



House of Commons  
CANADA

# **Standing Committee on Human Resources, Skills Development, Social Development and the Status of Persons with Disabilities**

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HUMA • NUMBER 001 • 1st SESSION • 38th PARLIAMENT

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**EVIDENCE**

**Thursday, October 14, 2004**

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**Chair**

**Ms. Raymonde Folco**

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## Standing Committee on Human Resources, Skills Development, Social Development and the Status of Persons with Disabilities

Thursday, October 14, 2004

• (1535)

[English]

**Mr. Eugene Morawski (Procedural Clerk):** Honourable members, I see quorum.

Your first order of business is the election of the chair. I am prepared to receive nominations to that effect.

Mr. Silva.

**Mr. Mario Silva (Davenport, Lib.):** I would like to nominate Raymonde Folco as chair of the committee.

**Mr. Eugene Morawski:** It's been proposed that Raymonde Folco be elected as chair of the committee.

(Motion agreed to)

**Mr. Eugene Morawski:** Now we could proceed to the election of the vice-chairs, if you wish.

By special order, we should elect a vice-chair from the official opposition and another vice-chair from another opposition party. I'm prepared to take nominations for the first vice-chair, the official opposition.

Mr. Devolin.

**Mr. Barry Devolin (Haliburton—Kawartha Lakes—Brock, CPC):** I'd like to nominate Paul Forseth.

**Mr. Eugene Morawski:** Mr. Devolin has nominated Paul Forseth. Is it the pleasure of the committee to adopt the motion?

(Motion agreed to)

**Mr. Eugene Morawski:** Paul Forseth is elected as vice-chair from the official opposition.

I'm ready to accept motions for another vice-chair from another opposition party.

[Translation]

**Mr. Yves Lessard (Chambly—Borduas, BQ):** I nominate Ms. Christiane Gagnon.

**Mr. Eugene Morawski:** Mr. Lessard moves that Ms. Gagnon be elected Vice-Chair of the committee.

(Motion agreed to)

**Mr. Eugene Morawski:** I invite Ms. Folco to take the Chair.

**The Chair (Ms. Raymonde Folco (Laval—Les Îles, Lib.)):** First of all, I want to thank all members of the committee for voting for me.

Since I know some members are pressed for time, we'll move right along. On today's agenda is the adoption of the routine motion adopted by the committee in the first, second and third sessions of the 37th Parliament. I believe you all have a copy of these motions. Should I read them aloud?

[English]

**Mr. Paul Forseth (New Westminster—Coquitlam, CPC):** Raymonde, I suggest you slow down so the translator —

**The Chair:** For the translation—I'm sorry. Thank you.

[Translation]

The first motion calls for retaining the services of one or more analysts from the Library of Parliament. Is everyone agreed?

(Motion agreed to)

**The Chair:** The second motion concerns witness expenses.

**Mr. Ken Boshcoff (Thunder Bay—Rainy River, Lib.):** Perhaps you could introduce the research officers to us, Madam Chair?

**The Chair:** Certainly.

[English]

I'd like to present Mr. Kevin Kerr and Chantal Collin, who are the two research officers who will be working with this committee. Thank you.

I've been asked to give you this Library of Parliament document, which gives you information on the people who will be working for us and how parliamentary committees work. The documents are bilingual, of course, so they're being distributed to everyone.

**Hon. Eleni Bakopanos (Ahuntsic, Lib.):** On a point of clarification, Madam Chair, where we have the steering committee—are we there?

**The Chair:** No, we're not; we're only at point three.

**Hon. Eleni Bakopanos:** When we get there, I'd like to....

**The Chair:** Okay.

I'll go back to point three, which is analysts from the Library of Parliament. That's been accepted.

We are now at witness expenses. Questions? Everybody agrees? Anyone disagree? It's adopted.

On child care expenses, are we in agreement? Disagreement? It's adopted.

Steering committee.... Do you wish to speak on this, Madam Bakopanos?

**Hon. Eleni Bakopanos:** Mr. Forseth would probably like to first.

**Mr. Paul Forseth:** I would like to bring the committee's attention to what was done at the justice committee yesterday, the idea being that we keep the steering committee as small as possible so they can communicate on the telephone. The end result was that the Liberals had the chair, the Conservatives and the Bloc had vice-chairs, and the NDP was the additional one. So we wound up with one representative from every party on the steering committee, and that's it, to keep it small—and of course without getting into the whole argument of parliamentary secretaries and all the rest of it.

That is my suggestion. It was done at the justice committee, and I think that's the way we should do it here.

I'll just repeat that. The steering committee, which is not a decision-making body, which must come back to the main committee, would consist of the chair, the two vice-chairs, and the additional member from the other party. So each party has one representative.

• (1540)

**The Chair:** Thank you, Paul.

Would anyone like to reply to that or ask for more information?

Ken.

**Mr. Ken Boshcoff:** Madam Chair, I'll not necessarily reply, but this morning in operations and estimates we did much the same. The steering committee is four or five, I do believe, but very similar to what Mr. Forseth has suggested, as opposed to nine out of twelve, which means you might as well have the whole committee there.

**The Chair:** Mr. Martin.

**Mr. Tony Martin (Sault Ste. Marie, NDP):** I'd just like to say that I think it is a good idea.

**The Chair:** I see an agreement.

Did you want to add something, Paul?

**Mr. Paul Forseth:** I thought I would just put it forward as a proper motion: that the subcommittee on agenda and procedure be composed of four members, consisting of the chair, the two vice-chairs, and the member from the NDP.

