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Standing Committee on Official Languages

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Tuesday, October 18, 2005

—
Chair

Pablo Rodriguez

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Standing Committee on Official Languages

Tuesday, October 18, 2005

•(0905)

[*Translation*]

The Clerk: Honourable members of the committee, I see that we have quorum. We can now move to the election of a chair.

Are there any nominations for the chair of the committee?

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): I would like to nominate Pablo Rodriguez as chair.

Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.): That is a good idea.

The Clerk: Are there any other nominations?

Nominations are now closed.

(Motion agreed to.)

The Clerk: We now move to the election of the vice-chairs. Are there any nominations for the vice-chair?

Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC): I nominate Pierre Poilievre.

The Clerk: Are there any other nominations of members of the official opposition to the position of vice-chair?

(Motion agreed to.)

Ms. Françoise Boivin (Gatineau, Lib.): It is the only time that I will have voted for Mr. Poilievre!

Voices: Oh, oh!

The Clerk: I will now entertain nominations for candidates for vice-chair from other opposition parties.

Ms. Paule Brunelle (Trois-Rivières, BQ): I nominate Mr. Yvon Godin.

(Motion agreed to.)

The Clerk: We are done. I hand the chair over to Mr. Rodriguez. Thank you very much.

The Chair (Mr. Pablo Rodriguez (Honoré-Mercier, Lib.): Thank you very much, Mark. You were excellent, as always.

Dear members of the committee and colleagues, thank you for showing your trust and support in me by giving me the mandate to act as chair of the committee once again.

As Mark mentioned, for all intents and purposes, today's meeting is drawing to an end. Under the Standing Orders, only the election of a chair and of the vice-chairs were set out in the orders of the day. However, I am open to...

Hon. Raymond Simard (Saint Boniface, Lib.): Mr. Chair, indeed, I see that there's only one item on the agenda. Would it be possible to change that, so that we can continue our discussion on Bill S-3?

The Chair: You would like to continue discussing Bill S-3.

Mr. Lauzon, you have the floor.

[*English*]

Mr. Guy Lauzon: I would like to have a point of order.

The problem is we checked with the clerk on two or three different occasions about how we would go about doing this, and we were told it would take unanimous consent. I have a meeting at 10 o'clock, so we didn't plan for this. Last night, at 5:30 p.m. or so,

[*Translation*]

after having spoken,

[*English*]

we say, oh no, there was a mistake.

Well, thanks a lot. That's not the way to do business.

[*Translation*]

Hon. Raymond Simard: I think I have a solution. Discussion of Bill S-3 must be put on the agenda. Is that agreeable to all?

The Chair: To have this proposal carried, unanimous consent by members of the committee is obviously required. Mr. Lauzon seems to be indicating the contrary.

[*English*]

Mr. Goodyear.

Mr. Gary Goodyear (Cambridge, CPC): I don't see this on the agenda, and I think according to Standing Order 106(4), at least as I interpret it, we need 48 hours' notice of the intent of the business we're going to talk about. The business for today's meeting was the vote. I was not informed that we would be talking about Bill S-3 today.

[*Translation*]

Mr. Guy Lauzon: He is a new member of the committee. We are all surprised. The problem is that...

The Chair: Wait one moment, I just want to explain things. You might be surprised if you just look at the agenda, but it is not surprising if you attended the previous meetings.

Mr. Guy Lauzon: ...the clerk, Mr. Chair...

The Chair: Mr. Lauzon, please allow me to finish my sentence. You would not be surprised if you had been present during the previous meetings, since clause-by-clause consideration of the bill was scheduled to take place during this week's two meetings.

Technically, you are right, the agenda does not make any mention of this. However, during our last meeting, we had decided that we would set aside today and Thursday to consider the bill clause by clause. The committee is its own master and can decide what it wishes to do.

• (0910)

[*English*]

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC): I want to raise the issue too. I don't know how you address this within the hierarchy of things, but if the clerk, maybe because of inexperience—or what exactly, I'm not sure—informed several people several times that it takes unanimous consent for things to proceed, we have a major problem here.

The Chair: You are right, it does take unanimous consent to proceed—

Mr. Guy Lauzon: No, it doesn't.

Mr. Maurice Vellacott: We were told two different things.

The Chair: Can you say it? You can speak; it works.

