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Tuesday, June 12, 2007

—
Chair

Mr. Gary Goodyear

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• (1105)

[English]

The Chair (Mr. Gary Goodyear (Cambridge, CPC)): Colleagues, thank you very much for coming this morning. As members know, just for the record, we have quorum at the meeting this morning. However, the division bells are ringing, so we are going to suspend our meeting to deal with the matters in the chamber. I am now going to suspend the meeting, and we will all meet back here after business in the chamber has been dealt with. Agreed?

Some hon. members: Agreed.

The Chair: Okay, we're suspended.

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_____ (Pause) _____

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• (1140)

The Chair: Colleagues, thank you for coming back after the division bells and the business in the House this morning. As a result, we're starting a bit late.

The purpose of today's meeting was to start clause-by-clause. I have been informed by Mr. Owen that he has a motion.

Do you wish to put that motion forward now, Mr. Owen?

Hon. Stephen Owen (Vancouver Quadra, Lib.): Certainly. Thank you, Chair.

I move that the committee postpone the clause-by-clause study of Bill C-54 until it has heard from the representatives of Equal Voice and financial institutions, in order to properly assess the bill's impact on women and other prospective candidates who have financial constraints, particularly for nomination contests.

I believe that's ready and can be circulated in French and English.

• (1145)

The Chair: The motion is on the floor. It's acceptable. We're going to open for debate.

Before we go to debate, I should inform members that Equal Voice was in fact contacted. We do know, through fancy technology, that they got the message. They have not responded. I have no guess as to why. I just want to inform members that they've been contacted. They know we are hoping they would appear before the committee. At this point in time, they are seemingly not eager to do that.

On my list for debate I have Madame Picard, or are we going to Monsieur Guimond? Madame Picard's hand was up first.

[Translation]

Ms. Pauline Picard (Drummond, BQ): My apologies, Mr. Chair. I did not have the motion at hand. So I will withdraw.

[English]

The Chair: Okay. Thank you very much.

Monsieur Guimond.

[Translation]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Thank you, Mr. Chair.

We intend to look favourably on this motion. But I would like to amend it. Let me explain.

I have two concerns: Equal Voice and the representatives from financial institutions. We are in complete agreement about the impact of the bill on women. But there is another group of stakeholders with a direct interest in this bill. These are the representatives of the political parties. The way this bill is worded, political parties can inherit debts. I have been told that party representatives have not been consulted.

I suggest an amendment that would add “representatives from political parties through a round table meeting”, as we have already done in the past. I do not think we should have to invite the 23 or 26 or so political parties that are registered with the Chief Electoral Officer, but we should at least invite representatives of the parties represented in the Commons.

“Representatives of the parties represented”, that's a repetition, but you understand what I mean since you are perfectly bilingual, Mr. Chair. So you are able to pick up my mistakes. But I definitely think that we should meet with representatives of political parties.

There is one last thing, and I do not know if we need an amendment for this as well. I do not want anyone to feel that we in the Bloc Québécois are trying to derail or kill the bill. The bill contains some very useful provisions. But although I congratulate my colleagues from the Liberal Party for their initiative, I am having difficulty understanding their real motives, which are probably reasonable, logical and sensible. Our colleagues likely have no ulterior motives. In fact, our colleagues from the Liberal Party never have ulterior motives, as we know. Still, I hope that no one thinks that we want to kill the bill.

So I am available, assuming that the amendment passes. If the House rises this week, I would like us to be available, at a time convenient for us all, to do the clause-by-clause study, starting next week. So I would like us to bring the motion to the clause-by-clause study stage. In that way, Mr. Chair, you would be able to report to the House of Commons as soon as it resumes sitting on September 17.

I want to be absolutely clear, I am not going to get involved in being difficult or playing games. Nor am I accusing anyone of doing so. I am in favour of Mr. Owen's motion, as long as the two concerns that I mentioned earlier are addressed.

I am open to your suggestion as to how the amendment should look.

Thank you, Mr. Chair.

[*English*]

The Chair: Thank you.

