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Chair

Mr. Merv Tweed

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• (1535)

[English]

The Chair (Mr. Merv Tweed (Brandon—Souris, CPC)): Good afternoon, everyone.

We're in meeting 27 of the Standing Committee on Transport, Infrastructure and Communities. Pursuant to the order of reference of Thursday, September 21, 2006, we are studying Bill C-11, an act to amend the Canada Transportation Act and the Railway Safety Act and to make consequential amendments to other acts.

I would like to bring us up to speed as to where we left off in the last meeting with regard to the point of order raised Tuesday, November 21, relating to the wording of the French version of an amendment proposed by Mr. McGuinty, which is L-01. The text of the amendment has been carefully reviewed by the legal translators and a correction has been made. I have had this corrected version of the amendment distributed, and all members, I believe, have it.

I'll refer to it, and you can check your documents. If you don't have it, it is 6.1 in bold letters at the bottom. Just for your information, at the top left hand there is a reference number. So we all have the same one, it is reference 2524438. I would ask to confirm to make sure everybody has that.

Mr. Scott doesn't. Okay. Our department officials don't have it. Apparently they were e-mailed yesterday, but I guess we're getting hard copies circulated, if you didn't get it.

Ernie, could you also distribute it to our guests at the end of the table, please? Thank you.

I want to confirm that everybody has that in front of them now. To continue, when we adjourned the last meeting, this committee was considering a subamendment by Mr. Bell to Mr. McGuinty's amendment. We're going to resume debate on the subamendment by Mr. Bell.

Mr. Jean.

(On clause 2)

• (1540)

Mr. Brian Jean (Fort McMurray—Athabasca, CPC): Thank you, Mr. Chair.

The department prepared on our behalf a synopsis of the actual declaration itself, proposed section 5, and in particular took the translation that was approved by Monsieur Laframboise and Mr. Carrier, the French translation, and translated it into English. I have a

copy I would like to pass out to the members with your approval, Mr. Chair. It's in both French and English, obviously.

The Chair: Mr. Jean, for my clarification, you took the French translation and translated it into English to include the words Mr. Laframboise found acceptable?

Mr. Brian Jean: Indeed. I thought it would be the best place to start because it seemed liked the appropriate place. If the members look at the clause itself, in particular, proposed paragraph 5(b), this was the debate we had last time in regard to the word "directed" and the meaning of the words "at law". Indeed, the French translation—my French is very bad—translated it directly to the words "are used". That seems to be appropriate in the circumstances, even to the government.

In proposed paragraph 5(b), if you look at the underlined portion of that, in English it says "are used to achieve economic safety, security in environmental or social outcomes". Our discussion last time was around the word "directed". That was the difficulty we had. So the translation from French was approved at that point. The department translated it into English and put them next to each other so that the French and English could be compared with the new suggestion. I would propose that amendment.

The Chair: By rule, and again, I look for direction from the committee, if I can summarize it, what the clerk did was take Mr. McGuinty's English and translate it into French. I understand what the department did was take the French translation and translate it into English. I think you have a comparison there, but if we are going to consider Mr. Jean's proposal, it would have to be unanimous that we would agree that Mr. Bell's amendment would be changed to reflect Mr. Jean's.

Mr. Bell.

Mr. Don Bell (North Vancouver, Lib.): Well, the proposal that's here...our proposal was to use "directed". There was concern about that, and you had suggested at that time that we use something like "focused" or "aimed", or something to that effect. We had a discussion with respect to that this morning and felt that "aimed" or "targeted" would be fine.

My concern with what you've proposed—"are used"—is that it doesn't indicate any focus or direction, and the term "directed"... We had that discussion about what could amount to more than pointing in a direction, like you are being directed to do something. That, I think, was the danger in the two interpretations. That's why we felt we would agree to the use of the word "aimed". That indicates more than the word being used, that there is a direction being implied, but not a direct order as such—a focus.

• (1545)

The Chair: Mr. Julian.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Thank you, Mr. Chair.

I don't think this achieves what Mr. Bell and Mr. McGuinty proposed at our Tuesday meeting. What it does is state a fact, as opposed to providing a more active approach on transportation matters, which is what I believe Mr. McGuinty and Mr. Bell were trying to achieve.

With respect, I don't think this does it. It would, of course, be up to Mr. Bell to decide the exact wording, but he just used a couple—"aimed" or "focused"—as opposed to a simple statement of fact, which is what we have before us right now.

The Chair: Mr. Laframboise.

[*Translation*]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): What Mr. Jean is proposing seems acceptable to me. That is the position that was adopted at the last meeting. I don't know how to proceed right now. Do we have to vote on the Liberal proposal and then study the proposal tabled by Mr. Jean?

[*English*]

The Chair: Mr. Jean.

Mr. Brian Jean: To be clear, Mr. Chair, can I, without unanimous agreement, propose an amendment subsequent to the vote on this particular amendment?

The Chair: Unfortunately not. If we are going to change Mr. Bell's subamendment in any way, there has to be unanimous consent of the committee.

Mr. Brian Jean: But my question was, Mr. Chair, if indeed we vote, and that subamendment is defeated, can an amendment then come forward to vote on the new wording?

The Chair: Yes.

Mr. Brian Jean: That's just for clarification for future purposes.

Quite frankly, because Mr. Laframboise and Mr. Carrier specifically said they were satisfied with that, that's why it was done that way. Because we already knew the Bloc supported the French version, that's why it was translated into English. Indeed, I do see the concern there, and I'm wondering if you'd be satisfied if the change under proposed paragraph 5(b) would be: "regulation and strategic public intervention are to be used". So we'd be adding the words "to be used". Would that satisfy?

The Chair: I don't think we can have this discussion on the amendment until we actually have it on the floor as an amendment.

Mr. Bell.

Mr. Don Bell: If we can just return to the motion we had, with the term "directed" in it, at the time we were discussing it there was a concern about the interpretation of the word "directed", and I don't know whether it was related to the French translation or whether it was a concern, as I understood it, that the term "directed" meant more than indicating a direction. The concern I heard was that it was like an order.

I'm suggesting we use the word "aimed" or "focused" or "targeted", but "aimed" is easier. I think that was the word that was used, and if there is an accurate, simple French word that means aimed—as in "to point a gun"—...

Is there a simple French translation for that, or is "targeted" better? This is for Mr. Laframboise, if they have a suggestion, if there is not a duality in the word in the French translation.

The Chair: Mr. Laframboise.

[*Translation*]

Mr. Mario Laframboise: We are in agreement to remove the words "ne sont utilisées que", that is, transforming a negation into an affirmation. What you want to do is go further, and we don't agree with that. Following the recommendations of Ms. Borges, who said the words "ne [...] que" could be changed to give a positive connotation to the sentence, we went along with that idea. If you want to go further, then we're going to be obliged to vote against the amendment. We have to be careful, because if there are no other motions, the risk is we'll find ourselves faced with the old one again.

[*English*]

The Chair: Again I look for direction, but....

• (1550)

Mr. Don Bell: Do I understand, then, that based on the word "directed", there is a French correction, if you want to call it that, for the French translation, that clarifies "direction" to the satisfaction of the Bloc members?

[*Translation*]

Mr. Mario Laframboise: What we want to ensure is that paragraphs (a), (b), (c) and (d) of section 5 proposed in clause 2 of the bill get equal attention. If you push it further by using the words "are directed to achieve" rather than "are used to achieve" in paragraph (b), that means you are assigning greater importance to paragraph (b) than to paragraph (a). Obviously, that is less agreeable to us. I am quite agreeable to changing a negative into a positive: it forces us to study what is being recommended in paragraph (b) as much as in (a). That is what Ms. Borges was suggesting to us. We find that acceptable. It's semantics, but the words used in French are as follows: "sont utilisés pour l'obtention", and we are fine with that. It means that in the future, we will use: "regulation [...] to achieve economic, safety, security [...] outcomes." We will agree to that, but we should not go any further, or we risk changing what was tabled by the government.