The Clerk: The rule is that it takes just simple consent, but I mistakenly informed your assistant that it takes unanimous consent. I spoke to them yesterday evening and told them it's just consent. But the committee is also the master of its own proceedings, so it should decide on its own how to proceed.

Mr. Maurice Vellacott: Still on my point of order here, we are to some degree at the mercy of the professional services of the clerks and so on, so I don't think it's fine enough to just say oops, I made a mistake. I think we have to do something with respect to respecting that first advice. I mean, we had plans made. I'm supposed to be getting children and grandchildren off to an airport at this point; we have other people doing stuff.

I don't know how we deal with this for another time, but I feel in view of that, the right and appropriate thing... I mean, yes, I'll accept the clerk's apology with respect to that, but we should also then respect the fact that this advice strongly, clearly, to several people several times, was of such a nature that it was not planned for that to occur today.

The Chair: Just a second.

Hon. Raymond Simard: On that point of order, we were in fact going to recommend that the clause-by-clause be deferred to Thursday, given that we submitted our amendments only yesterday, but I had to be able to say it.

In fact, we do apologize for submitting our amendments late. We wanted it to go to cabinet first; we did not want to submit an amendment that would have to be double-checked after. It was done yesterday afternoon, and for reasons beyond our control—there were three deaths in the minister's family in the last week and a half—it couldn't be at this meeting. But now we have it done. We submitted our amendment yesterday. We don't think it's fair for you to have to debate it this morning. That is exactly what we were going to recommend this morning.

In fact, I think a lot of your amendments may no longer be required, and you may want to discuss that with your people—both parties.

That is where we're coming from. We think it would be fine to defer it to Thursday.

The Chair: That leaves only next Thursday, because remember, we have to bring this back to the House for October 25, right? That's next week.

Mr. Guy Lauzon: One of the problems we have is that we had a meeting yesterday afternoon and at that meeting we had the information that we weren't going to discuss any of this this morning, as we could see the problem of trying to rush things. So I am proposing an extension of the 25th for 15 or 30 days. Let's do this right. If we're going to do Bill S-3, let's do it properly.

Why do we have to rush this? Is it absolutely necessary that it has to be done on the 25th? Why?

The Chair: I don't think we've been rushing this, Mr. Lauzon, because we've been working on this for months.

Madame Brunelle.

[*Translation*]

Ms. Paule Brunelle: We feel that it would be appropriate to consider the amendments on Thursday if we are sure that they will all be discussed and put to a vote before Wednesday, October 25. Perhaps we can extend a meeting until we are done.

The Chair: That is a very good idea.

Mr. Goodyear, you have the floor.

[*English*]

Mr. Gary Goodyear: I'm sorry, Mr. Chair. Do we have a copy of the amendments?

The Chair: You received them yesterday at 5:30 p.m.

The Clerk: Yes.

The Chair: I think it's a very good proposition that it's only fair that we discuss it on Thursday—

Hon. Raymond Simard: Mr. Chair, I would like to add that the amendment we proposed yesterday is exactly the same as proposed by La Commissaire aux langues officielles and is acceptable by the *parrain*—

Hon. Don Boudria: Sponsor.

Hon. Raymond Simard: —of the proposal, by Senator Jean-Robert Gauthier, by both the francophone and anglophone communities, and by the experts, or by at least Mr. Doucet, who was one of the constitutional experts. It seems to me that we have done our job. We have heard the witnesses and we have come up with I think a solution that works for everybody, it seems.

The Chair: Okay.

Hon. Raymond Simard: So I would like you guys to reflect on that and come back to us.

The Chair: Okay.

I want to go back to Madame Brunelle's proposition. I think it's a very good one. If we're going to have that meeting on Thursday, from 9 a.m. to 11 a.m., we can sit down and do serious business and go on until we're finished. So if you agree, we'll look for a room that suits those needs.

• (0915)

[Translation]

Is that agreeable?

Ms. Paule Brunelle: Yes.

The Chair: Mr. Vellacott, you have the floor.

[English]

Mr. Maurice Vellacott: I confess—and I work late some nights—but I haven't seen any amendments from the Liberals, from the government.

The Chair: At 5:30 last night.