**The Chair:** Shall we put it to a vote? Do we need to read the motion again? I think it is acceptable to everyone.

(Motion agreed to)

**The Chair:** We're now at the chapter on reduced quorum: that five members be present and at least one member of the opposition, with the provision that in the case of the absence of either government or opposition members, the chair be authorized to call the meeting to order no sooner than 15 minutes after the time indicated on the notice, as long as five member are present.

Considering that these are small committees, this is an important paragraph.

Madame Gagnon.

[*Translation*]

**Ms. Christiane Gagnon (Québec, BQ):** I'll ensure that at least one opposition member is present before the meeting is called to order.

**Hon. Eleni Bakopanos:** And one government member as well.

**Ms. Christiane Gagnon:** Yes, one government member and one opposition member.

**The Chair:** I was told, Ms. Gagnon, that that explains why the last three lines read as follows: "the Chair be authorized to call the meeting to order no sooner than 15 minutes after the time indicated on the notice". The purpose is precisely to give an opposition member the opportunity to arrive inside this 15-minute window.

**Hon. Eleni Bakopanos:** That's not how I interpret the wording.

**Ms. Christiane Gagnon:** The motion should state clearly that at least one opposition member must be present.

**The Chair:** As I see it, if we add "as long as five members, including one opposition member, are present", wouldn't that address your concern?

**Ms. Christiane Gagnon:** The motion reads: "and with the provision that, in the case of the absence of either Government or opposition members".

This provision seems to negate the previous text.

**The Chair:** All I can say is that if no opposition member is present, the meeting cannot be called to order. Members are required to attend.

**Ms. Christiane Gagnon:** Far be it for me to ascribe motives to you, but someone could perhaps take advantage of the situation if, for example, it was known in advance that the opposition wouldn't be able to attend. A decision could be made to go ahead with the meeting anyway and to put something through... I think everyone is acting in good faith here and that we're all prepared to work as a committee. However, I would prefer to keep some kind of provision in place to deal with exceptional circumstances.

• (1545)

**The Chair:** What would you suggest then?

**Ms. Christiane Gagnon:** That the words "provided that" be deleted so that the motion reads as follows: that in the case of the absence of either Government or opposition members, the Chair be authorized to call the meeting to order.

**The Chair:** Fine then. Thank you. I'll come back to this.

Mr. Devolin.

[*English*]

**Mr. Barry Devolin:** I'm trying to absorb what was just said. What is the new wording that's being proposed?

**The Chair:** I have one to suggest here, if that's what we're working on—and we will see if Madame Gagnon is agreeable to this—where it says in French,

[*Translation*]

the Chair and one opposition member be authorized to call the meeting to order.

[English]

So the chair, with one opposition member, would be authorized to call the meeting. The chair is a member of the government, plus one member of the opposition—that means there would be somebody representing both sides. No?

First of all, Mr. Devolin, did you want to say something?

**Mr. Barry Devolin:** I just wanted to make the same point, that this wording suggests that you could in fact have a meeting without any opposition members present.

**The Chair:** No, not as we've suggested.

**Mr. Barry Devolin:** That's right. That's what I'm saying. The revised wording does address that, and this wording does not.

**The Chair:** Yes.

Madam Bakopanos.

**Hon. Eleni Bakopanos:** Just to continue on that, the chair, if the vote is called, cannot vote. If you have no government members here, it's the same thing as not having an opposition member.

I think Madame Gagnon's subamendment, if you will, to the resolution was removing just that part, and answers the question that those five members then would have to be present, and it would be with the presence of the opposition and the government. That's how I read it, if you remove "*sous réserve*", or, in English, in "the absence" of either government or opposition members. The chair is neutral.

**Mr. Barry Devolin:** But there's still five for quorum.

**Hon. Eleni Bakopanos:** Five for quorum? Actually, that's true.

**The Chair:** We have in fact two periods: the period by which we begin the meeting and the period by which we can continue a meeting. In terms of beginning the meeting, I think we all agree on the first part of the paragraph: when a quorum is not present, provided that five members be present and provided that at least one member of the opposition is present

That solves the problem from both the opposition and the government side. In order to continue a meeting....

Excuse me, I was wrong. If there is no quorum after 15 minutes, then these are the other conditions under which we can actually begin a meeting.

[Translation]

That's precisely what I said earlier. The opposition already has 15 minutes' advance notice to bring in a living, breathing member. That's how we've always worked, both on the government and on the opposition side. If we realized that too few members were present, we'd send people out for reinforcements. That's usually how things were done.

**Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.):** Madam Chair, on seeing the changes that we're agreeing to, given the 15-minute grace period, I believe the point Ms. Gagnon was making, namely that we need to rely on members' good faith, applies to all parties. You said that you hoped nothing would happen and that you weren't tied up with other business, but the same could happen to the opposition. I think we need to rely on people's good faith and that the 15-minute grace period applies to all parties. It's enough time to find one or more members to attend a committee

meeting. I see no need to amend the wording of the motion, which is fair to both sides.

• (1550)

**The Chair:** I would also add that we rarely encounter this type of situation. I think we need to have a little faith in one another. After all, we've known one another for some time.

Furthermore, if ever one side, whether the government or the opposition, were to take advantage of the situation, I'm confident the opposition parties would be able to recover. Perhaps the important thing is for members to have faith in one another.

Mr. Forseth.

[English]

**Mr. Paul Forseth:** I think we've completed the amendment portion about ensuring that we have both sides represented. The additional wrinkle I wanted to provide is to substitute "five members" with "four members". Just think about that for a moment. It might be helpful, given the circumstances we've been in before over the years, to make that substitution in places.

