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The Honourable RAYMONDE GAGNÉ,
Speaker

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THE SENATE

Wednesday, September 27, 2023

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

Prayers.

SENATORS' STATEMENTS

THE GROVE

Hon. Robert Black: Honourable senators, today I rise to speak about an incredibly important network of organizations in my home community of Wellington County. The Grove Hubs are a leader in youth mental health treatment. By locating and mending gaps in care, The Grove Hubs' innovative approaches to youth mental wellness provide a strong system of care for people all over central Ontario.

Here in the Red Chamber, it is our duty, colleagues, to give independent consideration not just to the bills put before us, but also the problems ongoing throughout the country, whether short- or long-term. Mental health concerns are on the rise. Canada's children lack resources to constructively seek opportunities to improve their well-being. There is a considerable lack of access to facilities for mental health treatment and addiction rehabilitation.

According to The Grove Hubs, they have received over 28,000 visits from youth in just the past year alone. This is a productive and direct intervention. Whether through group activities, recreational programming, tutoring or counselling, organizations like The Grove Hubs continue to provide for Canadians — in this case, young people in Wellington County — equipping the next generations with the tools they need to succeed in life.

I want to thank The Grove Hubs for their continued work. I hope that, today and every day, all of my honourable colleagues can take time to consider how they can support Canadians dealing with mental health and addiction issues and what we, as the chamber of sober second thought, can continue to do to advocate for improved access to these services for young people. Thank you. *Meegwetch.*

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Dr. Sukhmeet Singh Sachal. He is the guest of the Honourable Senator Osler.

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

Hon. Senators: Hear, hear!

NATIONAL HEALTHY SCHOOLS WEEK

Hon. Marty Deacon: Thank you, Senator Black, for your comments on mental health and the work of The Grove Hubs. They are connected to the statement I would like to share with you today.

Honourable senators, I rise to speak about National Healthy Schools Week, which runs next week from October 2 to 6. Earlier this year, I met with members of the Canadian Healthy Schools Alliance, who collaborate to promote health and well-being in our schools and work toward a system where every student in Canada is set up to thrive and achieve lifelong well-being and success. With what students have gone through these past three years, this has never been more important, and we are still determining what impact the pandemic has had on their physical and mental health.

Given that one in five Canadians experience mental health struggles, as well as the link between mental health and physical health, it is crucial that we step up and collectively work toward equipping our schools with the tools and support their need to navigate challenges and create a healthy path to success. This will not only positively impact the well-being of students but also foster healthy schools that support staff and families alike.

Next week will be first National Healthy Schools Week. Over the summer, the alliance has worked diligently to design a planning tool kit and a communications package.

What really makes a healthy school in 2023? I know we all went to school, but in 2023, what might this mean? In our opinion:

A Healthy School honours each person, the interconnection between them, and the land upon which they live; values broader ways of knowing; focuses on what the school community can do together; identifies where there is energy, interest and capacity to strengthen the health and wellbeing of the school community and supports action in that direction.

Senators, with the many national and global challenges we face, our investment in ensuring all students have healthy experiences in school has never been more important. A whole-of-government response to support every school in Canada is critical. If this response can be done in partnership with leaders within the education system and the non-profit sector that supports them, together we can ensure that every young person has access to the resources, supports and knowledge required to be healthy and active in life — something that will increase the well-being of our nation as a whole.

Senators, speaking of health and well-being, I have been amazed by some of the activities our senators and staff have done over the summer — and shared online. The annual Army Run last week and our Senate Sensations team running in the CIBC

Run for the Cure on Sunday are but a few examples. Please make sure you are looking after your own health and well-being and that of your staff.

Senators, I am amazed how much we can get done when we get outside and walk together and do our Senate work together. More parliamentary activities are coming your way, but for now, let's wish all of our schools the very best next week, as they have our most important cargo. Thank you. *Meegwetch*.

Hon. Senators: Hear, hear.

"AUNT MARTHA'S SHEEP"

Hon. Fabian Manning: Honourable senators, today I am pleased to present Chapter 79 of "Telling Our Story."

For generations, the history and culture of Newfoundland and Labrador has been passed down through both story and song. Many of those are of a serious and profound nature, detailing a way of life our people have endured for centuries on that beautiful rock in the Atlantic Ocean. Then there are those songs and stories that are more lighthearted, such as the one I am going to tell you today.

One of our province's most successful recording artists was a man by the name of Dick Nolan. In due course, I will be pleased to expand on Mr. Nolan's long and distinguished music career, but today I want to tell you about one of his most popular and, indeed, signature songs titled, "Aunt Martha's Sheep." Written by Terrance White and Arthur Butt of Perry's Cove and later rewritten by Ellis Coles, Nolan released the song in 1972 and the album went platinum, selling more than 100,000 copies. With our province's population hovering around 500,000 people at the time, you can easily understand why the song became a fan favourite for many years and still is today.

The song tells the tale of boys from the picturesque town of Carmanville, Newfoundland, who decided they were going to steal a calf from Aunt Martha's barn and cook up a scoff. Now, for those of you who do not know what a scoff is, it is a big, hearty meal.

Later on that evening, the boys crept up over Joe Tulk's hill and headed into the barn, but they ran into a problem. The old cow got angry when they woke her from sleep, so they had no other choice: they had to steal the sheep. As you would expect, when Aunt Martha discovered what had taken place, she became pretty angry herself. The very next morning, she sent a telegram off to the RCMP telling them about her loss and asking the police to catch the robbers no matter what the cost.

In the meantime, it was getting up around midnight and the boys were up at the cabin and "had the sheep a'cooking" and everyone was feeling pretty tight. "The smell of mutton and onions no man could ask for more," when lo and behold, the "... Mountie walked in the door." He said:

... sorry, boys, your party I really don't mean to wreck. I smelled the meat a'cooking and I had to come in and check.

Now, the boys were not too worried about the arrival of the RCMP, so they welcomed the officer, and said, "... come right in and join us, sir, we're having a piece of moose." So he came right in and sat right down, and the boys gave him a piece of the sheep. After the officer had a taste, he said to the lads, "This is the finest piece of moose I know I'll ever eat."

They had a grand old evening, and at about two o'clock in the morning, the officer bid farewell, with a promise from the lads that if they got any clues on the stolen sheep, they would phone him right away. He then looked at them and said that if everyone was as good as the boys, he was sure Aunt Martha wouldn't have lost her sheep.

After the officer left, the boys finished off the piece of mutton they had in the oven to roast, because, friends, the boys may have stolen Aunt Martha's sheep — "... but the Mountie ate the most."

Hon. Senators: Hear, hear.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Mr. Marvin Fletcher, Senator Boyer's husband.

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

Hon. Senators: Hear, hear!

• (1410)

THE LATE GERHARD CHARLES (CARL) FRIESEN

Hon. Pat Duncan: Honourable senators, our thoughts are turned to truth and reconciliation with Indigenous peoples. Today, I rise to recognize a person whose work and profession were an integral part of the northern land claims: Gerhard Charles Friesen — Charlie to his beloved wife Robyn, a father and a grandfather.