[*English*]

The Chair: If there is no other comment, I'll call the vote on the...

Mr. Bell.

Mr. Don Bell: I'd just like to clarify, then, what it is you're comfortable with.

Mr. Jean, is it with the word just simply being "used", then, without any emphasis?

I see. Well, clearly we were prepared to move, I think, from "directed" to "aimed", if that better clarified what the intention is: to indicate a direction and a preference, not an order.

I think, therefore, we would go for the vote on our motion as it is, then.

The Chair: Okay. Thank you.

I'm going to call the vote. All those in favour of the amendment to Mr. Bell's amendment to Mr. McGuinty's amendment—

Mr. Peter Julian: Could you read it, please, Mr. Chair?

The Chair: The subamendment of Mr. Bell is to insert after the words “environmental or”, the following, “safety, security or other”. That's it. The rest reads the way it does, with the word “directed” included in that statement.

All those in favour of the subamendment, please—

Mr. Peter Julian: No, no, no.

The Chair: Mr. Julian, what you're seeing here as page 6.1 was Mr. McGuinty's original motion. The subamendment of Mr. Bell is that after the words “environmental or”, we would add, “safety, security or other”.

That was the amendment, Mr. Julian, to the original. We can go back to that—

Mr. Peter Julian: Thank you, Mr. Chair.

That's L-0.2.

The Chair: It's L-0.1.

An hon. member: They're incorporated together.

The Chair: Right.

Mr. Ed Fast (Abbotsford, CPC): The word “directed” is in there?

The Chair: The word “directed” is in the original amendment. This is the subamendment we're talking about. Okay?

All those in favour of the subamendment by Mr. Bell?

(Subamendment negated)

The Chair: Please give me one second.

Now we're back to the original amendment that was offered by Mr. McGuinty. This is where Mr. Jean was looking to make the change.

Mr. Jean.

Mr. Brian Jean: Thank you, Mr. Chair.

We have a document in front of us, and I can read it if you like. I'm proposing an amendment that actually does encompass something that was put in before regarding safety and security.

All members have that in front of them, and I will not try to read the French. It would say after, “Those objectives are most likely to be achieved when”, in proposed paragraph 5(b):

regulation and strategic public intervention are used to achieve economic, safety, security, environmental or social outcomes that cannot be achieved satisfactorily by competition and market forces and do not unduly favour, or reduce the inherent advantages of, any particular mode of transportation;

• (1555)

The Chair: Debate? Everybody's comfortable with it?

Basically, we're voting on the amendment to proposed paragraph 5 (b). The French translation is there.

(Amendment agreed to)

The Chair: Now we're going to move to L-0.2. Oh, I'm sorry, we're still on that.

Shall Mr. McGuinty's amendment carry as amended? We need to get that so we can clarify it.

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

Mr. Don Bell: In effect, that deals with L-0.2 as well.

The Chair: So now we're going to move to the NDP's amendment 6, on page 7.

Mr. Julian.

[*Translation*]

Mr. Peter Julian: Thank you very much, Mr. Chair.

I am proposing amendment NDP-6, intended to amend paragraph (c) of section 5 proposed in clause 2 of the bill on the subject of this infamous national transportation policy we've been discussing for several hours. We're making progress, all the same.

[*English*]

The Chair: I'm sorry to interrupt. I do have some clarification notes on my sheet just before you start, again similar to what we've been dealing with.

I'm told that if NDP-6 is adopted, G-2, which is the next one by the government, cannot be proceeded with due to a line conflict. I can suggest that the two be considered together, again to come out with the best solution. Apparently, the difficulty is that your amendment is amending lines 17 through 20, and the next one, G-2, is amending lines 18 through 20.

I would ask the committee if they would be prepared to consider the amendments together, or at least to come up with a compromise that we can all agree on.

Mr. Peter Julian: In the spirit of conciliation....

The Chair: If there is no agreement, then I would say we will deal with Mr. Julian's amendment and—

Mr. Peter Julian: Mr. Chairman, I think it would be relatively easy to incorporate G-2 into the NDP amendment. Of course, it's up to the government to make that choice.

[*Translation*]

We propose to add all of the following elements to the proposed paragraph 5(c). I will read you the text of amendment NDP-6:

c) each carrier or mode of transportation, as far as is practicable, carries traffic to or from any point in Canada under fares, rates and conditions that do not constitute:

- (i) an unfair disadvantage in respect of any such traffic beyond the disadvantage inherent in the location or volume of the traffic, the scale of operation connected with the traffic or the type of traffic or service involved,
- (ii) an undue obstacle to the mobility of persons, including persons with disabilities,
- (iii)) an undue obstacle to the interchange of commodities between points in Canada,
- (iv) an unreasonable discouragement to the development of primary or secondary industries, to export trade in or from any region of Canada or to the movement of commodities through Canadian ports;

I am proposing this amendment because, in fact, all of these elements are part of the current national transportation policy. These are important elements that cannot be left out of the new policy. That is why, I think, such great care was taken to prepare this new presentation of our national transportation policy. After all, it has repercussions in other areas.

Mr. Chair, I am going to read you what has been in the national transportation policy since 1995-1996. I just have the English text, so I am going to read it in English.

●(1600)

[English]

(c) each carrier or mode of transportation, as far as is practicable, carries traffic to or from any point in Canada under fares, rates and conditions that do not constitute

- (i) an unfair disadvantage in respect of any such traffic beyond the disadvantage inherent in the location or volume of the traffic, the scale of operation connected with the traffic or the type of traffic or service involved,
- (ii) an undue obstacle to the mobility of persons, including persons with disabilities,
- (iii) an undue obstacle to the interchange of commodities between points in Canada, or
- (iv) an unreasonable discouragement to the development of primary or secondary industries, to export trade in or from any region of Canada or to the movement of commodities through Canadian ports;

What we're proposing here, Mr. Chair, is simply reinforcing this new national transportation policy, saving the most effective elements of what already exists. We believe the current bill, which really only speaks to the issue of "interswitching within Canada or to the movement of goods through Canadian ports", and also talks about "undue obstacle to the mobility of persons, including persons with disabilities", is not strong enough. We're hoping to reinforce it by this motion of amendment that is more extensive. As I say, it simply reiterates what is already policy nationally.

[Translation]

That, we believe, is what should be kept.

[English]

The Chair: Mr. Laframboise.

[Translation]

Mr. Mario Laframboise: My question is to Ms. Borges. We're discussing principles and achievement of objectives. I see we're getting tangled up, so I would tend to support your approach with respect to paragraph 5(c). But why the choice to speak of "interswitching" and "movement of goods through Canadian ports"? Why not different wording?

Ms. Helena Borges (Director General, Surface Transportation Policy, Department of Transport): Following discussions with carriers, we chose to bring together the three elements listed by Mr. Julian, namely subparagraphs (i), (iii) and (iv), into one sentence. After drafting new wording with the legal counsel, we were informed that it might be necessary to change the word interswitching and find another word with broader scope. That's the objective of amendment G-2 tabled by the government. That is the amendment we're going to consider after the discussion we're having right now. But it was as a result of discussions with carriers that we opted for that formulation.

