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Chair

Mr. Massimo Pacetti

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•(1110)

[English]

The Chair (Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.)): If we can begin, the order of the day is the committee business motion of Judy Wasylycia-Leis. There is a point of order.

Mr. Charlie Penson (Peace River, CPC): Mr. Chairman, could we have a short discussion about the fiscal forecasters and the process it's going to take to complete the third-quarter results they are now working on? I would like information from you on whether we can have a Monday meeting with the fiscal forecasters, or at least have the reports in our hands so we can see them on Monday. I understand from these people that they can be ready for us. Could we have them come before the committee and tell us of their findings, and could we have an opportunity to question them on Monday?

Maybe you can bring us up to date, and then if there are some problems, I have a motion I would like to raise.

The Chair: I'm not sure it's a point of order, but I don't have a problem answering your question.

I participated in a conference call Tuesday; they're going to have a report ready on Monday, so I requested they make that report available to us on Monday so we can review it, and that they be available for the meeting at 11 a.m. on Tuesday. That was the agreement we had. At the steering committee, that's one of the points on the order.

The only question I have is whether it is going to be in camera or public. That was the only question. Their report's only going to be ready sometime on Monday.

Mr. Charlie Penson: Monday morning, I understand.

The Chair: That was not confirmed to me on Tuesday.

Mr. Charlie Penson: I think you can confirm it now. I believe you'll find they'll have it ready for us early Monday morning. I would like to have at least the benefit, Mr. Chairman—

The Chair: The problem—I'm sorry, Mr. Penson—is going to be that we also have to get it translated.

Mr. Charlie Penson: So when would it be available to the members?

The Chair: I asked for the report to be ready on Monday, so we can get it to the members on Monday and be ready for the meeting on Tuesday. We don't know how many pages, but I asked for the report to be pretty concise, with at least a bit of the information we requested. The contract stated their final report had to match one of the tables in the November 2004 economic update— it was on page

74—and that they were supposed to submit, with that report, any of the assumptions they used to come up with their figures or numbers.

Mr. Charlie Penson: Further to that, Mr. Chairman, the reports will have to be translated. I'm going to ask the clerk, then, what time on Monday they will be available to the members.

The Clerk of the Committee (Mr. Richard Dupuis): I'm going to make arrangements with the translation office right now, to make sure there will be enough translators to proceed with the translation. You have to realize...I would assume it is quite technical, but we are going to do our best.

Mr. Charlie Penson: Further to that, Mr. Chairman, we've had discussions here earlier about the short shelf life of this report. That is certainly true; the closer we get to the budget, the shorter the shelf life. Maybe some people would not like to see it even happen before the budget, but that's the commitment I think we've made with these people.

Therefore, I believe we need to have these reports translated and made available for us to look at on Monday, in advance of the fiscal forecasters coming here on Tuesday, so we have a chance to develop some questions for them, and I would like a firm commitment out of the clerk as to what time we can have it on Monday.

The Chair: I can answer that. We couldn't get a firm commitment from them as to when the report was actually going to be ready on Monday.

[Translation]

Richard, can you do that?

[English]

They weren't sure; they were just going through the motions. It's a first for them, but they said they would be able to get the report ready by Monday.

Mr. Charlie Penson: If that's the case, Mr. Chairman, I think maybe we need some direction here. I would like to file a notice of motion to give some direction in that regard. We'll circulate the motion to the members. Maybe I could just read it, so we have greater clarity as to what kind of direction we'd like to see.

The motion is as follows: that the committee instruct the chairman to organize a televised committee meeting no later than Tuesday, February 22, 2005, in order that the members may have the opportunity to review the results of the studies conducted by the experts on budgetary estimates; that these experts be called as witnesses at this Tuesday meeting; that the exact timing of this televised meeting be scheduled during the planning meeting today, and confirmed by the clerk in a notice of the committee by the end of the business day today; and that the clerk contact the three experts in budgetary estimates by the end of the business day today, instructing them to e-mail their reports to the clerk, and to the committee members, no later than 9 a.m. on Monday, February 21, 2005.

We'll circulate that to them.

The Chair: Monsieur Loubier.

[*Translation*]

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Chairman, I think it's a great idea, especially since this will happen shortly before the budget. We will have new points of analysis to include in our study to evaluate the budgetary data that will be presented to us on Wednesday.

Reference was made earlier to translation. If we invited three experts and did not have enough time to have the entire document translated, we could hold a meeting using only a translation of the summary or the data in the forecast revenue, expenditures and surplus tables. With simultaneous translation, the witnesses could provide us with all the premises and analyses with respect to their forecasts. This would save time, and the full translation could be supplied to us within a few days.

Personally, I would be content with the summary. Each report probably comes with a one-page summary. We could hold a televised committee meeting with that.

• (1115)

The Chair: Precisely. When we met on Tuesday, I asked for the report to be concise. We do have a summary table. For them, this was a first-time experience. I clearly asked for a report to be made available to us on Monday, so that we can review it before our meeting on Tuesday. That has already been done.

As far as the translation is concerned, we have to be flexible. Some technical terms may not be translated.

The Clerk: Here is my suggestion, Mr. Loubier. Upon receiving the report, I will immediately send it to you, and you can indicate which parts you would like to be translated.

Mr. Yvan Loubier: Mr. Clerk, if we had the tables containing the data—

[*English*]

The Chair: Let me make this clear. This is not going to be a new principle. It's just a question of trying to be more flexible. We don't know what the report is going to look like. But as Mr. Penson just noted, with the limited shelf life, we want to have some relevance when we meet with the panel on Tuesday. So we have to have some flexibility here.

Hon. John McKay (Scarborough—Guildwood, Lib.): It strikes me as somewhat ironic, Mr. Chairman, that we have documents

present in the room that are in one language and we're not permitted to distribute them, but now we're apparently much more flexible when it comes to not having documents fully translated. I just want to make note of that.

With regard to the other matter, it seems to me that the availability of a meeting is largely driven by the completion of the reports by people who are saying they are already rushed, and then the availability of translators. We would be in a rather foolish position if in fact we had set up a meeting, with all of the television lights running and with all of the intentions the opposition has, and then weren't able to question folks based upon their report.

So I think you have to be driven by the availability of the report and the translation of the report.