Carl, as he was known to most, was born in 1952 in Morden, Manitoba. He graduated with degrees from the University of British Columbia and the University of Calgary. At his University of British Columbia graduation ceremony at the top of his class as a Canada Lands Surveyor, a story was told of Carl tossing that gold medal from the stage to his father who had rather wished Carl's life of service would have been as a doctor. While Carl may have been rather flippant about the gold medal, his contribution to the Yukon and Canada was not flippant and far more than gold nugget-sized.

Carl's strong sense of community and desire to give back to ensure a fair and socially just Yukon with opportunity for everyone is how we remember Carl. His contribution to Canada was this and so much more.

In the recently published book *A Sense of Where You Are: The Vital Work and Turbulent Times of the Canada Lands Surveyors*, Charles Wilkins described Carl Friesen this way:

. . . it would be difficult to find a Canada Lands Surveyor over the age of 40 who doesn't know Carl. . . he was an energetic, sometimes outspoken, supporter of self-regulation for the Association of Canada Lands Surveyors during the 1990s and has served as the Association's president and on its council.

Carl described the importance and the difference of the northern land claim survey this way: "The biggest survey in history had been the Dominion Land Survey during the late 1800s and 1900s." The land survey was described as thousands of small surveys knitted meticulously into the same vast grid, dividing the Prairies into a seemingly endless quilt of townships and farms and covering nearly 200 million acres of Manitoba, Saskatchewan and Alberta.

The Dominion survey was accomplished by hundreds of different surveyors over a period of some 50 years. Most of the big northern land claims, including those for Inuvialuit, Nunavut and the Yukon, were accomplished in less than two decades, and were enacted by at most a few dozen surveyors and their crews. Carl was a leader among those surveyors and their crews.

Carl noted that the Dominion Lands Survey was not negotiated with First Nations, nor perhaps even explained to them, at least not in their own languages. It was simply imposed by the government.

Carl played a significant role inland claims settlements. He was proud of his work with and for First Nations. As the years passed, he saw how the big surveys supported both the spirit and intent of reconciliation.

The story of Canada Lands Surveyors, and especially Carl Friesen's contribution, is well-documented in the book I mentioned. Colleagues, it's well worth a read of this amazing story of Canada and of a very special Canadian.

Carl, our thanks to you for your contribution to our community, our country and the Canada Lands Surveyors. Safe trails, my friend. *Mahsi'cho*. Thank you.

Hon. Senators: Hear, hear.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of representatives from the Métis Nations of Ontario, Saskatchewan, Alberta and from the Métis National Council. They are the guests of the Honourable Senator McPhedran.

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

Hon. Senators: Hear, hear!

[Translation]

ROUTINE PROCEEDINGS

THE SENATE

RULES OF THE SENATE OF CANADA—SEPTEMBER 2023
VERSION TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the *Rules of the Senate of Canada*, dated September 2023.

This document includes the index prepared by the Clerk of the Senate.

Copies will be distributed to the offices of honourable senators as soon as possible. The online version is up to date.

[English]

ADJOURNMENT

NOTICE OF MOTION

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, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, October 3, 2023, at 2 p.m.

THE SENATE

NOTICE OF MOTION TO AMEND CHAPTERS 5:03 AND 5:04 OF THE
SENATE ADMINISTRATIVE RULES

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

That, in light of the recent changes to the *Senate Room Allocation Policy* by the Standing Committee on Internal Economy, Budgets and Administration, the *Senate Administrative Rules* be amended as follows:

1. That the *Senate Administrative Rules* be amended
 - (a) in Chapter 5:03 by replacing sections 2 and 3 with the following:

“Basic staff

2. (1) The Clerk Assistant, Committees, will assign a clerk to each Senate committee.”

Additional Staff

(2) The Internal Economy Committee may direct the Clerk Assistant, Committees, to provide a committee with any additional staff that the Committee sees fit.

Schedule and room allocation

3. The Clerk Assistant, Committees, in consultation with all leaders and facilitators, will assign a meeting schedule and reserve a room for each Senate committee and subcommittee that meets regularly.”; and

- (b) in Chapter 5:04 by replacing subsection 2(2) with the following:

“Meeting schedule

(2) The Clerk Assistant, Committees, in consultation with the caucus spokespersons, will assign a meeting schedule and reserve a room for each caucus that meets regularly. Due consideration should be given to the size of a caucus and its status as a recognized party or recognized parliamentary group, as defined by the *Rules of the Senate*.”; and

2. That the Law Clerk and Parliamentary Counsel be authorized to make any necessary technical, editorial, grammatical or other required, non-substantive changes to the *Senate Administrative Rules* as a result of these amendments, including the updating of cross-references and the renumbering of provisions.

AGRICULTURE AND FORESTRY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXTEND DATE OF FINAL REPORT ON STUDY OF ISSUES RELATING TO AGRICULTURE AND FORESTRY

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

That, notwithstanding the order of the Senate adopted on Thursday, February 10, 2022, the date for the final report of the Standing Senate Committee on Agriculture and Forestry in relation to its study on such issues as may arise from time to time relating to agriculture and forestry be extended from December 31, 2023 to December 31, 2025; and

That the committee be permitted, notwithstanding usual practices, to deposit reports on this study with the Clerk of the Senate if the Senate is not then sitting, and that the reports be deemed to have been tabled in the Senate.

QUESTION PERIOD

PRIME MINISTER'S OFFICE

ADDRESS TO PARLIAMENT

Hon. Donald Neil Plett (Leader of the Opposition): Senator Gold, my question concerns — as I'm sure you expected — the address to Parliament by Ukrainian President Zelensky last Friday.

Senator Gold, someone was there who should never have been there and who should never have been invited. One of two things happened: Either the Trudeau government's entire protocol, intelligence and security apparatus vetted this person and showed gross incompetence in doing their jobs or the outgoing Speaker of the House of Commons was able to invite someone to be with the president of a country at war without any vetting at all, which is also gross incompetence on the part this government.

Senator Gold, which of those two is it?

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

• (1420)

What happened is deeply troubling and deeply distressing for Canadians, especially Jewish Canadians, Ukrainian Canadians and all of those affected by the Holocaust.

It is regrettable, Senator Plett — with the greatest of respect — that you make assertions with underpinnings that you know are incorrect.

The Speaker of the other place — like the Speaker of the Senate and the senators in this chamber — has the prerogative to invite guests. Their names are not vetted with the Prime Minister's Office, or PMO, and neither are our names when we invite guests.

It was a horrible, embarrassing situation for which the Speaker has apologized and resigned, and for which the Prime Minister — literally within the last few minutes — has apologized to all Canadians.

I think it is important to heed my words: I urge all parliamentarians not to politicize this event that was deeply hurtful to so many people.

Senator Plett: That truly is a shameful answer. Every guest has to be vetted by protocol and security.

Leader, power and responsibility go together. If the Prime Minister wants to have the power, he must also take on the responsibility. If he wants to travel all over the world and meet other heads of state, he is responsible, leader, for Canada's reputation.

Last week, he presided over Canada's greatest diplomatic blunder. He should have apologized two days ago, leader, when this came to light; he didn't. Today, he finally came out from

under the rock where he has been hiding for the last two days, and he said that Parliament apologizes — he did not say, “I apologize.” Parliament apologizes, not him.

Senator Gold, when will the Prime Minister finally grow up, accept his responsibility for once and apologize — not on behalf of only Canada and Parliament, but on behalf of himself?

An Hon. Senator: Hear, hear.