Mr. Maurice Vellacott: Well, I wasn't here around 5:30 p.m. and I suspect that others haven't really looked at them yet. I haven't seen them.

The Chair: That's why the government side is suggesting to go to Thursday and not discuss it today.

Mr. Maurice Vellacott: Right, exactly, but you're asking me to commit that this is all completed and wrapped up by Thursday, and I'm saying that in view of the fact that I haven't even seen a word of the—

The Chair: Well, you'll have time to look at it.

Mr. Maurice Vellacott: But you're—

The Chair: We cannot force you—

Mr. Maurice Vellacott: But you're asking me to commit now in terms of completion of things by Thursday.

The Chair: No, I'm asking you to commit to try to finish for Thursday.

Mr. Maurice Vellacott: Well, that's—

The Chair: We cannot force you to finish it.

[Translation]

It is not an obligation to produce results, but an obligation of means.

Mr. Godin, the floor is yours.

Mr. Yvon Godin (Acadie—Bathurst, NDP): We are all aware of the proposals put forward by the Commissioner on Official Languages and the proposals put forward by the opposition. I think we are wasting a lot of time.

Why don't we study the proposals, starting now until tomorrow? Why not start tomorrow afternoon? Why not hold a special meeting tomorrow afternoon?

Ms. Paule Brunelle: We have other engagements.

The Chair: That is impossible, so to speak.

Ms. Paule Brunelle: I must attend two meetings of two other committees.

[English]

The Chair: Mr. Vellacott.

Mr. Maurice Vellacott: I would suggest, in a certain way of speaking, that some of the stuff we're even talking about, in terms of the sequence of other things here, is somewhat out of order. Of course, you have to deal with the business of whether in fact we even have any other business to discuss, because all we had, or that I received, is this agenda. I had planned to be off to the airport getting children and grandchildren away there.

I don't think we have anything to discuss other than whether we're going to proceed or not. And if you need to bring that to a vote, I suppose that might be the important thing.

The Chair: Yes and no. I think we have to decide whether to proceed or not, and if we don't proceed, when we will proceed. That's what we're discussing now. We have basically decided not to proceed, from what I understand, so we will not proceed today. But we'll have to decide when we will do so. Actually, we're deciding that we will do it on Thursday and, if possible, we'll do it for more than two hours.

Mr. Maurice Vellacott: But my point is that this meeting is over now, because we're not proceeding, and there's nothing more to discuss right now. So some of us can get on to other commitments. The meeting is over.

The Chair: It's not over.

Mr. Maurice Vellacott: If we decided we're not proceeding with other business now, then the meeting is over and other discussions can wait for another day.

The Chair: Unless we move to adjourn.

[Translation]

Mr. Yvon Godin: No, wait a minute. We have to decide whether or not we are going to meet Thursday morning. Nobody here is going to start the work this morning.

The Chair: Yvon, it is obvious that we are going to meet.

Mr. Yvon Godin: Meetings of the Standing Committee on Official Languages have always lasted two hours. If some members wish to be somewhere else, that is their problem. The committee's meetings have always lasted two hours. Let us be fair. Loose ends must be tied up before leaving, unless you don't care much for official languages, and prefer to work in a hurry. We have to at least set the schedule, and be certain of meeting Thursday morning with the intention of wrapping up the same day.

[English]

The Chair: Mr. Lauzon.

[Translation]

Mr. Guy Lauzon: Mr. Lauzon, is there any reason why we can't continue another week? Why do we have to do everything in two hours?

The Chair: Mr. Lauzon, we must report the bill to the House of Commons before October 25.

Mr. Guy Lauzon: Oh, well...

The Chair: The bill must return to the House, and if it is not amended, it will go back as is.

Mr. Guy Lauzon: Can we ask for an extension beyond the 25th, and set the 15th, for example...

Hon. Raymond Simard: Mr. Chair, we have finished...

Mr. Guy Lauzon: Then let's do it in two hours.

Hon. Raymond Simard: Mr. Chair, we have heard from all of our witnesses. We have received good information. There are amendments on the floor. There are not 50 amendments; we have a reasonable number of them. This is not a 50-page bill, and we have the responsibility to report to the House by October 25. If, in order to meet this deadline, we have to hold extra meetings or extend our sittings, then we will do so. I do not see why we should... We could very well report back in the month of January or February. We have the duty to do so. Our bill is not a complicated one. We have identified quite interesting solutions. It is up to us to go back to our teams and see how we can move the file forward on Thursday.