So we're dealing with an amendment to the motion that's before the committee. The amendment is to invite political parties as well.

We're going to try to contain our debate to that particular amendment. However, I did also hear in Mr. Guimond's comments that he was willing to sit longer to deal with clause-by-clause so that this bill can be tabled in the fall—not sit long enough to table it now, because the House may not be sitting. I understand that; it's just a point of clarity for me.

I'm staying with the debate.

You have a point, Mr. Reid?

• (1150)

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): It's a point of order, Mr. Chair.

I had the impression that Monsieur Guimond's amendment also included the part about staying longer. I think that's correct, but I could be wrong.

The Chair: Is that part of the amendment?

[*Translation*]

Mr. Michel Guimond: No. Things are evolving in the House. The pieces of the puzzle are beginning to fall into place. Everything is going to tumble like dominoes. We know that unanimous consent is needed to adjourn the House. The calendar has us sitting until June 22, and if that is the case, we will have plenty of time. Let us invite witnesses for Thursday and start the clause-by-clause study of the bill next Tuesday.

Even if there is unanimous consent, if the Holy Spirit appears unto us, and if the House rises on Thursday evening at 9:55 p.m., I do not want the bill to stall. It is possible for us to meet even if the House is not sitting, as you know.

[*English*]

The Chair: Just for clarification, I don't need unanimous consent for this committee to sit longer; the majority votes.

Are you making that part of your amendment, that we see political parties as witnesses, and that we sit long enough to get this bill to the

report stage? We'll have our folks do the wording, but I'm understanding from you that you have two parts to your amendment.

Am I correct? Thank you.

Monsieur Godin, please, and then Madam Redman and Mr. Lukiwski.

[*Translation*]

Mr. Yvon Godin (Acadie—Bathurst, NDP): The first part of the motion is a problem for me. I have a hard time seeing how a bill can be studied here, at a Commons committee, without witnesses appearing. That is not the way I like things to be done. I would like witnesses. We thought that representatives from federal financial institutions would be appearing. This is a federal act, after all. The person who provided evidence did so with reference to Ontario law, and that does not reflect the bill before us.

The motion says this:

That the committee postpone the clause-by-clause study of Bill C-54 until it has heard from the representatives of Equal Voice [...]

This implies that, if those people decide not to appear, we are stuck. That part of the motion should be changed. Otherwise, they could decide to show up next year. I do not know how long we should wait before studying this bill.

With regard to Mr. Guimond's motion, and the Holy Spirit descending from on high, let us make sure that we do not wait too long. I think that we could hear from witnesses next Thursday. We could set aside an hour for the regular witnesses, the financial institutions, etc. Next Tuesday, whether the House is sitting or not, we could continue the meeting after 11 a.m. to study the bill clause by clause. The report could be written right afterwards. We would not have to wait until the fall to table it. We can table it in the House, even if it is not sitting.

I think that covers everything.

[*English*]

The Chair: Apparently there is a way to do that. However, what I now am hearing is a subamendment that there be some limitations to the invitation to the witnesses, that we just don't extend this thing on and leave the committee sort of held hostage by witnesses who aren't responding to our requests.

Mr. Godin's subamendment is now fairly clear. Let's just continue the debate for a little bit. Then we'll read back these subamendments.

Madam Redman, and then Mr. Lukiwski.

Hon. Karen Redman (Kitchener Centre, Lib.): Thank you, Chair.

I'd like to make a point and respond to the subamendment and amendment given forward by our motion.

We see more than a little bit of filibustering in this committee on other issues. I raise that only to say that I don't think anybody doubts that this piece of legislation, whether we think it's perfect in the state it is in or if it could benefit by some amendments, will pass. I would tell you that the greatest failing of legislation, in my view, is unintended consequences. Because of that, I think that asking Equal Voice—and I understand that they may or may not come, and I wouldn't want this committee to be held hostage by a specified group of people that may or may not come—deserves further examination.