Senator Gold: The vetting of guests is for security purposes in terms of the danger to any guests or parliamentarians. It is not with regard to other aspects of those guests, as the honourable senator knows very well.

The Speaker of the other place took his responsibility and did the honourable thing. The Prime Minister has apologized.

Hon. Leo Housakos: My question is for the government leader.

Government leader, you’re spreading misinformation on this floor. I was the Speaker at the time with Speaker Scheer when we negotiated the MOU for the security structure in Parliament. I can assure you that guidance is given to our security forces on the Hill by the two Speakers of the chambers, but all security is controlled operationally by the head of security — which is the RCMP — and they report directly to the minister and the executive branch of government. That’s how it works. Anytime we bring guests on Parliament Hill, they are vetted, and they are only allowed once the government and the RCMP give authorization for those guests to be vetted.

This Prime Minister is more than willing to apologize for prime ministers and governments from 40 years ago, or 100 years ago, but he never assumed responsibility for this fiasco — which embarrassed Canada internationally and embarrassed Parliament, and hurt the souls and hearts of Ukrainians, Jews and Poles across the country. When will the Prime Minister assume responsibility, and can you tell us exactly what mitigating steps he will be taking for this fiasco to never reoccur?

Senator Gold: Thank you for your question. I do not believe I was spreading misinformation. I repeat that any vetting is done for security purposes — not in terms of their pedigree, history or the like.

The Prime Minister has taken responsibility, and the Speaker has taken responsibility — and all of us regret deeply what happened.

Again, it is your prerogative to treat this as a partisan issue. It is regrettable, and I think it does not address the real issue. The real issue is that Canada continues to stand in solidarity with the people of Ukraine against Russian aggression, and will continue to do so despite this most horribly unfortunate and embarrassing incident.

Senator Housakos: The fact remains that protocol and security, especially when a world leader is addressing Parliament, fall under the jurisdiction of the government, and not Parliament. That is a fact.

This is not a partisan issue. It’s about an incompetent Prime Minister who gets up in the House of Commons, and calls the child of a Holocaust survivor — MP Lantsman — a Nazi. The same Prime Minister proclaimed that Canadian taxpayers and Canadian truckers protesting here in Ottawa are Nazis. That’s our problem.

You want to call it partisan; I call it justice. When you’re the Prime Minister of Canada — and the buck stops with the leader of this country — and you are proclaiming Canadians and parliamentarians as Nazis, but for the first real Nazi who walks up Parliament Hill, you roll out the red carpet, put him up in the gallery and give him a standing ovation, I take exception to that, and that has nothing to do with partisan politics.

My question remains: What will your government and the Prime Minister do to take mitigating steps to ensure this never reoccurs?

Senator Gold: Thank you for your question and for the commentary that preceded it which, I might suggest, was filled with more misinformation than any answer you have heard from me during my time in this office.

This was a regrettable situation, Senator Housakos and others, and I think it would behoove us to not treat it as it is being treated in this chamber today. It really is regrettable.

[*Translation*]

INFRASTRUCTURE AND COMMUNITIES

NATIONAL HOUSING STRATEGY

Hon. Marie-Françoise Mégie: My question is for the Government Representative in the Senate. In a column published in *La Presse* on September 21, the former mayor of Gatineau, Maxime Pedneaud-Jobin, stated the following, and I quote:

Instead of blaming the cities, Ottawa and Quebec should take a look in the mirror and . . . urgently sign an agreement to release the \$900 million being held in Ottawa’s coffers.

Could you give us an update on discussions between Mr. Fraser, Canada’s Minister of Housing, Infrastructure and Communities, and Ms. Duranceau, the minister responsible for housing in Quebec, intended to reach an agreement and finally release the funds to fight the housing crisis?

Hon. Marc Gold (Government Representative in the Senate): The Government of Canada is working hard to speed up the construction of housing for Canadians, including Quebecers. The government is already making historic investments in housing in Quebec, but, as all senators know, the federal government can’t do it alone. It must work in partnership with Quebec.

I was told that Minister Fraser had a very positive and productive call with Minister Duranceau this week, and the Government of Canada hopes to reach a bilateral agreement as soon as possible that would allow Quebec municipalities to receive funding to speed up the construction of housing.

Senator Mégie: Thank you for your answer, Senator Gold. It's good to hear they've been talking, but when will they actually meet? The \$900 million is just sitting there in the coffers. When will those funds be made available to the province?

Senator Gold: Thank you for the question. Because of the Quebec legislation known as Act M-30, the federal government is working with Quebec to negotiate a bilateral agreement that would allow Quebec municipalities to receive funding, as I just mentioned.

The government hopes to reach an agreement as soon as possible.

[English]

INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT

STATISTICS CANADA

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

Senator Gold, as you know, our Special Senate Committee on the Charitable Sector released a groundbreaking report four years ago that included 42 recommendations — one of which dealt with data collection. The committee called on the government to prioritize data about the charitable and non-profit sector in all Statistics Canada economic surveys.

In its response, the government explained that the General Social Survey program is undergoing a significant modernization exercise focused on re-engineering its collection platforms in order to increase the timeliness of data and ensure the content meets the needs of the stakeholders.

• (1430)

Can you provide us with an update on this initiative and what new developments there have been since the government's response?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. I understand that the General Social Survey, or GSS, aims to collect data on social trends to provide up-to-date information on social policy issues, and that it includes the Survey on Giving, Volunteering and Participating, or SGVP, providing a comprehensive overview of the contributions Canadians make by donating both time and money.

I'm advised that the SGVP involves a partnership of numerous federal government departments as well, importantly, of voluntary sector organizations, including the University of Ottawa, Imagine Canada and Volunteer Canada. The modernization efforts to which I alluded would take place through those partnerships, and any updates with regard to data collection and the rest will be forthcoming in due course.

Senator Loffreda: Thank you for that response.

Yesterday, I met with five outstanding individuals from the charitable sector. They are calling on the government to mandate Statistics Canada to improve the quality and accessibility of the data collected on the sector. As they argue, high-quality disaggregated data is crucial to design policies and forecast the needs of the sector.

Can you assure us that the government will consult with the sector to provide guidelines to StatsCan on the needs of the sector with respect to data collection?

Senator Gold: Thank you for your question.

I can assure the honourable senator that the government very well understands the need for collaboration between organizations and across jurisdictions to address the growing demand for disaggregated data. I understand that, in recent years, Statistics Canada has enhanced crowdsourcing survey instruments and uses them to collect key information for vulnerable populations, including immigrants, Indigenous communities and visible minority groups.

I further understand that, as a general matter, Statistics Canada is exploring areas where larger sample sizes are needed to provide credible disaggregated information.

I certainly would be happy to take the honourable senator's questions back to the government for further consideration.

IMMIGRATION, REFUGEES AND CITIZENSHIP

UKRAINIAN REFUGEES

Hon. Pamela Wallin: Government leader, last week, I asked about the inexplicable delays in processing work permits for Ukrainians stuck for months in bureaucratic limbo. They came to Canada at our behest to escape death at the hands of Russian invaders. Did you bring this to the minister's attention? What did they say? Have they reassigned folks to get through the backlog, and if so, how many?

Fleeing one country only to be abandoned by the next isn't the kind of support and salvation we promised.

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

As I undertook to do, I certainly did bring your concerns to the attention of the minister, but I don't have a response as yet.