• (0920)

The Chair: Very well. Mr. Lauzon, allow me to get back to the issue of time. We all agree that the meeting will adjourn after this discussion. The next meeting of this committee is scheduled for 11 o'clock. Ms. Brunelle suggested that this meeting be extended. Is there consensus on that suggestion?

Mr. Pierre Poilievre (Nepean—Carleton, CPC): What meeting are we talking about?

The Chair: We are talking about Thursday's meeting. In view of all of the work that has been done, I think we owe it to the communities to make the effort.

Mr. Yvon Godin: You mean at 9 o'clock on Thursday.

The Chair: It could be 8 o'clock, if you like.

Mr. Yvon Godin: I prefer 9 o'clock.

Mr. Jean-Claude D'Amours: Mr. Chairman...

The Chair: Is this on the same subject?

Mr. Jean-Claude D'Amours: It is indeed, Mr. Chairman. In the past, we have met earlier in order to be able to get through all of the work that the committee had to do. We must not forget that some members might have other committee meetings beginning at 11 a.m., right after ours. I have no objection to being here early so that we can make some progress, even if we have to set aside one hour or 90 minutes, or two hours more in order to accomplish what has to be done.

The Chair: I have no objection to starting the meeting before 9 o'clock.

Mr. Guy Lauzon: It seems to me that it would be better to extend it because we would be more...

The Chair: We can either go one way or the other, Ms. Brunelle, that is, either begin earlier or stay later. We will need a sub-amendment. Would you agree to begin at 8 a.m. and sit until 11 a.m.? That would give us three hours.

Hon. Raymond Simard: If we were to sit from 8 until 11, that would be ideal.

The Chair: Mr. Godin, you have the floor.

Mr. Yvon Godin: Would this be a pre-determined time period from 8 a.m. until 11 a.m., or would we begin at 8 and sit as long as it takes to finish?

The Chair: If possible, I would like...

Mr. Yvon Godin: If we adopt a motion, we will have to live by it.

Mr. Jean-Claude D'Amours: Let's begin at 8 o'clock and continue until the work is done.

Ms. Françoise Boivin: We will stop when we have finished.

The Chair: If we begin at 8 a.m., we may finish at 11 or it might take until noon.

Mr. Yvon Godin: ... at 10 o'clock.

Mr. Guy Lauzon: That is of no help to us. We have plans.

The Chair: You have plans, Mr. Lauzon; we all have plans.

Mr. Guy Lauzon: Yes.

The Chair: That is why I am seeking the cooperation of committee members so that we might arrive at a consensus. A little discipline, please. The meeting is almost over. I just want to be sure that we have agreed to start at 8 a.m.

[English]

So we would start at 8 a.m. and go until it's finished, probably plan a room until 12. Eight till 11 a.m. may not be enough.

Mr. Guy Lauzon: Eight to 11 a.m.

Why don't we have an extension then? You're rushing this. It's going to be a bad piece of legislation.

The Chair: I'm not rushing anything, Mr. Lauzon. I'm working with your propositions.

Mr. Pierre Poilievre: Eight to 11 a.m.

[Translation]

Ms. Paule Brunelle: Are we going to vote on that, Mr. Chairman?

The Chair: Yes, we are going to vote on that.

[English]

Mr. Gary Goodyear: Mr. Chair, even if we do move the meeting earlier, which I'm willing to do, and work very hard on this, I am going to have to cancel meetings if we go earlier. Other members are going to have to cancel meetings if we go later. This is very late to ask members to start switching their daily schedules. So 8 to 11 is conceived, and we will commit to work very hard. But in the same tone, I think an extension is as reasonable as asking for an extension in the hours of meetings. I have other meetings that day that I will have to cancel if we're here, and I'm willing to do that. We could have this discussion for three or four hours. We should just do 8 till 11. Get on with it. It's the best we can do. It sounds, around the room, as if it's the best we can do.

[Translation]

The Chair: You have the floor, Mr. Godin.

Mr. Yvon Godin: I move that we begin at 8 a.m. and continue until we have finished examining the bill. When you sit on a committee, you examine a bill clause by clause. I can guarantee you that the other committees finish their work, whether it be the Justice, Transport, or any other committee. That is what committees do.