The NDP amendment proposes three sentences regarding the movement of commodities, whereas we prefer to have just one, but I think all of the objectives being sought are included in our amendment. It's more concise, but I believe all of the elements are there. And I think our formulation regarding mobility of persons is stronger, more comprehensive than the one proposed by Mr. Julian. I refer to paragraph (d) of section 5 proposed in clause 2 of the bill, which says, "the transportation system is accessible without [...] obstacle [...]". I think that is stronger than what is being proposed in the NDP amendment.

●(1605)

Mr. Mario Laframboise: Great. That's fine.

[English]

The Chair: Mr. Jean.

Mr. Brian Jean: Actually, I thank the department for that. They did a much better job of explaining it than I could.

The key, Mr. Chair, is that in this particular case, we have a 50- or 60-page document, and what the department is trying to do is simplify it. What we're trying to move forward as a government is to save paper.

Again, Mr. Julian, I'm surprised the Conservatives have to come forward and save paper again and save all the trees in the environment. The reality is that they're trying to tighten it up and simplify it so that Canadians can understand it and so that we understand what we're getting.

In essence, my understanding as well, Mr. Chair, is that acceptance of this motion would actually negate the compromise from the Liberal motion of LIB-0.1. Based upon the fact that the shippers and the industry indeed negotiated this, it seems kind of ridiculous to take it away from the users.

Mr. Peter Julian: With due respect to the parliamentary secretary, the reality is that we're speaking about limiting the national transportation policy to the issue of rates and conditions only on interswitching and movements of goods through Canadian ports. A whole series of elements in the current national transportation policy that was adopted ten years ago needs to be continued.

They're certainly a broad series of principles that are important for our country. Transportation is absolutely vital to our country, so we can't cherry-pick and only say we're going to deal with certain elements or, as a preamble to a national transportation policy, say there are only certain elements that concern us.

There are a fairly significant number of elements that concern us. So far, the committee has done a good job of adding additional elements that may have been taken off with undue haste, and of ensuring that the national transportation policy is something we can all agree on and all be proud of.

Mr. Brian Jean: With respect, Mr. Chair, Mr. Julian already has mentioned at least three times that it's duplication, and he wants to reinforce it because it's duplication. Legislation, being a living thing, doesn't need duplication. What we need is concise language, simple language, so that Canadians can understand it.

To get to the crux of the matter, we've had consultation after consultation between the department and industries that are affected, and they are not satisfied with that amendment. They are satisfied with the government amendment, which is coming up next. That is why we want to reflect stakeholders: because they're ultimately the people who are going to be governed by this.

The Chair: Mr. Bell.

Mr. Don Bell: If I understand Mr. Julian's proposed subparagraph (c)(ii) to section 5, it's covered under proposed paragraph 5(d) within the existing bill.

I understand we're not directly discussing amendment G-2, but my question is about the suggestion that this could be phrased in a different way. The one thing about the existing proposed paragraph 5 (c)... If the phraseology that's been proposed by the government deals with the issue of interswitching, which I gather Mr. Julian feels needs to be better described under proposed paragraph 5(c), my only concern is—Mr. Julian's proposed subparagraph 5(c)(iv) still makes reference to ports—that there's no reference to ports. There's a movement of traffic within Canada and the exports of goods from Canada, but the emphasis on ports is gone.

As somebody from B.C., and I don't know about the Atlantic area, I'd say the movement of goods is critical to the health of the ports. That's one of the discouragements we have from China or other countries, who know that, because of the transportation problems we have associated with going through the ports, they can bypass our ports and go to Seattle or go down the west coast, for example.

The Chair: Ms. Borges.

Ms. Helena Borges: I can definitely explain that. Actually, this is the same discussion we had with shippers. The concern was with both ports and border crossings, because as you know, 80% or 84% of our trade goes down to the United States. They raised concerns with this, that by focusing solely on ports we're not focusing on the U.S. trade, which goes through land ports or border crossings.

The proposed motion by the government focuses on the word “exports”; it's “the export of goods from Canada”. That means from Canada to anywhere else. It could be via a marine port or via a land port or via air—because some shipments do go by air. That is why we phrased it this way, to deal exactly with the shippers' concerns that we were limiting it only to ports.

• (1610)

Mr. Don Bell: Do you feel, then, that the import of goods, which is the other part—because the trains go one way full, with the idea that hopefully they'll come back the other way—is covered under “the movement of traffic within Canada”?

Ms. Helena Borges: That's correct.

Mr. Don Bell: That's because theoretically the port is within Canada—in fact it is, obviously.

Ms. Helena Borges: Yes, exactly.

Mr. Don Bell: Okay, I think I understand it.

I am not comfortable with the expanded version in Mr. Julian's presentation because I think it gets into an unfair disadvantage and starts to convolute, in my opinion, and makes it less clear in my mind. I understand that he's trying to expand it and define it, but I think that in the interests of simplicity, something other than Mr. Julian's would be preferable.

The Chair: Mr. Carrier.

[*Translation*]

Mr. Robert Carrier (Alfred-Pellan, BQ): I'm of the view that legislation should be as concise as possible so we don't get lost in a complex of mazes, different sections or subsections that are subject to interpretation, and we start asking ourselves which section takes precedence over which other section.

Paragraph 5(c) as proposed in the bill satisfies me because it is inclusive, it is comprehensive. As for NDP-6, it adds text, nuances in the text, for example where it says: “beyond the disadvantage inherent in the location or volume of the traffic [...]”.

These are words or additions, it seems to me, that are inappropriate in legislation. That is why I would keep paragraph 5 (c) as proposed by the government.

[*English*]

The Chair: Mr. Julian, you have the last word.

Mr. Peter Julian: Well, it will be more than one word, Mr. Chairman.

The Chair: No, that's fine. It may be many words. I'm giving you the last word.

Mr. Peter Julian: This is the current wording of the national transportation policy. We're not talking about argumentation; we're not talking about adding elements that are not already there. This is what currently constitutes the national transportation policy. That's the wording from 1996.

If we're amending a transportation policy, we have to know what we're losing. Currently the national transportation policy talks about the development of primary or secondary industries; it talks about and refers to specifically Canadian ports. However, my amendment, of course, talks about export trade to and from any region of Canada, in addition to ports. So it takes ports as a basis point, but also expands beyond them. It talks about primary and secondary industries.

If we don't adopt this amendment—if we choose not to do it—then eliminate the references to “unfair disadvantage”, “undue obstacle[s]” to the interchange of commodities, and “unreasonable discouragement to the development of primary or secondary industries”. What we are doing is reducing what the national transportation policy does. We are reducing the scope of our national transportation policy to purely the movement of traffic within Canada and the export of goods.

I don't believe that's what Canadians, particularly in regions that are....

[*Translation*]

more remote up North and in other regions of the country that need a detailed national transportation policy to ensure the development of their primary and secondary industries. I do not think these industries are hoping for a policy that is limited in its wording. The government has held very limited discussions, unfortunately, and only with certain users, and since these consultations were so limited, what we get is a policy that is very limited. I do not think that Canadians want their national transportation policy to be limited to just two objectives. What we've been doing now for the last more than two hours is just that: we've been trying broadening the objective of our national transportation policy. If we limit the scope of that policy, it will be of absolutely no advantage to us or to Canadians.

[*English*]

The Chair: Mr. Jean, last word.

Mr. Brian Jean: Very simply, Mr. Chair, the quote I received was “tons” of consultations. This was a proposal given forward by a shippers coalition. I would suggest that Mr. Julian knows better than the shippers do what wording they need in their drive to move things across Canada from primary resource....

I would suggest that he do perhaps a little bit more consultation.