I believe financial institutions should be invited to come, and I believe the nomination contest is an issue that we need to deal with in this legislation, and that is what's put forward in our motion. But I do not think it is the intent of anybody around this table to delay this unduly, nor is it anybody's view that this is any kind of tactical manoeuvre that would scupper this legislation. We are clearly of the view that this will indeed pass, and because of that, we feel that these aspects need to be examined.

My only comment on the subamendment by Monsieur Godin would be that I would hate to think that somebody may be able to come Friday or next Tuesday, and I'm wondering if we were able to give the clerk a little bit of leeway in approaching those people. I'm not about to tell very effective people how to do their work, but I hope we're doing more than sending e-mails. I know, for instance, I have contacts for Equal Voice, and I would be very happy to undertake to try to get some kind of in-person response to that request.

For financial institutions, we might want to consider whether we want somebody from the Canadian Bankers Association rather than trying to get five representatives here. So I think there are ways that, if we put our mind to it, we could be effective.

The House is scheduled to sit until June 22, so I'm wondering if it would be amenable to everyone—and I think maybe it's the spirit of what Mr. Godin is suggesting—that we try to wrap this up by June 22 whether the House is sitting or not. That may require some of us to get out our calendars and compare schedules, but just give the people who are trying to bring this all together a little bit of leeway so that the deadlines aren't so restrained and constrained that we're basically thwarting the spirit of this motion.

● (1155)

The Chair: Thank you, Madam Redman.

Mr. Lukiwski, and then Monsieur Godin.

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): Thank you, Chair.

I'm not vehemently opposed to anything that has been said here already. I have just a couple of brief comments.

One comment is on witnesses. I do recall, and I think members of the committee recall, that we had suggested that all suggested witnesses, suggestions from all parties, be advanced last week and that those witnesses be invited. All of us complied with that request, so I have a bit of a problem with now going back to the well again and saying that we want more witnesses, because I think we had ample opportunity to do it, particularly with Equal Voice.

If you say that you know they have received the message but chose not to respond, and yet we're saying now we're not going to proceed until we hear from them, that's perhaps something that is a little untoward, inasmuch as they had ample opportunity to respond to our request to appear. They wouldn't, and now we're saying we don't want to proceed with clause-by-clause until they come.

So I would like to see a minor change to the wording of the motion, just to be quite clear that we're not going to hold up the committee's clause-by-clause examination if Equal Voice again chooses not to respond. That's the first point.

The second point is that I want to agree with Monsieur Guimond's suggestion that regardless of what we do with respect to witnesses, it is my understanding that the three parties opposite will be supporting this motion, so it looks like we're going to go forward with additional witnesses. As long as we can get to clause-by-clause and complete clause-by-clause before we leave for the summer, if we can all come to agreement on that, then so be it, and let's go forward as quickly as possible.

Thank you, Chair.

The Chair: Thank you.

Mr. Godin, please.

Mr. Yvon Godin: I really think that if the people out there care about this, they will be here on Thursday. They will find somebody to appoint to be here on Thursday. To me, I think we have to give that one chance. As I said, that's how I see it. We invite the witnesses, and if Madam Redman knows Equal Voice better than we do, she could contact Equal Voice. If they're not here on Thursday, that will be their problem. Next Tuesday, we continue on.

The House will sit until June 22 if the parties agree to have 25 people in the House and make sure that it doesn't adjourn, but I raised the question to the three parties yesterday and I didn't get a straight answer on it, so I think it's possible that it could close down before. That's why we have to put the mechanics together now to make sure that we do finish this bill, because this is a very important bill.

● (1200)

The Chair: Colleagues, I have no more names on my list for discussion on the subamendments or the amendments or the motion itself. I'm going to suggest to the committee that we suspend for one minute while the clerk and I rewrite this motion to what we feel reflects....

Yes, Mr. Hill, please.

Hon. Jay Hill (Prince George—Peace River, CPC): Just as a point of clarification, the original motion was Mr. Owen's. Is the amendment by Monsieur Guimond acceptable to the mover? It's a good place to start.

