joint committee.

ATTEST

Eric Janse

The Clerk of the House of Commons

• (1530)

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

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

ORDERS OF THE DAY

BILL TO AMEND THE WEIGHTS AND MEASURES ACT, THE ELECTRICITY AND GAS INSPECTION ACT, THE WEIGHTS AND MEASURES REGULATIONS AND THE ELECTRICITY AND GAS INSPECTION REGULATIONS

SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Varone, seconded by the Honourable Senator Arnot, for the second reading of Bill S-3, An Act to amend the Weights and Measures Act, the Electricity and Gas Inspection Act, the Weights and Measures Regulations and the Electricity and Gas Inspection Regulations.

Hon. Colin Deacon: Honourable senators, governments across Canada have too often ignored our economic plumbing — the policies, rules, regulations and legislation that govern how our economy functions — and this has very much been the case in Ottawa. But no matter who you are, you can only ignore the plumbing for so long because eventually the toilets will back up. That's the case today in Canada: Our economic toilets are starting to back up.

Now, you might not immediately recognize Bill S-3 as being a metaphorical plumber coming to our collective rescue, but that's likely because its name does not inspire — well — anything. This bill is called Bill S-3, An Act to amend the Weights and Measures Act, the Electricity and Gas Inspection Act, the Weights and Measures Regulations and the Electricity and Gas Inspection Regulations. However, if you look a little closer, you can see why this bill is important.

This kind of legislation makes me incredibly happy because it means that bureaucrats — to continue with the metaphor — deep within the bowels of the federal government are actually worrying about our economic plumbing. Even more importantly, politically, it shows that this government has chosen to prioritize updating our economic plumbing. I expect that there are political staffers right now who do not share my enthusiasm. Simply, Bill S-3 shows that the government is serious about doing the hard work, the boring work and the non-political work necessary to get our economy back on track, but it certainly doesn't qualify as an announceable.

To make my point as to why I think Bill S-3 is so important, I want to take you back to June 2022, when we were studying a government bill in the previous Parliament, Bill S-6. It has a catchier name: An Act respecting regulatory modernization. The Senate studied Bill S-6 three and a half years ago in 2022 to appreciate the degree to which our regulatory plumbing is backed up. The work, consultation and otherwise, underlying Bill S-6 started in late 2017. Bill S-6, despite being doted upon here in the Senate, wasn't even considered in the House and then succumbed to a sad and lonely death upon prorogation.

However, it's worth noting that during our study of Bill S-6 at the Banking Committee, we learned that Canada's electric metering legislation was completely outdated and narrowly written to regulate only vertically integrated power utilities. In no way had it kept up with market developments and technology developments, like the advent of decentralized electricity grids or the large-scale sale of electric vehicles, or EVs. As a result, in Canada, EV charging stations could and can still only charge — sorry, there is a little dispensation I'll speak about in a second — for the amount of time used, not the actual electricity delivered. Consequently, owners of cheaper, slower-charging EVs were subsidizing the electricity delivered to owners of faster-charging EVs because they could only be invoiced for the duration of the charging time, dollars per hour, and not the energy delivered, dollars per kilowatt hour.

Consequently, condo and rental property managers were disincentivized from installing EV charging stations in their buildings because they would not be compensated for the electricity. Regulatory inaction meant it didn't make economic sense to install revenue-grade metering in private parking garages. Even more remarkably, that actually didn't matter. Why? Because these highly accurate revenue-grade metres — made in Canada and used worldwide — did not meet Measurement Canada's archaic regulatory specifications.

Despite not having the economic plumbing in place, the previous government still invested billions to increase adoption of EVs. It's estimated that since 2016, more than $4 billion has been spent on EV and EV charging station subsidies. Despite these billions, our outdated regulations prevented market forces and private investment from taking hold. In the midst of our study in committee in 2022, the United Kingdom ended EV subsidies because that country had successfully created a mature, stand-alone market. Canada's multibillion-dollar investments continued, though. A lesson for me is that any incentives need to align with regulation and procurement practices — or, perhaps even better, regulation and procurement practices should align with the subsidies — if we're to catalyze market activity and minimize the need for future government expense.

There is some good news in this story, though. Eight months after our study, Measurement Canada issued a special dispensation that finally allowed excellent Canadian-made EV charging stations to bill by kilowatt hour, not just by hour. Perhaps this provides some evidence of the fact that our excellent and insightful debate in the Senate is valued.

This government has paused the EV incentive program. If and when it is restarted, I hope that it will be restructured in a manner that focuses on catalyzing market activity, not subsidizing it.

My primary message to colleagues in the chamber right now, but especially to those in committee who are studying Bill S-3, is the following: Certainly, look for ways to improve this bill, but additionally, let's congratulate this government for prioritizing and updating Canada's economic plumbing and encourage them to do much more. Let's search for ways to keep moving on this topic. Let's deliver the message to both political decision makers and the hundreds of thousands of public servants that Bill S-3 needs to be seen as the first, not the last, of our efforts to update Canada's economic plumbing.

To this end, perhaps one approach that might help is to adjust the checklist that is used in Ottawa for identifying announceables. For example, maybe the first item on that checklist, long before any discussion about spending, should be to ensure the economic plumbing is updated and capable of converting proposed government spending into an investment that catalyzes sustained economic growth.

Just to reinforce how badly this change is needed, consider that Bill S-3 proposes amendments to the Weights and Measures Act. That act was last updated when I was in Grade 5. I'm now 66. The Electricity and Gas Inspection Act was last updated shortly after my first year at the University of Guelph, where some of you may recall the dean of agriculture invited me to revisit my commitment to my somewhat limited academic activities at the university.

Simply put, unless Bill S-3 becomes law, we will continue to be governed by a legislative framework that was designed for a market, environment and technology that, in far too many cases, no longer exist or are obsolete. We desperately need our legislative foundation to be updated. And it's not just to finally move beyond the outdated analogue world and to embrace our digital reality, but also in so many other ways. Bill S-3 amendments will, without a doubt, help businesses in countless sectors. Here are some highlights.

First, temporary permission will be provided under the Weights and Measures Act for organizations to introduce emerging technologies into the market without delays while awaiting approval, so we'll get some agility into this system. Sampling will be allowed as a means to independent devices under the Weights and Measures Act, thereby increasing efficiency in regulatory oversight. Exemptions from burdensome requirements will be created for small and seasonal businesses that sell electricity and natural gas under the Electricity and Gas Inspection Act. Preventive control plans will be allowed under both acts to help businesses identify and control hazards and prevent them from non-compliance activities. Various administrative requirements for businesses and other organizations will be repealed to lessen the burden and enable digital approaches for compliance.

• (1540)

This government has prioritized the updating of outdated legislation. I'm thrilled that they have prioritized economic plumbing that, for 55 years, has not kept up with the world around us. This legislation is far from alone.

I'm willing to bet that the minister's office has political advisers who are still shaking their heads at such a boring piece of legislation being prioritized early in this government's term. If I'm right, I hope they take the time to learn how to celebrate this really important work. It's economic plumbing like this that costs nothing, yet helps to increase business investment and rebuild our productivity. What's not to like?

Thank you, colleagues.

(On motion of Senator Martin, debate adjourned.)

CONSTITUTION ACT, 1982

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Harder, P.C., seconded by the Honourable Senator Wilson, for the second reading of Bill S-218, An Act to amend the Constitution Act, 1982 (notwithstanding clause).

Hon. Kristopher Wells: Honourable senators, I would like to begin my remarks today by thanking our colleague Senator Harder for bringing forward this important piece of legislation and for beginning a conversation that is long overdue and can no longer be ignored: the role of the "notwithstanding" clause and the need to protect individuals and minorities from governments that would abuse this extraordinary power.

Over the course of the last several years, the conventions that had surrounded the "notwithstanding" clause have undergone a sea change. What appeared to have been a politically self-imposed, decades-long moratorium on this power has come to a dramatic — and deeply worrying — end.

I would concede at the outset that the use of the "notwithstanding" clause is not unprecedented. Following the proclamation of the Constitution Act, 1982, the Government of Quebec opted to use the power frequently, invoking it in every piece of legislation as a symbolic protest against a Constitution their government had not signed. However, that invocation was universal. It was not directed at any single policy or group, and just three years later, a new Quebec government ended the practice.

I also note the clause was invoked again in Quebec in relation to French signage laws. Although this invocation followed a fully litigated Supreme Court of Canada decision, the use of the "notwithstanding" clause lasted only the prescribed five years, after which it was replaced by a new law, crafted within the bounds of the Charter.

There is one further historical footnote to add, which includes the use of the clause by the Government of Saskatchewan in 1986 in relation to a labour dispute, which the courts later found to be moot.

These six early years of experimentation with section 33 are the beginning of the story, and for many proponents of the "notwithstanding" clause, they represent the outer limits of legitimate historical use.

However, the fact remains that after this brief period, something remarkable happened. We entered a nearly 30-year era during which the clause was left untouched. It was viewed — quite appropriately, in my opinion — as a dangerous and regressive nuclear option: always present, always a theoretical threat to social progress and minority rights but one that governments understood was best left unused.

Constitutional scholar Peter Hogg famously described the "notwithstanding" clause as a "paper tiger" — a dormant power frightening on paper but politically untouchable in practice.

For three decades, that restraint held. Governments of all political stripes understood that to use section 33 was to cross a moral and democratic line. It was to tell citizens that their fundamental rights and freedoms were negotiable. This informal convention and ensuing political self-restraint represented one of the quiet triumphs of our constitutional democracy. It demonstrated to Canadians that our Charter of Rights and Freedoms had matured and that its guarantees were not only legal principles but shared national values.

Still, for many Canadians, especially those from marginalized and vulnerable communities, the fear of what the "notwithstanding" clause could be used for never fully disappeared. It was always there, lurking just beneath the surface of our democracy.

For 2SLGBTQI+ Canadians, that fear was not abstract. It was personal. It was lived.

After the *Vriend v. Alberta* decision in 1998, when the Supreme Court of Canada ruled that the exclusion of sexual orientation from Alberta's human rights legislation was unconstitutional, there was enormous pressure from conservative factions within the province to use the "notwithstanding" clause to override the court's decision. Those of us who lived through that period will remember the fear, anxiety and uncertainty that followed. It was a moment that forced queer Albertans to ask themselves, "Will my rights be protected by the Constitution or erased by my government?"

Again, after same-sex marriage was legalized in Canada in 2005, there were renewed political discussions in some quarters about whether the "notwithstanding" clause could be used to block or reverse marriage equality. Imagine, colleagues, a world where government had invoked this draconian power to block marriage equality and allow gay, lesbian or bisexual Canadians to be fired from their jobs just for whom they loved. Imagine if these aspects of our pluralistic society that we are rightfully so proud of today had been prohibited by section 33.