I am my party's whip, and I sit on the Standing Committee on Procedure and House Affairs. Someone will sit in for me because we have to finish examining the bill. We must do whatever it takes to organize our schedule. Let's not kid ourselves. An election could be called, and this bill has been on the floor of the House four times now. We have done enough talking; we want to adopt it once and for all.

I would like a vote on my motion.

The Chair: This motion has been found to be in order. It is moved by Mr. Godin.

[English]

Unless it's exactly on this, Mr. Vellacott... If not, we're going to go to the vote. There's a motion on the table.

Mr. Maurice Vellacott: Let's test the clerk on this one then, because I don't think we're even in an official mandate position to be discussing motions of any kind. We have an order of the day agenda here that most of us came prepared to deal with, and that's it. We don't have a meeting. The meeting is over and done with.

• (0925)

Hon. Raymond Simard: No, the committee is actually responsible for what it does.

Mr. Maurice Vellacott: It has to give 48 hours' notice, Raymond, as you know, in terms of whether there's discussion of business and the intent of it, and there is no notice.

The Chair: We've moved on to discuss committee business, right?

Mr. Maurice Vellacott: No, we have no notice. I have received no notice 48 hours in advance with respect to any of the stuff we're just now discussing.

An hon. member: Exactly right.

Mr. Maurice Vellacott: We're out of order totally, and you can check with the clerk with respect to that. There's no mandate, no authority, for us to even carry on.

[Translation]

Mr. Marc Godbout (Ottawa—Orléans, Lib.): We could vote on the first motion.

[English]

Mr. Maurice Vellacott: Can we ask the clerk? Can we ask—

The Chair: I'd like to have the attention—

Mr. Maurice Vellacott: Can we get a response here?

[Translation]

Hon. Don Boudria: We could make a request of the chair, come back this afternoon and pass the motion at Thursday's meeting.

[English]

The Chair: Can you reply to that?

The Clerk: After the election of the vice-chairs, the committee decided to talk about their own committee business.

Mr. Maurice Vellacott: We haven't decided anything. People went on discussing, but we didn't decide anything in terms of a vote. That never occurred.

The Chair: I'd like to understand your point, Mr. Vellacott, because if you do not want this to be an official meeting, then we lose the discussion. If we bring this discussion to the other meeting—

Mr. Maurice Vellacott: If there is one.

The Chair: If we bring it to the other meeting, we take the meeting just for that. After all the work we've been doing for months on this issue—

Mr. Gary Goodyear: You have to follow the law.

The Chair: Basically, what you're saying is that you don't want us to finish the job for October 25?

Mr. Maurice Vellacott: We carry on and we have discussion and we do a diligent job on this coming Thursday, our regularly scheduled day, and we proceed from there.

We don't have a mandate to even be having a discussion beyond the chair's...because of the order here. In terms of the decision, I don't know in whose mind the decision has been made, and maybe the clerk could refer to what he's commenting on there, because I haven't said that we're open to the meeting. If you call a vote, I guess that might be different, but we haven't decided we're having a discussion on anything.

Hon. Raymond Simard: Mr. Chair, we've been working on this bill now for three or four or five months in good faith, I would imagine. We've heard our witnesses. I cannot believe that even though there wasn't 48 hours' notice, because of the election, that a party would not at least open up the discussion to discussing our next meeting's agenda. It's absolutely ridiculous. If we have to, I would like to propose a motion that we add to the agenda discussion on Bill S-3, and let's vote on that. I can't believe the other parties would not support that. We've already indicated that we're prepared to discuss clause-by-clause next Thursday. We've already indicated that very clearly. Now would somebody really oppose having a five-minute discussion on how we deal with Bill S-3 over the next little while? We are meeting a tight deadline.

So I would like to propose that we add Bill S-3 to the agenda, and let's put it to a vote. If it's defeated, then we'll know who defeated it, but I think it should be on record.

The Chair: We have another motion before us, but can you repeat what you said to me?

[Translation]

Mr. Yvon Godin: A point of order. I would like the clerk to tell us if the motion that has been put forward may be put to a vote.

The Chair: Are you referring to your motion?

Mr. Yvon Godin: Yes.