The Chair: A lot of people want to speak to this motion. This is a motion, not a point of order, so I'm going to have to treat it like any other motion, and this would be 48 hours' notice. We'll look at it during the steering committee meeting. It was just a question of whether we wanted to have it in camera or not. I'm not sure when we'll get to it.

Mr. Charlie Penson: We'll get to it in 48 hours, Mr. Chairman.

The Chair: That would be at our next meeting.

Mr. Charlie Penson: Unless we meet on Saturday.

Some hon. members: Oh, oh!

Mr. Charles Hubbard (Miramichi, Lib.): Mr. Chair, it's my understanding that the subcommittee is travelling to Halifax for hearings. I would assume that all the arrangements have been made. But most significantly, it appears from previous arrangements that this covers the four Atlantic provinces. I wonder if the clerk could distribute to the members of this committee information on how the meeting is organized, how it was publicized, and who the witnesses will be. For example, was it advertised in the province of New Brunswick? Was Newfoundland involved? How was the meeting in Halifax advertised? If the clerk could do that before the day is out, it would be much appreciated.

• (1120)

The Chair: It's a motion. I've addressed this, and we're going to address it at the next meeting.

Mr. Monte Solberg (Medicine Hat, CPC): Mr. Chair, I simply want to point out that this is really a follow-up from a previous motion. What we're seeking to do here is to ensure that we actually follow through on the original motion, which was to have these forecasters go and do this project and get it back. In order for it to be relevant, we really need to get it dealt with and released publicly before the budget, because the budget will have its own set of numbers in it. This will be a colossal waste of money if we don't get it out before the budget.

The Chair: I don't want to repeat what I just said. Were you here at the beginning of the meeting?

I met with them on Tuesday, but this is a function of the people who are preparing the report as well. We can still schedule the meeting if the report is not going to be ready. They said the report was going to be ready on Monday. As to what time I'm not sure, but I said even if the report is not ready on Monday, you guys have to be available for the meeting on Tuesday at 11 o'clock. I made that very clear.

Was that made very clear?

A voice: Yes.

Mr. Charlie Penson: This has to do with the subject of your meeting on Tuesday with the economists. My understanding is that you asked them to have their report ready on Monday; there was no time specified. Having talked to these people, I understand they can have it to us by e-mail by about nine o'clock on Monday morning.

The Chair: Mr. Penson, I was at the meeting. A member from your party was there as well, and he agreed with me.

Mr. Charlie Penson: For what time did you direct them to do it?

The Chair: I did not direct them, because it was still back and forth. They still didn't know what was required of them.

Mr. Charlie Penson: I'm simply trying to be helpful, Mr. Chairman. If we can have these reports on Monday, have them translated and made available to the members, and have the subsequent meeting with the economists on Tuesday, I don't need to have this motion.

What I'm concerned about is that this is not going to be available to the members on Monday for us to do the preparation work necessary. Therefore, the meeting on Tuesday may not be as beneficial as it should be because we won't have our questions ready for them. If you make the assurance that by four or five o'clock on Monday we'll have translated reports, then we don't need to go ahead with the motion.

The Chair: I have three different parties who were going to make the report available. They were not all comfortable as to what time they were going to make the report available.

Mr. Charlie Penson: I suggest you ask the clerk to—

The Chair: He just suggested that he'll make another call today.

Mr. Charlie Penson: Will we have it by nine o'clock Monday morning?

The Chair: Yes, but if the report is not ready at nine o'clock and it happens to be ready at 11 o'clock, I will not refuse the report. We cannot force them to submit the report at nine o'clock. We're going to ask that it be ready for nine o'clock.

I was at the meeting. There was no indication as to when the report was going to be made available. I'm sure they're going to be working on the weekend, trying to get the report done, because they want to create a good impression.

Quickly, Ms. Minna.

Hon. Maria Minna (Beaches—East York, Lib.): This is just a point of clarification on my part, Mr. Chairman. I see it says here “three” experts. I thought each party was to get one and there were going to be four.

The Chair: There were four. One of the economists who was chosen by the Library of Parliament decided not to participate due to the length of time he'd have to take to prepare the report.

Hon. Maria Minna: Which one is not...?

The Chair: Monsieur Vaillancourt.

Hon. Maria Minna: How does that affect the process? The understanding was that each party was to get some advice.

The Chair: No, these are not from parties. These are consultants available to the committee who were suggested by each party, and one of the parties did not make a suggestion anyway.

Can we get to the motion, please? Come on, you guys are stretching it now.

• (1125)

Mr. Charles Hubbard: Mr. Chair, somewhere in the midst of this, I thought, you had made a ruling, and then we went back to what was being discussed.

Has the clerk noted what I requested?

The Chair: No, now we're going to discuss yours, Charlie. This, I think, is for tomorrow's subcommittee meeting.

Mr. Charles Hubbard: All I want to know is if we are going to Halifax tomorrow to serve Atlantic Canada in terms of these hearings. For my information and probably for all the committee's, we would like to know what advertising methods have been used to notify the public in those four provinces. We would like to determine whether or not we have witnesses and whether or not the people of Atlantic Canada have been sufficiently notified of a very important meeting there. If the clerk could do that, it's all I would request.

But this morning I met with a number of people from Atlantic Canada and none of them knew. Very importantly, none of them knew of this meeting. Are we going to meet with nobody, or are we going to meet with witnesses someone has arranged for?

The Chair: I'll give an opportunity to the clerk to answer.

[Translation]

The Clerk: We have a notice almost ready. We do have a meeting scheduled for tomorrow. I put together a panel with three different groups and the provincial treasurer of Prince Edward Island, who will be appearing tomorrow.

We must bear in mind that we were only authorized to travel late Thursday afternoon.

As for the process, on Friday morning, I sent a formal invitation signed by the chair of the committee to all premiers' offices, and followed up with a phone call to each of these offices.

Three provinces have declined the invitation, some for political reasons, given the current situation.

[English]

Mr. Charles Hubbard: Mr. Chair, we might assume that none of the opposition parties in any of those provinces are aware and able to participate. Our committee is made up of all parties, and if we're only dealing with the parties in power.... I'm not sure, for example, if in New Brunswick Mr. Graham, who might want to participate, is aware of this. It certainly is significant in terms of any public hearings.

[Translation]

The Clerk: I was informed yesterday that the Government of New Brunswick was considering appearing before the subcommittee in Quebec City.

[English]

The Chair: Can I get a show of hands for who wants to speak on this?