In the end, those threats were never realized, but the mere possibility, the fact that such discussions could be seriously entertained, revealed the precariousness of minority rights when they depend on the goodwill of governments rather than the permanence of equality and the fundamentals of human dignity.

For years, this was an uneasy peace: a Charter that promised protection and a clause that hung like an ominous shadow over those promises.

Now, colleagues, the tiger has awakened. In recent years, we have witnessed an erosion of the political restraint that once protected the integrity of our Charter. Governments are no longer shy about reaching for the "notwithstanding" clause — not as a measure of last resort but as a tool of political convenience.

In Alberta and Saskatchewan, we have seen section 33 invoked to strip away fundamental human rights, block access to health care and undermine the privacy and dignity of transgender youth, who are among the most vulnerable members of our society. These are not abstract constitutional exercises. It is a no-holds-barred attack with the intent of telling trans children and their families that their identities are up for debate, that their very existence is subject to the will of the state and that their rights are beholden to the whims and will of others.

It is all the more cruel and vicious that the Government of Alberta opted to invoke the "notwithstanding" clause last week, which also marked the Transgender Day of Remembrance. This day is meant to be a time to mourn and reflect on the countless trans individuals who have been subject to hateful attacks, violence and discrimination. It was on this very solemn occasion that the Government of Alberta shamefully opted to double down and further contribute to ongoing discrimination.

• (1550)

When a government uses the "notwithstanding" clause to pre-emptively shield its legislation from Charter scrutiny — before a single argument has been heard and before a single person has had their day in court — it is not governing with confidence. It is governing through fear.

And when that power is used to target a specific vulnerable group — whether that be the trans youth of today or another community tomorrow — it is not democracy. It is majoritarianism in its most dangerous form.

The Government of Alberta's recent move to invoke section 33 in relation to labour rights provides yet another warning. When governments begin to normalize the use of the "notwithstanding" clause, they lower the threshold for its invocation across the board. Pick your issue, colleagues, then pick the Charter protections you care about and ask yourselves if you are sure they are not next.

That is what happens when an exceptional measure like this becomes routine and when the once unthinkable becomes accepted. And, slowly, the Charter begins to lose its binding power — not through formal amendment but through habitual disregard. We must be honest about what this means for the health of our democracy.

The Charter was not designed to make governing easy; it was designed to make governing accountable. It places limits on the power of the majority precisely because history teaches us that majorities are not always right, and rights are not truly rights if they can be suspended whenever they become inconvenient.

Section 33 was included as a political compromise — a recognition of parliamentary sovereignty within a new constitutional order. But it is not a casual power. It is not something we can afford to make routine.

When governments begin to treat rights as privileges — to be granted or withdrawn at will — we risk hollowing out the very foundations of our constitutional democracy.

And this is why Bill S-218 is so important. This legislation seeks to restore restraint to our constitutional design and to reaffirm that while the "notwithstanding" clause exists, it must not be abused.

Bill S-218 would limit the ability of the federal government to invoke section 33, thereby setting a standard that provinces cannot ignore.

Just this past month, the Government of Manitoba introduced its own bill to place limits on the use of the "notwithstanding" clause in its own province. Premier Kinew stated, "The charter contains our fundamental freedoms and it's the responsibility of all of us to protect them." Bill 50 would require that any proposed provincial legislation invoking the "notwithstanding" clause be required to be referred to the Manitoba Court of Appeal within 90 days. This would ensure the court has the ability to issue an opinion on the constitutionality of any law, which provides accountability to the people of the province.

To conclude my remarks, I would like to return to the human dimension of this debate. At a time when hate crimes against 2SLGBTQI+ people are rising in Canada, and at a time when misinformation and moral panic are spreading with increasing rapidity, the use of section 33 to suppress the rights of trans and gender-diverse Canadians does not just fail the Charter. It fails the test of whether we are a society that protects the most vulnerable.

History will judge us not by the powers we possess but by the restraint we show in exercising them. The choice before us is not about federal versus provincial power. It is about whether our laws will defend those most in need of protection. It is about whether we allow the Charter to remain the shield it was designed to be or whether we let it become a set of perfunctory principles subject to the political whims of the day.

Bill S-218 offers us a chance to draw an important line: to reaffirm that rights are not bargaining chips, and governments must never use constitutional loopholes to silence or scapegoat their citizens.

Colleagues, Canada's diversity is a source of our nation's pride and our promise. What makes our nation so extraordinary is how we have made our multiculturalism and pluralism into a defining strength.

The "notwithstanding" clause was meant to coexist with the very principle of pluralism, not to undermine it. But today, we must recognize that the balance has shifted. And without legislative action, the misuse of section 33 will continue to expand, eroding the very moral authority of the Charter.

This is why I strongly support Bill S-218. It is a measured, responsible and necessary step to protect the integrity of our Constitution and to reaffirm the primacy of human rights in Canadian law.

Let us not wait until more harm is done. Let us not tell future generations that we saw the warning signs and did nothing. Let us remember that silence makes us complicit in the very act of discrimination. Let us act as senators, as defenders of the Charter and as Canadians who believe that equality and justice must never be optional.

In many ways, we are not only the chamber of sober second thought but also the holders of Canada's conscience and, if need be, the defenders of democracy.

Thank you, honourable colleagues. *Meegwetch*.

[*Translation*]

Hon. Julie Miville-Dechêne: Would the senator take a question?

Senator K. Wells: Yes.

Senator Miville-Dechêne: I agree with certain parts of your speech, but I'd like to share how uncomfortable your points made me feel as a Quebecer.

Of course, preventing teachers in schools from wearing a veil violates the Charter, and the use of the "notwithstanding" clause in this case is questionable. However, you also brought up an example of a historical issue in Quebec where there was consensus in the province. The word "consensus" may be an exaggeration, but there was broad acceptance of the idea that, when it came to the French-language signage legislation, the "notwithstanding" clause was absolutely essential. It's all well and good to talk about the majority versus the minority. Linguistically, Quebec is a minority. This idea of invoking the "notwithstanding" clause to protect our language — because a language people can see is a language that exists — is not in the same league as all the other examples you gave. What are your thoughts on that?

[*English*]

Senator K. Wells: Thank you for that example. I would certainly agree that at times, it could be appropriate to use the "notwithstanding" clause. Where I become most concerned is when it's focused on taking away fundamental human rights from vulnerable Canadians, given the examples I've provided of what's currently happening in Canada. Thank you for the question.

The Hon. the Speaker pro tempore: Senator Wells, the time allocated for your speech has expired. Are you asking for five more minutes?

Senator K. Wells: Five more minutes, please.

The Hon. the Speaker pro tempore: Is it agreed, honourable senators?

Hon. Senators: Agreed.

Hon. Denise Batters: At the end of your response to Senator Miville-Dechêne, you indicated that one of the examples she gave would potentially be one of the situations in which you would consider the "notwithstanding" clause to be correctly used.

Would you consider the example that is actually the impetus for this bill? The consecutive sentences that a murderer in Quebec was given for murdering several Muslim men as they prayed in a mosque was the reason the "notwithstanding" clause was potentially going to be used by the Conservative Party — had we won the last election — as an acceptable time to use the "notwithstanding" clause in order to allow someone to receive more than just the one 15-year sentence for murdering multiple Muslim men who were there to pray.

Senator K. Wells: Thank you for your question. I think simply because we disagree with a court decision, it doesn't mean the only option available is the use of the "notwithstanding" clause.

Again, we went through a 30-year period where governments responded to different judicial rulings in a variety of ways without the need to resort to that power. In fact, given some of the concerns that have been raised today with some of the decisions of the courts, certainly regarding child pornography as a recent example, Minister Fraser has been quoted, even today, in newspapers, saying that the government is prepared to address the constitutional issue, ensuring that there are consequences for offenders.

• (1600)

I would say it's important that we actually let the courts rule on the constitutionality of the issues and then look toward the government's response.

Senator Batters: In the case I cited, there's no easy solution. You have someone who has been convicted of multiple murders, and they're basically receiving a volume discount, because it's only possible to impose the sentence that's given for — I believe — second-degree murder, which is a minimum of 10 years without the possibility of parole. This is not the sort of case where there is an easy fix, which was presented during the last election. The "notwithstanding" clause probably would have been the only legal case. I say that as a lawyer and as someone who actually thinks about these kinds of issues.

If you have another solution for that, I'd be anxious to hear it.

Senator K. Wells: I can assure you that I also think deeply about these issues on a personal and professional level.

I absolutely agree that we need judicial reform. We need reform to the Criminal Code. That's why it's important that we're seeing Bill C-9, for example, coming forward for us to debate so that we can have better tools to address the issues we're experiencing today in society.

An important job we have in this chamber is to scrutinize those laws and ensure not only that they are Charter compliant but that they are the best laws we can produce on behalf of Canadians.

[*Translation*]

Hon. Pierrette Ringuette: Honourable senators, I rise today to speak to Senator Harder's bill regarding the "notwithstanding" clause.

Let me start by saying that I agree with this bill. Why do I agree? I agree because protecting minority rights is central to our responsibilities as senators.

The Senate's understanding of what constitutes a minority has certainly changed over time. When the Senate was created, minorities were the people living in the less populous Canadian provinces, especially the Atlantic provinces. Another group constituted a minority: the elite, that is, well-off Canadians who feared that the ordinary people in the House of Commons might jeopardize their wealth, mainly through the House of Commons taxation powers.

[*English*]

Gradually, the Senate also came to include those Canadians who were somewhat marginalized in terms of representation in the House of Commons — linguistic, cultural and social minorities, whose rights were enshrined in the repatriation of the Constitution in 1982. To some extent, that gave us a specific appreciation of the focus that the Senate brought onto minorities for many years.

Of course, achieving the inclusion of the Charter in the Constitution did not mean, in any shape or form, that our work was done. It confirms the value of our focus for the protections required, and since we are part of Parliament, our particular role regarding federal legislation and action.

When Senator Harder first started ringing the bell on this issue, we were seeing an increased use of the "notwithstanding" clause by provinces, which has stirred significant debate regarding the merits of the use of the clause. Since then, we have even seen more uses of the clause, and more uses of the clause pre-emptively. Just recently, we had the situation in Alberta related to stopping teachers from striking. Colleagues, the provincial legislature in Alberta has legislation with regard to mandatory bargaining. The "notwithstanding" clause was not necessary.

I also want to tip my hat to the provincial Government of Manitoba for publicly stating that they will put provincial legal barriers in place regarding any future government use of the "notwithstanding" clause in their province.

However, there has also been increased discussion about it being used pre-emptively at the federal level by some members in the other place.

This is not a debate on the merits of the "notwithstanding" clause itself or its use. It is part of the Charter and the Constitution of this country, and — love it or hate it — it is a key element to the agreement that brought the Constitution home in 1982.