The Chair: Yes.

Mr. Yvon Godin: If it is in order, let us vote.

The Chair: Mr. Vellacott asked a preliminary question, and we will settle that right away. It is a matter of knowing whether or not we are acting according to the rules.

[*English*]

The Clerk: A 48-hour notice is just strictly for election of the chair. You do not need a 48-hour notice for committee business.

Mr. Maurice Vellacott: That's not true. You mean you can call a meeting whenever you choose within a five-minute...? That's news to me. We could simply decide we're having a...without any kind of advance notice, without a vote, that is, and consensus of the committee.

The Clerk: It's to the call of the chair.

Hon. Raymond Simard: Can you quote the standing order on that?

Hon. Don Boudria: But that's an internal committee thing, not a standing order.

Hon. Raymond Simard: Yes, that's what I'm saying. Motions need 48 hours, but committee business we determine, right? The committee determines it, so let's vote on that.

[*Translation*]

Mr. Jean-Claude D'Amours: All right. Now, let's put it to a vote.

[*English*]

The Chair: I want to be sure on that one.

[*Translation*]

I want to be sure that everything is right, because after that, in order for the motion to be in order, the discussion has to be a proper discussion, in due form.

Ms. Brunelle.

Ms. Paule Brunelle: During the last meeting, we had an understanding whereby we would begin studying the amendments today. What is the agreement that we had worth? In my opinion, it was on today's agenda, because the committee had committed to doing that work starting today. I really do not understand why we have to put it off. I'm prepared to postpone the clause-by-clause study of the bill for a day or two, but I really do not understand what we are trying to do right now.

The Chair: I cannot explain it to you, I had understood the same thing as you. I thought we were moving to clause-by-clause study of the bill.

• (0930)

Mr. Guy Lauzon: As did we, but yesterday that changed. We were given different information. That is why we are not prepared. We have 13 or 17 amendments to propose.

The Chair: I understood that we would dedicate only 15 minutes to the election of a chair. That is all.

Do you have something to say?

The Clerk: Regarding what Ms. Brunelle mentioned, Standing Order 104(1) states that a chair must be elected in the fall. That has precedence over what is on the committee's agenda. What we are doing is therefore in compliance with the Standing Orders.

Ms. Françoise Boivin: The two are not mutually exclusive.

The Clerk: No, but in order to change the agenda, the committee must give its consent.

Ms. Françoise Boivin: May I play the devil's advocate?

The Chair: Go ahead. And then it will be Mr. Goodyear's turn.

Ms. Françoise Boivin: I agree with Ms. Brunelle. With the possible exception of Mr. Goodyear, who was not a member of this committee before the summer recess and who can therefore be forgiven for not being fully aware of the situation, if there is anyone here who did not think that we intended to proceed to clause-by-clause study today, I wonder what planet he has been living on for the past few months.

Having said that, I understand that the election of a chair takes precedence. However, nothing that you have just read for us in that section, Mr. Clerk, indicates that that completely voids the agenda that we had agreed upon. To the contrary, I find it almost insulting that anyone would have made other plans outside this meeting. For me, it is automatic: we were coming here today to do clause-by-clause.

I would like to be conciliatory and say that we can wait until next Thursday to begin that study, but even the Conservatives provided us with amendments. And so when we are told that they are not ready to begin discussions this morning...

Mr. Pierre Poilievre: Excuse me.

Ms. Françoise Boivin: If everyone seems prepared to do so, I see no problem in waiting until next Thursday, but for goodness' sakes, everyone has known from the outset that our deadline is October 25th. Let's stop wasting our time, this is just foolishness.

[*English*]

The Chair: I just want to make sure.

Mr. Pierre Poilievre: I just want to confront head-on any sense of indignity on that side. If you felt this was such a priority, your party could have had your amendments in on time. If you felt you had to get permission for your amendments from cabinet, you could have got that done on time. So we will not endure any of your indignity about the need to delay until Thursday. All of a sudden you're in a tremendous rush to get things done. If you were in such a rush 48 hours ago, you could have met the deadline and you could have got it in on time. That's the reality.

Ms. Françoise Boivin: That's not the point at all. That's not what I said. I said tell me you didn't know we were doing the clause-by-clause today. There's no excuse to be late.