**The Chair:** Thank you, Mr. Forseth.

There are two amendments that are suggested. I will go back to the one where we say "the chair plus one member of the opposition be authorized to call the meeting". At the end of that paragraph it says "as long as five members..."; that should be changed to four members.

Just unofficially, can we discuss these two, or is there another amendment?

Mr. Silva.

**Mr. Mario Silva:** I don't have an amendment; I just want to be clear on some of the rules, as I'm new to Parliament. Are there not standard rules we have to abide by? I don't understand how we can just make an amendment to change the quorum. Can we then make the quorum two or three? I'm not sure if there are any standard rules.

**The Chair:** In fact, yes. The rules are being discussed here now.

**Mr. Mario Silva:** So we can make our own rules in the committee?

**The Chair:** To some extent.

**Mr. Paul Forseth:** We're the masters of our own destiny.

[Translation]

**The Chair:** There are limits to what we can accomplish with a reduced quorum. Some votes cannot be called in the absence of a quorum or with a reduced quorum. Therefore, the rules that we are putting in place are valid under these kinds of conditions and prevent the committee from doing what it would normally do in the presence of a full quorum.

Ms. Gagnon.

**Ms. Christiane Gagnon:** Apparently, in the other committees, the wording of the motion respecting a reduced quorum, with a 15-minute timeframe, is different. The motions passed by the other committees conclude with the words "five members be present, including at least one member of the opposition". It's unusual to see the words "and provided that".

**The Chair:** Two things have conspired to change the rules of the game. We're all aware of the first one, namely that we no longer have the same number of members that we once had on all House committees. Secondly, this provision was brought in during the last session of Parliament. It's a rule that worked very well, in my estimation. I've served on the committee for quite some time and both sides went along with this rule. It enabled us to work well together.

According to our Clerk, other committees have adopted a similar type of motion providing for a grace period, whether 15 minutes, 10 minutes or 5 minutes. I like 15 minutes because it gives us time to call someone and get them here.

Mr. Devolin.

[*English*]

**Mr. Barry Devolin:** I just want to say that I think both amendments are a good idea—the change to the revised wording that there ought to be at least one member of the opposition present within a reduced quorum.

Secondly, it's my understanding that the committees were larger in the previous Parliament, so if five were appropriate when there were twenty members on the committee, four would seem to be reasonable for a reduced size of committee.

**The Chair:** Thank you.

Monsieur Komarnicki.

• (1555)

**Mr. Ed Komarnicki (Souris—Moose Mountain, CPC):** I'm wondering if there's a thought perhaps that the grace period might be increased. Conceivably, if you said there had to be one opposition member or government member there, if they didn't show then you wouldn't be able to proceed on the reduced quorum. That would sort of nullify going forward, when that's not the intention of the motion.

**The Chair:** Mr. Forseth.

**Mr. Paul Forseth:** We are discussing a reduced quorum, and I'm just looking over our... Is it in the Standing Orders where it says what quorum is?

**The Chair:** Yes.

**Mr. Paul Forseth:** Okay, so we know what that is.

I'm suggesting to the chair that we've tabled these as motions and we've had a kind of go-around, so just call the question and see—

**The Chair:** I'm going to do that, but I'm going to give Mr. Lessard the possibility of speaking first.

[*Translation*]

**Mr. Yves Lessard:** I want to agree with Ms. Gagnon's proposed amendment, but I have to say that, as a new member of the committee, I too am somewhat uncomfortable with this. First of all, we did not receive these documents earlier and we have to have blind faith in what's being proposed. We can't look into what other committees have done and draw on that positive experience.

I would have liked an opportunity to review this in advance so that we could discuss the situation amongst ourselves. It would likely have helped us to our work faster because now, agreeing to these proposals calls for an act of faith on our part.

**The Chair:** I have two things to say to you, Mr. Lessard. Firstly, according to the Clerk, these documents cannot be forwarded in advance to committee members in the absence of an elected Chair. As soon as the Chair was elected, the documents were distributed.

Secondly, we have to remember that aside from yours truly, who is not completely neutral, the other persons seated up front are neutral. They are neither government nor opposition members. What is written here and submitted by the Clerk is the work of officials, not of any one party in particular.

**Mr. Yves Lessard:** I am not in any way calling into question your impartiality as Chair, under the circumstances. However, if we were to defer to the committee staff, this issue would not be up for debate today. To say that we cannot debate matters of this nature until we have elected a Chair makes a great deal of sense. Could we agree then to discuss certain issues at the next meeting, for example, the quorum question?

**The Chair:** I can poll members to see if they would like to discuss further the motion respecting the reduced quorum at the next meeting. Then, if there are no objections, we can move on to the next item. However, I would point out that one problem all committees face, and this one in particular, is time. Quite frankly, all of our upcoming meetings will be taken up with procedural matters, when we really could be focussing on substantive matters. Wouldn't you agree? When we do get around to substantive matters, we're pressed for time, especially as the session draws to a close. The other members who have been around a little longer than you will vouch for that.

Further to Mr. Lessard's request, do committee members wish to discuss and vote on the motion for a reduced quorum at the next meeting?.

(Motion negated)

**The Chair:** Getting back then to this motion, two amendments have been proposed and we will deal with them separately. I will now call the vote on the first amendment, which reads as follows: "that the Chair and one opposition member be authorized to call the meeting to order".

(Amendment agreed to)

**The Chair:** We will now proceed to vote on the second amendment, which calls for changing

• (1600)

[*English*]

"after the time indicated on the notice as long as five members are present" to "...four members are present".