Senator Wallin: All right, I'm wondering, then, if you could endeavour to determine how many resources are being put toward those files, what resources have been allocated in terms of money and people — how much and how many. Does the government know the answer to that question?

With the embarrassment that has been caused to Ukraine and the propaganda win it has now handed Russia, it is even more important that we fix this situation for the Ukrainians who are now here, waiting and desperate.

Senator Gold: Thank you again for underlining the very challenging situations they face. I will certainly take those further considerations to the attention of the minister.

[Translation]

FINANCE

CANADA MORTGAGE AND HOUSING CORPORATION

Hon. Clément Gignac: My question is for the Government Representative in the Senate.

Yesterday morning at the National Finance Committee meeting, my colleagues and I heard from representatives of the Canada Mortgage and Housing Corporation, or CMHC, and we talked about the tools that this Crown corporation has to address the current housing crisis.

I questioned the CMHC's intention to potentially review the eligibility criteria for insured mortgage loans. I would like to note that, under the current regulations that were adopted in 2012, the amortization period cannot exceed 25 years and the maximum amount of the loan cannot exceed \$1 million. I was told that it is up to the Department of Finance to make that decision.

With interest rates soaring over the past 18 months, many young households who want to buy a first home and who have a down payment of less than 20% will be simply unable to get a loan from the CMHC if the amortization period remains at 25 years. At the same time, those young households have to continue renting for longer and that puts pressure on the demand for rental units, which is already very high.

Senator Gold, this problem is even worse in the Toronto and Vancouver areas because the limit of \$1 million imposed by the CMHC is now well below the average price of a house, even a semi-detached.

My question is as follows: Don't you think, Senator Gold, that the time has come for the Minister of Finance to review the eligibility criteria for a CMHC-insured loan? Right now, parents and grandparents are having to step up and fill CMHC's shoes to help their children buy a home.

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. The government knows full well that it is unacceptable that home ownership is out of reach for many people.

I also know that the eligibility criteria for mortgage insurance can play an important role in supporting the financial stability of lenders and, by extension, homeowners.

In recent years — during the pandemic, for example — the government effectively modified the eligibility criteria so it could help Canadians who were struggling. The government continues to consider all possible solutions to make housing affordable again.

I would be pleased to share your comments with the government so a more thorough study can be done.

[English]

GLOBAL AFFAIRS

ADDRESS TO PARLIAMENT

Hon. Denise Batters: Senator Gold, by allowing the presence of a former Nazi soldier in the parliamentary gallery, the Trudeau government has tarnished Canada's Parliament and our nation on the world stage. It has also despicably tainted the reputation of 1.4 million Canadians of Ukrainian descent, when our ancestors helped build this country.

With President Zelenskyy's visit to Canada and his address to Parliament, the besieged nation of Ukraine entrusted the Trudeau government with the life and reputation of their leader. Ukraine is heavily reliant on the Western world for support right now against the murderous Russian tyrant, Putin. This is a conflict Ukraine fights for all of us. The Trudeau government's dereliction of duty has now provided fodder for Russia's propaganda war against Ukraine.

This Trudeau government failure has grave real-life military and political consequences. It puts millions of lives at risk.

Senator Gold, when will Prime Minister Trudeau finally take proper responsibility for this disaster and apologize to Canadians, to Ukraine and to President Zelenskyy for the incredible harm the Trudeau government has caused?

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

I will not repeat the answers I have now given several times today.

Canada is a strong ally of Ukraine, and the strength of our support was reinforced during President Zelenskyy's visit. That will continue, despite this very unfortunate circumstance.

The important thing is that Canada and democratic allies across the world stand in solidarity with Ukraine, continue to provide them with the material resources, diplomatic and humanitarian support and all necessary military support in order that they can resist the aggression and reclaim their proper territory.

Senator Batters: Senator Gold, it is not credible that the Trudeau government did not vet the guest list, even solely for security purposes. With President Zelenskyy, we had in our midst perhaps the most threatened target in the world right now — the leader of a country under attack by one of the globe's most bloodthirsty despots. The Trudeau government's house leader of the Government in the House of Commons, Karina Gould, confirmed Monday that "When it comes to everyone who is invited to Parliament, of course that vetting happened. . . ."

The Parliamentary Protective Service reports to the RCMP, which answers to Prime Minister Trudeau's Minister of Public Safety. The Trudeau government has RCMP and CSIS intelligence to protect visiting delegations and all parliamentarians. Since, as Minister Gould admitted, the Trudeau government vetted this guest list, how did a Nazi come within mere feet of the Jewish leader of a besieged Ukraine? If the Trudeau government actually failed to vet attendees, how can they defend their stunning negligence that has sacrificed not only Canada's international reputation but also the security of the entire Ukrainian nation?

Senator Gold: As I stated in this chamber just a few minutes ago, the vetting that takes place by protocol is done as are those that feed into it for security purposes. It was not done, and that's the criteria that is used.

• (1440)

Again, it is misleading to suggest otherwise. I've answered the question clearly and will continue to do so, because no matter how many times you ask, the answer will remain the same. I'm giving you the answer that is correct and true.

IMMIGRATION, REFUGEES AND CITIZENSHIP

IMMIGRATION STATISTICS

Hon. Yonah Martin (Deputy Leader of the Opposition): Government leader, according to *The Globe and Mail*, members of the Trudeau government's cabinet attending a retreat in Charlottetown last month were told that roughly one million more non-permanent residents live in Canada than the government's official estimate suggests. This briefing to ministers — by an economist from the Canadian Imperial Bank of Commerce, or CIBC — included a warning that by undercounting the number of people in Canada, the Trudeau government is also underestimating the number of new houses required to meet our country's needs.

Leader, this occurred under the watch of the previous minister responsible for immigration, who is now the new minister responsible for housing. How is it possible to lose count of one million people in our country?

Hon. Marc Gold (Government Representative in the Senate): Canada's immigration policy is designed to provide opportunities for those around the world who want to participate in the growth and development of our country and help it and prosper, as it has from generations of immigrants — many of their children and grandchildren are in this chamber.

There's no doubt that the challenges that Canadians face — including those who have recently arrived for affordable housing — is a serious one that the government is addressing in several important respects. It will continue to do so for the benefit of Canadians.

Senator Martin: The CIBC estimates that the Trudeau government is not counting about 250,000 international students pursuing their education in Canada. Last month, the new Minister

of Housing, Infrastructure and Communities, Sean Fraser, told the media that a cap on international students is "one of the options we ought to consider."

Leader, the housing crisis is not the fault of international students. They have simply followed the rules put in place by the Trudeau government — yet there are reports of international students who are homeless, living under bridges or in cars. Everyone in Canada deserves safe and affordable shelter. Instead of always looking for someone else to blame, when will the Trudeau government accept responsibility for the housing crisis it has created?

Senator Gold: Thank you for your question. The Trudeau government has not created the housing crisis. It's doing its part — along with provinces and municipalities — to address it. Indeed, the most recent announcement about the reduction of the GST is already encouraging developers to build more homes, as has been recently reported by the press.

With regard to immigration, it is regrettable and unfortunate that some foreign students are being misled — not by the government but rather unscrupulous advisers and professionals — into believing that by coming to Canada to study they can easily secure permanent residency status.