This debate is about the pre-emptive use of the clause at the federal level and how we, as senators, should approach this issue within our role in the legislative process. It should go without saying that our chamber is the master of its own proceedings. We decide the way we debate, and we decide based on our deliberations. Therefore, I do not think it should be considered beyond our scope to consider this bill, and I do not think it infringes on our freedom to deliberate. As we will be deciding on how to do this, it isn't imposed on us. It's a private bill. If we pass this, it is, in fact, our voice saying this.

Why should the Senate consider such actions? It is our mandate to represent minority voices in this country. The "notwithstanding" clause, by its very nature, is a veto against portions of the Charter; it is an act against sections of the Charter that we are here to protect. Furthermore, by invoking the clause pre-emptively, there is no determination of constitutionality by the courts. Therefore, it would be within reason to take that as an action that is inherently "anti-Charter."

The "notwithstanding" clause has been in effect for 43 years. I don't think anyone in this chamber would agree 100% with every instance of its provincial use. The arguments for and against the "notwithstanding" clause tend to relate to our perspective on the individual cases and can shift back and forth. For this debate, we are focused narrowly on its pre-emptive use and our legislative roles as protectors of minorities.

We should be clear: The "notwithstanding" clause is used to deny Charter rights. Some say it can't deny Charter rights since it is, itself, part of the Charter, but it is clear even in the wording of that provision in subsection 33(1):

> . . . notwithstanding a provision included in section 2 or sections 7 to 15 of this Charter.

That is its use: to allow a law to operate outside the Charter.

The pre-emptive use of the "notwithstanding" clause, in effect, creates a paradox. It declares a legislative action exempt from Charter provisions, but when it is used pre-emptively, there is no declaration that the act is one that would fall under its use. The court has not ruled on the issue. It prematurely overrides the right.

• (1610)

If we proceed on questions of Charter rights without courts providing rulings, we risk watering down rights in the long run, creating precedents to deny rights without courts having the chance to say whether those rights even exist. If we keep seeing the proliferation of pre-emptive use of the "notwithstanding" clause, bypassing the courts and the determination of our rights, we risk a system where our rights are not protected by the Charter but based instead on the whims and short-term thinking of the politics of the moment. Rights are supposed to be above that; otherwise, they are meaningless.

We should also acknowledge in the debate that we have a matter involving the "notwithstanding" clause before the Supreme Court and with an intervention from the federal government asking the court to provide clarification around use of the clause. This may very well be relevant, and we should certainly pay attention.

President of the Canadian Bar Association Lynne Vicars has voiced support for the principle of this bill, saying:

> Requiring greater transparency and deliberation before invoking the notwithstanding clause would help protect fundamental rights, reinforce public confidence in our legal institutions, and curtail uses of section 33 that may have the effect of overriding Charter protections to the detriment of the Canadian public and in particular, to the detriment of marginalized or oppressed individuals and communities . . . .

When a government invokes the "notwithstanding" clause in advance of a law's consideration by the courts, it hamstrings the judiciary, de facto preventing it from fully examining the law and potentially declaring all or parts of it unconstitutional.

Pre-emptive use of the clause gives the government the first and last word on rights. In the process, a fundamental element of our constitutional democracy — court oversight in the interest of protecting minority rights — is neutered.

Errol Mendes, a University of Ottawa law professor specializing in constitutional law, has noted that as pre-emptive use of the "notwithstanding" clause becomes common, it may be that people become less likely to promote and advocate the rights. We could call this a "quiet quitting" of our Charter rights, a slow disintegration of our rights not by oppression but by gradually ceasing to defending them.

The "notwithstanding" clause was envisioned to be used in very rare circumstances and as a last resort, but using it pre-emptively is not a last resort; it is a first resort. Pre-emptive use was not part of the original vision. The "notwithstanding" clause was not created to avoid scrutiny and checks and balances but to provide a path whereby legislatures could assert legislative authority in a limited way.

Peter Lougheed, the father of the "notwithstanding" clause and key in having it included in the Charter, while obviously a strong supporter of the clause, was against its pre-emptive use, in 1991 saying:

> The approach used by the Saskatchewan Government in 1986 in the Saskatchewan labour relations act, preempting judicial review in advance, be disallowed. In my mind, such an action is undemocratic in that the purpose of section 33 was ultimately supremacy of Parliament over the judiciary not domination over or exclusion of the judiciary's role in interpreting the relevant sections of the Charter of Rights.

Errol Mendes said the following:

> The recent use of the notwithstanding clause in the Alberta teachers' strike has been a flashpoint in the region, with the CBA of Alberta compelled to speak out on the use of the clause and, in particular, when used pre-emptively, saying:
>
> "The government has invoked the notwithstanding clause before the Court has had an opportunity to examine the law and determine whether it constitutes a reasonable limit. By doing so, they are seeking to remove the judicial branch from the democratic law-making process. . . ."

I fully agree with this point. When the "notwithstanding" clause is used pre-emptively, we are removing a part of our process — a big part of our system. We are not adding to the debate or to democracy by doing this. It is the opposite. Voices are not heard; they are silenced. By pre-emptively using the clause, they are not uplifting democracy, as some say, but denying fulfilment of our democratic system, which includes the courts. The point is that the same outcome is achieved whether you use it pre-emptively or not. They can use it to override Charter rights, but one way is a lot less transparent.

The Canadian Civil Liberties Association's Anaïs Bussières McNicoll said that ". . . lawmakers should not use the notwithstanding clause until after receiving a final decision from a court on the constitutionality of a law."

To conclude, in essence, when such a bill reaches our chamber, it will already have gone through a rigorous process. This in no way indicates that our sober second thought is not required —

[*Translation*]

The Hon. the Speaker: I'm sorry, Senator Ringuette, but your time has expired. Are you asking for five more minutes?

Senator Ringuette: Yes.

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

Hon. Senators: Agreed.

[*English*]

Senator Ringuette: Thank you, colleagues. I will go back a few paragraphs.

Honourable senators, Bill S-218 provides a framework surrounding the federal pre-emptive use of the "notwithstanding" clause. It gives senators some comfort regarding the protection of Canadians' Charter rights by elaborating steps for the government before tabling a pre-emptive bill and steps for debates in the House of Commons and the Senate.

In essence, when such a bill reaches our chamber, it will already have gone through a rigorous process. This in no way indicates that our sober second thought is not required, but, colleagues, we will start debates and study after full transparency from the government in dealing with our Charter rights.

I believe this bill has much merit. I believe that Canadians deserve a Senate that doesn't sit back and let our rights be dismissed without proper debate and judicial oversight. I support this bill going forward to committee. Thank you, colleagues.

Hon. Denise Batters: Will Senator Ringuette take a question?

Senator Ringuette: Yes.

Senator Batters: Senator Ringuette, in your speech today, you said — though I may not have written it down exactly correctly — that our chamber is the master of its domain; we decide what we're going to debate and how. But if we in the Senate passed this bill from Senator Harder and it became law, limiting the use of the Charter section 33, we would actually be taking away significant parts of our powers in the Senate, and that's because we would not be the master of our domain. We would also not be able to ". . . decide what we're going to debate and how." That is because Senator Harder's bill takes away those powers from the Senate, as this Bill S-218 requires that any such federal bill must be initiated in the House of Commons — not in the Senate — and must be introduced by a minister.

• (1620)

Doesn't this bill actually impede how we work in the Senate?

Senator Ringuette: Thank you, Senator Batters, for the question.

The fact that this bill requires the "notwithstanding" clause to be used only by the House of Commons is because in the bill, it asks the government to refer the question to the judiciary. The Senate does not have the power to refer a question to the Supreme Court of Canada. You should know that.

You ask how it curtails our debate. I don't see that it curtails our debate at all. The only issue in the bill in regard to the Senate is that the bill should not be entertained in the Committee of the Whole in this house and in the other house. The only purpose for that is to increase the debate, not to curtail it. So I don't agree with you, Senator Batters.

Senator Batters: Actually, it is not in this particular bill that it talks about the House of Commons or the government — or whatever you were talking about — referring it to a court. That would have already happened by the time this bill comes into effect. This bill talks about the fact that "an infringing bill may only be introduced if . . . the Supreme Court has found, pursuant to a reference . . . ." That will have already taken place long before this. This says, "An infringing bill must (a) originate in the House of Commons; and (b) be introduced by a minister."

With respect to the Committee of the Whole, that is another limitation that this bill puts on, but that's not the only one that we have.

Given that now I have, I think, made it a bit clearer as to how the courts would factor in — it would have taken place much before an infringing bill has been drafted and introduced in Parliament — does that change your mind on the issue?

Senator Ringuette: If I can answer that.

The Hon. the Speaker: Senator Ringuette, you'll have to ask your colleagues if it is permitted.

Will you grant leave for Senator Ringuette to answer this question?

Hon. Senators: Agreed.

Senator Ringuette: Senator Batters, thank you for the question.

The issue of Committee of the Whole is definitely to enhance debate and not curtail it through a shorter process.

The question is very bizarre, because it could happen, but we in the Senate of Canada — and I've been here for almost 23 years — have vowed to be the protectors of rights with regard to the Charter and for minorities. You are implying that this very institution that has taken on the mandate of protecting Charter rights, minority rights, that we would be the ones to introduce a bill to remove those rights. I hope I will not be in this chamber if that ever happens, because I would not stand for that for one minute.

Thank you so much.

(On motion of Senator Martin, debate adjourned.)

[*Translation*]

CAN'T BUY SILENCE BILL

SECOND READING—DEBATE ADJOURNED

Hon. Marilou McPhedran moved second reading of Bill S-232, An Act respecting non-disclosure agreements.

She said: Honourable senators, as a senator from Manitoba, I acknowledge that I live on Treaty 1 territory, the traditional lands of the Anishinaabe, Cree, Oji-Cree, Dakota and Dene peoples, and the homeland of the Red River Métis Nation. I also acknowledge that the Parliament of Canada is situated on unceded territory of the Anishinaabe Algonquin Nation.

[*English*]

Colleagues, as noted by Senator Ross, today is the first of the UN 16 Days of Activism against Gender-Based Violence. It seems fitting that on this day I am reintroducing the "Can't Buy Silence Act," or Bill S-232, An Act respecting non-disclosure agreements, because women are disproportionately affected by non-disclosure agreements, or NDAs, that cover up wrongdoing.

The purpose of this bill is to redress workplace abuse in federally funded entities. This bill aims to prohibit the misuse of non-disclosure agreements as civil settlements involving harassment, discrimination and violence in federally funded workplaces and federally funded entities.

The term "misuse" is key here, as NDAs have evolved from their original intent to become a malevolent tool to silence and oppress the more vulnerable. For example, we here in this chamber, as well as many other venerable institutions, use NDAs to ensure confidentiality. The point of this legislation is, rather, to quell any intentional misuse of NDAs to cover up wrongdoing by those in positions of power.