Mr. Charles Hubbard: I am satisfied, but I think we have—

The Chair: I'm just going to give two minutes to everybody, because I don't want to spend the whole meeting on this.

[Translation]

It would be better if you spoke last, Mr. Loubier.

Mr. Yvan Loubier: I would like to speak first and last, because I am the chair of the subcommittee.

[English]

The Chair: So I'm going to go to Monsieur Loubier and then Mr. Penson.

[Translation]

Mr. Yvan Loubier: As the clerk indicated, we were pressed for time for the meeting in the Maritimes.

With the equalization agreement they just signed, Nova Scotia and Newfoundland have resolved part of their problem in terms of the fiscal imbalance, but they have informed us that they would be sending us a written brief for future reference.

New Brunswick decided against appearing in Halifax, but wants to appear in Quebec City on April 11. Its representatives will attend in Quebec City. I also intend to send an invitation to Mr. Graham. I was informed of his interest yesterday.

I would like to make one point. The subcommittee is master of its own procedure and its own conduct of business. Therefore, I do not think that it would be appropriate to discuss our procedure and our actions here. We have a subcommittee, and that is where this should be discussed. The larger finance committee gets the final say on the budget, however. I need not tell you, Mr. Chairman, what the procedure is, because you know that the process and the witnesses are the responsibility of the subcommittee.

The Chair: You're right, but my intention was simply to provide a little information. That is why I don't want to spend too much time discussing this issue.

Mr. Penson.

[English]

Mr. Charlie Penson: Mr. Chairman, I just wanted to clarify something with regard to committee members appearing at the

subcommittee meetings or any of the committee meetings we have from time to time. It's my understanding that any member of the committee or subcommittee can, if they're not able to make it, ask a replacement member of Parliament to attend those meetings.

I just wanted to affirm, Richard, that this would be the case in the event that one of our members could not make it to a meeting, that we require a substitute.

• (1130)

The Clerk: Absolutely.

The Chair: Ms. Minna.

Hon. Maria Minna: My understanding is that we are inviting only the provincial officials, the premiers, to the meeting. Are we not inviting anyone else who's interested, like NGOs, civil society, or municipalities?

The Chair: Is that the question?

Hon. Maria Minna: It's just that somebody mentioned this problem, and I want to know.

The Chair: Again, is that the question?

Hon. Maria Minna: Yes, it is a question, because I have a problem with that.

The Chair: Again, that business was settled with the subcommittee.

Hon. Maria Minna: I'm sorry, but I wasn't at the subcommittee.

The Chair: The Liberal members have a member on that committee.

I will allow Monsieur Loubier one minute to answer. Let's get on with it.

[Translation]

Mr. Yvan Loubier: Ms. Minna, we have sent and are continuing to send out invitations to every group that could be interested in the issue. This includes NGOs, of course. It also includes individuals concerned about social housing, for instance, or by homelessness in Toronto. We have a list of stakeholders. There are unions, nurses—

[English]

Hon. Maria Minna: All I heard before was province.

[Translation]

Mr. Yvan Loubier: It is very open.

The Chair: Thank you, Mr. Loubier.

Mr. Dupuis, please.

The Clerk: I should point out, Ms. Minna, that I've already posted on the website the mandate of the subcommittee as well as the list of every city that the subcommittee will visit.

[English]

The Chair: Again, as with any other House committee, they can write directly through the clerk or the research staff to get an invitation.

I'm not sure how long we need for Ms. Wasylycia-Leis' motion, but if we go over the time I'm going to allow it. We'll go to about 12:15 p.m.

Ms. Wasylycia-Leis.

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Thank you very much, Mr. Chairperson.

Everyone should have before them a copy of the motion I submitted 48 hours ago. It has to do with the change in procedure regarding appointments, and the fact that committees now have the opportunity to review all appointments and approve them before they are finalized.

This motion is simply an attempt to recommend a process for handling those appointments and to have some reasoned, rational basis for this committee to judge those appointments and then make recommendations.

Without reading the motion, I'll say there are basically three main points that I think are integral to it. I'm certainly willing to hear suggested changes generally, but I think the principles we want to capture are the following. First is that all appointments are chosen on the basis of skill-based criteria, so there should be some objective, skill-based criteria for determining appointments. Second, each nominee should demonstrate how their skills meet the appointment criteria through a process at our committee. Third, all nominations should be given to committees before they are appointed.

I'm not sure what appointments there have been with respect to finance. I don't think we've received any names or had any recommendations come our way. I'm assuming none have been appointed without our involvement, but I think it needs to be said generally that part of the process involves this committee's input before appointments are actually made.

My final point is just to reference the Auditor General's report yesterday on crown corporations. It touches a bit on the whole issue of appointments and references the fact that a huge number of appointments are waiting to be filled that have not been made on the crown corporation front, and I think the same could probably be said generally.

Secondly, the government "has still not assessed the skills and abilities that it needs" to be able to effectively challenge corporate plans, and therefore the appointment process. I think that reinforces the need for us to have such criteria.

I think it's pretty straightforward, and I hope the committee will support the motion.

• (1135)

The Chair: I just want to see who wants to speak to this.

My only problem is what happens—I think everybody gets them, not just me—when there are order in council appointments. We can call them before the committee, from what I understand, but sometimes appointments are made at the last minute. I remember being on a certain committee when we had to appoint somebody—I think it was the Privacy Commissioner. We had to fast-track it because the previous Privacy Commissioner, I think it was Mr.

Marleau, was there just temporarily, or something like that. My only problem is that sometimes we're rushed into these things.

So I don't know how we can address that. Anyway, I leave it to you people.

Mr. Hubbard.

Mr. Charles Hubbard: Mr. Chair, I thought the procedure at present is quite adequate. As chair of several former committees, I know that when orders in council were made affecting people within the purview of the committee, they came to the chair, and the chair would in fact then notify members of the committee of the appointment.

At one time, when I was chair of the fisheries committee, they appointed a deputy minister to the coast guard, and we took the position of wanting him to testify before the committee and to tell us how he was qualified. I know it was certainly something different, but I think each committee can do this if it so desires.

I'm not sure how you notify us in terms of the appointments that are processed through the House, but certainly as a committee, we have the right to vet these appointments and to determine if the person is qualified for the position.

The Chair: Thank you.

Can I ask the members, do you get the orders in council sent to your offices? I get them from the House leaders, and then I think Richard sends copies as well.