The government is investigating these fraudulent behaviours and abuses of the system — and will take measures to counter them — but the fact remains Canada benefits from immigration. The Government of Canada is addressing the housing crisis responsibly and will continue to do so.

ENVIRONMENT AND CLIMATE CHANGE

NATIONAL ADAPTATION STRATEGY

Hon. Mary Coyle: Senator Gold, this year and for the first time, there will be a designated Health Day at COP 28 in recognition that climate change is the single most significant global health threat. The World Health Organization estimates that an additional 250,000 people will die each year because of climate change impacts such as rising temperatures, extreme weather events, air and water pollution, increased spread of diseases and food insecurity, not to mention the impact on mental health.

Canada's National Adaptation Strategy recognizes the health impacts of climate change on individuals, as well as the capacity of health systems when flooding, extreme heat or wildfires negatively affect health facilities.

Two targets of the adaptation strategy for the health sector are, one, implementing evidence-based adaptation measures to protect health from extreme heat by 2026; and, two, identifying risks, developing adaptation plans and measuring progress regarding climate resilience in health systems by 2030.

Senator Gold, I realize the strategy is relatively new, but the challenge is urgent. Could you tell us what progress, if any, is being made toward meeting these targets?

Hon. Marc Gold (Government Representative in the Senate): Thank you, senator, for highlighting Canada's first-ever National Adaptation Strategy. It was launched earlier this year, as you point out, and is designed to help communities across this country.

The strategy aims to transform the way governments, communities and individual Canadians work in partnership to prepare for and reduce risks of climate change through coordinated, ambitious action.

I understand, senator, that the targets to which you refer are to be attained in provincial health jurisdictions. Although the draft strategy was released for comment in November 2022 — prior to its official launch in June of 2023 — you might agree with me that there has been very little time in these short months to achieve a fruitful measure of progress. I'm sure that the federal government and the provincial jurisdictions will provide Canadians with progress updates in due course.

Senator Coyle: I'll follow up with you in a few months on that. Thank you, Senator Gold.

The Canadian Association of Physicians for the Environment, or CAPE, states that climate change is worsening asthma, increasing deaths from heat waves, making allergy seasons longer and more severe, posing challenges to food security, hastening the spread of Lyme disease and increasing the potential for new pandemics.

Impacts are being felt first and worst in Canada's Far North, and by women, children, racialized individuals and Indigenous peoples. CAPE also states that climate change affects mental health, leading to increased anxiety, depression, post-traumatic stress disorder and/or ecological grief.

In their formal submission to the government on the National Adaptation Strategy — which we're talking about — CAPE encouraged the government to consider the mental health benefits of involving the people impacted in those adaptation measures.

Senator Gold, could you explain if and how the participation of local people is being built into the adaptation plans?

Senator Gold: Well, again, I'm not in a position to provide that information. I certainly will take the question to the attention of those responsible for working with the provinces in this regard, and I'm sure they will take it seriously.

IMMIGRATION, REFUGEES AND CITIZENSHIP

COMMENTS BY MINISTER

Hon. Donald Neil Plett (Leader of the Opposition): Leader, last spring, I was admonished for saying the Prime Minister and his former Minister, Marco Mendicino lied to Canadians about the prison transfer of Paul Bernardo. I was prevented from using the word that best describes this Prime Minister.

[Senator Coyle]

Last week, Senator Gold, you scolded me for using the term "made-up rapporteur," saying it was an insult, even though the Prime Minister made up the former governor general's job and title.

Leader, the Minister of Immigration, Refugees and Citizenship has recently used language online and in an interview to describe his colleague — the Leader of the Official Opposition, Pierre Poilievre — that he definitely cannot repeat in Parliament, yet no one from your government has condemned Minister Miller or said he should apologize.

Why is that, leader? Is that a double standard?

Hon. Marc Gold (Government Representative in the Senate): There is a difference between parliamentary language — as well as the parliamentary privilege that surrounds our statements in Parliament — and the statements that one may make outside of Parliament.

Minister Miller is more than capable of addressing these issues himself, and it's not my intention to comment any further on the remarks that he may have made in that regard.

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

Was that supplementary?

• (1450)

Senator Plett: Yes. I think, Your Honour, there was an agreement that we finish a question when we start.

Senator Gold: You finished your question, and I answered.

Senator Plett: No. There is a supplementary question. It is part of a question.

Senator Gold: I'm prepared to answer the supplementary question if you so move it.

The Hon. the Speaker: Is leave granted?

Hon. Senators: Agreed.

Senator Plett: Thank you, Your Honour.

You're right, leader; there is a difference. One was a Conservative and the other one was a Liberal.

There is an obvious double standard here. The Prime Minister, Minister Miller, and the rest of the Trudeau government are very quick to shake their fingers in disapproval at the opposition and at Canadians in general, yet nothing is ever their fault. The Prime Minister takes no blame for anything.

Senator Housakos: He will next election.

Senator Plett: Last year — and Senator Housakos referred to this earlier in his question — the Prime Minister told a fellow MP, a member of the Jewish faith, that she stands with swastikas. An actual Nazi SS officer is lauded in the House of Commons during the visit of the Ukrainian president, and the Prime Minister and his government take no responsibility — he blames Parliament, blames Canada.

Canadians are increasingly fed up with this behaviour. Is there anyone left in the Trudeau government who accepts responsibility or who acts with common sense?

Senator Gold, these are not my words; these are Minister Miller's words. Do you think it is befitting of a minister to call the leader of the official opposition "a snake-oil salesman" or "a classless jackass"?

Senator Gold: Not knowing the honourable member well enough — that is to say, the person who is the object of those comments — I'm not in a position to evaluate the appropriateness of the comment. As I said, I choose not to comment further on Minister Miller's comments.

ORDERS OF THE DAY

DEPARTMENT OF FOREIGN AFFAIRS, TRADE AND DEVELOPMENT ACT

DECLARATION OF PRIVATE INTEREST

The Hon. the Speaker: Honourable senators, Senator Jaffer has made a written declaration of private interest regarding Bill C-282, An Act to amend the Department of Foreign Affairs, Trade and Development Act (supply management) and in accordance with rule 15-7, the declaration shall be recorded in the *Journals of the Senate*.

BILL TO AMEND THE INTERPRETATION ACT AND TO MAKE RELATED AMENDMENTS TO OTHER ACTS

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator LaBoucane-Benson, seconded by the Honourable Senator Gold, P.C., for the second reading of Bill S-13, An Act to amend the Interpretation Act and to make related amendments to other Acts.

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, I rise today to speak to second reading of Bill S-13, an Act to amend the Interpretation Act and to make related amendments to other Acts.

It has been a few months since Senator LaBoucane-Benson spoke to this legislation on June 20, so allow me to provide you with a bit of an overview to refresh your memory.

Bill S-13 will, first of all, amend the Interpretation Act to include a non-derogation clause on upholding the Aboriginal and treaty rights found in section 35 of the Constitution Act, 1982. That clause will read as follows:

Every enactment is to be construed as upholding the Aboriginal and treaty rights of Indigenous peoples recognized and affirmed by section 35 of the *Constitution Act, 1982*, and not as abrogating or derogating from them.

In addition to establishing a blanket non-derogation clause, or NDC, Bill S-13 will remove the existing non-derogation clauses from 26 different pieces of legislation. Only three existing laws with non-derogation clauses will retain those NDCs.