My bill is not the first reference to the misuse of NDAs in this place. Four years ago, the Senate Standing Committee on Internal Economy, Budgets and Administration issued a report entitled *Addressing Violence and Harassment in Canada's Senate*, which recommended prohibiting NDAs in harassment and violence cases.

The report warned that NDAs allow harassment and violence to remain ". . . shrouded in secrecy" and noted that women, who statistically face more harassment, are disproportionately affected.

Yesterday, *The Hill Times* published an opinion piece I co-authored with Dr. Julie Macfarlane, co-founder of the civil society organization Can't Buy My Silence, who has worked tirelessly to raise awareness in Canada and internationally on the impact of abuse hidden by non-disclosure agreements.

Regardless of your position today on this bill, I know that senators believe in evidence-based decision making. So please join us tomorrow at 10 a.m. in the senators' lounge for "Breaking the Silence: Conversations on NDA Legislation," co-hosted with Senator Kim Pate, featuring experts and individuals who will speak personally about the damage done to them as a result of the imposition of an NDA to cover up wrongdoing.

• (1630)

Allow me to offer a bit more information on non-disclosure agreements, or NDAs. Non-disclosure agreements are also known as gag agreements, non-disparagement agreements and confidentiality agreements. They are terms in contractual agreements that lawyers started using over 40 years ago to protect commercial information and intellectual property by imposing non-disclosure contractual obligations which, if divulged, could result in being sued for breach of contract.

However, NDAs are now often used to silence victims of sexual misconduct, discrimination, racism, harassment and other human rights violations. The misuse of NDAs causes profound psychological harm by imposing silence on vulnerable people, protecting predators from accountability, undermining organizational integrity and compromising the principles of justice and fairness.

They disproportionately affect the most vulnerable and marginalized members of society: Indigenous, racialized, gender-diverse, female and 2SLGBTQI+ people are most disproportionately affected by NDAs. Moreover, individuals impacted by gender-based violence are often the most vulnerable to the traumatic impact of NDAs.

The purpose of NDAs — to shield perpetrators and protect the reputation of the more powerful party — is misuse. When a victim signs an NDA, they secure their own privacy and sometimes monetary compensation at the cost of agreeing to protect the privacy of their alleged abusers. This enables perpetrators to move up internally or to move to other organizations without accountability and no record of their wrongdoing.

One of the survivors who came out publicly about his experience inside a federal agency said to me that for him, the hardest part of the result of signing an NDA was having to stay in his job and watch his offending supervisor be promoted with a pathway to continuing their discriminatory behaviour, all funded by public money.

Bill S-232 — the can't buy silence act — is straightforward. To put it simply, follow the money and cut off federal funding for the misuse of NDAs, and stop the legal system from being weaponized against complainants with the overhanging threat of being sued if they tell their truth and call for accountability.

Enactment of this bill would raise parliamentary standards of transparency and accountability by requiring the President of the Treasury Board to add to their already required reports a section on the use of non-disclosure agreements related to cases of alleged harassment in federally funded entities. It also requires Parliament to undertake a review of the act every two years after it enters into force.

Allow me to say here that I have spoken to the President of the Treasury Board, the Honourable Shafqat Ali, who invited me to have a more fulsome discussion about this bill with him soon.

The can't buy silence act would also amend the Financial Administration Act and the Parliament of Canada Act in respect of the use of public money to enter into non-disclosure agreements for complaints of harassment or discrimination and to litigate non-disclosure agreements to punish or silence complainants who speak out after signing an NDA.

It amends the Financial Administration Act to require federal officials empowered to make grants and contributions to take measures to ensure that public money is not used to pay for settlements in relation to harassment and violence or discrimination if the settlement is to include a non-disclosure agreement or to litigate non-disclosure agreements against complainants.

Finally, it amends the Financial Administration Act to require non-government entities receiving a grant or contribution of federal funds to report to the President of the Treasury Board on their use of non-disclosure agreements so that these reports can be included in the Treasury Board's report to Parliament.

To change the permissive culture that has allowed NDAs to be used to cover up misconduct instead of protecting trade secrets, this bill will also introduce new and higher standards for transparency and accountability in reporting to Canadians on the use of public funds.

In clause 3, the bill requires that all entities whose financial information is included in the public accounts prepared under the Financial Administration Act must provide the number of NDAs made in cases of harassment and violence or discrimination that met the above conditions as well as the amount spent on those NDAs in that fiscal year.

Clause 4 ensures that there will be a public review of the effectiveness of this bill every two years by a committee of the House of Commons and the Senate, specially constituted for this purpose.

Clause 5 ensures that entities not included in the public accounts — entities such as the CBC and the National Research Council, to name a few — but which have received a federal donation or contribution must provide the same information and do so without disclosing complainant identity on an annual basis to the President of the Treasury Board.

Sports associations in this country receive large grants of federal money. The Hockey Canada sexual assault scandal is a recent example that should be borne in mind.

Clause 6 is meant to prevent the federal government from making NDAs with federal employees using public funds, where the federal employee has complained of harassment and violence or discrimination in the workplace.

Let me now speak briefly about prevalence. By their very nature of enforced secrecy, precise numbers are currently impossible to determine, but should the can't buy silence act become law, there would be a way to get more accurate data. U.S. and Canadian studies have found that approximately one third or more of employees have signed an NDA. Can't Buy My Silence data show that 45% of Canadian respondents say they have signed an NDA, and another 13% "can't say for legal reasons," which infers they have signed an NDA but are aware that it would be a technical breach for them to say so.

Can't Buy My Silence notes that more than 16,000 NDAs were signed in Ontario each year for sexual harassment alone. Many agreements also include non-disparagement clauses, which go even further than NDAs because victims are barred from making any negative remarks about the abuser or employer.

Some question how signing a contract could negatively impact a complainant in a discrimination or harassment case. What's the big deal? Research shows that NDAs can lead to very serious mental health impacts. They typically block victims from speaking to family, friends, colleagues and even therapists about what happened, and they add to the layers of trauma the person has suffered. Can't Buy My Silence research indicates that 93% of respondents signing NDAs report negative mental health consequences.

The truth is that NDAs are not equal in reach or impact. Studies show how NDAs disproportionately affect women, racialized groups, Indigenous people and people both younger and older than the mean. Women are most likely to be disproportionately affected because of their prevalence in sexual harassment and in pregnancy discrimination cases.

A 2024 study from Dr. Mark Gough at Penn State University finds evidence of the disproportionate impact of NDAs on racialized and Indigenous workers. Analyzed by age group, research shows that NDAs are signed most frequently either at the beginning of their careers or later, regardless of gender.

• (1640)

Let me now address whether this bill is just an isolated concern of mine by informing you of initiatives in other jurisdictions. As many as 29 U.S. states have enacted NDA legislation — not all the same. The states of Arizona, Louisiana, Missouri, Tennessee and Wisconsin have passed legislation which is quite comparable to what is presented in Bill S-232. At the federal level, in 2022 the U.S. Congress passed the Speak Out Act, which prohibits the judicial enforceability of a non-disclosure clause or a non-disparagement clause agreed to before a dispute arises involving sexual assault or sexual harassment in violation of federal, tribal or state law. Non-disparagement provisions typically restrict what an employee can or cannot say about the employer following a separation of employment.

The Government of the United Kingdom is set to amend the Employment Rights Bill in clause 22. This significant governmental shift is due largely to the years-long public campaign led by Zelda Perkins, co-founder of Can't Buy My Silence, who was the first to break her NDA used to hide the wrongdoing of Harvey Weinstein and his companies. For those of you who have seen the recent movie *She Said*, Zelda is featured in that film.

As quoted in the *Guardian* after the U.K. government's announcement, Zelda said:

> . . . for years we've heard empty promises from governments whilst victims have continued to be silenced.
>
> To see this government accept the need for nationwide legal change shows that they have listened and understood the abuse of power taking place.
>
> Above all though, this victory belongs to the people who broke their NDAs, who risked everything to speak the truth when they were told they couldn't. Without their courage, none of this would be happening.

Also, under way for passage is Ireland's Maternity Protection, Employment Equality and Preservation of Certain Records Act, passed in 2024; and Victoria, Australia's recently introduced Restricting Non-disclosure Agreements (Sexual Harassment at Work) Bill 2025 which passed legislative council a few days ago on November 20.

Here in Canada, the provincial legislature of Prince Edward Island enacted the Non-disclosure Agreements Act in 2022, the first such legislation in Canada restricting the use of NDAs in cases of harassment and discrimination. My home province of Manitoba, and Nova Scotia, introduced similar legislation in 2022. Saskatchewan introduced it in 2023, although none have yet become law.

Ontario passed Bill 26, Strengthening Post-secondary Institutions and Students Act, 2022, restricting the use of NDAs in certain situations in a post-secondary context.

In 2023 members of the Canadian Bar Association adopted resolutions concerning the misuse of non-disclosure agreements, pressing the federal government to uphold an international commitment and enhancing data collection on judges and judicial candidates to allow for an intersectional analysis of the judiciary.

Honourable senators, we in this chamber have always striven to stand up for what is right. We need to use our legislature to denounce the oppression of the most vulnerable through the use of NDAs to hide wrongdoing done to them.

Legitimate NDAs underpin the operation of our Parliament. They are not the focus of this bill, just as they are not the focus of laws enacted in other jurisdictions. Bill S-232 is the opportunity for Canada to simply and efficiently address the misuse of NDAs to cover up wrongdoing in federally funded entities. Surely we can agree that the Canadian government should not be in the business of intensifying wrongdoing and harm caused by the misuse of NDAs.

Please, join with the broad public campaign to work together to stop protecting organizations and individuals in the federal realm who misuse their dominion to harm others.

Thank you, *meegwetch*.

Hon. Bernadette Clement: Would Senator McPhedran take a question?

Senator McPhedran: Yes.

Senator Clement: Thank you. I have some experience with NDAs in my decades of legal practice. We call them, as you said earlier, confidentiality agreements.

Could you say more about what evidence you have that this is still a widespread issue in federal workplaces? There is growing awareness, as you indicated, that there are deep impacts caused by these agreements, but if you could say more about the evidence and some of the data that you quoted, that would be helpful. Thank you.

Senator McPhedran: Thank you, Senator Clement, for the question. The practicality is that it is impossible to fully research the use of NDAs to cover up wrongdoing, either in the federal government or any other entity. What we know, though, through the cross-Canada surveying done by the civil society organization Can't Buy My Silence is that respondents to the surveys, at a very high percentage — and we're talking about recent years; we're not talking about many years ago — have indicated, as I mentioned in the speech, over 50%, that they have experienced not only the requirement of the NDAs but also the harm that they have then experienced after that.