(Motion agreed to)

**The Chair:** Therefore the paragraph will be changed to—and I won't read the whole paragraph—"...that the chair and one member of the opposition be authorized to call the meeting to order no sooner than 15 minutes after the time indicated on the notice as long as four members are present".

[*Translation*]

The next motion concerns working meals. Given that meetings are held from 11 a.m. to 1 p.m., everyone is bound to get hungry at some point. Therefore, some sandwiches would be nice, along with mineral water. I insist on the latter.

(Motion agreed to)

**The Chair:** The motion respecting orders in council reads as follows: “That the Clerk circulate to all Members of the Committee Order in Council appointments...”

(Motion agreed to)

**The Chair:** Distribution of documents. The motion call for documents received from the public to be distributed only once they have been translated into both official languages. I believe that's an important consideration for everyone.

Mr. Lessard.

**Mr. Yves Lessard:** Apparently, a problem arose from time to time in the past when, for instance, witnesses were allowed to place their unilingual documents on one end of the table before leaving. This meant that documents were being distributed to the committee when in fact they were not in both official languages.

**The Chair:** I don't know about that, Mr. Lessard. All I can say is that to my knowledge, documents were not distributed, either in this or in other committees on which I served. However, if someone wants to leave a document behind outside the committee room, I don't think we can prevent that from happening. However, it comes down to a question of respect, as I see it and this is one issue on which I and other members, in particular francophones—let's not mince words—have staunchly insisted.

**Ms. Christiane Gagnon:** I think we should prohibit the practice before any documents are in fact handed out. I've seen it happen in my committee.

**The Chair:** Where documents have been distributed?

**Ms. Christiane Gagnon:** Yes. Witnesses brought documents along with them and we were the ones left to complain after the fact that they had either been distributed or made available to committee members. If we have a rule in place, then it's fairer for everyone.

**The Chair:** Ms. Bakopanos.

**Hon. Eleni Bakopanos:** On principle, you're quite right, Ms. Gagnon. A problem arises however when NGOs testify before the committee and do not have the resources needed to have their documents translated. Please understand that I'm not making excuses for them, but it's possible that neither the clerk nor the committee staff are aware that the witnesses will arrive with a document in hand.

Judging from my experience as Chair and as a member of three committees thus far, some NGOs simply cannot afford to have their submissions translated. They just show up with a document. I think we need to be a little more flexible. Committee documents must always be bilingual. That means that all documents drawn up by the Clerk, along with official departmental or government documents will not be circulated if they are not in both official languages. However, as far as witnesses are concerned, we need to be a bit

flexible, because often they don't have the resources to translate documents from French into English, or vice versa.

**The Chair:** Mr. Devolin.

[*English*]

**Mr. Barry Devolin:** I just wanted to comment that this is only the second committee meeting I've been to. I was at finance two days ago, when a government member suggested changing this wording and a Bloc member suggested it would be inappropriate to change the wording.

I understand the rule; I don't understand what the problem with it is. If somebody has figured out a way to get around the rule, then that's an enforcement issue. It doesn't get fixed by changing this wording. I think we should leave the wording alone.

[*Translation*]

**The Chair:** Mr. Lessard.

• (1605)

**Mr. Yves Lessard:** In light of the Member's response, I think the committee might be amenable to receiving a motion. To correct the situation or to prevent this from happening, all we need to do is add the following to the motion concerning the distribution of documents: “that no witness document be distributed without the authorization of the Clerk.”

**The Chair:** Mr. Lessard, the Clerk informs me that in the past, there have been instances—it didn't happen here, but it did in other committees—where witnesses left documents with members at their office, rather than bring them to the meeting. We can't stop them from doing that.

Before I turn the floor over to Mr. Forseth, I'd like to make one other comment. Again, having been a member of this committee and as a Francophone, having experienced problems with one of the two official languages, I have to say that personally, it's a point of honour for me, as it undoubtedly is for some of my colleagues, on this as well as on the other side.

It's very difficult to tell people that they cannot do certain things. The committee's policy when confronted with a unilingual document has always been not to distribute that document. The decision may have caused some problems, but we stuck to our guns.

The point Ms. Bakopanos was making, and rightly so, is that some witnesses, particularly NGOs, cooperatives and so forth - the type of witnesses that often testify before our committee - have neither the money, the staff nor the opportunity to arrange to have a document translated quickly. We take care of it for them, but it might still takes us two or three more days. NGOs must be flexible, and that applies equally to francophone and anglophone NGOs.

Go ahead, Mr. Forseth.

[*English*]

**Mr. Paul Forseth:** I think you have expressed what I wanted to express from the Conservatives. We have always tried to work with goodwill, to respect what we're all about here as a bilingual committee of record, and there's a commitment from us that we will do everything we can to make that happen, to have translated documents.

However, I've also been at committee when, as a committee, we were able to assess a witness and, with the permission of the committee and with the permission of the Bloc, we have allowed untranslated documents to be distributed. They were sometimes in French but more often than not in English, because that's just the nature of the country.

All I can say is that you're going to get nothing but goodwill and support from us to try to make sure those documents are translated. The clerk and so on will always advise witnesses in advance, when we're scheduling, that if they're bringing documents they are to be translated. But life happens, and that's where we just have to go, with trust and goodwill, to get what we're trying to accomplish without going over the edge with the letter of the law.