On the surface, the government's rationale for this legislation is, by and large, solid.

First of all, the legislation will provide a uniform standard for the interpretation of all federal legislation. By including a blanket non-derogation clause in the Interpretation Act, all federal laws will be read as including an NDC.

Second, the legislation will create a standardized non-derogation clause.

NDCs have been added to legislation in an ad hoc manner for decades. They first began to show up in a small number of federal laws in the 1970s and early 1980s — although at that time they obviously did not reference the Constitution Act, 1982. After the patriation of the Constitution Act and the adoption of the Charter of Rights and Freedoms of 1982, NDCs once again started to be included in federal legislation in 1986.

Over the years, the wording of these NDCs has changed. And while nobody has advocated that NDCs should be used to either extend or diminish existing rights, the arguments have gone back and forth regarding whether that might be the real-world outcome.

For example, when the Standing Senate Committee on Legal and Constitutional Affairs studied this issue between 2003 and 2007, they noted in their report that they "... heard significantly divergent testimony from government and non-government witnesses with respect to the purpose and effect of non-derogation clauses."

Indigenous groups saw the inclusion of NDCs:

... as a minimum stipulation that the law should be interpreted so as not to negatively affect their constitutional Aboriginal and treaty rights.

On the other hand, Justice officials “. . . considered these clauses largely superfluous reminders of section 35 of the *Constitution Act, 1982*.”

The committee noted that as the wording of the NDCs began to be changed, Indigenous groups became concerned that because of the lack of consistency in the wording:

. . . the courts would or could attribute different interpretations to differently worded non-derogation clauses in order to make sense of the differences in various statutes.

As a result of this testimony, the Senate Legal Committee recommended that the government introduce a standardized non-derogation clause, which is what Bill S-13 will do.

The third component of the government’s rationale for this bill is that amending the Interpretation Act to include a blanket NDC will remove “. . . the need for Indigenous peoples to press for NDCs whenever the government introduces legislation.”

There are clear advantages to this. However, I would note there is also a counter-argument for what has been called “continual reiteration” of non-derogation clauses rather than utilizing a single statement. Since the non-derogation clause primarily serves as a reminder of existing rights and does not confer any new rights, repeating a standardized non-derogation in every piece of legislation may be more effective than a single iteration, which is soon out of sight and out of mind.

The fourth part of the government’s rationale is that including an NDC in the Interpretation Act helps to fulfill an obligation under the United Nations Declaration on the Rights of Indigenous Peoples which requires that measures be taken to ensure the consistency of laws with the UN Declaration on the Rights of Indigenous Peoples.

Colleagues, in principle, I believe that we can all support these objectives. As noted in both the 2007 Senate report and the government’s 2022 *What We Have Learned* report, Indigenous peoples have been asking that the federal Interpretation Act be amended to include an NDC for many years.

However, rather than being celebrated, it is my view that this legislation should be recognized for what it is: an acknowledgement of the repeated and systemic failure of Canadian governments to honour Aboriginal and treaty rights.

How else do we explain such a bill? First, we had the treaties. Then the treaties were followed by court decisions that insisted those treaties must be honoured. Then we introduced the Charter of Rights, which affirmed that treaty rights are actual rights and must be respected. Following that, Parliament adopted the United Nations Declaration on the Rights of Indigenous Peoples Act, which requires that:

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior

and informed consent before adopting and implementing legislative or administrative measures that may affect them.

• (1500)

And yet, in spite of all these measures, we somehow still need a blanket non-derogation clause. I can’t help but think that if the Government of Canada simply started honouring Aboriginal and treaty rights, we would no longer need to repeatedly layer statutory declarations on top of each other in order to try to compel the government to do what it agreed to do in the first place.

Do not misunderstand me; I do not blame our Indigenous peoples for wanting this non-derogation clause. I blame the government that it is needed at all. I support this bill in principle, but I am not convinced that a fifth “for greater certainty” layer is going to provide any more certainty to Indigenous peoples than the previous four layers.

Let me illustrate my concern with a simple example: Right now, the Standing Senate Committee on National Security, Defence and Veterans Affairs is studying Bill C-21, An Act to amend certain Acts and to make certain consequential amendments (firearms), otherwise known as the gun control bill. This legislation will enact significant changes that will have serious detrimental impacts on law-abiding gun owners in Canada, including the treaty rights of Indigenous peoples. Yet, in spite of this, the government completely failed to consult with Indigenous peoples, and is instead charging ahead. I noted this in my speech on Bill C-21 when I mentioned the following question that was posed to the officials during my critic’s briefing on the bill: “With whom did you consult?” When the officials were asked to describe their process of consulting with Indigenous peoples, they turned and looked for answers from the representative who was from Minister Mendicino’s office. Departmental officials did say they had consulted on the previous bill — Bill C-21 — which died on the Order Paper, but they engaged in no such consultation with Indigenous peoples in advance of introducing this bill, which has different provisions from the previous bill.

Subsequent to my critic’s briefing, officials sent my office a list of meetings they held with Indigenous groups after the bill was introduced. In other words, those were meetings held between January and May of this year. But that, colleagues, was months after Bill C-21 had been introduced, and only occurred after public opposition to the government’s amendments had arisen. As on so many other occasions, Indigenous peoples were only an afterthought. That makes a mockery out of the claim that when it comes to Indigenous peoples, it is “nothing about us without us.” Even though Indigenous peoples have treaty rights, even though the courts have upheld these rights, even though the Charter affirms these rights and even though the United Nations Declaration on the Rights of Indigenous Peoples Act passed by Parliament compels the government to consult with Indigenous peoples in order to “. . . obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them,” the government is still failing to consult and respect Indigenous rights.

Now we have Bill S-13 in front of us, which says that Bill C-21 should:

. . . be construed as upholding the Aboriginal and treaty rights of Indigenous peoples recognized and affirmed by section 35 of the *Constitution Act, 1982*, and not as abrogating or derogating from them.

Yet, Bill C-21 does nothing of the sort. We may as well pass a law that says, “Plumbers should be construed as lawyers.” I think they would make better lawyers. Saying it is so does not make it so.

Colleagues, I support the intent of this legislation, but I question the value it will bring when we have a government that has repeatedly demonstrated it will flout the law whenever that might be to its advantage. I hope this legislation will be very carefully studied at committee to ensure that it has the support of Indigenous peoples — that the government claims it does — and that it will achieve the objectives it is designed to achieve.

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 LaBoucane-Benson, bill referred to the Standing Senate Committee on Legal and Constitutional Affairs.)

THE SENATE

MOTION TO AMEND CHAPTER 3:05 OF THE *SENATE ADMINISTRATIVE RULES*—DEBATE ADJOURNED

Leave having been given to proceed to Motions, Order No. 131:

Hon. Lucie Moncion, pursuant to notice of June 13, 2023, moved:

That, in light of the adoption of the *Financial Policy for Senate Committees* by the Standing Committee on Internal Economy, Budgets and Administration on June 1, 2023, the *Senate Administrative Rules* be amended in Chapter 3:05

- (a) by repealing the heading before section 1, section 1, subsections 10(2) and (3) and section 11; and

- (b) by replacing the heading before section 2 and subsections 2(1) and (2) with the following:

“Committee Budgets

2. (1) A committee budget for special expenses must be

(a) adopted by the committee;

(b) submitted by the committee to the Internal Economy Committee for its consideration; and

(c) presented to the Senate by committee report, with the budget and a report of the Internal Economy Committee attached.