I can't do a better job than the folks tomorrow morning will do at 10:00 a.m. in the senators' lounge, because we have people coming who have broken their NDAs and who are willing to speak out and say much more about what it has done to their lives.

(On motion of Senator Martin, debate adjourned.)

NATIONAL FRAMEWORK ON FETAL ALCOHOL SPECTRUM DISORDER BILL

SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Ravalia, seconded by the Honourable Senator Ringuette, for the second reading of Bill S-234, An Act respecting a national framework for fetal alcohol spectrum disorder.

Hon. Pamela Wallin: Honourable senators, I rise today to speak in support of Bill S-234, An Act respecting a national framework for fetal alcohol spectrum disorder.

This bill is very necessary, as we are facing nothing short of a multi-generational epidemic. So I am grateful to Senator Ravalia for bringing this forward with his usual passion, expertise and compassion.

Fetal alcohol spectrum disorder, or FASD, affects people who were exposed to alcohol when they were developing in the womb. In some cases, babies are even born with every organ saturated with alcohol.

Needless to say, it compromises physical development — height, weight, facial features and other organs such as bones, kidneys or heart — at best, leading to a lifetime of pain and pain management.

FASD, of course, fundamentally affects the brain, and that means impaired balance, motor skills, communication, comprehension, speech, thinking and learning — all skills and abilities that are key to a normal quality of life.

FASD is also the most common non-genetic cause of learning disability. It is often coupled with ADHD, learning disorders, depression, anxiety, even autism, which, in turn, leads to various forms of substance abuse in many cases.

However, we are still learning, and that is why this bill is so important.

FASD developmental issues are usually irreversible. You simply cannot undo the damage that alcohol can do to a baby's body and brain as they are developing, so there is really no safe amount of alcohol that can be consumed during pregnancy.

• (1650)

But here is the challenge: FASD symptoms are not the same for everyone. It's a complex condition. This means that it is not always easy to diagnose or recognize the disorder. It is this complexity that challenges not only the individual but the family and the medical professionals as well.

Some parents might never realize their child has this disorder. Some prospective mothers may not be aware they themselves have it. Many women drink through the early weeks of their pregnancy, not aware that they have conceived, or they might be struggling with alcohol addiction or facing pressure from those around them to keep their bad habits going. There are even those who resist, claiming it's their right to drink, do drugs or smoke — in other words, to subject their unborn child to this form of abuse.

No matter the situation, there is no benefit in blaming birth mothers for this, especially if they are struggling with addiction. It's not going to help those inheriting the outcomes.

The truly sad impact of FASD is that many suffering from this disease often end up in prisons, in the child welfare system or on the streets. Some may simply never be able to work productively or support themselves.

This disability affects us all, robbing kids in classrooms of time and attention because teachers are distracted trying to cope, or leading to lack of care because hospital hallways and beds are overwhelmed. Of course, it can also mean more crime on the streets.

Regardless of who you are, where you live or where you come from, this disorder touches our lives. It's estimated about 4% of the general population, or more than 1.5 million Canadians, have FASD; that's more than 45,000 people alone in my home province. These numbers mean FASD is the leading developmental disability in the country, and, therefore, it's fair to say this is an epidemic.

Awareness and education are a start. We also need to ensure that we can diagnose early and offer mitigating support measures. This bill will help to further advance those efforts.

Organizations such as the FASD Network of Saskatchewan help those living with FASD. Some phenomenal work was done by the former Saskatchewan social services minister June Draude. She is a friend; I watched her do it.

She introduced the Fetal Alcohol Syndrome Awareness Day Act in 2002 and led the province to invest in a strategy to raise awareness and create supports.

June reminds us when you have a sip, glass or even bottle of wine, your baby has that sip, glass or bottle of wine too, literally within minutes.

In rural areas and on reserves in First Nations, some communities have such high rates that it's becoming a vicious cycle. I know because I live in one such community. The disease is passed down from generation to generation. Mothers struggle with addiction, having children who are never diagnosed. Then they have their own children while struggling with symptoms or their own addictions. We don't yet know the full extent of this so-called multiplier effect, but we can clearly see and witness the devastation in smaller communities.

Despite the work of organizations and community leaders like June, there's always more to be done. That's where Senator Ravalia's bill comes into play.

Bill S-234 was developed collaboratively with the Canada Fetal Alcohol Spectrum Disorder Research Network to ensure a variety of professionals were consulted across the country.

Senator Ravalia tells us that he has three objectives: first, to establish a national framework for FASD; second, to ensure consistent access to diagnosis, prevention and support services across all provinces and territories; third, to recognize FASD as a national public health and social policy priority.

The bill does not infringe on provincial jurisdiction or dictate service delivery modes. What it does do is create the structure, leadership and coordination necessary to support provinces, territories and Indigenous governments in a coherent, evidence-based and compassionate manner.

As Senator Ravalia said, the bill also encourages mandatory training for health care providers, educators and frontline service workers so prevention is not just a slogan but actually part of everyday practice.

The bill calls for the establishment of FASD diagnostic clinics across Canada, with a particular focus on underserved areas, including rural, remote and northern communities as well as First Nations. It wisely proposes that interdisciplinary diagnostic teams that include physicians, psychologists, occupational therapists, speech-language pathologists and social workers are set up.

This was an important point Senator Ravalia made: Diagnosis is the gateway to intervention and prevention in the next generations; without it, families are left to navigate a complex system, often being blamed for their child's behaviour rather than being supported in managing it.

Further, this does not end at childhood. This is a lifelong condition, yet few programs are designed to support adolescents through adulthood.

I think the bill is so important because it tries to make governments act smarter in their approach to FASD. It actually mandates collaboration across government departments.

I wholeheartedly support the efforts of Senator Ravalia. I hope that together we can move forward quickly and, in doing so, make a difference in the lives of many.

Thank you, Senator Ravalia.

Hon. Pat Duncan: Would Senator Wallin take a question?

Senator Wallin: Yes, please.

Senator Duncan: Senator Wallin, as you know, I am also supportive of this bill. You mentioned Saskatchewan had an FASD awareness campaign; I'm wondering if that included a specific day. The Yukon initiative was to declare the ninth day of the ninth month Fetal Alcohol Spectrum Disorder Awareness Day. I'm wondering if Saskatchewan chose the same day.

Senator Wallin: I don't know for certain, but that is not my recollection.

My recollection is it was event driven, with education and awareness events in different communities at different times. I also think, depending on the need, June Droude, whom I referenced, was the minister but carried on her activities even after she left government. I think that's how it was constructed but am not 100% certain.

Senator Duncan: Thank you. Perhaps we could include a specific day or an awareness initiative as part of the discussions on this particular bill.

Thank you.

Senator Wallin: That's a good idea.

Hon. Salma Ataullahjan: Honourable senators, I rise today as the friendly critic of Bill S-234, An Act respecting a national framework for fetal alcohol spectrum disorder, or FASD.

I want to begin by thanking my dear friend and colleague Senator Ravalia for his continued leadership on this file. Through his compassionate and sustained advocacy, Senator Ravalia has once again brought our attention to a condition that affects more Canadians than most realize.

During the last Parliament, many senators from all groups and caucuses intervened with insight and conviction on this issue. I thank all of them. I thank Senator Ravalia for ensuring this important work continues.

Colleagues who have spoken on this bill have clearly defined FASD and outlined its effects. As a lifelong neurodevelopmental disability resulting from prenatal exposure to alcohol, it affects brain development, learning, memory, judgment, sensory processing, emotional regulation, executive functioning and physical health. It is often described as a hidden disability, not because its impacts are small, but because they are frequently misunderstood or misdiagnosed.

It is also more prevalent than many people assume. The best available research, including estimates referenced in the previous iteration of this bill, suggest that at least 4% of Canadians may be living with FASD.

However, despite this prevalence, support for individuals and families still depends far too heavily on geography. Some regions have specialized diagnostic clinics while others do not. Many communities lack any dedicated services at all.

Families living with FASD consistently describe the difficulty of navigating disconnected systems and the uncertainty of not knowing whether appropriate supports will be available when needed. This is not merely a service gap. It is a human rights gap. Thus, Bill S-234 is not just a policy proposal but a test of whether we mean what we say when we speak of human rights in this country.

• (1700)

We have signed international conventions pledging that every person with a disability has the right to an early intervention, accessible supports and full participation in society. But rights are meaningless without structure, and for FASD, Canada has never built that structure. Families have carried the weight instead, and, more often than not, they are alone, under-resourced and unheard.

This bill changes that. It demands a national framework that outlines real standards, accountability and coordination. It requires the federal government to start treating FASD as a national responsibility. It calls for the development of national guidelines and best practices related to diagnosis, intervention, awareness and training for professionals who regularly interact with individuals with this disability. The intent is not to impose uniform programs across jurisdictions but to create a coherent structure that supports better coordination and shared information.

This bill also calls for meaningful collaboration with Indigenous communities. These communities have asked for years for culturally grounded supports and recognition of FASD as part of the wider legacy of colonial harm. Passing this bill is one concrete way to honour those calls instead of just rehearsing them.

We know that the absence of coordinated care has created avoidable hardship: children who miss early diagnosis, youth who fall through the cracks at school, adults who encounter the justice system because we failed to support them. This is preventable harm, and preventing harm is the minimum standard of any rights-respecting nation.

This legislation is not symbolic. It is practical, overdue and morally necessary. It gives us tools to deliver on commitments we have already made. It gives us tools to make good on the simple but powerful promise that disability should never determine whom someone could be and how they could contribute to society.

Colleagues, Bill S-234 is an opportunity to stop managing FASD in fragments and to start responding with coherence. It offers a practical and collaborative approach to improving how Canada understands and responds to FASD. It sets out a process for gathering better information, strengthening coordination and identifying ways to make supports more consistent for individuals and families across the country.

I encourage you, my honourable colleagues, to support Bill S-234 at second reading so that it may receive the detailed study it deserves. Thank you.

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

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

(On motion of Senator Ravalia, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.)

COMPETITION ACT

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Hon. Marty Klyne moved second reading of Bill S-239, An Act to amend the Competition Act.

He said: Honourable senators, I was to promise that I would use my 45 minutes or less, but I promised Senator Manning 29 minutes.

I rise as sponsor of the Canadian prosperity act, Bill S-239. This is new legislation to improve internal trade in Canada through amendments to the Competition Act. The bill's purpose is to help achieve lower prices, more choices for goods and services, stronger job growth and greater productivity and prosperity for Canadians. This is pro-consumer, pro-business legislation that can help spur investment and innovation across the country.

Specifically, the bill will empower a specialized and independent agency, the Competition Bureau, to make recommendations to reduce barriers to internal trade, such as unnecessarily anti-competitive regulations. This change will strengthen the bureau's current mandate under section 10.1 of the Competition Act to conduct inquiries into the state of competition in a market or industry in the public interest.