[Translation]

**The Chair:** Do you wish to respond, Ms. Gagnon?

**Ms. Christiane Gagnon:** I do. I don't understand why this amendment is being rejected, or at least stands to be rejected, judging from the tone of these discussions. It has been adopted without incident by every committee in which it has been moved. The sole purpose of the motion, which calls for the Clerk to authorize the distribution of documents, is to prevent witnesses from doing an end run around the rule

•(1610)

**The Chair:** Mr. Devolin.

[English]

**Mr. Barry Devolin:** I just wanted to clarify something. If a witness is scheduled to appear and they're informed that in order to be distributed, the documents have to be in both languages—

**The Chair:** They are.

**Mr. Barry Devolin:** If they forward the document to the committee prior to their appearance, is it translated so that it can be presented in both languages?

**The Chair:** It is translated, but it depends at which point in time.

**Mr. Barry Devolin:** If there is enough time, I understand. But if possible, that is the process?

**The Chair:** Oh yes, absolutely.

**Mr. Barry Devolin:** And we're only talking about situations where, for whatever reason, that's not possible.

**The Chair:** Yes. As I said earlier, we do our own translation, but it all depends at which point in time.... If they come through the door and say "Here's our document", obviously we're not going to have it translated in time for the meeting.

[Translation]

So then, at the very end of the motion pertaining to document distribution, the following would be added, after "once they have been translated in both official languages": "and that no document presented by a witness be distributed without the authorization of the Clerk". Are we ready to vote on the amendment?

(Amendment negatived)

**The Chair:** The amendment having been negatived, the motion respecting document distribution therefore ends with the words "both official languages".

(Motion agreed to)

**The Chair:** I would just like to say something for the benefit of Ms. Gagnon, Mr. Lessard and others. My words are sincere and heartfelt; don't look so surprised. There are many people seated here at this table who are concerned about the importance and quality of the French language in Canada, and I'm talking about members on both sides of the table.

**Mr. Yves Lessard:** As far as your comment goes, if things were that simple, if we relied solely on people's good faith, we wouldn't have anything in writing. In my opinion, this is a minimum requirement. I'm not interested in revisiting this issue, but the purpose of the amendment was clear, namely to ensure that no document was distributed without the authorization of the Clerk. Since the amendment was voted down, there's a chance such documents will be distributed, and that could pose a problem. I say again, if things were as clear as you claim they are, then we wouldn't need to have anything in writing.

**The Chair:** Thank you, Mr. Lessard.

Moving on to the next motion: transcripts in camera. One transcript of all meetings held in camera will be kept.

(Motion agreed to)

**The Chair:** The motion respecting in camera meetings reads as follows: "That the personal staff of Committee Members and party researchers be enabled to participate in in camera meetings.

(Motion agreed to)

**The Chair:** Moving on to the next item, 48 hours' notice: That unless there is unanimous consent, two days' written notice must be given...excluding weekends, of course, "... to the members of the Committee before any new item of business is considered by the Committee".

(Motion agreed to)

**The Chair:** Are there any other questions?

Mr. Forseth.

[English]

**Mr. Paul Forseth:** I would like committee members to listen carefully, because I'm proposing an additional motion, and it's to do with our order of questions.

I'm proposing a motion that reads as follows: That in hearing evidence in the first round, members, including answers from the witnesses, begin with seven minutes from the Conservatives, then proceed to the same for the Bloc, then to the NDP, then to the Liberals. The second round shall begin with the Conservatives for five minutes, then five minutes to the Liberal side, then alternating between opposition and government, with five minutes for each in succession.

This is very similar to other committees. Some have ten minutes. I prefer seven minutes and five minutes.



That's the motion. To explain, typically, we have witnesses and we start off at this end of the table and we just go down the table for seven-minute questions, with the Liberals being last in order. Then in the second round we come back to the Conservatives here, but then it goes over to the Liberal side. It alternates back and forth. Now, it depends.... Often by that time various members are coming and going from the committee. It may be that somebody passes or whatever. That's to provide the explanation.

I think we don't need to get it overly complicated. We leave it in the end to the discretion of the chair, but at least in the beginning we outline a general routine.

• (1615)

**The Chair:** If I could just ask you to repeat the first part.... Seven minutes to the Conservatives, seven minutes to the Bloc, and what did you say just after?

**Mr. Paul Forseth:** Then to the NDP.

**The Chair:** Seven minutes to the NDP, and then we go—

**Mr. Paul Forseth:** Then seven minutes to the Liberals.

**The Chair:** Then seven minutes to the Liberals.

**Mr. Paul Forseth:** That's the first round.

**The Chair:** That's the first round. And then the second round would be...?

**Mr. Paul Forseth:** Conservatives, five minutes.

**The Chair:** Five minutes, Liberals.

**Mr. Paul Forseth:** Five minutes, Bloc.

**The Chair:** Oh, I see; back and forth.

**Mr. Paul Forseth:** Five minutes, Liberals, then five minutes, NDP. That's how it goes, back and forth.

**The Chair:** For the benefit of new members, as I think this is an important point, behind this motion or any other motion of this type is an attempt to get every member to be able to ask questions and make comments or whatever. Various combinations are possible. Sometimes it's five minutes. As well, there's a difference between the first round, which tends to be a little bit longer so that people can ask some really in-depth questions, and the second round, where the questions and the answers both tend to be a little shorter. You'll notice that Mr. Forseth has suggested seven minutes to begin and five minutes to follow.

The other thing is that in the first round, and I'm saying this particularly for the new members—I think those of us who have been around know how it works—the opposition would then go from Conservative to Bloc to NDP and then to the Liberals. Then it would start the second round, which would be Conservatives, Liberals, Bloc, Liberals, NDP, Liberals. That's the way it would go.