I have Mr. Bell, and then Ms. Minna, and Monsieur Côté.

Mr. Don Bell (North Vancouver, Lib.): First, I would ask Judy, I guess, through the chair, is this related to the Department of Finance only, or are you talking generally of other ministries and departments as well?

Ms. Judy Wasylycia-Leis: I'm talking about anything that we as a committee have within our purview.

Mr. Don Bell: The finance committee?

Ms. Judy Wasylycia-Leis: Whatever affects this committee.

Mr. Don Bell: Secondly, before we get into this, I'd like to get a report that lays out the procedure for appointments, who has authority to make appointments, and what the role of parliamentary committees is in appointments, because I don't understand any of that. I'd like to know how that works, because this is suggesting, I gather, a new procedure. This may be fine, but I'd like to know what the existing one is, as I'm hearing different comments from different people, such as "When I was chair of the fisheries committee..." But where is this on a piece of paper, spelling out exactly for me what the role is and what latitude committees have to call witnesses? And if they call a witness, do they have any authority?

The wording here is, "each committee (which oversees appointments)", and I heard Judy say, "approves appointments", but I didn't know that committees "approved appointments". But maybe they do.

The Chair: Could you just repeat that? I'd like Richard to answer that, because from what I understand, we're pretty well open to do whatever we want. And if you look at the "Review of the Governance Framework for Canada's Crown Corporations", that is apparently the suggestion made in recommendation 16 on page 33 in the French version and page 31 in the English version. But that's just a recommendation, from what I can gather.

Mr. Don Bell: Just to be clear, I don't have a problem with what I guess are called merit-based appointments, but I'd like to know what the rules are.

The Chair: Could you repeat that again, Mr. Bell, so Mr. Dupuis can—

Mr. Don Bell: The who, what, where, when, why of appointments—the five w's.

Hon. John McKay: But that's partly because of the committee itself.

Mr. Don Bell: My question is, was this related to Department of Finance only? I asked that question. What's the procedure for appointments, who has the authority to make appointments, and what's the role of parliamentary committees or this committee in particular?

[Translation]

The Chair: Yes, Mr. Clerk.

The Clerk: At present, Standing Order 110 provides that, when an order in council appointment is made, the certificate of nomination is tabled in the House and referred to the standing committee, which has 30 sitting days to review it. That is all the rules provide. There are no specific criteria. It's simply a matter of procedure.

• (1140)

[English]

The Chair: Ms. Minna, Monsieur Côté, Ms. Ambrose, and Monsieur McKay.

Mr. Don Bell: May I ask for clarification of the comment, "It is referred to the committee....to review". What does "review" mean: to approve, decline, or just to note?

An hon. member: To recommend one way or the other.

A voice: No, no.

[Translation]

The Clerk: The committee cannot decline a nomination, but it can report to the House and make a recommendation.

[English]

Ms. Judy Wasylycia-Leis: On a point of order, perhaps I wasn't clear enough at the outset in introducing this motion. This is in fact before us because your leader, the Prime Minister of this country, has announced that there will be a new, open, and transparent way and approach around appointments. So this is an attempt to actually bring forward some standard criteria for our committee, which we hope will be replicated at every committee, so there is a standard, harmonious approach for doing this, and so that we actually participate on a regular basis with a clear set of criteria—not on the basis of receiving notices and trying to remember to bring it to the committee and doing the work ourselves before the deadline, but to

say that the government has an obligation, when it has appointments, to tell us what are the qualifications of the person that meet these criteria. And then we make a recommendation based on that.

It's as simple as that. It's a new way, because your government has said there's a new way, and your government and Prime Minister are talking about dealing with the democratic deficit and want to have an open, transparent process around appointments.

The Chair: For lack of a better word, to get away from rubber stamping?

Ms. Judy Wasylycia-Leis: Yes.

The Chair: Ms. Minna.

Then I have Mr. Côté, Ms. Ambrose, and Mr. McKay.

Hon. Maria Minna: I just wanted to address some of the points Judy makes, particularly the first one with respect to criteria and our getting the criteria and the skills from people.

That stuff exists. It's a matter of formalizing it to make sure we get it, because whenever things are gazetted—even now positions are gazetted—it very clearly states what qualifications we're looking for in those people to fill those things. So this part shouldn't be all that difficult to accomplish; the stuff is already there. The government has a list of specific criteria and skills that are required for specific positions, because all of them are gazetted. So that's there.

Concerning item two, whether we want to change or amend the criteria or the skills, I don't know. It would depend on what we know about the particular position. That's something different.

The other one is the committee approving the criteria for each appointment. I'm not sure whether you mean the criteria we receive—you can answer in a minute, Judy—is something we could change. But this stuff is gazetted already, and so we would get it.

As to seeing the appointments, when I was on the immigration committee we were routinely given by the department—and maybe this is different from some other departments—the criteria, the skills, the gazetted that had gone on, the process that had taken place with respect to the selection process. There was a pre-screening committee and all that, and then the appointees would come before the committee. Of course the committee didn't have the power to deny or say no, but it did have the power to recommend one way or the other if it disagreed with the government's position.

Basically what I'm saying is that most of the information or the structure is already there. It's just a matter of making it available to every committee. Some committees are actually taking advantage of it and were in the previous Parliament, and some were not.

The Chair: Thank you, Ms. Minna.

Mr. Côté, Ms. Ambrose, and Mr. McKay.

[Translation]

Mr. Guy Côté (Portneuf—Jacques-Cartier, BQ): The idea behind the five points before us is to shed light on this process. As a new parliamentarian, I remember receiving faxes saying that the Minister of Finance was appointing so-and-so to such and such a position. We get a fax and do not really know what to do with it. We file it, and that is that.

We now have a specific procedure. As Ms. Minna explained earlier, this stuff already exists, but the motion would allow us to get into the habit of reviewing these appointments more closely. We will recall that some appointments to crown corporations were more risky, and I will name only Canada Post. The point has been made that the Prime Minister is currently championing the democratic deficit. This is a fine opportunity for the Standing Committee on Finance to shed more light on this process, so that, as parliamentarians, we can better participate in it.

• (1145)

[English]

The Chair: Thank you.

Ms. Ambrose.

Ms. Rona Ambrose (Edmonton—Spruce Grove, CPC): I just wanted to commend Judy for this motion and speak in support of it.