The Chair: To be quite frank, I don't think it matters. Once the motion is tabled, it belongs to the committee. It's no longer Mr. Owen's.

Hon. Stephen Owen: However, Mr. Chair, I do very much appreciate the request, and even if it's perfunctory, I certainly agree with the amendments.

Thank you.

The Chair: Colleagues, we'll just take a break for a minute and a half until we rewrite this motion.

An hon. member: Are we rewriting the motion—

The Chair: We're going to try to rewrite the motion and we'll discuss it with you guys, and then we'll come back. Hopefully we'll get a speedy agreement on this.

- _____ (Pause) _____
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- (1210)

The Chair: Colleagues, we're back in meeting. My apologies, we decided to work on the translated form as well.

I'm going to have the clerk read the amended motion—and subamended amended motion—but if you listen carefully, you will hear that we have included in the motion the opportunity for witnesses to appear. So the offer of one more opportunity should take care of this business of witnesses going on forever.

As well, there is mention in the motion of extra meetings, if necessary, so that clause-by-clause is completed and the report is tabled even if the House is not sitting.

Having said all that, I'll ask the clerk to read the amendment in both English and French.

Lucile.

The Clerk of the Committee (Ms. Lucile McGregor): The motion you have before you is the motion of Mr. Owen. That was circulated.

The amendment by Mr. Guimond is that the motion be amended by deleting all the words after “until”, and substituting the following therefor:

it has given an opportunity for representatives from Equal Voice, financial institutions, and political parties represented in the House to appear, but that clause-by-clause of Bill C-54 be completed no later than Friday, June 22, and that the Committee agree to meet even if the House has adjourned.

[Translation]

As regards the French, I would amend it by removing all the words after “témoignage”. It would read as follows:

Que le Comité retarde l'étude article par article du projet de loi C-54 jusqu'à ce qu'il ait donné l'occasion de comparaître aux représentants de À voix égales, des institutions financières et des partis politiques à la Chambre, mais que cette étude article par article soit terminée au plus tard le vendredi 22 juin et que le Comité convienne de se réunir même si la Chambre s'ajourne.

[English]

The Chair: Monsieur Godin.

[Translation]

Mr. Yvon Godin: The last part of the motion as amended says that we are going to finish the clause-by-clause study on June 22, but it does not specify that we are going to report to the House that day.

[English]

The Chair: Members, could you just comment to the chair? Now I've lost the conversation.

Monsieur Godin, what were you saying? I'm sorry, sir.

Mr. Yvon Godin: I asked how that could happen if the House is sitting. So we're talking about if it's not sitting.

The Chair: Correct—if the House is not sitting.

Mr. Yvon Godin: Could you reread the last part of that?

The Clerk: In English or in French?

[Translation]

Mr. Yvon Godin: It does not matter.

[English]

The Clerk: The last part reads:

that clause-by-clause of Bill C-54 be completed no later than Friday, June 22, and that the committee agree to meet even if the House has adjourned.

Mr. Michel Guimond: What is the meaning of “be completed”?

The Chair: Ready to be tabled. It would require extra meetings.

Mr. Michel Guimond: Including tabled?

The Chair: No, not including tabled. It's just ready to be tabled—that clause-by-clause be completed, that the bill be ready to be tabled in the House, by me.

In terms of extending our meetings, we can immediately go to three-hour meetings and have lunch for Thursday, next Tuesday, and next Thursday. If necessary, we can have one and potentially two additional meetings between now and then.

I think we can do it. That's what it means by additional meetings. But the bill, clause-by-clause, would be finished no later than June 22, ready to be tabled.

Mr. Godin.

Mr. Yvon Godin: Okay, but my question is when is it going to be tabled? Not in the fall, then.

[Translation]

The Clerk: That depends on whether the House has risen or not. According to accepted practice, the House can pass an order allowing committees to table a report with the clerk. It is called tabling by the back door. If there is no order from the House, the report cannot be tabled in that way.

If it is possible, it is done after clause-by-clause study is finished. The chair can submit it to the clerk. If not, it has to wait until the first day of the session in September.