Let's have some discussion about this.

Mr. Boshcoff.

**Mr. Ken Boshcoff:** This morning—and again, this is from limited experience, but at least it's fresh—there was a very strong attempt to make it representative of what the House was. Indeed, the time of seven minutes was agreed upon. It was five, proposed to ten, and then we all agreed to seven for the first round and then three minutes for the second.

That's just one example. It seems that seven is coming out to be some kind of number in terms of fairness. The speaking order, I guess, had the Liberals second, with some alternating, in terms of the House. So the first round of speakers, whatever it may be, was closer to the 60:40 percentage. It had Liberals second.

**The Chair:** Thank you.

Mr. Martin.

**Mr. Tony Martin:** I don't have any difficulty with this. The only question I have is the amount of time we then will have per witness. I'm afraid that when it gets to me we may have run out of time.

**The Chair:** That is an important question. The amount of time that each witness gets depends on how many witnesses we have and how we decide to distribute the time. So we may, for example, have only one witness to appear before us, or we may have a whole panel of witnesses in the same meeting. Of course, all of this is discussed beforehand.

Let's say there were three witnesses appearing before us. At this point, we could then do it two ways, to my knowledge. We could ask all three to present their cases, and then we could ask questions of whoever we wanted. We also could ask the first to present their case and ask them questions, and then go to number two, and then number three. The first one is obviously the better one, because it gets the discussion going a lot more, but there are many ways of doing this.

We can't be sure that you as the NDP member will always get a question on the second round, but on the first round, you do get your question, absolutely.

• (1620)

**Mr. Tony Martin:** That was my question, though, that I don't get cut out on the second round.

**The Chair:** Am I right in this? No?

In the past, in all the committees I sat on, we did not give the witnesses an hour. We gave them a fairly short period of time.

They come with a document, and very often we get the document ahead of time. We ask them to present a résumé, in way, a verbal résumé of what they have to say. Then we get into the questions, where they get a chance to actually answer the questions we have. Normally we give them around five minutes.

What we have worked out here is that on the first round, that would take 28 minutes, if it were seven minutes, as suggested by Mr. Forseth. On every subsequent round—and there may be more than one—with five minutes, as suggested, it would mean 30 minutes for one round to be finished. Is that right? So Conservative, Liberal, Bloc, Liberal, NDP, Liberal would take 30 minutes on that second round.

So it's an hour for questioning and half an hour for all of the witnesses, depending if there is one or three or four, to state their case. Nothing is absolutely sure, but let's say that your chances are extremely good.

I have questions.

**An hon. member:** Go with the experience of what we have found works.

**The Chair:** I have Mr. Boshcoff, Mr. D'Amours, Mr. Martin, and I think Mr. Devolin raised his hand before you, Mr. Forseth.

Monsieur Boshcoff.

**Mr. Ken Boshcoff:** Madam Chair, I would think the best idea is one that is adopted by many of the committees, and that is that every deputation delegation that comes here have a fixed time limit to state their case, say ten minutes. You should actually have that in here somewhere, so they know before they get here that it's not a two-hour dog and pony show, as opposed to stating the facts, with the supporting documents that the committee has had a chance to read beforehand.

**The Chair:** If I may answer you, Mr. Boshcoff, it's not in our interest, anyone, to have the people who are the witnesses talk for an hour and a half. They are supposed to prepare a document.

**Mr. Ken Boshcoff:** They should know before they get here.

**The Chair:** They do know before they get here; that's part of the discussion we have with them before they arrive.

Mr. D'Amours.

[*Translation*]

**Mr. Jean-Claude D'Amours:** I find it interesting, Madam Chair, that there is in fact a time limit. We need to remember one thing. If the committee is scheduled to hear from three witnesses on the same day, I have to wonder, firstly, if we can be respectful of them or even give them a reasonable amount of time to make their presentation, and secondly, whether we can be respectful of committee members and give them enough time to ask questions of their own.

If we proceed in the manner suggested, 58 minutes will elapse without a single presentation having been made. Everyone knows that meetings start at 11 a.m. and finish at 1 p.m., at least in theory. The start of the meeting can be delayed, and some may not be happy if we allocate 58 minutes per witness. I think we need to come up with some other arrangement to avoid a situation like this when more than one witness is scheduled. It wouldn't be so bad if we heard from only one witness each day, but if two are scheduled to testify, then we'll be short on time.

**The Chair:** Not really, Mr. D'Amours. Unless I'm mistaken, that's how we operated in the past. Even if six witnesses were on the schedule, they wouldn't have 90 minutes for their presentation. This is made clear to them at the start of the meeting. I recall several years ago groups of 10 or 15 people seated at the table. We'd have a kind of round table discussion, with each person having two or three minutes to make their case. Of course, they were told in advance how the meeting would proceed.

What matters, in some respects, is not so much the first presentation, but the questions asked by committee members, because these are directly relevant to the concerns expressed.

• (1625)

**Mr. Jean-Claude D'Amours:** That is the point I was endeavouring to make, Madam Chair. Considering the time needed, if we set aside 58 minutes for questions, it's impossible to hear from three witnesses on the same day, because in theory, we would need three hours just for questions from committee members. That's what I meant when I was talking about time allocation.

**The Chair:** Something isn't right here. Do you think each witness has one hour? There's something else that I don't understand, Mr. D'Amours. We've always worked this way, so there's something...