I am new as well, as Mr. Bell is, but I think it's fairly clear on the transparency and accountability side. While it sounds as if we have some kind of authority or approval on these appointments, it doesn't sound as though we're really empowered to influence them in any way. If we don't have that power, I think we should.

I particularly wanted to speak to point number five, about the issue of having a full meeting every two months to review government nominees for appointment. If we did have a process like this in place, which I think is very credible, it would speak to the credibility of our individual committee members that we are always reviewing appointments and are participating fully in the process. I wanted to speak to that.

I also wanted to speak on the government's involvement in this. I am confused as to why anyone would be opposed to this, because if you have all-member and all-party committee endorsement it would be, I would assume, beneficial for the government. You wouldn't be accused of patronage appointments if these were done at a committee level and endorsed by all of the parties.

I just wanted to speak in support of it.

The Chair: Thank you, Ms. Ambrose.

Mr. McKay.

Hon. John McKay: Thank you, Mr. Chair.

I think Judy's motion does have some merit to it in terms of doing what the government wishes to do, which is transparent, professional, and competence-based appointments.

I had the unhappy experience of running into Reg Alcock on the way here, and I'm not the better for it, I can assure you of that.

A voice: Physically or literally?

Hon. John McKay: He's one old white guy I wouldn't want to mess with.

I don't think that we have any problem with paragraph one. As I understand it, the standing orders are a fairly broad order. Basically the committee can do what it wants, ask any question it wants, and call before it anybody it wants, as long as it's not interpreted as in any way fettering the discretion of the committee.

As Maria mentioned, in paragraph two the criteria are already out there. I've seen a number of these calls for appointments, and the criteria are all printed out on the request for nominations. I think it's already in the public domain. Again, I don't see what the problem with that would be.

On paragraph three, I think the operative issue is "approved criteria". I want to make sure you're focused on criteria rather than the person. I don't think that your motion contemplates the erosion of the crown prerogative to the appointment itself.

As to the approval of the criteria, I would be a little less concerned if in fact the approval of the criteria was such that there was some discussion about the criteria that you're particularly concerned about. As long as it was not a unilateral response on the part of the committee to simply say, we want this kind of person for that kind of position, I wouldn't have any serious objection to it.

Plus, it's not unilateral, because most of the criteria for most of the appointments the committee would find perfectly acceptable. I think we've been, by and large, fairly well blessed in this country with fairly high-quality appointments for most positions.

On names and qualifications of each nominee, I'm assuming—and correct me if I'm wrong on this, Judy—that you're not drawing from the entire pool of nominations; it's only the person the government is putting forward. We don't want to have some fairly embarrassing situations where some people are on the A list and some are on the B list.

Okay. As long as we clear that...

At one level, the committee is master of its own destiny for paragraph five. Maybe it's a guidance item to the clerk and the chair rather than a mandating item. I'm assuming, with all MPs' offices, you get in all of the appointments that are relevant to the finance committee, and 98% of them, to my mind, catch no attention whatsoever. So your paragraph five fetters the committee somewhat. If the committee wishes to be fettered, I suppose that's entirely up to the committee. But I don't want to have a meeting to review appointments where there's really nothing that's come through in those two months, or where no one is raising any objection to any particular person or process.

• (1150)

So as long as it's clear to members that this does not ultimately erode the crown prerogative on these appointments, then I really have no substantive objections to your motion.

The Chair: Before others speak to this, being a member, I guess I can ask questions as well.

On number two, if I understand it, the criteria are posted, but sometimes we don't have them or we don't have access to them and don't know where to get them.

My only point is this. I maybe agree with Mr. McKay. On "every two months", what is every two months? Unanimously might be a little harsh, because in the summer we're not going to be in session. Then what do we do? Do we prepare a report after every meeting or do we rubber-stamp it as well? That's really my only question for point five.

Mr. Pallister, and then Ms. Wasylycia-Leis.

Mr. Brian Pallister (Portage—Lisgar, CPC): I would speak in support and then perhaps pose a question.

This is very timely, obviously, given today's governance document released by the minister, and what have you. But I think it's also important to note that this strays not at all far from the spirit of the Treasury Board guidelines that were released with much fanfare last March. When those guidelines were announced, a real effort was made to communicate to the public the transparency, the openness, and the true qualification relevance that would be put to the selection process.

Unfortunately, as we know, the minister in charge of Canada Post, in one of his first decisions after being appointed minister, appointed a good friend of his and, frankly, circumvented the process almost in its entirety. So I think it's important. I don't choose to single that out to attack the government; I think that minister was responsible for the decision and the responsibility should rest there.

I think it's important for our committee and government members to show a commitment to the original pronouncements that were made by the Minister of the Treasury Board, who I believe was sincere in making them. I think it's a very good opportunity for us, as a committee, to demonstrate that we believe very strongly in the spirit of what was said. I certainly hope that all of us would take exception to those ministers who would try to circumvent this process and make excuses for it later, such as that they were in a hurry or they knew the guy really well, so it was okay. It wasn't okay.

I know this goes a little further than the pronouncements that Mr. Alcock made in March in the sense of the aspect on approval of criteria.

My questions for you, Judy, are these. Why do you include that here? How important do you see that being for this proposal? In terms of ensuring the integrity of the process, is this essential?

● (1155)

The Chair: I have additional speakers, so I'll reduce it to less than two minutes, please.

Ms. Minna, Mr. McKay, and Ms. Ambrose.

Hon. Maria Minna: I have a point of clarification, following up on the last question where you have the committee approve criteria for each appointment. I'm not sure. Are you saying that if there are gazetted criteria already, and we review the criteria and don't agree, we then ask the government to set new criteria or amended criteria on the gazette and that's what they should go by in terms of searching for the candidate? I'm trying to understand what you mean by that.

The other question has to do with number four. Sometimes there are semantics and I only want to be clear. When you're talking about people coming to the committee prior to the date of their appointments, do you mean that the minister, the government, or whoever, says that Judy Wasylycia-Leis is going to be the next ambassador to wherever, or the next chair for whatever organization, and then at that point they come in front of us and we can say yea or nay or at least criticize? Or are you saying that before that announcement is made or mentioned publicly, the committee is flagged and we see the person? I'm trying to understand at what juncture this is. I'm not clear what that means.

Thank you, Mr. Chair.