•(1615)

The Chair: I'll ask for a show of hands on NDP-6.

(Amendment negated)

The Chair: We're moving to G-2, page 8.

Mr. Jean.

Mr. Brian Jean: Mr. Chair, this deals with concerns from shippers. It cleans up the words again. Indeed, my understanding is that it reflects the tons of consultations with the shippers; they have endorsed the particular language in this motion.

The Chair: Comments?

Mr. Laframboise.

[*Translation*]

Mr. Mario Laframboise: I feel like asking you, what have you got against Canadian seaports? Why are you replacing the phrase “[...] movement of goods through Canadian ports”?

Ms. Helena Borges: We are trying to broaden the definition to cover the border crossings with the United States and also the airports. We're talking here about exporting goods from Canada. So the phrase “Canadian ports” includes seaports, cross-border ports, bridges, highways and airports as well. It's a phrase that encompasses more.

Mr. Mario Laframboise: But why was that not decided right from the outset?

Ms. Helena Borges: We were hoping to maintain, as Mr. Julian suggests, a certain resemblance to the original wording. When we talked to shippers, they asked us what was happening to cross-border trade, because those words were not included in the formulation.

They were included in the term “exports”. It means all exports, regardless of how they are exported.

[*English*]

The Chair: Mr. Scott.

Hon. Andy Scott (Fredericton, Lib.): As I understand it, ultimately, in an effort to capture the objectives of Mr. Julian—he may not agree with me in my interpretation of his objectives—it was expanded conceptually, not necessarily in the number of words necessary to pick it up.

Ms. Helena Borges: Yes.

Hon. Andy Scott: I think that's it.

The Chair: Mr. Julian.

Mr. Peter Julian: The problem here is that we now have an amendment that actually eliminates a specific reference to Canadian ports. I think that is unfortunate. I think it's an amendment that does attempt to do, on a very small scale, what the previous amendment attempted to do, but in so doing it eliminates an important reference.

Certainly for coastal regions like the Lower Mainland, where I come from and where Mr. Bell comes from as well, the elimination of the reference to Canadian ports I think is problematic.

The Chair: Mr. Fast.

Mr. Ed Fast: Mr. Chair, what's beautiful about the clause that's drafted here is that it is broad enough to cover everything. In my experience in the legal profession, the profession has moved towards and the law societies have moved towards something called plain language. They've even established a plain language institute. People who use the legal system and who have to read this terminology want something they can get their minds around.

Quite frankly, I did have some difficulty with the previous version in Bill C-11. The one that we have before us today, which is the government amendment, in its scope and its generality, covers everything Mr. Julian has been harping about for the last few minutes. It's difficult to conceive of anything in what he was proposing that would not fit under this. In addition, this is even broader than that, so it can take into account future changes in the movement of traffic throughout Canada.

It's there. It's general. It's going to do the job.

The Chair: Monsieur Laframboise.

[*Translation*]

Mr. Mario Laframboise: Ms. Borges, when you tell us you consulted the shippers, does that mean all existing carriers?

Ms. Helena Borges: It's a coalition that represents intermodal carriage, the industry of—I don't know the name in French—fertilizers, mining associations, forestry associations, propane, gas, like the Shell Corporation, for example, grain. It's a coalition that represents, I think, 24 different associations.

•(1620)

Mr. Mario Laframboise: They're the ones who asked you to amend the wording?

Ms. Helena Borges: Yes. I think you received a letter from the Western Grain Elevator Association and the Canadian Industrial Transportation Association. That's the wording they themselves used in their submission.

Mr. Mario Laframboise: The other industries, the railways, mining, forestry and everything—

Ms. Helena Borges: Yes, they were all there. The representatives of the railway terminals at the Port of Vancouver, the TSI transportation company and the companies that operate railway terminals in the ports are also in agreement, because rather than putting the emphasis on the mode of transportation, we're putting it on exports, on international trade.

Mr. Mario Laframboise: The other ports, in Montreal and elsewhere, you didn't—

Ms. Helena Borges: They're included, yes.

Mr. Mario Laframboise: In the coalition? Great.

[English]

The Chair: Okay.

Mr. Don Bell: Further to Mr. Laframboise's question and the focus Mr. Julian had on ports—which I share—I think if we were to keep the word “ports” in there to satisfy the deficiency, which I heard was identified by the shippers, you would have to add the words “ports, airports, border”, and any other method then of exporting goods or services from Canada.

Ms. Helena Borges: Right. That would include pipeline, for example.

Mr. Don Bell: Yes, pipeline. So this is cleaner, and on that basis I'm satisfied. I'm very concerned, obviously, about the port. I have one in my riding, but I feel it's covered effectively and more transparently by this

The Chair: Thank you.

On amendment G-2, I need a show of hands. All those in favour of G-2, please raise your hands.

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

The Chair: Shall clause 2 as amended carry?

Mr. Julian.

Mr. Peter Julian: This is something I guess we'll have to deal with at the report stage, Mr. Chair, but essentially we've made some amendments that help to restore some of what had been taken out of the former national transportation policy, but we haven't done so uniformly. And that's unfortunate, because in the end I think clause 2 could have been much more effective. As a result of that, unfortunately, I will be voting against clause 2 as amended.

(Clause 2 as amended agreed to)

(On clause 3)

The Chair: We will move to the NDP amendment number 7, on page 9 in your program.

Mr. Julian.

Mr. Peter Julian: Thank you very much, Mr. Chair.

We now move on to the whole issue of the transport agency and amendments to that. The issue is whether or not it is wise to reduce the agency from seven members to five members. Given the additional tasks that we are giving to the agency, it would seem to be prudent public administration to ensure that we continue to have the same size of agency. But one weakness that has obviously been identified is the fact that the agency doesn't necessarily have the representation from across the country that's required.

When we talk about things like railway noise or other issues of that nature, they're very regional, and we believe it would be important to have representation from right across the country. That's why we're proposing here that we would continue with a transport agency of seven members, one of whom—the chair—would be in the national capital region, and the other six of whom would be within the six regions of Canada, in the Atlantic provinces, of course,

[Translation]

in Quebec, in Ontario, in the Prairies, in British Columbia and in the territories. Representatives would be on site and would actually be able to do the work in their respective regions. That would allow for better representation and greater capacity to fulfill the mandate given to the Agency. That is why we are proposing to increase the number of Agency members to seven and spread them right across the country.

• (1625)

[English]

The Chair: We'll have Mr. Jean and then Mr. Laframboise.

Mr. Brian Jean: Thank you, Mr. Chair.

Very simply, I want to speak against the amendment proposed by Mr. Julian. First of all, the agency itself has been effectively operating with five members now for two years, and it's actually working. Second, this provision is actually intertwined with clause 5. If you want to take a quick look at clause 5, it is essential to improving the agency's efficiency. We're going to deal with that in a moment.

The other situation is that the act also allows, when specific expertise is required, for the appointment of up to three temporary members, and indeed, that the full members.... We can deal with that part in a minute.

This is the transportation industry. How do you decide what person represents what region? These people move around a lot. They go from job to job in different areas, because that's the nature of the business. The reality is that we have five members. There's an odd number. They won't be a stagnant board that's confronted with different issues from different regions, and indeed, it opens up a whole series of other complications that could only lead to an agency that's not going to be effective.

Their mandate, Mr. Chair, is to represent all of Canada and to represent all areas and regions of Canada. It would be, quite frankly, very cumbersome and confrontational to suggest that they should specifically represent one particular region. Their job is to represent all regions and to make sure that the job is done for all Canadians, not just specifically one or two regions.