Mr. Pierre Poilievre: If you wanted to debate clause-by-clause today, you could have done it on time.

Ms. Françoise Boivin: I agree on that. That's not my point. My point is that we all knew.

Mr. Pierre Poilievre: All right. We all agree. We do have a consensus on something.

Ms. Françoise Boivin: Did you know we were supposed to do the clause-by-clause?

Mr. Pierre Poilievre: No.

[*Translation*]

The Chair: Please, I do not want to have a bilateral debate on the issue.

[English]

Mr. Pierre Poilievre: No, we didn't, because we were told there would be no clause-by-clause today.

[Translation]

The Chair: Please...

[English]

Mr. Pierre Poilievre: The clerk just admitted that he told us that.

[Translation]

The Chair: Please...

[English]

Did the clerk have a conversation with him?

Mr. Pierre Poilievre: Yes.

[Translation]

The Chair: Please stop discussing the subject.

[English]

Can you reply to Mr. Vellacott?

Mr. Vellacott, could you listen, please?

The Clerk: In Marleau and Montpetit, on page 845, it says:

A notice of an organization meeting of a standing committee is sent by the clerk in conformity with provisions of the Standing Orders, which require that the committee meet within 10 sitting days of the adoption of the report establishing the membership of the standing committees. Members must be given at least 48 hours' notice of this meeting.

That's for the election of the chair, which is the organization meeting.

It goes on in the paragraph:

The committee may then consider a series of administrative motions to facilitate its work over the course of the session.

Mr. Maurice Vellacott: I accept that the chair has not sent out a notice of meeting. If you're arguing it, I obviously need to check this.

The Chair: There was no chair.

Mr. Maurice Vellacott: That's right, exactly my point.

[Translation]

The Chair: ... please.

[English]

Mr. Maurice Vellacott: Pablo, then you have not sent out a notice of meeting. You're elected as chair; you're in that position. We dismiss from here and then you might want to send out the notice of meeting two hours, eight hours, or 24 hours from now. But you haven't sent out any notice of meeting; I haven't received any.

The Chair: I didn't know if I was going to be elected or not.

Mr. Maurice Vellacott: That's precisely my point.

The Chair: We do have a notice from the last meeting that we're going to meet.

Mr. Maurice Vellacott: We're constituting a new game in the fact that you're a chair, affirmed—and I'm appreciative of that—but that's where we are right now. You haven't sent out a notice of this meeting and discussion we're having because you weren't in the chair, as you say. That's my point.

[Translation]

Hon. Raymond Simard: There was a notice of meeting, Mr. Chairman.

[English]

We have a notice of meeting.

Mr. Maurice Vellacott: With respect to the election of the chair only. That's on my agenda.

• (0935)

Hon. Raymond Simard: We decide what work happens after the chair is elected. The committee decides that.

Mr. Maurice Vellacott: No, he sends out a notice of meeting. There is no notice of meeting.

Hon. Raymond Simard: No, there is a notice of meeting with the election, but the committee decides on the work of the committee. We're here and in charge of our own destiny. We have been discussing Bill S-3 for the last six months. People who don't realize that are out of the loop.

The Chair: The meeting has been called, and you all received that. What we're doing is not calling a meeting; it's been called properly.

Hon. Raymond Simard: It's been called for the election of the chair, that's all.

The Chair: We do whatever we want in the meeting.

Mr. Maurice Vellacott: No, you have to send out a notice of meeting, actually.

The Chair: If we're meeting, we're meeting.

[Translation]

Mr. Marc Godbout: I have a point of order, Mr. Chairman.

Has the clerk found it acceptable to vote on this motion? Then, Mr. Chairman, may we please vote? We are in the process of discussing something that the clerk has already given his opinion on.

[English]

Mr. Guy Lauzon: Eight until eleven.

[Translation]

The Chair: The clerk has made a decision, it is in order, the meeting is officially underway and Mr. Godin's motion is in order.

Could you please re-read your motion?

Mr. Yvon Godin: I move that the committee meet on Thursday, October 20th, 2005 at 8:00 a.m. in order to begin clause-by-clause study of Bill S-3, and that the meeting continue until the committee has completed its clause-by-clause study.

[English]

Hon. Raymond Simard: Who can argue with that?

[Translation]

The Chair: All those in favour of this motion?