(2) A budget prepared for the purposes of subsection (1) must contain a detailed estimate of the committee’s special expenses for the fiscal year.”; and

That the Law Clerk and Parliamentary Counsel be authorized to make any necessary technical, editorial, grammatical, or other required, non-substantive changes to the *Senate Administrative Rules* as a result of these amendments, including the updating of cross-references and the renumbering of provisions.

She said: Honourable senators, this motion proposes consequential changes to the *Senate Administrative Rules* that are necessary to implement a new financial policy for Senate committees, which was adopted by the Senate Standing Committee on Internal Economy, Budgets and Administration on June 1, 2023. The new policy will come into force at the end of September 2023.

[*Translation*]

I want to point out that this policy compiles into one comprehensive document long-standing decisions, policies, practices and guidelines of the Internal Economy Committee that apply to Senate committees in the area of financial management and committee budgets. Most of these measures are nothing new and will be familiar to senators who have participated in committee travel activities in the past.

[*English*]

The new policy streamlines the committee budget process to reflect the activity-based budgeting system that has been in place for over 10 years. It also replaces outdated financial reports on committee expenditures with the new legislative requirement for proactive disclosure. I would also note that last week, the Senate adopted changes to the *Rules of the Senate*, which also repealed obsolete sessional financial reports. Committees will continue to post quarterly, public, proactive disclosure reports, along with an annual report, which follow the fiscal years on the Senate of Canada website. These changes are simply to align our *Senate Administrative Rules* with the new policy, and will help ensure that the Senate continues to inform the public about spending by its committees in an open and transparent manner.

Thank you again, colleagues, for your consent.

Hon. Leo Housakos: Would Senator Moncion take a question?

I assume there was a subcommittee that reviewed these policies. Which subcommittee was it, senator?

Senator Moncion: It's the subcommittee that reviews all policies — well, it depends on the matter. This one was the Subcommittee on Senate Estimates and Committee Budgets, under the budgets. We looked at the whole policy, and we tweaked it because most of the policies in the Senate now have been reviewed. Some of them are 10 or 15 years old. This was an older one, so we streamlined and looked at this. The Subcommittee on Senate Estimates and Committee Budgets was the committee that looked at it.

(On motion of Senator Martin, debate adjourned.)

• (1510)

**BILL TO AMEND THE CANADA ELECTIONS ACT AND
THE REGULATION ADAPTING THE CANADA
ELECTIONS ACT FOR THE PURPOSES
OF A REFERENDUM
(VOTING AGE)**

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator McPhedran, seconded by the Honourable Senator White, for the second reading of Bill S-201, An Act to amend the Canada Elections Act and the Regulation Adapting the Canada Elections Act for the Purposes of a Referendum (voting age).

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I note that this item is at day 15. I would like to adjourn the debate for the balance of my time.

(On motion of Senator Martin, debate adjourned.)

CONSTITUTION ACT, 1867

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Patterson (*Nunavut*), seconded by the Honourable Senator Tannas, for the second reading of Bill S-228, An Act to amend the Constitution Act, 1867 (property qualifications of Senators).

Hon. Leo Housakos: Honourable senators, I note that this item is at day 15 and I'm not ready to speak at this time. Therefore, with leave of the Senate and notwithstanding rule 4-15(3), I move the adjournment of the debate for the balance of my time.

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

Hon Senators: Agreed.

(Debate adjourned.)

TELECOMMUNICATIONS ACT

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Hon. Yonah Martin (Deputy Leader of the Opposition) moved second reading of Bill C-288, An Act to amend the Telecommunications Act (transparent and accurate broadband services information).

She said: Honourable senators, I rise today to speak as the Senate sponsor of Bill C-288, an Act to amend the Telecommunications Act (transparent and accurate broadband services information). Bill C-288 is timely and necessary, as too many communities in this country — particularly rural communities — still lack connectivity to broadband.

I would like to begin by acknowledging my colleague in the other place, Member of Parliament Dan Mazier, for his tireless work and dedication to ensuring all Canadians have equal access to communication technologies.

In 2019, the Canadian Radio-television and Telecommunications Commission, or CRTC, launched an eight-month inquiry into a host of complaints from Canadians over the harm caused by misleading sales tactics by Canada's telecommunications companies. Some of the unacceptable practices the report pointed to included call centre employees at major telecommunications companies adding services to a customer's account without permission, retail store employees fudging contract details and door-to-door salespeople misrepresenting contract prices.

Some of the key recommendations included the CRTC creating a mandatory internet code of conduct that could include price protections during a contract, similar to those that exist for cell phones under the Wireless Code; requiring service providers to allow a cooling-off period so customers can cancel services if they don't match what they were offered; broadening the mandate of the telecommunications mediator — the Commission for Complaints for Telecom-Television Services, or CCTS — so it can investigate complaints about misleading and aggressive sales tactics; and conducting nationwide secret shopper tests to ensure retail sales staff aren't misleading customers.

It is worthwhile to mention that the report did not differentiate between telecommunications companies that were engaged in these misleading practices and those that were not. In advance of the inquiry, the Commission for Complaints for Telecom-Television Services sampled 441 complaints to identify sources of customer frustration. The CCTS found that more than half — 53% of the complaints — reported a mismatch between expectations at the point of sale and subsequent experiences. In 41% of the complaints, consumers claimed they weren't told their contracts include a clause that allows for unilateral price or service changes. Canada saw a 57% spike in complaints in 2017-18, most of them involving wireless providers. This was

despite a revised Wireless Code, which is meant to protect consumers. It came into effect in December 2017. Just a few of the cases are as follows.

A customer from Laval, Quebec, agreed to obtain a bundle of home phone, internet and TV services for \$111 per month, but was then billed \$131 per month. The provider told her that she was not eligible for the offer priced of \$111 per month. A customer from Langley, B.C., received an offer from her service provider of a new mobile device, which included a device protection plan. The customer paid \$280 for the device and believed she was on a month-to-month agreement. The device broke, and she received a refurbished replacement. When she reported her dissatisfaction, she was told she was locked into a 24-month plan with a \$500 cancellation fee.

• (1520)

A customer from Saskatchewan subscribed to internet service delivered through a satellite system. The service functioned properly for a few days, until the internet speed decreased, particularly when used for gaming or watching Netflix. The provider said a new plan would be necessary to get those speeds.

“Marketplace,” a consumer protection program on CBC, did a hidden-camera investigation in 2018 and found that door-to-door telecom sales representatives were promising “forever prices” on internet services, fictional promotion prices and made false speed claims. Furthermore, many customers were misled on claims that they would be able to access fibre-optic technology right to their homes, where they were still relying on copper cabling from their homes to a fibre-optic node several streets away.

That brings us to the need for Bill C-288. In articulating the reasons for this bill, MP Mazier said the following:

Access to quality Internet is essential, and rural Canadians, in particular, understand the devastating impacts associated with poor Internet service across our nation. . . .