The Chair: Monsieur Laframboise.

[*Translation*]

Mr. Mario Laframboise: We put questions to the man in charge of the Agency. He told us the number of members was sufficient to do the job. We're in agreement with the proposal tabled by the government and we will be voting against Mr. Julian's amendment.

[*English*]

The Chair: We go to Mr. Bell.

Mr. Don Bell: I actually like the motion by Mr. Julian, and there is a follow-up motion on the issue—since Mr. Jean referred us to clause 5, which is on where the members shall reside. There is a proposal to change that to say that the chairperson shall reside in the national capital.

The idea of having representatives who come from the various regions, such as Quebec and Ontario, such as the Atlantic, such as British Columbia and the prairie provinces, ensures that the concerns of those areas are brought to the table. Many of us have served in other elected bodies, as we do, in fact, as members of Parliament. We reside in our ridings. Although we may think we reside in the national capital, we actually reside in our ridings, and yet when we come here, we are not supposed to vote only on what's of interest to our riding. We vote on what's good for Canada.

Whether it's a member of a municipal council who lives in a particular part of a municipality or members of a provincial government—a legislative assembly—who represent different parts of a province, when they come together, they vote in the interest of the larger body. In fact, part of the swearing-in ceremony for each of those levels is that they will take into account the interests of the corporation or the body to which elected.

I don't think there would be a problem. It would result in more focused representation. It would be recognized that there may be a cost difference, but a greater number is better, and representation by the areas is better.

The Chair: Mr. Jean.

Mr. Brian Jean: Very quickly, I'd just like to respond to that.

How do you decide in this kind of industry where they come from? Does that mean they had to be born there? Does that mean they had to live there for two years? The problem is that this is a business operation where people travel from place to place, from city to city. In this particular case, we have Vancouver, Montreal, and Windsor, which are major nodes of transportation or places that we put people through. Does that mean that because we have one person who is excellent on the board from Montreal we can't appoint anybody else from Montreal who may add a lot to this agency?

What we are doing is tying our hands, and it's going to lead to a series of problems. This is not an elected body. This is an agency appointed by the government to make sure that the transportation issues that Canadians have are dealt with and are dealt with well.

•(1630)

The Chair: Mr. Julian.

Mr. Peter Julian: I'm a little surprised that the parliamentary secretary, basically, is saying that he doesn't think anybody from British Columbia would qualify for something like this.

Mr. Brian Jean: I suggested Vancouver.

Mr. Peter Julian: No, because right now what is contained within this bill that's before us is that all those members will reside in the national capital region—all of them. So there's no representation from British Columbia or Atlantic Canada or the Prairies.

Now, we live in one of the most geographically complex nations on earth, with probably the greatest transportation challenges on the planet, and we're putting everybody in Ottawa, assuming, essentially, that the folks who would be applying for these positions are people who are interested in living in the national capital region. I would profoundly disagree with the parliamentary secretary that people from British Columbia aren't qualified, people from the prairie provinces aren't qualified, and people from Atlantic Canada or Quebec aren't qualified.

What we would be getting would be the most effective, best possible people for the job, and those people would be in the regions. They'd actually know what's going on, on the ground, with the various transportation modes in British Columbia being substantially different from the transportation challenges in the north or in Atlantic Canada.

[*Translation*]

Or even in Quebec.

My motion offers people the possibility of living at home, in Quebec, in Montreal, in Vancouver. They're in the industry and they understand the needs and challenges in terms of transportation and they are able to respond to them.

This is a reaction we're seeing more and more often in the regions of Canada. People are tired of seeing decisions being made in Ottawa, in a limited way, and often solely in Ottawa's interest. My proposal is aimed at strengthening the work and the mandate of the Agency in the regions, by putting its reliance on a solid understanding of regional realities. I don't think that's a lot to ask.

[*English*]

The Chair: Before I recognize Mr. Laframboise, I'm going to ask Ms. Borges to comment on that, if you might, please.

Ms. Helena Borges: I think there are two issues here. There's the number of members. Currently, we have seven, and we have had seven since the bill was introduced in 1996. You may be surprised, you may not be, but the members, since 1996, have come from all regions of Canada. In fact, the chair, who just left this year, was from Vancouver.

Alain from the agency has joined us at the department. Among the members right now, there's basically a member from each region, right?

Why we are proposing to reduce the numbers and have them reside in the national capital region after their appointment—they don't have to reside in the national capital region to be appointed, it's to have them here once they are appointed—is an efficiency measure. Right now, when they are hearing a case—we know this for a fact, and I think the agency told you this when they came here—we are having to fax papers and documents out to the regions, wherever these people are, and often, when it's a very complicated matter, sending paper and doing things by phone just doesn't work.

So the government is prepared to have them move here, once they are appointed, for the five years and pay the expenses for moving them here, and to then gain the productivity benefits of having them here and working. They still travel. They go out and hear cases all over the place. They do that today. They will continue to do that. The way the government normally fills these kinds of positions is that they look throughout Canada for the expertise, and the expertise is based on knowledge of transportation and expertise in transportation, and then they look at people coming from different parts of Canada.

But we don't need to include that in here. We don't include it in any of the other places. And all of them have representation, I think you would agree, from most parts of the country. We've had that since 1996.

The Chair: Go ahead, Monsieur Laframboise.

[*Translation*]

Mr. Mario Laframboise: My comments are along the lines of Mme Borges'. When we asked the question, we were told that the members of the Agency can come from all over Canada. Once they're appointed, they have a "pied-à-terre" here, they reside here for efficiency's sake. I think it's easy to understand. It's just to be more efficient and save money; I hope we all understand that. Maybe in the long term, by saving, we'll manage to fix the fiscal imbalance.

[*English*]

The Chair: Mr. Scott.

Hon. Andy Scott: I think there are certain inefficiencies that are inherent in the country. To some extent, if you go too far to try to deal with those inefficiencies, I think you do some damage to what is inherently the country. I think in this case, this is one of them.

I want to disassociate myself from the suggestion that this suggests or that the government would suggest that there weren't competent people. I don't think it's about that. I do think there is a certain inherent value in having people who are located in different parts of Canada on a permanent basis. You said yourself that there's a lot of travel involved. So the reality is that where it is you call your base, it might be better to have that be something other than just here. I don't think you necessarily have to compromise competence to get that. But I do find it wildly ironic that I'm arguing for the regions against the government across the way, and they're invoking comments of the law society in support of their arguments. The world is coming...anyway, I'll...

•(1635)

The Chair: Mr. Hubbard.

Hon. Charles Hubbard (Miramichi, Lib.): Mr. Chair, I have the same difficulty. It seems to be a common thought that everybody wants to be in a central place. Ottawa, of course, is our capital, but

with the technologies we have today you can work almost anywhere in the world, not just within Canada.

My other thought is, why would the agency be in Ottawa? Of all the places in this country that have a small amount of transportation, whether it be in goods or services, it's Ottawa. Mr. Julian talks about Vancouver. We talk about Windsor. Why do we have in our minds that the agency has to be located here? Maybe that's a question the government has to decide, but somebody in their wisdom some time may see some of these agencies somewhere else in the country, whether it's Miramichi, Vancouver, Quebec City, or Windsor, so we shouldn't fix our minds here.

I brought this up originally and heard back that it costs a lot of money to fly these people to Ottawa every week. I don't know what the pay scales are, but we want to attract good people to take these positions. With that, you're going to give up an occupation back home, whether you're a lawyer or somebody involved in transportation. You'd have to make a fairly attractive offer to someone to change their life for five years and move somewhere. The part the government has in about residence and where the agency is located is certainly to the detriment of the commission.