As well, the bill will require the federal government to respond to the bureau's recommendations as regards reducing federal barriers to internal trade within 120 days. It will also encourage — though not require — provincial, territorial and municipal governments to do so as regards reducing barriers to internal trade in their respective jurisdictions. This approach respects federalism while helping build a more competitive and cohesive Canadian economy. These last two measures answer a request the bureau made in 2023.

I'll speak today on five subjects: first, the inspiration and context for this bill; second, voices of support for this bill; third, a little about competition law in Canada; fourth, the bill's details; and finally, two examples of how this bill can help improve internal trade.

First, the inspiration: During the pandemic, I was honoured to contribute to the work of the Senate Prosperity Action Group. This was a working group of 12 senators from across the chamber, led by Senator Harder. Our aim was to develop public policy ideas towards Canadians' future prosperity. Over 70 distinguished leaders and experts were interviewed and informed our study.

Two key recommendations in the Senate Prosperity Action Group's 2021 report were to remove barriers to trade between provinces and territories and to reduce Canada's often excessive and duplicative regulatory burden.

On internal trade, our report cited a 2019 working paper of the International Monetary Fund estimating that eliminating internal trade barriers in Canada could raise our GDP by 3.8%. A 2022 MacDonald-Laurier Institute paper by Trevor Tombe and Ryan Manucha found that the long-term gain to GDP could be up to 7.9%, meaning up to $200 billion per year or the equivalent of $5,100 per person. To put things into perspective, that's enough money to wipe out the federal deficit several times over.

On the Prosperity Action Group's second recommendation, reducing excessive regulations, our report noted that Canada's regulatory burden is one of the major reasons for Canada's poor ranking in the World Bank's *Doing Business 2020* report. As regards ease of doing business, Canada ranked twenty-third out of 190 countries. The Competition Commissioner, Matthew Boswell, has noted that Australia achieved 2.5% GDP growth over a decade by applying a competition lens to regulated sectors across the economy.

In the Prosperity Action Group's work, Senator Harder inspired us to consider not only what Canada's prosperity goals should be but, just as importantly, how to get there. As I will explain, this bill is about the how. You will ultimately understand the why by the time I'm done.

I turn to our here-and-now context. With Canada's economy under threat of a wild-card tariff regime, internal trade and competition have renewed significance. The good news is that in March Canada's first ministers jointly took the lead. Their statement said:

> The Prime Minister and the premiers agreed to continue working together as they implement the shared plan to strengthen internal trade in Canada. Team Canada stands firm, united, resolute, and ready to face this challenge, and any others that come our way.

Our first ministers have since made great progress to improve internal trade. In June, Parliament passed the Free Trade and Labour Mobility in Canada Act as part of a government bill: Bill C-5. In July, Ontario signed the last of its memorandums of understanding with all provinces and territories to remove internal trade barriers. Also in July, nine provinces and one territory signed on to an agreement that will allow direct-to-consumer interprovincial alcohol sales by the spring of next year. In September, the Ontario government said it will remove interprovincial barriers for workers in regulated professions, allowing them greater mobility when searching for work across the country. Just last week, all provinces, territories and the federal government signed an agreement to drop interprovincial trade barriers on many goods except food and alcohol, starting in December.

• (1710)

The federal government has also taken leadership to build a more competitive economy. The budget includes a plan to improve productivity, a new industrial strategy, measures to increase competition in the telecommunications and banking sectors and proposed restrictions on the use of non-compete agreements in federally regulated sectors.

In this context, and turning to this bill, the Canadian prosperity act will reinforce first ministers' cooperative efforts to improve internal trade. Bill S-239 will support a road map for those efforts through the Competition Bureau's independent and proven economic and legal expertise.

As well, the bureau's studies and advice can support efforts in any jurisdiction to reduce unnecessarily anti-competitive regulations, which also hinder internal commerce. To be clear, this isn't about questioning the public purpose of regulations — it's about regulating smarter and better, with more competition. Canadians across the country stand to benefit from increased competition, especially through lower prices.

Examples of regulated sectors in Canada include professional services, alcohol sales, government procurement, telecommunications and aviation. No doubt Canadian consumers can see room for improvement in these and other sectors.

Colleagues, this bill doesn't reinvent the wheel. As I said, the Competition Bureau already conducts industry inquiries and market studies and makes recommendations to enhance competition. Since 2015, the bureau has made 90 submissions to federal, provincial and other regulators and policy-makers on how to reduce barriers to competition. Since 2008, the bureau has released 10 reports following market studies, identifying competition issues and suggesting potential solutions. For example, the bureau completed a study on the airline industry in June, and another is now under way on financing small and medium enterprises.

Building on these activities, the changes in Bill S-239 will make the bureau's studies and advice more effective, helping our federation to achieve a single, stronger Canadian economy. Again, the changes would be a stronger mandate for the bureau to study and provide advice on internal trade and excessive and unnecessary regulations; a requirement for the federal government to respond to the bureau's recommendations; and encouragement for provincial, territorial and municipal governments to do the same.

These changes will make a difference. With sensible recommendations being implemented, more internal trade and competition will mean more money in Canadians' bank accounts. It will mean more opportunities for workers, investors and entrepreneurs. It will mean more tax revenue for health care, education, infrastructure, defence, paying down the deficit and other priorities. Down the road, it could even make more room for tax cuts.

In short, Bill S-239 can contribute to a more prosperous Canada by making better use of the Competition Bureau, using existing resources and with no additional cost to taxpayers. Perhaps at this time of economic urgency, we can move quickly for that reason alone.

I will turn to my second subject: the voices of support for this bill. Colleagues, I am mindful that to the ears of some, competition law is not rock 'n' roll. But when it gets rockin', we'll be rolling in it.

I am honoured that this bill is endorsed by Lawson Hunter. He served as Commissioner of the Competition Bureau from 1981 to 1985. Known as the "dean of the Canadian Competition Bar," Mr. Hunter played an instrumental role in drafting the Competition Act and is a recipient of the Order of Canada. In supporting this bill, Mr. Hunter tells us:

> As the global trading system becomes more protectionist, it will be critical that domestic competition remains or becomes vigorously competitive . . . . The Competition Bureau should play a larger, more visible role in ensuring that both governments and the private sector do not artificially restrict competition.

I am also honoured that this bill is endorsed by Sheridan Scott who served as the Commissioner of Competition from 2004 to 2009. Ms. Scott tells us:

> This bill will provide the Competition Bureau with important new tools for encouraging competition for the benefit of Canadian consumers and businesses . . . . Removing unnecessary impediments to a robust Canadian economy is essential at this critical time.

Ryan Manucha, who I referred to earlier, is an internal trade expert with the C.D. Howe Institute. He says:

> Explicitly tying competition policy with internal trade reform aligns Canada with international best practices seen in Australia and the EU. With deep expertise in tackling anti-competitive conduct and promoting market openness, the Competition Bureau is well positioned to play a key role.

Keldon Bester is the Executive Director of the Canadian Anti-Monopoly Project. He says:

> Stronger internal trade and stronger competition policy are critical tools in tackling the oligopolies that raise the cost of living and drag down the productivity of Canadians. Bringing these tools together will be key as Canada seeks to diversify our trading relationships.

Vass Bednar is the Managing Director of The Canadian SHIELD Institute. She is also the co-author of a 2024 book entitled *The Big Fix: How Companies Capture Markets and Harm Canadians*. She says:

> There is a substantial role that the federal and provincial governments can play to improve competition in Canada. Working more effectively across the federation in a whole-of-Canada approach — one that sees competition work as a vital element of industrial strategy — can help ensure that markets are free and fair more often, benefiting consumers. Committing to reducing internal trade barriers is just the beginning of this work.

Thank you again to Senator Harder for his support of this bill as well as his leadership of the Senate Prosperity Action Group — this bill's inspiration. I am grateful that Senator Harder has said the following of this bill:

> In our 2021 report, the Prosperity Action Group urged governments at all levels to work together to unlock the full potential of Canada's internal market . . . . The *Canadian Prosperity Act* answers that call by promoting cooperation and accountability across jurisdictions. Reducing interprovincial trade barriers will not only strengthen our economy — it will create opportunity and prosperity for Canadians in every region.

Thank you also to Jeff Brown, a retired competition lawyer, for his important contributions to this legislation, to his field and to Canadian prosperity.

To close this portion of my speech, the current Commissioner of Competition, Matthew Boswell, spoke positively about the goals of this bill at Canada's Competition Summit 2025 on October 1. He said:

> . . . **we need to break down internal trade barriers.**
>
> These are, at their core, barriers to competition.
>
> Canada's fragmented regulatory environment creates unnecessary obstacles for businesses and workers. We cannot build a dynamic economy if businesses are forced to navigate 13 different regulatory regimes in one country.
>
> Swift action to slash these barriers and harmonize regulations across Canada will unlock significant economic potential and create a more dynamic marketplace—one that encourages entry and growth across our internal borders. . . .

He continued:

> . . . **we need to foster a regulatory environment that promotes competition.**
>
> All levels of government in Canada—federal, provincial, territorial, and municipal—must work towards removing barriers that limit smaller players' ability to compete in our economy. Smart regulations should encourage innovation and entrepreneurship, not entrench dominant players.

I will turn to my third topic: a little about competition law, which may not be familiar to everyone.

• (1720)

In economic history, competition law is a pivotal chapter. Called "antitrust law" in the U.S. — or sometimes "anti-monopoly law" — competition law is a legal restraint on capitalism that protects consumers and free enterprise. Essentially, competition is a public good in our social contract, ensuring that the benefits of capitalism flow to society. These include lower prices, more choices and better products as well as business, investment and employment opportunities.

Competitive economies are innovative and prosperous. The best businesses raise the bar for others. That's why we protect competition in Canadian law. For example, competition laws prevent, deter and even punish dominant players, cartels and other actors from engaging in many unfair business practices. These include price-fixing and other forms of collusion, deceptive marketing and buying up competitors to form monopolies and raise prices.

Competition law also has soft levers, such as the Competition Bureau's independent advisory function, which this bill strengthens. This area of competition law falls within federal jurisdiction through the trade and commerce power in subsection 91(2) of the Constitution Act, 1867.

As to the origins of competition law, in the late 19th century, concentration of industrial ownership in the U.S. by the so-called robber barons was a major problem. John D. Rockefeller controlled oil. Andrew Carnegie controlled steel. Cornelius Vanderbilt controlled railroads and steamships. Jay Gould controlled the telegraph. The Gilded Age was characterized by political corruption, lobbying run amok, exploitation of workers, control of information and manipulation of stocks. With free markets and democracy in peril, something had to be done.