• (1215)

Mr. Yvon Godin: I do not want to prolong the meeting, but I would like things to be clear. Can we not say that we would like to submit it to the House even if the House has adjourned?

The Clerk: No.

Mr. Yvon Godin: So can you explain to me the process we need to follow in order to table a report in the House when it is not sitting?

The Clerk: For this kind of bill, the House has to pass a specific order permitting reports to be tabled in the House after it has adjourned. Some reports can be tabled under an act or a regulation, but that is not the case here.

[English]

The Chair: Any further discussion?

Mr. Guimond, please.

[Translation]

Mr. Michel Guimond: So if the government whip is so inclined, he can make a motion in the House that states, if I have understood correctly, Ms. McGregor, that if the House has risen, the Standing Committee on Procedure may report on the clause-by-clause study of Bill C-54? That would need an order from the House, correct?

The Clerk: Yes, if such an order exists.

Mr. Michel Guimond: We have to know if the government wants to go that way. It is part of the discussion. If it is prepared to wait until our chair reports on our clause-by-clause study on September 17, we will be going with the flow.

[English]

The Chair: Order, please.

Mr. Hill and then Monsieur Proulx.

Hon. Jay Hill: Perhaps, Mr. Chair, I'll point out the obvious. We are not the ones who are delaying this right now. We were prepared to go to clause-by-clause today. The witnesses are here. They're waiting to do it. Then we wouldn't be debating this whole issue right now. We'd have the bill ready to go back to the House. We are not the ones who are delaying this.

And whether we can come to some agreement on this motion, and delay with another request for witnesses to appear, whether this all transpires before the House rises or not and whether we could come to some agreement as a special order that if the House had risen we could still have the bill reported back.... All of that's hypothetical, and obviously possible, but I don't want to comment further.

It's not the government side of this committee that is involved in this delay.

The Chair: Mr. Proulx.

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Thank you, Mr. Chair.

It's a question of clarification. Let's assume the House rises this week or early next week, and we've done our work by next Thursday. Let's say we meet the deadline of the 22nd. What difference is there if it's...? There is no difference whether it be tabled.... Why would we table it while the House isn't sitting? Is there an advantage to that?

The Chair: It's just getting it tabled.

Mr. Marcel Proulx: Get it out of your office.

The Chair: For the most part. Ultimately it has to be reported to the House for third reading, so—

Mr. Marcel Proulx: Whether it's done in the middle of the summer or whether it's done in early September, when the House resumes, it's six of one and half a dozen of the other.

The Chair: Mr. Godin.

[Translation]

Mr. Yvon Godin: We could be killing the bill. If we prorogued, but the bill had been tabled, I think it would be protected.

[English]

The Chair: Colleagues.

Mr. Marcel Proulx: Do we have to have explanations on how we...? He seems to be seeing this with a very different eye. He's talking of fast-tracking. I don't know what fast-tracking is in the middle of the summer.

•(1220)

The Chair: Colleagues, let me ask the clerk to explain this, because my understanding is that as long as we get through this, the bill is protected whether the House prorogues or it's—

Some hon. members: No.

The Clerk: If the House is to prorogue, all government bills die, whether or not—

Mr. Michel Guimond: Except if the government presents a motion?

The Clerk: Exactly. Unless they present a motion to reinstate the bill at the stage it was at before, but that's another issue.

The rule is that with prorogation, all government bills die. Whether we have reported it or not would not have an effect on where the bill stands, whether we report it next week or whether we report it on the first sitting day.

[Translation]

Mr. Yvon Godin: So, in the case of prorogation, the government would normally agree to reinstate the bill in the House.

The Clerk: Yes, exactly.

Mr. Yvon Godin: And we would accept that it had been reinstated, and would continue to study it.

The Clerk: Yes.

[English]

The Chair: So now we're clear.

I think this motion still stands as it is. There are no further changes.

Do we need to read the motion again, or can I call the question? The question is on the amendments by Monsieur Guimond, first.

Hon. Jay Hill: Why is it not the whole motion? If it's acceptable to the mover, lump them together.

