



Government
of Canada Gouvernement
du Canada

Veterans
Ombud Ombud
des vétérans

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OVO DART: OVO2025-000014

December 12, 2025

The Honourable Jill McKnight, P.C., M.P.
Minister of Veterans Affairs and
Associate Minister of National Defence
66 Slater Street, 16th Floor
Ottawa, Ontario K1A 0P4

Re: Unfair Veterans-related Measures in Bill C-15, *Budget 2025 Implementation Act*

Dear Minister McKnight,

After careful review, and after hearing many concerns from the Veteran community, I must point out the unfairness I believe will result from certain retroactive measures contained within the *Budget 2025 Implementation Act* (Bill C-15).

Contrary to what was originally intended in the *Interpretation Act*, sections 373-375 of Bill C-15 would retroactively redefine “province” to exclude the territories in the *Veterans Health Care Regulations* as it relates to Accommodations and Meals payment by some Veterans in long term care. In so doing, Veterans Affairs Canada would effectively legitimize its past overcharges to Veterans and nullify ongoing litigation aimed at securing reimbursement for affected Veterans.

It is inconceivable that the Department of Justice and Veterans Affairs Canada personnel who drafted the *Veterans Health Care Regulations* would have been unaware of the *Interpretation Act* that has for many decades prior to 1993 expressly defined “province” to include the territories. Indeed, the Department of Justice had published internal guidance that references the *Interpretation Act* in their 1995 “Guide to the Making of Federal Acts and Regulations”. Therefore, one must assume that the drafters understood that the word “province” in the *Veterans Health Care Regulations* was meant to include the territories and thus conclude that the Department made a mistake in not doing so when undertaking the Accommodations and Meals calculations.

I believe that using retroactive legislation to correct administrative errors is both inappropriate and unfair and undermines confidence in government decision-making, sets a troubling precedent, and denies justice to those who served our country. Normally, retroactive provisions are limited to changes in legislation or regulations only back to the date of a formal government announcement of such intended change; for example, a change in tax rules announced in a budget and made retroactive in a budget implementation act to the date of the budget announcement. In this case, however, retroactivity of almost 30 years is extraordinary; the amendments proposed in Bill C-15 should be prospective only.

Ultimately, it is clear to the Veteran community that Bill C-15 sections 373-375 are meant solely to correct an error made by the Department and to deny them compensation for the overcharge. VAC already faces growing reputational backlash over the manner in which it communicates with Canada's Veterans, their families and Survivors. I fear this retroactivity measure, if enacted, will only increase the deep distrust in Veterans Affairs Canada that, sadly, I hear about far too often.

On behalf of our most elderly and disabled Veterans who would be unfairly and disproportionately affected by these retroactive amendments, I would ask that they be removed from Bill C-15. Beyond that, I believe acknowledging the error and making whole those Veterans who were affected would be a step in the right direction towards regaining the trust of this community.

Sincerely,

A handwritten signature in blue ink, appearing to read "Nishika Jardine".

Colonel (Ret'd) Nishika Jardine, CD
Veterans Ombud