In 1889, amid fears of similar dynamics in Canada, Canada passed the world's first modern competition law, the Anti-Combines Act. Vass Bednar and Denise Hearn's book *The Big Fix* states that:

> Self-styled trustbuster Nathaniel Clarke Wallace, the Conservative chairman of a parliamentary committee that investigated monopolies, was the driving force behind Canada's 1889 Act. It targeted combinations of businesses that unfairly fixed prices or otherwise combined to act as cartels . . . .

> Passing the act was significant, although it was eventually watered down by the Senate.

Senators, after 136 years, redemption is within reach.

Taking on the robber barons, the U.S. followed Canada with the Sherman Anti-Trust Act of 1890. In recent years, concentrations of market power in the tech sector have ignited fresh interest in competition law.

In Canada, in 1985, former prime minister Brian Mulroney's government enacted our modern Competition Act. That act has received important updates in recent years. These include the addition of information-gathering powers for market studies through Bill C-56, a government bill, in 2023. The Senate passed that bill unanimously in less than a week.

Like the Senate, Prime Minister Carney is also enthusiastic about competition. In his book *Values*, he wrote:

> The cycle of new firms and ideas overtaking the old is at the heart of the market economy, but dynamism is not self-perpetuating. Countries must jealously guard and actively nurture the conditions that promote it. . . .
>
> The more decentralized an economy is, the more dynamic it can be, and, by definition, the more the leaders in economic sectors change as good new ideas come to market. In contrast, concentration leads to rent seeking and efforts to entrench existing advantages . . . .
>
> Eternal vigilance in the name of competition is essential. The future will be made by entrepreneurs we do not yet know.

Colleagues, as I complete this section on the history of competition law, your expressions convey that brevity is the soul of wit. I promised not to use my 45 minutes. I also promised 29 minutes to Senator Manning, and I am a man of my word.

Therefore, as I round minute 20, I'll move swiftly through the last two subjects.

Topic four regards the details of Bill S-239. This is an easy one, as the bill is a little over two pages. As I've said, the bill makes three minor — yet important — changes to the Competition Act. To read this bill is not going to be laborious; it's two pages.

First, the bill enhances the Competition Bureau's existing mandate under section 10.1 of that act to conduct inquiries into the state of competition in a market or industry in the public interest. Specifically, the bill would empower the Commissioner of Competition to make recommendations to federal, provincial, territorial or municipal institutions, stating:

> . . . any barrier to trade within Canada — including an Act, a regulation, a rule, an order or a by-law — that, in the Commissioner's opinion, unduly affects the state of competition in the market or industry that is the subject of the inquiry or any related market or industry in Canada.

As I said, we're not reinventing the wheel. The Competition Bureau can already do studies and make recommendations under section 10.1. However, this change will give the commissioner and the bureau a stronger mandate to focus on issues of internal trade and excessive regulation.

The bill's second change is to require the federal government to respond to the bureau's recommendations as regards reducing federal barriers to internal trade, including excessive regulations, within 120 days.

As senators know, requiring or requesting government responses is a sensible and very common accountability mechanism in legislation and parliamentary work. In terms of the 120 days for government responses, this bill takes that time frame from three recent federal statutes: the National Housing Strategy Act of 2019, the Canadian Net-Zero Emissions Accountability Act of 2021 and the Canadian Sustainable Jobs Act of 2024.

The bill also encourages or invites provincial, territorial and municipal governments to respond to the bureau's recommendations with regard to reducing barriers to internal trade in their respective jurisdictions.

Specifically, the bill provides that the head of a provincial, territorial or municipal institution may respond to any recommendation made to the institution within 120 days. It requires the commissioner to publish the response or, if no response is received, a notice to this effect, which will be posted on a publicly available website.

In the bill, the head of an institution is the relevant federal, provincial or territorial minister, the municipal chief officer or, in the case of Crown corporations, the CEO.

The bill's measures on recommendations answer a request the Competition Bureau made in 2023 in their submission to the government on the future of competition policy in Canada. The bureau noted that the lack of a requirement for implicated bodies to respond to bureau recommendations is a key gap in Canada's competition policy tool kit. The bureau said:

> While any Bureau recommendations flowing from market studies would be non-binding, the regime should require government entities subject to the Bureau's recommendations to provide a public response within a reasonable timeframe after the report is Published. Such a requirement could, if necessary, be limited to recommendations directed at federal government entities. . . .

It continued, saying:

> Wherever possible, regulators and other implicated government bodies should be required to respond to Bureau recommendations within a reasonable time period.

As I said, this bill's requirement for responses is limited to the federal government. However, it does include an encouragement or an invitation for provincial, territorial and municipal governments to respond as well.

On this point, I'm mindful and vigilant of the limits of the federal jurisdiction in terms of not trying to exercise control over non-federal institutions. All jurisdictions need to be respected, and this bill won't allow the Competition Bureau to impose any changes on anyone.

Instead, with this bill, we're looking for a positive exchange of ideas and a cooperative effort, leveraging the economic and legal expertise of the Competition Bureau as a shared Canadian resource with outstanding credibility and know-how.

At the same time, it's sensible to include language in the bill that reflects that all Canadian markets — and all Canadian regulations, including provincial ones — can play a role in building Canadian prosperity. If we try to achieve internal trade and competition without recognizing the huge potential of the provinces around achieving that, we won't get very far. Vibrant competition is a matter of national importance, but achieving it requires a coordinated effort.

Internal trade is a Team Canada effort, and we need the whole team pulling in the same direction. Fortunately, that's been the case. The Prime Minister and the premiers deserve the credit, and since the First Ministers agree on the "what," this bill contributes to the "how." They're quite complementary, and I trust you understand why and what's in it for us as Canadians.

• (1730)

On that note, to wrap up, let me give you two concrete examples of how this bill can improve internal trade and competition.

In June the Competition Bureau released its market study on competition in Canada's airline industry. The report recommended increasing opportunities for foreign investment to increase competition. My two cents is that that could be relevant to the quality, availability and pricing of passenger air service in Canada. In turn, inadequate air service can be a barrier to internal trade, in terms of tourism, labour mobility, business investments in underserved regions — you name it.

The government has made some comments on this subject. However, if Bill S-239 were law, the federal government would have had to formally respond to those recommendations that I just mentioned with regard to the airline industry within 120 days, while the subject still held the public attention, following the release of the report. As of today, 159 days have passed without a formal response, and there is no requirement to provide one.

Of course, the passage of time cools public and media interest in such reports. It also, perhaps, allows incumbent lobbying to occur that may be out of step with increasing competition and lowering prices. Requiring a timely response would therefore be better, and it might also prompt policy changes.

That's an example at the federal level. An example at the provincial level is that Canada has notorious interprovincial barriers to alcohol sales. I mentioned that our premiers are making progress. In July nine provinces and one territory signed on to an agreement that will allow direct-to-consumer alcohol sales by next spring.

But colleagues, what about retail? Where's the B.C. wine in the LCBO? In the *National Post* on October 6, John Ivison wrote:

> Even if [direct-to-consumer] does take off next year, it doesn't solve the bigger problem of accessing wines from other provinces in liquor stores.
>
> The U.S. has had interstate [direct-to-consumer] for years and it accounts for just eight per cent of sales.
>
> A real reduction of interprovincial trade barriers would see provincial liquor stores creating Canadian aisles, with the prominent display of wine from other provinces.

Mr. Ivison points out that Canada is one of the only countries in the world that doesn't allow wine distribution to different regions. It costs a B.C. winemaker less in duties to ship a bottle of Pinot Noir to South Korea or Italy than to Ontario, Quebec or Atlantic Canada. In fact, to get B.C. wine into Ontario's LCBO or Quebec's SAQ, a B.C. winemaker is obliged to pay markups of 71% and 130% respectively.

On November 10, a report from the Canadian Federation of Independent Business stated, "Broader, deeply entrenched barriers continue to stifle growth, innovation, and competition in Canada's domestic alcohol industry."

If, or when, Bill S-239 becomes law, and if the Competition Bureau makes recommendations to address such barriers to internal trade, provincial governments would be encouraged and invited to respond, perhaps with some public expectation of engagement, considering the potential benefits to consumers — their constituents.

In conclusion, the Canadian Prosperity Act is a bill that doesn't cost anything, with the potential to help lower prices for Canadians and boost our country's GDP. What are we waiting for? Let's support our first ministers' leadership and create our own prosperity.

For my part, with our federation — federal, provincial, territorial and Indigenous partners — pulling together to face current challenges, I've never been prouder to be Canadian. That's why I'm putting this bill forward as, hopefully, a small contribution to our country's economic effort. I ask you to please support it. Thank you, *hiy kitatamihin*.

(On motion of Senator Martin, debate adjourned.)

LIFE OF VERNON AND SHIRLEY PETTEN

INQUIRY—DEBATE CONCLUDED

Hon. Fabian Manning rose pursuant to notice of October 29, 2025:

> That he will call the attention of the Senate to the life of Vernon and Shirley Petten.

He said: Honourable senators,

> There are good ships and there are wood ships, the ships that sail the sea, but the best ships are friendships, and may they always be.

With this famous Irish proverb playing in my mind, I am honoured today to have the opportunity to pay tribute to two very close personal friends of mine Vernon and Shirley Petten of the historic and picturesque fishing community of Port de Grave in Newfoundland and Labrador. It is often said that we live in a world where you can be anything you want to be. Well, Vern and Shirley Petten chose faith, humility, kindness and friendship as their anchors in life, and I was so fortunate and privileged to have both of them come into mine.

I would like to welcome today to the Senate of Canada several members of Vern and Shirley Petten's family: their son, Ross, and his wife, Christina; daughter Ina and her husband, Rick; daughter Ivy and her husband, Wayne; daughter Leverna and her husband, Tony; grandson Jason and his wife, Carolyn; and, of course, Vern and Shirley's daughter, our colleague Senator Iris Petten.

I will begin this tribute with Vern, whom I first met when I was knocking on doors and canvassing for support in the 2006 federal election campaign.

It was a cool January morning when I arrived for a meeting with the Harbour Authority of Port de Grave, where Vern was serving as a volunteer board member and had been doing so for many years. While the cold northern wind sent a chill through my bones, I immediately felt the warmth and hospitality of this very kind and humble human being. On that day, I did not realize that I was in the presence of an ordinary man who had lived, and continued to live, an extraordinary life. Neither did I realize that morning that it was the beginning of a lifelong and lasting genuine friendship.

Born in Port de Grave on January 13, 1935, the son of Henry and Emmie Petten, Vern began fishing with his father at a very early age, and during his lifetime, fished every species native to local waters, from the almighty cod to the large bluefin tuna.