Hon. John McKay: Point four is confusing to me with regard to the staging of this exercise. But she has already asked that question.

Ms. Rona Ambrose: In the five points it doesn't talk about reappointments. Did you consider that at all? Would we review reappointments? How would you handle those?

The Chair: A reappointment is an appointment, is it not?

Ms. Judy Wasylycia-Leis: Yes.

Mr. Charles Hubbard: I think it has merit. I wouldn't want to vote for it until we knew more.

I think most members realize there's a book available each year that lists, by department, all the order in council appointments, with the names of the people who got the appointments and the duration of the appointments. That is redone each year. I'm not sure how many names are listed under the finance department. There probably is a significant number, dealing with the Bank of Canada, the Monetary Fund, and so forth. Before we vote on this, I think it would be good for the committee to know the exact number. In that book there are 2,000 or so names listed for the various appointments.

Could this committee become so involved with this that they have time for nothing else? It's a human resources type of activity. I know it's good to review and to be able to bring people to the committee if need be. But to be directly involved in the process certainly would be time-consuming, and I don't think most members of Parliament have the kind of time to deal with it.

The Chair: I've just been informed that the finance committee is responsible for about 112 appointments.

Mr. Monte Solberg: Mr. Chair, they wouldn't all come up every year. That would be 112 spread over three or four years.

The Chair: Yes, they would be staggered.

Again, the question posed was, do we have to do it and do we become a whole human resources committee? That's a good question, actually.

Can you address some of those points, Ms. Wasylycia-Leis?

Ms. Judy Wasylycia-Leis: I'll do my best. With regard to the question on existing criteria and the gazetting of such criteria, which Maria mentioned, I'm trying to bring forward a recommendation so that this committee gets the criteria, so the government has the responsibility—and if it exists now, fine—to bring them to this committee so that we can determine that these criteria are in fact based on merit and it is a set of skills-based criteria. We can deal with that cloud that sometimes hangs over the process in terms of patronage.

It goes to Brian's point as to whether this is important to my motion. Yes, it is. It's important that the criteria be approved by this committee. So we start again and ask, what are the government criteria? Bring them forward. Let's have a look at them and approve them or fine-tune them.

• (1200)

Hon. Maria Minna: Do you want that to be done by the finance committee?

Ms. Judy Wasylycia-Leis: Then the process starts all over again. The criteria are brought here. We look at them and decide what to do with them. The final criteria would be approved by us. That information would be gazetted, along with the appointments, so that it's made public.

It may be the same as what happens now, but it might not be. It might be more accessible to Canadians. It might be in a more language-friendly format so that it's clearly understood.

I consider reappointments to be appointments. We might have a quicker process if we're talking about reappointments, but I still think we need to have that prerogative.

With regard to meetings, I think we do need a regular time to do this. Otherwise, we'll lose track of it. So I think we need to schedule that meeting. It may be that at the meeting there would be no appointments to consider or it might only take us five minutes. But at least there's a set time, and we know it will be dealt with.

Were there any questions I missed?

Hon. Maria Minna: There was also my question with regard to their coming before the committee prior to the date of their appointment.

Ms. Judy Wasylycia-Leis: If the government wants to announce that they want to name someone to a position, fine, but it still has not been finally approved. It could be like the American approach, where the President names someone and the committee still has the right to say yea or nay. That's up to the government. But we have to be able to make a recommendation beforehand.

Hon. Maria Minna: I understand, but my question is.... Say I'm the Minister of Immigration and—

Ms. Judy Wasylycia-Leis: Someone's going to be the head of the refugee board.

Hon. Maria Minna: —So-and-so is going to be the head of the refugee board. That person comes before this committee, which is what now happens anyway over at the immigration committee. Are you also suggesting that if our committee says we don't like this person, the government is then bound not to appoint that person?

Ms. Judy Wasylycia-Leis: No, the government makes a decision based on the committee's recommendations, and does so at its own peril. If it chooses to ignore the advice of the committee, that will be there for the world to see and the public to judge.

I'm not recommending, in this motion, that we actually have the final say. That's the government's prerogative. But we have a right to vet, to recommend, and to ensure that certain criteria are met.

The Chair: Perhaps I can just inform the members that there was a report done by the parliamentary research branch on April 20, named “Number of Potential Order in Council Appointments to be Examined by the House of Commons Standing Committee on Finance”, and June says there might be a more recent report. Anyway, just to give you an idea, between 2003 and 2008, the number of appointments for 2003 was a total of seven, and for 2004 it was nine. In 2005 there are eighteen, with twelve in 2006, nine in 2007, and eleven in 2008. There are currently 22 vacancies to be filled.

Do you think there's another one, June?

We'll try to get it to you.

Quickly, Mr. McKay, because I want to go to the question.

Mr. Don Bell: Do I understand, then, that these seven appointments, the ones you're referring to, are the prerogative of this committee when it comes to determining the criteria, as opposed to the government doing so? I just want to make sure.

The Chair: No, the criteria are already established.

Mr. Don Bell: By whom?

The Chair: The government.

Mr. Don Bell: If I understand what Judy is saying, then, she wants this committee to establish the criteria.

Mr. Brian Pallister: No, amendment two addresses that, Mr. Bell. It was just a comma before “with amendment if necessary”. That's the only change. That's what I was alluding to in my comments.

• (1205)

Mr. Don Bell: As I understood amendment two, it's “submit this criteria to” the committee “for consideration, and approval”.

Mr. Brian Pallister: And “with amendment if necessary.”

Mr. Don Bell: Is it approval or comment? I'm hearing Judy say it's approval.

Ms. Judy Wasylycia-Leis: With respect to the criteria, this committee has to approve the criteria.

Mr. Don Bell: Is that past practice?

Ms. Judy Wasylycia-Leis: No, we really have no process to speak of, so this is the change. It's to set objective criteria that we agree with so that we have a way to measure appointments and then make recommendations.

The Chair: The piece of paper I have here says there's to be one appointment for director at the Bank of Canada. It doesn't say more than that, and it's sometimes difficult too. So if we get the criteria, we may not have a problem with the person. Sometimes we have a hard time getting the criteria, though, isn't that correct?

Ms. Minna, quickly, please.

Hon. Maria Minna: I just have one suggestion, following up on what Judy said with respect to the criteria and her answers with respect to number four.