[English]

Mr. Pierre Poilievre: Perhaps I misunderstood, but have we ever voted on Mr. Simard's motion? He dropped it?

Hon. Raymond Simard: Their's was first.

Mr. Gary Goodyear: This meeting is out of order; it couldn't be more confusing.

[*Translation*]

The Chair: Mr. Godin tabled his motion first.

[*English*]

We're voting on the first motion, which is Mr. Godin's motion.

[*Translation*]

Mr. Godin, we understand your motion and we have voted on it. Have you done the count?

Mr. Yvon Godin: The count was not done.

The Chair: Then, let's redo the vote.

[*English*]

Mr. Maurice Vellacott: I'd like to make a point of order.

The Chair: What point of order?

Mr. Maurice Vellacott: My point of order is with respect to whether this is even in place. Do I understand from both our clerks that in fact the chair can call a meeting whenever he wants and he doesn't have to give any advance notice? On his own, where we're not even present, he doesn't have to give written or any kind of notice at all?

The Clerk: Committees adjourn to the call of the chair.

Mr. Maurice Vellacott: You're serious about this?

The Clerk: Committees adjourn to the call of the chair.

Mr. Maurice Vellacott: Then why do we even have the nonsense of sending this stuff out on a day-to-day basis? What is this about?

The Chair: Maybe that would be another conversation.

Mr. Maurice Vellacott: No, it's not another conversation; it's quite germane. I've been here as a member of Parliament for eight years, and I have never understood that the chair can simply up and decide he's got a meeting without sending out an agenda.

The Chair: The meeting has been called through the paper you received within that same meeting.

Mr. Maurice Vellacott: The meeting has been called for—

The Chair: We were in that same meeting. It's not a different meeting. Am I correct?

Mr. Maurice Vellacott: The meeting is completed. The meeting is finished.

The Chair: It's the same meeting.

We already changed the orders of the day.

Mr. Maurice Vellacott: Well, the clerk informs along certain lines and that's what you need to go by at that point in time.

We order our plans and arrange our schedules around that kind of stuff, so we cannot get this kind of false information from a clerk in the future.

The Chair: Mr. Vellacott, I'm not an expert, and you're not. None of us is. They have their job. They say we're doing it this—

Mr. Maurice Vellacott: Well, they also said something the other day that was clearly wrong and incorrect, and we find out several days later.

The Chair: For now, the answer is that we're in order.

Hon. Raymond Simard: Mr. Chair, we've just had a vote on Mr. Godin's motion, and we've passed that motion that we would resume debate, the discussions on Bill S-3—

The Chair: On Thursday morning—

Hon. Raymond Simard: —on Thursday morning at 8 o'clock and that we would go until completion.

• (0940)

Mr. Maurice Vellacott: We never completed the vote.

Hon. Raymond Simard: Yes, we just finished the vote.

The Chair: No.

Hon. Raymond Simard: —and if Mr. Vellacott is challenging the validity, he can do that—he can't do it here, but he can do that later—but in fact you have ruled that this motion was receivable. It's in order. So that is done. So as far as I'm concerned, we will meet here at 8 o'clock—

The Chair: No, we have to finish the vote.

[*Translation*]

Hon. Raymond Simard: Then, let us wrap up the vote.

The Chair: We have counted those in favour. Did you count correctly? Who voted against the motion?

(Motion agreed to.)

The Chair: The committee will meet at 8 o'clock on Thursday. That is all for today.

[*English*]

Mr. Gary Goodyear: Mr. Chair, very quickly, I just want a clarification.

If we have now decided, at a quarter to ten, to have a meeting on Thursday at 8 a.m., that is not 48 hours' notice.

Hon. Don Boudria: Yes, it is.

Mr. Gary Goodyear: How is it? It's 46 and a half hours.

Hon. Don Boudria: May I speak to that? That's not true. Under parliamentary law, 6:30 tonight constitutes 48 hours. You can check that with the Speaker.

Mr. Gary Goodyear: I just asked for a clarification.

Hon. Don Boudria: That's not a clarification; that's obstruction.

The Chair: It's not really 48 hours; it's two days before. Okay?

Mr. Gary Goodyear: Thank you.

The Chair: Thank you for this wonderful meeting. What a beginning!

The meeting is adjourned.

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