In the early days of fishing with his dad, the Newfoundland fishery consisted of mainly salt cod with very little return on one's investment of time and money. Vern told me that each day they worked very hard and managed to get by. It was hard to believe that could be done when they were only getting two cents a pound for their catch. To say they were a generation of resilience would be an understatement. Without a doubt, they were iron men in wooden ships.

When his dad started discussing the need for a larger boat, there was a concern about the cost of such an undertaking, and that is when Vern proposed that he and his dad build the new boat themselves. Vern was very young at the time, and his dad was a little hesitant, but agreed to give it a try, knowing full well that it was the only avenue available to them at that particular time. They cut their own logs, hauled them out of the woods and built a great sea boat that served the family for years. During the construction of that first boat, Vern got the boat-building bug, and during his lifetime, he built 11 longliners, repaired many more and eventually reached the status of master boat builder. His attention to detail and the pride he took in his workmanship of each vessel were evident to see on every launch day when the finished product slipped into the Atlantic Ocean.

• (1740)

While Vern was definitely a man of the sea, he never shied away from the fact that he was also a man of God. The church always played a very large part of Vern's life. He was a board member and treasurer of the Pentecostal Church in Port de Grave for more than 50 years. For many years, he served on the board of the Gideons society, helping to deliver bibles to schools and businesses throughout our province.

As an extension of his involvement with his church, Vern travelled to many different parts of the world to provide labour, particularly his carpentry skills, to people and places devastated by hurricanes and other natural disasters. He went to Montserrat in the West Indies in 1990, Saint Lucia and Zambia in 1991, and Africa in 1997. He was never a man to toot his own horn about his travels; instead, he had a great interest in the many different and unique cultures he experienced. He had many stories about his adventures when trying to construct a building with a very minimum amount of building materials available in the region.

While Vern and the other missionaries were in those places to carry out construction work, they also brought along children's clothes and school supplies that had been collected by the women in their church. It was truly a community effort. Many families in those faraway regions benefited from the well-known generosity of the Newfoundlanders. Vern was so proud of the difference he and the others were making to people who were less fortunate than they were.

Vern was very involved in other facets of his community and volunteered with several local organizations, such as the Canadian Coast Guard Auxiliary, the Port de Grave Peninsula Heritage Society and the local fishermen's museum, just to name a few. Volunteering was as much a part of Vern Petten's life as the salt air that surrounded his home in Port de Grave. He did not lend a helping hand for recognition or praise; he did things for the sheer satisfaction and joy of being able to help those less fortunate.

Pentecostal Pastor KM Bess summed up Vern very well when he told a story about Vern's spirit of giving:

> . . . There was a family in our community in need of a house because the house they occupied was inadequate for the coming winter. It was then that Vernon volunteered his entire fall, day and night, putting his carpentry skills to work. With little help from anyone else, he built this family a house, from its foundation to the kitchen cabinets. I personally witnessed him volunteering his time every day, including Christmas Eve, putting the finishing touches on the house to get the family in for Christmas Day.

Pastor Bess went on to say:

> The house was completed . . . and the house stands today as a representation of selfless giving, thanks to Vernon Petten.

While he was not one to seek recognition for his lifelong contribution to making our world a better place, we are grateful that others noticed Vern's selfless acts of kindness and nominated him for many prestigious awards, which he was granted. Vern was awarded the Newfoundland and Labrador Volunteer Medal in 2001, was inducted into the *Navigator*'s Marine Industries Hall of Fame in 2008, and I personally had the honour to present Vern with the Queen's Golden Jubilee Medal in 2002, the Queen's Diamond Jubilee Medal in 2012 and the King Charles III Coronation Medal in 2024.

It is difficult to capture in a few words the enormous positive impacts that Vern Petten made in our world, but his many contributions would not have been possible without the love and support of his soulmate, Shirley, his wife of almost 70 years.

Shirley Badcock was born in Mercer's Cove, Bay Roberts, on January 15, 1936. When her mother, Emmie, passed away at an early age, Shirley was left to care for her younger siblings. Very early in life, Shirley developed a strong work ethic when she had to accompany her family to the Labrador fishery. There, she would cook for the crew of the boat and learned how to cure fish. Vern Petten was truly smitten when he first met the beautiful, kind and capable Shirley.

Vern and Shirley were married on November 10, 1955, and built a strong and loving relationship lasting more than 69 years. Shirley devoted her whole life to her family and, in the early years, worked side by side with Vern in the fishery, on the wharf, gutting the codfish, then salting the catch and spreading the fish on the flakes.

Shirley was an excellent homemaker. She was well known for her cooking and baking and her unique and special creativity in putting meals together. I had the pleasure of sitting around their kitchen table in Hibb's Cove on many occasions. There, I enjoyed many a cup of tea, along with a homemade tea bun or a bowl of homemade soup on a cold winter afternoon. However, I have to fully agree with something Vern told me one day about his wife's cooking. "Fabian b'y," he smiled and said, "You never tasted good fish until you have had Shirley Petten's pan-fried cod." How could one ever turn down an offer like that? So, yes, I did very much enjoy a lovely meal of cod on more than one occasion, complete with the potatoes and the scrunchions. Once again, Vern was right: It was a feed fit for a king.

I often reminisce about the many conversations we had while sitting around that kitchen table and how much I learned about life from watching and listening to Vern and Shirley.

While Shirley was a quiet and extremely humble lady, she was a great community volunteer in her own right. Many local residents held her in high regard, and she was reverently referred to as "Aunt Shirley" throughout the community. If someone in the town or church needed support, a large pot of soup and several loaves of freshly baked homemade bread would arrive from Shirley's kitchen. During church conventions, the visiting pastor would often be billeted at Vern and Shirley's home. This was a house that Vern had built himself and where he and Shirley had raised their six children and lived out their lives. Regardless of how many people were present in their home at any given time, Vern would be known to remark, "There is always room for one more."

Shirley showered her children with love and affection and helped form a solid foundation for each of them through her quiet and ever-so-humble example. I say with confidence that Shirley Petten was indeed one of a kind.

In his youth, Vern began keeping a handwritten journal of his daily activities. Blessed with an impeccable memory, and with his journals by his side, Vern wrote his memoirs in 2018 and titled his incredible life story *Things that Forever Linger in Your Mind*. A quote from Vern can be found in the first few pages of the book, and it goes like this:

> Life is but a storybook
> Being written every day.
> Yesterday is history,
> Tomorrow is unknown.
> Prepare for tomorrow
> And live for today,
> Then, the words in life's story
> Will be written OK.

I am honoured both to have been mentioned in a few lines in Vern's book and to have my own signed copy. To me, it is a treasured keepsake from an ordinary man who definitely lived an extraordinary life. I am also extremely grateful to the Petten family for the gift of one of Vern's ties, which I proudly wear here today, along with his codfish pin in my lapel. Both remind me of a true friend.

As I find my way to the close of this tribute to Vern and Shirley, I am reminded once again of that 2006 meeting I had in Port de Grave and the day I first met Vern Petten. Port de Grave was well known in the Newfoundland and Labrador political sphere as what we would call "a hard-core Liberal town." After all, it is the hometown of the Honourable John Efford, a well-known and vocal Minister of Fisheries, both provincially and federally.

As a Conservative candidate, you would understand my trepidation in making a campaign stop in this Liberal stronghold. The Port de Grave harbour authority office sits on a rocky hill overlooking a majestic harbour with a long and steep staircase that takes you down to the local wharf. Several of my colleagues in this chamber who served on the Fisheries Committee during our seal study a few years ago had the privilege to visit Port de Grave, and they all had the opportunity to meet Vern at that time. He was the ultimate host.

Following my first meeting there in 2006, when I was leaving the office to walk down the stairs to talk to some of the local media who were waiting on the wharf, Vern offered to walk down the stairs with me. Having just met the man, I jokingly said to him, "Mr. Petten, if you walk down those stairs with me, the crowd in the media will think you are supporting me in this election," and without a hint of hesitation in his voice, he replied, "Sure I am, Fabian, because you are one of us."

It was then and still is today music to my ears. It was the start of a friendship that I truly consider to be one of my life's greatest blessings.

On Sunday, January 12, this year, I was one of hundreds who gathered in the community room of the Pentecostal tabernacle in Port de Grave with Vern, Shirley and their family as we came together to celebrate Vern's ninetieth birthday on January 13 and Shirley's eighty-ninth birthday on January 15. It was a joyous occasion, full of storytelling and good wishes from all those gathered. It is now another treasured memory.

Two days later, on January 14, we received the news that Vern had suffered a severe stroke and had been rushed to the hospital. Sadly, just a few days later, on Thursday, January 17, Vern passed away. It is still difficult to believe how much our world can change in less than 48 hours.

• (1750)

About six weeks later, on Thursday, March 6, Shirley Petten left this world to once again be by her husband's side. She did not linger on too long after Vern left.

Having been witness to the profound love these two beautiful people had for each other, I know Vern was waiting at heaven's gates with open arms to welcome Shirley home.

Vern wrote Shirley a poem a few years ago for Valentine's Day, entitled "A Love That Never Ends."

Valentine's Day is Here Again
It Comes but Once a Year.
It's Time to Say I Love you Dear
The Same as in Yesteryear.

Today You Are Still My Valentine
And We Have So Many More
So, Love Don't Stop on Valentine's Day
It Continues Another Year.

Vern and Shirley have left a proud legacy to their family and friends. They lived lives of giving, sharing and loving. They were a perfect example of lives well lived, and they are currently missed by their family and those of us who were so fortunate to call them our friends.

They have completed their journey on this earth and finished the race. The lessons they taught, the stories they told and the love and kindness they shared will remain with us forever. May their gentle souls rest in peace.

Hon. Senators: Hear, hear!

Hon. Iris G. Petten: Honourable senators, as you can imagine, my parents' absence is felt every single day, yet so too is their presence. Their values, strength, humility and sense of duty are stitched into who I am and how I serve in this chamber.

Vern and Shirley would be surprised to be recognized in the Senate of Canada as they had never sought nor felt deserving of such attention. They were people who worked hard every day to provide for their family, and it was their desire that their descendants would continue to work in the fishing industry, in the province and country that provided them with a decent living.

As I have done, so will I continue to embody their best values in this place because, as Newfoundlanders, we are raised to work hard, speak plainly, laugh often and — most importantly — look out for one another, especially when the seas are rough.

My parents taught me that public service is not about recognition; it is about responsibility. It is not about status; it is about standing up for your neighbour. And it is in that spirit that I carry forward their legacy through my work in the Senate of Canada.

Thank you to my honourable colleague and friend Senator Manning for this inquiry and for his immense kindness. And thank you to the members of my family, who have travelled a long way from our home to be here with me today. And thank you, honourable colleagues, for your kindness in indulging me these past few minutes.

Hon. Senators: Hear, hear!

(Debate concluded.)

(*At 5:55 p.m., the Senate was continued until tomorrow at 2 p.m.*)

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