Is it possible to come back to the discussion and ask for what's there? It may be that the criteria and the process are there already and need tweaking or something, and then we don't need to get into a whole lot of... What I'm saying is that it might also cause us to change what's here. It's a change to either strengthen or modify the recommendations.

Ms. Judy Wasylycia-Leis: With the change, we're asking those criteria to be brought forward. We'll look at them and approve them or make changes, and we'll proceed. It's just to bring things into the open. Delaying this doesn't serve anything.

Hon. Maria Minna: If I may, Mr. Chairman, for just a quick second, in some departments there have been a lot of changes recently in, for instance, some of the appointments already. Immigration, for instance, has a pre-screening committee. That committee recommends to a board, which then does a short list. That's my understanding of the new system. Those recommendations then go to the minister, who then only chooses from the reduced list or whatever.

I guess what I'm saying is that there have been some changes that are fairly major in some departments—not all, I imagine—and I just thought it might help us to fine-tune this to see what has happened. That's all.

The Chair: I have no problem with fine-tuning the motion, but the committee has no power to amend the criteria. My English is not the best in the world, but if there's a comma needed... We would recommend any amendments, but they would not be enforceable, just as we would recommend any appointment.

Mr. Penson.

Mr. Charlie Penson: I've been thinking about this as we've discussed it. I think Judy's recommendations for this motion are very much required.

Ms. Minna made the point that some of it may already be in effect. If that's the case, so be it; this will be captured in all of this anyway.

The only comment I would have is on the requirement for a full meeting every two months. Maybe we could have a suggestion for a friendly amendment along the lines of whether there are appointments to consider. In other words, there's no sense meeting if there's nothing on the agenda. It seems to me that would handle that aspect of it, and it would be acceptable to me at that point.

The Chair: Mr. McKay.

Hon. John McKay: I can't see the government members voting against your motion, frankly. I have some trouble with what it is we're voting for, in the absence of direct knowledge as to what the

criteria are for particular appointments. So I wonder whether you would consider tabling until we get those criteria.

Presumably that is relatively available. We could use as an example the outstanding appointment, and say, well, what are the criteria? Then what would be the harm in looking at those criteria to see whether in fact there's anything we would have as a suggestion?

Ms. Judy Wasylycia-Leis: That's the very point of this motion: let's get the criteria here. It does it on an open, official basis. Get the criteria here and we'll look at it, we'll assess it, and if we have any concerns, we'll raise them.

I don't see any point in delaying, because this holds, no matter what the criteria are.

Hon. John McKay: It's just that you're inviting us into a realm where we're not quite sure where we're going. That's the only concern that I could express.

•(1210)

The Chair: Like Mr. Penson, could I suggest a friendly amendment? Maybe the solution is that as we—"we" as the staff—submit the appointments to you, we make it a little bit clearer what those criteria are, what criteria were used to pick that person or what that particular appointment needs.

Hon. John McKay: I'm content with that. To try to narrow this down to what would be a specific objection to a specific criterion for a specific appointment seems to me a lot more manageable than having a broad base.

The Chair: You're a lawyer. Suggest an amendment, a friendly amendment.

Hon. John McKay: My view would not be within the realm of friendly amendment, if you will, for Judy's concern, because I think you really need to narrow it down: this is a specific appointment; these are the criteria; what objection would you possibly have with respect to these criteria? Maybe there's some basis for it, I don't know.

The Chair: Monsieur Côté.

[*Translation*]

Mr. Guy Côté: As Ms. Minna said earlier, notices are published when candidates are sought for various positions. So, criteria already exist.

Correct me if I'm wrong, Judy, but, from what I can see, the vast majority of the information requested here and, to some extent, the process are already available.

It is a matter of somehow funnelling it all to the committee. Before an appointment is finalized, we have the opportunity to review it, not individually, but in committee and to make a decision. We are made aware of the fact that, for an appointment to a given position, the criteria are normally such and such. I'm convinced that, 95% of the time, it will be perfectly fine and that, later on, the minister will prepare to appoint Mr. or Ms. X to the position, whom we will have had an opportunity to meet before his or her appointment becomes effective.

It will be perfectly fine 95% of the time, those involved will be nice people and all will go well. We're talking about perhaps seven, eight or ten appointments a year. I don't think this will add considerably to the committee's workload.

[English]

The Chair: Let me just try.

June, help me out here with item two.

Ms. June Dewetering (Committee Researcher): It's "That the government then submit these criteria to each relevant standing committee of the House of Commons for consideration, and that the committee be allowed to recommend changes, if needed."

Mr. Brian Pallister: Mr. Chairman, I have to put this observation on the record.

I just got in my hand Mr. Alcock's document, which he released this morning, "Review of the Governance Framework for Canada's Crown Corporations". I don't know how many members of the committee have read it, but it gets into a variety of different issues associated with this resolution.

For example, I'll quote from one section here: "Selection criteria for chairs and Board profiles will be made public by the government." Another says that a website will be used to solicit potential candidates. And the relevant section specific to this says: "The government is of the view that individuals nominated for reappointment would not be subject to prior review by a standing committee if their initial appointment received prior review."

There are three pages of content in here that relate directly to what we're talking about. I'm very supportive of the intent of this—

Hon. Maria Minna: Shouldn't we read that document before we do the resolutions, which may counter what's in the document?

Mr. Brian Pallister: Also, I'm just a little concerned that the role of nominating committees in crown corporations and so on is something we haven't really considered here fully.

An hon. member: What's the question?

The Chair: The question is Judy Wasylycia-Leis's motion.

I'm just going to make two friendly amendments. Item one stays as is. Item two is: "That the government then submit these criteria to each relevant standing committee of the House of Commons for consideration, and that the committee be permitted to recommend changes if needed."

Number three stays as is. Number four stays as is. Item five again has a friendly amendment: "That each committee (which oversees appointments), unless it unanimously decides otherwise, shall have at least one full meeting as needed to review any government nominees for appointment."

The question is, is everybody in favour?

No? That's it.

An hon. member: [Inaudible]...that amendment?

The Chair: I'm sorry, I didn't hear that.

•(1215)

Mr. Don Bell: Number three is not consistent, then, because again you have "committee-approved criteria". What I hear you saying is that the government submits the criteria, and the committee can comment on them and make recommendations. The decision rests, then, with the government to determine the criteria.

So in item three it's not committee-approved criteria; it's the final approved criteria, or the final government-approved criteria.