He correctly stated that:

. . . If members of the House were to speak with Canadians across our country, they would realize that many feel cheated, misled and ripped-off by Internet companies. This is because millions of Canadians are frustrated to learn that the Internet quality they are paying for is nowhere near what they expected.

Consumers make purchasing decisions based on information. When it comes to the Internet, Canadians expect the highest quality of service. Unfortunately, when consumers are making decisions on what Internet provider is best for them, they do not have access to the most accurate and realistic information.

As Mr. Mazier said, “Canadians deserve to know what they are paying for,” which is why he introduced Bill C-288. Bill C-288 addresses the concerns of Canadians, especially those in rural

communities who buy expensive internet services only to realize that they do not receive the speeds that were advertised to them. The speeds that customers see when they go to purchase internet are not guaranteed, and they are rarely minimum or average speeds.

Currently, the government allows internet companies to advertise maximum theoretical speeds. Such words as “up to” are used in those advertisements, leading consumers to believe that an internet service is better than it actually is.

Bill C-288 addresses that by providing customers with accurate and transparent information on fixed broadband services. Simply put, it clarifies what an internet service customer is buying.

First, this legislation would mandate internet companies to provide Canadians with typical download and upload speeds, and not maximum theoretical speeds. Bill C-288 also provides Canadians with quality metrics during peak usage times. Internet users want to know what their speeds will be at peak times, not in the middle of the night, when people are sleeping. This puts consumers first by empowering them with the knowledge they need to make the right decisions for their personal and business use of the internet.

Last and most important, Bill C-288 will be properly enforced. Thanks to a Conservative amendment at the Standing Committee on Industry and Technology, public hearings must be held by the Canadian Radio-television and Telecommunications Commission to ensure compliance, monitoring and enforcement.

Honourable senators, this bill is about lifting the veil and providing honest information that enables consumers to make well-informed choices about the internet services they are purchasing.

OpenMedia, an organization that works to keep the internet open and affordable, agrees with that objective. In a statement, it said:

When you sign up for an Internet plan, you deserve to know what you’re paying for. It’s a simple matter of truth and transparency. If an Internet provider is advertising certain speeds, consumers have the right to know BEFORE they buy if those speeds accurately reflect average network performance.

As I mentioned earlier, Bill C-288 will amend the Telecommunications Act to require that internet service providers, or ISPs, give consumers accurate information regarding the quality and speeds of internet services during peak usage periods, and not based on theoretical possibilities or best-case scenarios. Such words are misleading for consumers, who are then fooled into believing that they will receive a certain level of service under all scenarios, when, in fact, the best-case scenario might never be achieved.

According to an expert, the CRTC explicitly excluded restrictions against misleading advertisements of service quality levels in the development of its 2019 Internet Code, and this bill will potentially mitigate what can be viewed as an error in developing the Internet Code.

You may ask yourself this: What are the consequences of an absence of accurate information during purchasing decisions?

The principal concerns are that consumers will be overpaying for services and probably not purchasing the best service that fits their needs. In our interconnected world, where many people increasingly work from home, this has serious potential implications for those who run home businesses that might be competing globally.

Canadians currently pay some of the highest costs for internet and wireless telecom services in the world, while access to high-speed broadband internet and wireless telecom services is also among the lowest for developed countries. According to the CRTC's data, 38% of rural and remote communities have inadequate access to high-speed broadband internet services. Among Indigenous communities, that drops to less than 30%, whereas the all-Canada average, including urban centres, is well over 80%.

Full coverage of rural and remote Canada is promised by 2030, by which time download speeds of 50 megabytes per second and upload speeds of 10 megabytes per second might be woefully inadequate for the functions of broadband that will be enjoyed in cities. It might also be completely inadequate for rural home businesses that are seeking to stay competitive.

I believe that Bill C-288 will improve accountability and transparency in Canada's telecom sector by lifting the veil so that Canadians know the quality of the broadband services they are purchasing. The bill will not have a direct impact on improved access to high-speed broadband services in rural and remote areas, but it will at least improve accountability and transparency. That will hopefully lead to more competition while improving consumer choice.

A report by the House of Commons' Standing Committee on Industry and Technology echoed how important the objectives contained in this bill are. That report noted that the CRTC should require internet service providers to make information available to consumers on the usual download and upload speeds they can expect during peak periods so that they can make more informed purchasing decisions based on accurate and transparent information.

Witnesses at the House committee also testified that Bill C-288 would bolster the CRTC's new policy direction to ensure competition and consumer rights.

Honourable senators, this gap in rural and remote connectivity has been with us for too long. In 2021, the Conservative Party election platform stated:

As technology continues to advance, the infrastructure of the future — broadband and 5G — will be increasingly critical to job creation.

[Senator Martin]

The platform proposed to:

Build digital infrastructure to connect all of Canada to High-Speed Internet by 2025

It also proposed to:

Accelerate the plan to get rural broadband built.

Speed up the spectrum auction process to get more spectrum into use and apply "use it or lose it" provisions to ensure that spectrum (particularly in rural areas) is actually developed

I am pleased to underscore the support that this bill received in the other place.

• (1530)

As Kevin Lamoureux, Parliamentary Secretary to the Leader of the Government in the House of Commons, stated on the bill at third reading, "For me, it is all about consumer awareness and protection, and that is the reason I am supporting it."

Mr. Bryan Masse of the NDP in turn said this:

I congratulate the member because he has a specific thing here to fix broadband services and bring greater accountability to their advertising and what they are promoting, which is critical in a couple of contexts. One is obviously truth in advertising. This bill would give more expectations and oversight to ensure that when services are advertising certain speeds, consumers actually get that. That is important for making purchasing decisions.

Before I conclude, honourable senators, I would be remiss if I did not mention the Honourable Senator Patterson's Bill S-242, An Act to amend the Radiocommunication Act, or as he calls it, "the use it or lose it" bill. Bill S-242 complements Bill C-288 by ensuring that Canada's spectrum is available for Canadians to deliver important wireless services like the internet and not exploited by larger companies that hold licences and turn them around at staggering profits.

To quote Senator Patterson:

Canadians in rural, remote and northern communities deserve connectivity. Senators know that I have long railed against Canada's spectrum policy, which prioritizes urban competition over rural connectivity. Communities anywhere from 15 minutes outside of Calgary to those in the Far North — such as Grise Fiord, Nunavut — are deprived of connectivity. While there are many factors that contribute to the lack of connectivity, one reality is that some communities lack access to sufficient internet connectivity thanks to spectrum that remains unused.

I believe Bill S-242 will prevent spectrum squatting and, coupled with bills like C-288, will usher in a new age of rural entrepreneurialism — a new economy that is being created because of the global pandemic — where Canadians are and will be working from home more than ever before. This, then, is where Senator Patterson's and MP Mazier's bills are very useful in establishing a level playing field for Canada's rural and Indigenous communities.

Honourable senators, this bill has passed through the other house with strong support and is now before us in the Senate. I ask for your support at second reading of this bill and to send it to committee where we can hear from Canadians who are directly affected by this issue and help ensure equal and fair internet access for all. Thank you.

(On motion of Senator Downe, for Senator Patterson (*Nunavut*), debate adjourned.)

BUSINESS OF THE SENATE

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-13(2), I move:

That the Senate do now adjourn.

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

Hon. Senators: Agreed.

(At 3:34 p.m., the Senate was continued until tomorrow at 2 p.m.)

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