

Legislative Update: Federal Election 2011

March 30, 2011

While the recent fall of the government has focused the attention of Canadians on political strategy and tactics, the government's defeat has also had a legislative impact. In total, 37 pieces of legislation (29 bills introduced in the house, and 8 that were introduced in the Senate) died on the order paper. Among the bills that died on Friday, March 25, were:

- the long-standing effort to amend the *Copyright Act*. This proposed overhaul of the *Copyright Act* has been highly controversial, as all stakeholders have different views on how copyright law should evolve in the face of technological change. Some of the copy control prohibitions in the bill, along with other rules regarding digital locks, are among those that have been heavily contested. The issue of copyright reform will not die with this bill, and in the wake of the election it will be interesting to track the next incarnation of the bill;
- certain proposed crime legislation, including legislation imposing new mandatory minimum sentences for a variety of drug offences, and an amendment to the *Criminal Code* provision in respect of citizens' arrests;
- the proposed effort to impose term limits on senators. The bill would have imposed a non-renewable eight-year term for senators, with a mandatory retirement age of 75, regardless of a senator's age at the time of appointment;
- the proposal to alter the current formula for allocating seats in the House of Commons, which is obviously a sensitive issue in certain regions of the country. If successfully passed, after the 2011 readjustment Alberta, British Columbia and Ontario would have been scheduled to receive a share of seats in the House of Commons closer to their share of the Canadian population;
- a bill that would bring oversight of the safety of drinking water on aboriginal reserves within the purview of the Department of Indian Affairs; and
- a closely watched private members' bill designed to amend the *Patent Act* and reform the current "Access to Medicines Regime". The bill was designed to make it easier to export inexpensive generic drugs to poor countries.

Finally, a number of bills received Royal Assent on Wednesday in advance of the election, including:

- legislation that amends the *Immigration and Refugee Protection Act* by creating a new regulatory regime for immigration consultants;
- a new *Freezing Assets of Corrupt Foreign Officials Act*, which permits the freezing of assets of foreign nationals whose country is in a state of turmoil or political uncertainty and was designed to address issues arising out of recent turmoil in Tunisia and Libya; and
- other crime legislation that was pushed through parliament, including the *Serious Time for the Most Serious Crime Act* and the *Standing Up For Victims of White Collar Crime Act*.



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