**Mr. Jean-Claude D'Amours:** Madam Chair, Mr. Forseth's amendment calls for each party to be allocated seven minutes, that is seven minutes for the Conservatives, the Bloc, the NDP and the Liberals, for a total of 28 minutes. Then, for the second round, the order is reversed, with each party allocated five minutes, for a total of 30 minutes, which makes a grand total of 58 minutes of questions. That two minutes shy of one hour. If we hear from three witnesses the same day, that makes three hours.

**The Chair:** That's not the total amount of time each witness is allocated, Mr. D'Amours, but the combined total for all of the witnesses. That's the point Mr. Martin was making earlier. Suppose the committee is scheduled to hear from three witnesses. As a rule, we ask them to each make their presentation and once they've finished, the members proceed to put their questions. For example, you may wish to ask questions of witness A, but not of witnesses B and C.

Mr. Martin.

[*English*]

**Mr. Tony Martin:** I appreciate the spirit of this motion to make sure everybody gets a fair chance to ask some questions.

In a situation where you get three witnesses in one day and time is limited, perhaps what we're looking at is a formula that could be used so that it is shared in this way with everybody. We may have to compress the time that we each get, but we each get a time equal to what has been suggested here, when you break it up.

I don't know if you understand that or not.

**The Chair:** This is at the discretion of the chair. We have come to understandings where if somebody really wanted to ask a question very badly and it wasn't his turn, you could come to an agreement with somebody else on your side of the table and see whether you might want to change places. That could happen, but there are other things that could happen at the discretion of the chair as well.

We need to have a way of functioning on a daily basis, which doesn't mean that the functioning stays exactly as is 100% of the time.

**Mr. Tony Martin:** I like the formula. I just want to make sure that on a day when we get really busy here, and we have maybe three witnesses and we want to question each one of them, that the Bloc and ourselves don't get left off because we get to a point and it's one o'clock and time has run out and we don't get our chance.

**The Chair:** In my experience, this has never happened. It might happen for the last party, which is yours, of course, but it's unlikely it would happen to the second party, because the mathematics work for them, not against them. The only party the mathematics work against is yours, because you're one person. They are two people.

You see, the thing is on the first round everybody gets a chance. You've asked your question—

**Mr. Tony Martin:** I guess what I'm asking is I want to make sure the mathematics don't work against me or the Bloc, that the spirit of this formula—

**The Chair:** On the first round, it doesn't. It doesn't work against anyone.

**Mr. Tony Martin:** And if there's a second round, I want to make sure that I get my chance, the same as everybody else—if there's a second round.

**The Chair:** Mr. Forseth, do you want to say something to that?

**Mr. Paul Forseth:** Yes.

I appeal to you to defer to some of us who have been at this for about ten years or more. It works out. The Conservatives now have four chairs. The one who is maybe not going to get his chance is the fourth Conservative. So we'll see how that goes.

The formula I've come up with is the one that I've seen works reasonably the best: seven and five, with the second round alternating between opposition and government side. It's the business of the steering committee and the committee as a whole to call witnesses: how many we're going to have, how much time we're going to allocate to them, and assess the weight of the evidence they're going to give.

Often the chair has a tough time controlling. Sometimes there's a particularly interesting answer and the answer goes a little bit longer than the total five, or whatever, so it cuts into someone else's. We just have to work together with that. That's how it unfolds.

• (1630)

[Translation]

**The Chair:** Ms. Bakopanos.

[English]

**Hon. Eleni Bakopanos:** I just want to understand, and I think I'm piggybacking on what Mr. D'Amours said and how he did his calculations.

It's always been in the past that there's been a question from the opposition, there was one question from the Liberals, then it went to the Bloc, and then it went to the NDP.

**A voice:** On the second round.

**Hon. Eleni Bakopanos:** No, this was first round. The first question was by the official opposition, the second by a government member, and then it went Bloc, then NDP, which gave everybody... When we do the math, we were doing 28 minutes of questioning on the first round.

If we say the witnesses only take seven minutes maximum, or five—let's say seven, to make it equal—seven minutes for the questions, seven minutes unless we limit them to five minutes or three minutes for an answer, which you cannot do... You can't control that. So for each question there will be seven minutes. We've got 56 minutes on the first round. Okay? We have 56 minutes on the first round, and everybody has had their turn. That's taking into account what the presentations were. How long did the presentation take? Thirty minutes, minimum. So we're an hour and a half, with having done one round. One Liberal has asked a question, and each of us has had one round.

On the second round, you're going five minutes, Paul?

**Mr. Paul Forseth:** That includes the question and the answer.

**Hon. Eleni Bakopanos:** Okay. That's what I wanted to know.

**The Chair:** Let me make that very clear.

**Hon. Eleni Bakopanos:** Okay, for the new members—

**The Chair:** On the numbers given by Mr. Forseth for any kind of discussion—if it's seven, ten, or whatever—it means you have that length of time to ask the question, and the witness must answer within that time. So it's not seven minutes for a question, and then another seven for the answer; it's inclusive.

May I say that in this, quite frankly, Mr. Martin, you're not the one who is the most discriminated against, so to speak. It is really the Liberals, because in the first round each party has a chance to answer, and the Liberals, the government, have the chance to answer only once. So if you've had four questions on this side of the table, they've had only one. On the first round there is no problem.

I would like to add that in the past you often found that on the Liberal side there were members who did not get questions, and that was why they tended to raise their hands early. I learned with time that if you weren't the first or second Liberal to put up your hand and ask a question, you might never get a chance.

Madame Gagnon and Mr. Komarnicki.