I think some retired person would have to take this. Who would disrupt a career to spend five years at something that would take away from his overall career?

The Chair: Mr. Julian.

Mr. Peter Julian: Mr. Chair, it's very simple. In Mr. Fast's riding a couple of years ago we went through the issue of the avian flu outbreak. Decisions were being made in Ottawa, which constituted one of the chief reasons why the avian flu outbreak spread throughout the eastern Fraser Valley. When decisions are made in Ottawa, there is not necessarily an understanding of the geographical realities of the regions.

Here we have a clear case of it. The government is saying it's not a problem; we'll take anybody who applies and is qualified from British Columbia and wants to move to Ottawa. The reality is that most British Columbians don't want to move to Ottawa, and many qualified people who might want to be involved in the Transportation Agency aren't going to be because they do not want to have to uproot their families and everything, as Mr. Hubbard said, and move to Ottawa. That is a reality: 5,000 kilometres and three time zones—people don't want to uproot themselves and come to Ottawa.

The bill says that all those members—it doesn't say where they come from, so they could all come from Carleton Place—have to stay in the national capital region. That's in the bill before us—nothing but. If by accident once in a while somebody from British Columbia gets involved in the Transportation Agency, that's wonderful. But the reality is we are eliminating many qualified people across the country from Atlantic Canada, the north, the Prairies, and British Columbia, who don't want to leave their regions, aside from travelling occasionally, and who want to contribute their expertise to the country as a whole.

So we have a dilemma in front of us. We can take what the government is presenting that all members would remain in the national capital region, all members could be from one tiny city, or we can provide some guidance on how the government should be appointing the best possible people from across the country who understand on the ground what the transportation realities are.

That's why I think this amendment is important. It provides for people who are on the ground, have the expertise, and understand the realities of Atlantic Canada, the north, the Prairies, and British Columbia. I don't understand why the government is so opposed to that and keeps saying, "No, they have to be here in Ottawa. They can be from one little limited sector of this vast country, and that's fine with us." I don't understand their reasoning and their logic.

• (1640)

The Chair: Mr. Fast.

Mr. Ed Fast: Mr. Chair, if this were a private business and I was trying to pick my team, I'd be picking based on skill first, not on regional representation. When we're dealing with these kinds of agencies, it's good to have regional representation. However, staff has already told us there is no problem. We do have regional representation; it is not a problem. Now we're going to enshrine in our legislation restrictions that may in the future prevent us from actually appointing people who have the skill sets we need at that very time.

By the way, this is not an avian flu situation when we're talking about location. No, the problem with the avian flu, because I lived it, was an issue of the testing facility not being in Abbotsford or close to our area. It was in Winnipeg. If CFIA had been in Abbotsford and avian flu had hit in Toronto, you'd have the same problem, under your scenario.

I'd like to also point out two other points. We're talking about five versus six members. Typically, you'd want to make sure that you don't have a hung jury. You don't want to have a stalemate, so you'd want to have an uneven number, unless you're going to give one individual an extra vote, which certainly increases that individual's vote.

Mr. Peter Julian: Seven....

Mr. Ed Fast: No, you're talking about six.

Mr. Peter Julian: On a point of order, Mr. Chair, I would just like to clarify this. Clause 5 is a chairperson living in the national capital region and clause 3 is six members living in each of the diverse regions of Canada. The total would be seven.

The Chair: Mr. Langlois.

Mr. Alain Langlois (Legal Counsel, Legal Services, Department of Transport): The current act, in section 7, reads:

7.(1) The agency known as the National Transportation Agency is continued as the CTA.

(2) The agency shall consist of

(a) not more than seven members

The amendment proposed on motion 9 is going to reduce the numbers to six. The chairman is appointed as part of that number six, so by putting a number six under your motion 9, in NDP-7, the total number of members, including the chairman, will be six.

The Chair: Mr. Fast is still completing....

Go ahead.

Mr. Ed Fast: Let's not lose site of the focus here. This agency makes very, very important decisions that affect the whole country. When we're looking for appointees to this agency, we want to make sure we're focusing on skills and experience that can be brought to the table. At any given time we may not have that particular skill set available in a particular region where a seat is vacant. We need to have that flexibility, especially in light of the fact that we haven't had a problem with regional representation.

I want to ask a question of staff. What are the salaries of these members? I know the answer, but I want you to tell us that.

Mr. Alain Langlois: I don't know the exact figure, but it's anything between \$150,000 and above to—

Mr. Ed Fast: It certainly makes it worthwhile for someone to move to Ottawa to perform these services.

Those are my comments.

The Chair: Mr. Julian.

Mr. Peter Julian: Mr. Chair, if the legislative drafters made an error, we can certainly change the clause or the subamendment to say seven members. My understanding from the legislative drafters is that the two amendments work to create a seven-member board, but that's easily amendable for the subamendment.

The reality is we are disadvantaging very qualified people by insisting that they move to Ottawa. The very best in British Columbia, people who don't want to come here, are then not in the mix and not able to apply for these jobs. That is a fundamental reality that I certainly thought members of the Conservative Party understood—they obviously don't—that people can't uproot their families, can't uproot themselves from their communities, and travel 5,000 kilometres to come here to work.

The question of salary is not the only factor that anybody takes into consideration when they're applying for a new position. So this idea that somehow having to have a person from British Columbia means that we are diluting the quality of the people who would be involved in the transportation agency is absolutely ludicrous. We're diluting it now through this process. We're diluting it because we're saying to those folks who don't want to move, who don't want to uproot their families, who are the most qualified people.... If you read any research into the job market in Canada, that is a fundamental obstacle to people. Moving out of their region, moving to new jobs is one of the reasons why.... Some regions have difficulty attracting new workers because the issue of uprooting one's family and moving away from a community is pretty fundamental.

What we are doing now is actually disadvantaging the federal government by eliminating from the pool of potential workers in the transport area, in the transport agency, people who are very qualified but who refuse to come to live in Ottawa. I find it absolutely inappropriate that the government continues to insist that work has to be done here, everyone has to live here, and the only people qualified to work for the transport agency are people willing to uproot their families, leave their communities, and come to Ottawa. Obviously, that has an impact on the skill level of the people we ultimately attract.

• (1645)

The Chair: Mr. Jean, last comment.

Mr. Brian Jean: Well, they do have 230 employees in the region, do they not, that they—

Ms. Helena Borges: In total.

Mr. Brian Jean: In total.

As well, I point out, Mr. Chair, that there are other groups, such as the Supreme Court of Canada—I don't know of anybody who's turned down that particular appointment—that have to move here. The Federal Court appointees have to move here. So do members of the Canadian Radio-television and Telecommunications Commission. I don't know if you're suggesting that their quality is not good, Mr. Julian, but it seems to be working. For the most part, the key here is to get the job done for Canadians and get the job done properly.

They're paid a significant salary to move and to relocate here and get that job done, instead of spending their time travelling, like we seem to do. Both you and I are from jurisdictions far away from here, and it's not a lot of fun and it causes a lot of stress.

I would suggest that this is the best way to get the job done for Canadians. That's why the government is supporting this and not supporting your motion.

The Chair: We'll have a vote on the amendment, NDP-7.

(Amendment negated [See *Minutes of Proceedings*])

The Chair: Shall clause 3 carry?

Mr. Peter Julian: On a point of order, Mr. Chair.

When we move to the actual clause after the discussion of the amendments, I would appreciate it if you would pause briefly—

The Chair: I'm sorry. Okay.

Mr. Peter Julian: —because, obviously, how we approach each clause is related to whether or not amendments were adopted.