The Chair: Can I have unanimous consent from the committee that it's acceptable to the committee, the last motion?

Some hon. members: Agreed.

The Chair: All right. Let's call the question on the motion that we just read.

(Motion agreed to) [See *Minutes of Proceedings*]

The Chair: As a result of this motion, colleagues, that we are now going to hear more witnesses, there's not much point in continuing this meeting.

I will ask for clarification.

The witnesses need to be called. We have spoken to you off the microphone and you will please provide us with the names and contact numbers of the financial institutions.

The Clerk: Yes.

The Chair: There is one more thing.

Mr. Michel Guimond: I thought we had a second point.

The Chair: Is this a point of order on this issue?

Mr. Michel Guimond: No, no.

[*Translation*]

Mr. Chair, this is not a point of order. I just want to remind you that we have a second item on the agenda.

[*English*]

The Chair: Yes, we have it. I just have to finish this business first.

Colleagues, we're going to move to witnesses, one more opportunity to get witnesses.

Mr. Owen.

Hon. Stephen Owen: Can I just make one quick comment on this process that the resolution puts in place, and that is, that following those witnesses, there may be an opportunity for further amendments?

The Chair: Exactly. That would be my second comment. We will obviously have to reinstate our motion that amendments be given in 24 hours prior to clause-by-clause. If we're fortunate enough to see these witnesses on Thursday, which I believe is what we're going to attempt to do, then we will begin clause-by-clause next Tuesday. As a result of that, any amendments as a result of these witnesses coming forward would need to be in the clerk's office by 11 o'clock Monday morning, 24 hours prior to clause-by-clause.

We will be extending all the existing meetings by one hour—we'll have lunch here—and we'll have to look at the schedule and see who's coming in terms of witnesses. Hopefully, I can be given the authority to order an extra meeting if that's necessary.

Now, on this issue, Monsieur Godin, please, and then Madam Redman.

[*Translation*]

Mr. Yvon Godin: When do we have to give you the names of the witnesses?

The Clerk: As quickly as possible.

Mr. Yvon Godin: There is Citizens Bank.

The Clerk: Again, I need a name, a title.

Mr. Yvon Godin: Fine, we will get them to you as quickly as possible.

Thank you very much.

[*English*]

The Chair: Is it unfair for me to ask that the contact information for witnesses colleagues want to see is with this clerk by five o'clock today?

Mr. Yvon Godin: Yes, that's okay.

The Chair: Is it fair to ask for four o'clock today?

All right. We'll go for five o'clock. Five o'clock today, last chance.

Madam Redman, please, and then Madame Picard.

Hon. Karen Redman: I just wanted to acknowledge the indulgence of the witnesses and thank them, the people who came when we switched—

The Chair: I was going to get to that, but thank you.

Madame Picard.

[*Translation*]

Ms. Pauline Picard: There is Jacques Hébert from the Canadian Bankers Association. He is in Montreal.

[*English*]

The Chair: Merci.

On behalf of all my colleagues, I want to thank our witnesses for coming today. I'm sure you're used to this sort of thing, and I apologize, but again, I extend the committee's gratitude for your being available for us today. We'll repeat this hopefully next Tuesday. You're dismissed.

Thank you very much.

That ends the business for today on Bill C-54.

Monsieur Guimond, we will move to the next item on our meeting. Monsieur Guimond, please.

● (1225)

[*Translation*]

Mr. Michel Guimond: Thank you, Mr. Chair.

I would like to advise members of the committee that I am withdrawing the amendment to the 53rd report of which I gave you advance notice last week. However, I met with the four independent members last Thursday. I still had Mr. Arthur to see, and I did so yesterday. I gave them my word that I no longer had any intention of amending the regulations. We are going to continue leaving it to the Speaker's discretion to recognize the independent members of the House, as is the case at present.

Thank you.

[*English*]

The Chair: I take it that's the end of business for today.

An hon. member: I move that we adjourn.

(Motion agreed to)

The Chair: The meeting is adjourned.

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