[Translation]

**Ms. Christiane Gagnon:** I know from experience that seven minutes isn't a great deal of time. There's the introductory remarks, besides which witnesses are often not accustomed to testifying before a committee. I don't know how we will manage to hold ourselves to seven minutes for questions and answers. Why don't we adopt a motion that would give each questioner 10 minutes, following the same speaking order, that is the Conservatives, the Bloc, the NDP and the Liberals? At least then we'd have time for two questions, or for one longer one, and questioners could be limited to three minutes in the second round.

As I see it, the first round is the important one because it allows us to focus more specifically on the witness statement. Seven, or even ten, minutes go by so quickly.

**The Chair:** Ms. Gagnon, let me say in response to you that contrary to what you just said, some members do ramble on a bit. Instead of asking their question, they go into details about their own life. When they're told that they have only seven minutes, and that includes the witness' response, they tend to get directly to their question. There's your version of the events, but that's not always the norm.

Mr. Komarnicki.

• (1635)

[English]

**Mr. Ed Komarnicki:** I'll obviously support what Mr. Forseth says, but I'm a lawyer by profession and I find it very unusual. We usually deal with witnesses until we're finished, and that can go on for a very long time. I realize you're working in a little different atmosphere here and you've got many more people one-on-one, so obviously you have to change the rules somewhat to accommodate expediency, and I support that.

**The Chair:** Mr. Forseth, did you want to say something?

**Mr. Paul Forseth:** Yes. The other thing is that we have support staff. We've got some obligations concerning lunch breaks and time. The other issue is that rooms are booked and there are other groups waiting, so we have very defined times. We just have to be very good at time management and be short and sharp, and that's where it's most productive. We have to work cooperatively, not just among ourselves; there are many other people in this building we have to cooperate with.

My experience was that ten-minute rounds did not work. It began to really get into difficulty in providing a proper share. The seven-minute one seems to work. It's tough, but it works. With anything less than five minutes in the second round, it's really tough to get any kind of value out of it. That's why my experience gives me seven and five.

I just want to read the motion again and ask that the question be called.

**The Chair:** Before you read the motion, may I suggest something? I suggest that once Mr. Forseth has read the motion, we vote on it. Then if we find that the system does not work to our satisfaction, we can come back to it at some time and discuss it again.

Would you like to read your motion, Mr. Forseth?

**Mr. Ken Boshcoff:** On a point of clarification....

**The Chair:** Yes, Mr. Boshcoff.

**Mr. Ken Boshcoff:** Mr. Forseth, after the first and second round do you end up with 36 minutes for the opposition and 22 minutes for the government? Is that how you do it?

**Mr. Barry Devolin:** No.

**Mr. Ken Boshcoff:** Okay, I'd just like to know what the math is.

**Mr. Paul Forseth:** I haven't added it up, because members often pass on their questions.

**Mr. Ken Boshcoff:** So it's ad infinitum?

**Mr. Paul Forseth:** Yes. You just forever keep doing five-minute rounds back and forth and back and forth. If you have a witness who gives short, sharp answers, then it becomes equal. If it goes a longer time, it's going to be equalized between government and opposition.

**Mr. Ken Boshcoff:** It just seems that on the basis of a first round from the way it was stated, instead of 36 to 30 or 29 minutes, it's 36 to 22 minutes.

Sorry, am I missing something?

**Mr. Barry Devolin:** Yes, I think that in the first round it's seven, seven, seven, so arguably you get a quarter of the first round. But in every subsequent round you get half, because it's five, five, five, five, five, five. So you're only discriminated against if there's only one round. With each subsequent round, actually, the time advantage moves toward the government. If you had two or three

rounds, the government would actually get proportionately more time, because in the second round it's not five, five, five, five, it's five, five—

**The Chair:** Excuse me, Mr. Devolin. I'm going to break in on this because I don't know how many sittings we have had on this particular question.

First of all, let me just add to what Mr. Boshcoff said. Very often if you have a question and your turn has gone, you can pass your question on to another member who is sitting next to you and say, would you ask that question? This is something we do among colleagues, so your question is put, if not by yourself, by another colleague. And at the discretion of the chair, sometimes if there is a really long answer or something, we may be able to give a bit more time to it. It is not immutable, and there's a little bit of flexibility with this.

I would really like to go back to the motion Mr. Forseth is presenting, and as I said, if we find that after a certain number of weeks this is not working to the satisfaction of members, we will come back to it and we will try to see how we can rearrange the time.

Mr. Forseth.

**Mr. Paul Forseth:** Thank you.

I'll read this: That in hearing evidence, in the first round members' questions, including answers from the witnesses, begin with seven minutes from the Conservatives, then proceeding to the same for the Bloc Québécois, then to the NDP, then to the Liberals. The second round shall begin with the Conservatives for five minutes, then five minutes to the government side, then alternating between opposition and government with five minutes for each in succession.

**The Chair:** Thank you.

I will call that to a vote. I think everybody understands the motion now.

(Motion agreed to)

● (1640)

**The Chair:** This was under number 4, "Other business". Is there any other business apart from this motion?

**Mr. Paul Forseth:** When do we meet again?

**The Chair:** Thank you.

It has been decided that it is from 11 to 1 o'clock on Tuesdays and Thursdays, but the room has not been decided. It's not always the same room. Most of the time it's the same room, but not always, so I would suggest that when you're coming, please check every single week. Check the notices, check your e-mails, and so on.

Thank you very much.

Our next meeting will be next Tuesday at 11 o'clock.







**Published under the authority of the Speaker of the House of Commons**

**Publié en conformité de l'autorité du Président de la Chambre des communes**

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