In this case, for clause 3, what we're essentially doing is saying that we're having only five members and we are providing new powers to the Transportation Agency. It doesn't make sense to me that we're throwing in an extra workload and actually reducing the number of members. So I'll be voting against this clause.

The Chair: Your comments are recorded.

(Clause 3 agreed to)

The Chair: There are no amendments to clause 4.

(Clause 4 agreed to)

(On clause 5)

The Chair: One minute, please.

I'm advised that because the clause 3 amendment was defeated, the amendment for clause 5 is no longer admissible.

Mr. Peter Julian: I would reluctantly have to agree with your interpretation, Mr. Chair. We did have the debate and the discussions, but that doesn't mean I'm not going to take my minute to talk to the government about what it has just done.

Some hon. members: Oh, oh!

Mr. Peter Julian: This is what they're asking us to adopt: "The members shall reside in the National Capital Region". That's what they're asking us to punch through this committee, and it's absurd, to my mind. With the incredible transportation diversity of this country and the fact that we need to attract the best qualified people for a job that essentially involves people going out to the regions, we're forcing them to come to Ottawa.

It's different from the Supreme Court. As the parliamentary secretary well knows, the Supreme Court sits here. There is a building here; that is where they do their work. The work of the agency is out in the regions.

Although occasionally meetings are called for here, the essential part of the work and the mandate, which was given to the Transportation Agency, is out where it counts: across the country. So it is a different situation entirely than the couple of examples the parliamentary secretary mentioned.

So I cannot do anything but speak against clause 5, which the government is putting forward, which reduces the pool of possible effective workers in this regard, and I believe that strongly penalizes my region, British Columbia, as well as other regions across the country.

• (1650)

The Chair: Mr. Hubbard.

Hon. Charles Hubbard: I understand this clause 5 has been changed somewhat from what was originally presented, in terms of distance that the Governor in Council determines, which could even be outside Canada when distance is not defined.

Apparently the Americans recently went over to Dubai to look at people running their ports. But we go back to the previous...where they have to be Canadian citizens, right?

Mr. Alain Langlois: There's a requirement that during the terms of office, the members have to be Canadian residents and reside in Canada. So it covers the possibility that the Governor in Council may, for whatever reason, allow members to live in the U.S., for example.

Hon. Charles Hubbard: It strikes me as unusual, in terms of the distance.

(Clause 5 agreed to)

The Chair: Shall clause 6 carry?

Mr. Julian.

Mr. Peter Julian: I'm asking you to pause for a moment, Mr. Chair.

The Chair: Yes. There are no amendments, so I guess I made an assumption there. Sorry.

Some hon. members: Oh, oh!

Mr. Peter Julian: For the record, Mr. Chair, I'm doing my due diligence, as we all are. I just want to make sure I'm on the right page and looking at the right clause before we vote.

(Clause 6 agreed to)

(On clause 7)

The Chair: Amendment BQ-1, Monsieur Laframboise.

Before that, I do have to make a clarification. The amendment you're proposing is identical to CPC-1, so basically we're talking about the same motion between the two.

Mr. Laframboise.

[*Translation*]

Mr. Mario Laframboise: The sole purpose of the amendment is to reduce the time period. It is written, and I quote

(5) Unless the parties to a dispute otherwise agree, the mediation of the dispute shall be completed within 60 days after the dispute is referred for mediation.

We are proposing that the time limit be 30 days, given that the section uses the phrase, "Unless the parties to a dispute otherwise agree". So, if the parties determined they needed more time, they could decide to agree. The fact remains though that we hope it happens as quickly as possible. Thirty days seems to us to be a reasonable time limit. Since the section provides that the parties can request by mutual agreement to have more time, it will surely be granted, if everyone agrees.

[*English*]

The Chair: Are there any comments?

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

The Chair: We'll now go to government amendment G-2.1, on page 12.1.

Mr. Jean.

Mr. Brian Jean: Thank you, Mr. Chair.

For those members who haven't had an opportunity to address it, this amendment actually accommodates requests from various parties, including shippers and railways. It obviously enables the

agency to conduct mediation and arbitration under the commercial dispute resolution process on a cost-recovery basis. It was actually as a result of requests that this amendment was put forward, after consultation with both shippers and rail.

• (1655)

The Chair: Are there any comments?

Mr. Julian.

Mr. Peter Julian: Could the parliamentary secretary read the amendment, please?

Mr. Brian Jean: Would you like me to read the entire amendment?

Mr. Peter Julian: Yes.

Mr. Brian Jean: Oh, excellent. Can I read it very quickly?

The Chair: Can I ask you to read the amended part? For my clarification, first, how would it flow at the end of that statement?

All right. I'm sorry. Read it all then, as it would read, please.

Mr. Brian Jean: If I go to page 268, proposed subclause 36.2(1):

36.2(1) If section 36.1 does not apply, the Agency may mediate or arbitrate a dispute relating to any railway matter covered under Part III or Part IV, or to the application of any rate or charge for the movement of goods by railways or for the provision of incidental services, if requested to do so by all parties to the dispute.

(2) The parties are jointly and severally, or solidarily, liable to reimburse the Agency its costs arising from the mediation or arbitration.

(3) The person who acts as mediator or arbitrator may not act in any other proceedings before the Agency in relation to any matter that was at issue in the mediation or arbitration.

The Chair: Monsieur Laframboise.

[*Translation*]

Mr. Mario Laframboise: If I understand correctly, Ms. Borges, the proposed section 36.1 provided that the Agency could intervene when a dispute arose between the parties that was within the Agency's jurisdiction. This amendment is to the effect that if the dispute were outside the jurisdiction of the Agency, a request could still be made to the Agency to intervene.

Ms. Helena Borges: That's right.

Mr. Mario Laframboise: That could be done for all sorts of jurisdictions foreign to the Agency.

Ms. Helena Borges: That's right, at the request of the shippers and railway companies.

Mr. Mario Laframboise: Have you analyzed the extra work this will generate for you? Have you made an analysis, or do you trust the industry? I'm not certain whether or not they're asking you intervene on all sorts of things.

Ms. Helena Borges: We have analyzed this and we think that as a result of this provision there may be a reduction in the quantity of work done by the Agency. At the present time, the Agency receives many requests from shippers and railway companies to perform arbitration. Part IV of the act provides for this process. Mediation is a faster process, it's more amicable and much less time-consuming than the Agency's formal arbitration process. They were the ones who asked us for it.

Mr. Mario Laframboise: If I understand correctly, if you do more mediation, you'll do less arbitration.

[English]

The Chair: Mr. Hubbard.

Hon. Charles Hubbard: Thank you, Mr. Chair.

I think section 36.1 is very significant, and adding section 36.2.... Some of the complaints we get, especially in terms of railways, deal with problems with companies that you might call “captive shippers”.

In view of the fact that this just arrived, Mr. Chair, I would suggest we should move on from that section and leave it for another day or two, until next week, when we have a chance to find out what shippers may say about it.

It's not unusual that we'd leave one section of the act, pass over it, and get back to it in our debate later on.

The Chair: Mr. Jean.

Mr. Brian Jean: I've had this particular amendment for some period of time. In fact, we indeed had it before the last meeting.

Hon. Charles Hubbard: Has it been public information for some time?

Mr. Brian Jean: We've all had it as committee members.

Hon. Charles Hubbard: Yes, but have we had time to disseminate the information to shippers?

Mr. Brian Jean: Absolutely. In fact, it comes about as a result of requests from shippers and railways. So this particular section was brought forward afterwards, I believe, by shippers and rail, after reviewing—

Hon. Charles Hubbard: Do you have some examples of shippers who were satisfied with that particular application?