Ms. Judy Wasylycia-Leis: The way I envisage it is, if we feel there has to be some change in the criteria we would make the suggestion. It would go back to the minister and hopefully be accepted and brought back to us, and if not, it would come back with an explanation. Then we have a final approval, and it's committee-approved. So I don't think we need to change the words "committee-approved", because in the end it's our—

Mr. Don Bell: But the question I was asking is, does this committee approve it, or does the minister or the government approve it in this case?

Ms. Judy Wasylycia-Leis: We approve it.

Mr. Don Bell: That's what I'm hearing. I'm hearing two different things.

The Chair: You're not. It's clear, we only have the authority to recommend.

Mr. Don Bell: Well, then it's not committee-approved.

The Chair: No. It's a good point you have. Would "the committee review criteria for each appointment" be okay?

Mr. Don Bell: Item three says, "That the Government of Canada then publicly release, including publishing in the *Canada Gazette*"—

The Chair: Yes, "the committee-reviewed"....

Mr. Don Bell: You say "committee-reviewed"? Okay....

Ms. Judy Wasylycia-Leis: Or "the committee-recommended"...?

Mr. Don Bell: It's the "final approved criteria", is it not, if there are any amendments that were recommended by this committee and then approved by government? That's as I understand the procedure. And your point is, I think, that we just received the recommendations today. It might be good to have a chance to read them, to table this, and then come back at the next meeting and, in light of that understanding.... There are a number of questions I've had about this.

The Chair: You can vote against the motion. I'm sorry, but—

Mr. Don Bell: But I'm not against the principle of the motion.

The Chair: Is there a friendly amendment? The only friendly amendment I can see here in item number three would be: "That the Government of Canada then publicly release, including publishing in the *Canada Gazette*, the committee-recommended criteria for each appointment."

Mr. Don Bell: I spent too many years as mayor, I guess, but the reality is that what I'm hearing is that it's not that they publish the "committee-recommended criteria". We get criteria, we comment on it, it goes back to somebody else to make a decision, that decision is made. It may be contrary to our final recommendation, so it's not "the committee-recommended", it's "the final approved" criteria—by whoever has the authority to make that point.

Hon. John McKay: So the sequence is out.

Mr. Don Bell: Yes. Transparency is the key.

If I understand the process, what's happening is that the government recommends criteria, they bring them to us for comment, and they then either accept or reject the criteria. But there's transparency. It's there, rather than our wondering how this person is appointed.

Hon. John McKay: But restate that so that we understand it. The first part is that the Government of Canada publicly releases it, the second part is that the committee reviews it, and the third part is that the government gazettes it.

The Chair: Number three will read: "That the Government of Canada will publicly release, including publishing in the *Canada Gazette*, the approved criteria for each appointment."

Hon. John McKay: No, reverse it: that the Government of Canada publicly release for committee review the criteria for each appointment and then publish in the *Canada Gazette*—

Mr. Charlie Penson: Mr. Bell is suggesting the amendment. Let's hear what he has in mind.

Mr. Don Bell: Let me speak to that at the same point.

I believe the intention is that before they are published in the *Canada Gazette*, there be an in-house review of the criteria. The in-house review I call this committee. The government recommends criteria it's intending to publish. It brings it to this committee for comment. The committee comments. The government then decides how it's going to rule on those comments, and it finally determines what the criteria are, then it publishes them so you have the transparency. So this sequencing—

Mr. Charlie Penson: I'm wondering if June has something written as a result of this discussion that can help us out here.

Mr. Don Bell: Yes, my recommendation is that we table this until the next meeting to have a chance to read what's here and then come back.

•(1220)

Mr. Charlie Penson: I'm not sure it's necessary. Maybe June can do it—

Ms. June Dewetering: Perhaps just removing the word "committee" in number three, so it becomes "the approved criteria".

Mr. Charlie Penson: It follows.

Ms. June Dewetering: I think it does.

Hon. John McKay: Read that again to me.

Ms. June Dewetering: I don't like the order, but what number two says is that the government is going to develop them and give them to the committee for review with the option of the committee recommending changes, and then the government will take them back and either approve what the committee has recommended or

not. In any case, they'll have a set of approved criteria that they will then gazette.

Mr. Charlie Penson: I think that's the natural sequence.

The Chair: Is that acceptable?

Mr. Don Bell: I have a question. Number five is "as needed".

The Chair: Can we read number three into the record, please.

Ms. June Dewetering: Number three: "That the Government of Canada then publicly release, including publishing in the *Canada Gazette*, the approved criteria for each appointment."

The Chair: Thank you. It didn't sound correct when I said it. When June read it, I think it sounded really great.

I call the question.

(Motion agreed to)

Mr. Brian Pallister: Mr. Chairman, if I could, before you bang the gavel, sir, based on previous precedent I think I should maybe raise a point here, just to affirm the amendment. I apologize for not being here when the discussion took place, but I note on your previously adopted motion that the committee instruct the chair, organize televised committee meeting, etc., and there is a time issue here on the bottom where it says, "and to the committee members no later than 9." Because of the 48-hour issue, I would make a friendly amendment, if it is acceptable, that Mr. Penson change that to 3, and then it is okay.

You asked for the reports to come back in less than 48 hours. You didn't give 48 hours' notice. That's in the second paragraph.

The Chair: The motion has been tabled. We haven't addressed the motion actually.

Mr. Brian Pallister: I thought it was adopted. I'm sorry.

The Chair: No, it was not adopted.

Mr. Charlie Penson: Mr. Chair, I understand what my colleague is saying. Because of the 48-hour notice we would not meet again before 11 o'clock on Monday morning, and therefore there is a need to change this to after 11, and 3 o'clock seems reasonable. So I would like to ask the committee if it would agree to that.

Hon. John McKay: You can change your motion today. You have lots of hours.

Mr. Charlie Penson: I accept that, and I would like to change the notice of motion to 3 o'clock on Monday instead of 9 o'clock on Monday, as it now reads, so that it's now on the record.

The Chair: You can change it, but I don't think we're necessarily going to meet on Monday.

An hon. member: You're directed to meet.

The Chair: No, I'm not. I'm not directed. It's the next meeting.

An hon. member: It's 48 hours.

The Chair: No, it's a minimum of 48 hours. Usually it is as of the next meeting. I can already tell you I'm not calling a meeting on Monday.

The meeting is adjourned.

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