Mr. Brian Jean: I wasn't there, but I'm sure the transportation department could provide us with—

Hon. Charles Hubbard: So the “we” is “them”, that they've had

Mr. Brian Jean: “We” is the government.

Hon. Charles Hubbard: “We” is the government, but I'd like to have some examples before I vote in favour of it. I have no objections to voting on it, but I would certainly like to know more.

I know back home I'd like to deal a little bit with a company called Weyerhaeuser, who complained to me about being a captive shipper from the Miramichi. That's the reason I'm asking for a little delay in that, to see if they would be satisfied with that application.

• (1700)

The Chair: Ms. Borges.

Ms. Helena Borges: In fact, what this does is give shippers one more tool. Currently, they have a series of tools in sections 3 and 4 of the act that are formal regulatory procedures. What this does is offer them also an opportunity to use the mediation process, in addition to those other processes.

The kinds of shippers, as you're asking, that asked us to consider this are the same coalition I mentioned earlier, the Forest Products Association, of which Weyerhaeuser is a member, which asked for this, as did the Canadian Fertilizer Institute—so all of the coalition. It basically gives them another mechanism they can use. If they want to

have discussions with the railways and they need a mediator, instead of going just commercially, they can come to the agency as well.

Hon. Charles Hubbard: So may I ask further, in terms of the application, the way it's written, it's to their satisfaction?

Ms. Helena Borges: It's to their satisfaction.

Hon. Charles Hubbard: And on the bearing of costs—which is the other part, which intimidates some shippers in terms of getting involved in litigation—if that be the case, I would have no trouble with it.

Mr. Brian Jean: The department indicates yes.

The Chair: Okay. I will call the vote on amendment G-2.1.

(Amendment agreed to)

(Clause 7 as amended agreed to)

(Clauses 8 to 10 inclusive agreed to)

(On clause 11)

The Chair: We have two amendments on clause 11, one on page 13 in your program and one on page 13.1. We'll deal first with amendment L-1, which is on page 13.

Mr. Bell.

Mr. Don Bell: Thank you, Chair.

The proposal would be that the minister prepare a report yearly rather than every three years; and if you look at—just to respond to the question—page 13.1, which is amendment L-1.1, if we just take it in context, that every five years the minister give an expanded report.

The intention of this section, of amendment L-1 on page 13, would be that “the Minister shall prepare”, and other words, “a report briefly”—which is what the proposed bill says, “a report briefly”—but we're suggesting that every year the minister should report briefly, and that every five years there should be an expanded report that includes the areas addressed within the act at paragraphs 52(1)(a) to 52(1)(d).

The Chair: Are there any comments?

Mr. Jean.

Mr. Brian Jean: I know you didn't expect me to say anything, Mr. Chair.

I'll give my reasoning afterwards, Mr. Chair, but I'm wondering if the mover of this particular motion would be prepared to consider a compromise of a three-year timeframe for the review and include within that three-year timeframe an expanded long-term assessment of the trends in transportation in Canada. The reason why is as follows.

First of all, the updates done by the agency are done and put on the website. My understanding—and the department can help me on this—is that it's done almost immediately on a week-to-week basis or thereabouts. Any information that would be available in the report is available to the public.

It also takes a year to get the report done. Obviously the minister is not the person doing it, but it would give meaning and substance to the report, something that has been suggested by the department itself.

In essence, the argument is to have a three-year report—some sort of compromise between the two—in order to have the report, which takes a year to prepare, have real substance.

• (1705)

The Chair: Mr. Bell.

Mr. Don Bell: Can I ask you a question, Mr. Jean? Does it take the staff a year to prepare the brief report, the short version?

The Chair: Ms. Borges.

Ms. Helena Borges: There's currently an obligation on the minister to table, every year in Parliament, a report that talks about the state of transportation. Internally, we've already started preparing that report. We work on that report all the way through to May of next year, when it will be tabled in Parliament.

You have to appreciate that the department is quite large and there's a lot of data coming in. This report is almost an inch thick. In addition to that, we are routinely putting up and have available on our website detailed information that stakeholders can access. All the report does is provide a summary. What we're finding is that it is very difficult year after year to try, in the summary, to elaborate on the changes, because while transportation is important, it doesn't grow that much one year after another.

What we would like to do is to have a three-year report so that we can elaborate more on what's been happening and talk about the future trends, as you suggest in the motion, but only table it every three years. However, the data will still be available on our website every year.

Mr. Don Bell: I guess my concern, Mr. Chair, was that under the previous existing legislation, Bruce Hood, the hockey referee who was reporting, did have to report on trends. Trends are not contained in the proposed amendments.

Ms. Helena Borges: That's a different amendment.

Mr. Don Bell: That was the concern. We wanted to see those trends, because it's important that they be viewed.

I would personally find having a summary done annually to be an advantage even as a member of Parliament. However, you're telling me it amounts to being a year behind. The three-year expanded summary version—not the brief report—includes the trends that we're making reference to in L-1.1. Is that what you're saying?

Ms. Helena Borges: Let me explain.

This bill actually requires two reports. There's this report that we're talking about here, which is tabled by the minister, and it is done by Transport Canada. In addition to that, the Canadian Transportation Agency also files an annual report, and they do the reporting on the air travel complaints commissioner. That's discussed further on in this bill.

Mr. Don Bell: Would that still be yearly under the proposed change?

Ms. Helena Borges: Yes.

Mr. Don Bell: So there would be no change and it would remain yearly.

Ms. Helena Borges: Correct.

Mr. Don Bell: If I understand it then, Mr. Jean, your suggestion is that we would in effect take L-1.1 and say three years, but with the wording that's in L-1.1, on page 13.1.

Mr. Brian Jean: Yes.

Mr. Don Bell: I just wanted to clarify.

The Chair: Monsieur Laframboise.

[*Translation*]

Mr. Mario Laframboise: At the rate minority governments are going in Canada, in three years, you're likely to change ministers three times. I think it was working fine. I don't see why it wouldn't be possible to produce an annual report like you're doing now. I have trouble accepting that. If the minister doesn't work as hard as the former minister, he'll get a hard-working parliamentary secretary who'll do the work for him.

[*English*]

The Chair: Mr. Julian.

Mr. Peter Julian: I'm a little concerned about how long it takes to produce the report, having been much involved in my previous life in producing reports. What takes the amount of time, the six months? If it's simply a question of compiling the most recent monthly statistics, then it's not a six-month process. It's simply a matter of compiling those statistics and applying them to the report. I'm a little concerned that a report would take that long to write when what we're doing is compiling statistics. I certainly understand that you have to wait until the monthly statistics are available, but that's different from having a six-month timeline.

• (1710)

Ms. Helena Borges: I'm going to invite the author of the report to tell you why it takes so long. Keep in mind that this is a report on the state of the transportation industry in Canada, so it talks about all modes, all carriers, and all infrastructure types and other trends that are happening.

I'll pass it to him to explain to you.

Mr. Roger Constantin (Policy Advisor, International Air Policy, Department of Transport): The reason it takes a lot of time is because you're trying to cover every aspect that is of relevance to the state of transportation. So, for example, there are traffic volumes by mode that you would like to monitor and track down and report on, right? You want to look at the financial results of the different sectors as well, and you want to report the most current information as possible.

If you read carefully the way the existing legislation says to report on the state of transportation, you'll see, for example, in May 2007 that we should be reporting on 2006. I can tell you that right now, as we are working on the 2006 report, we have nothing more current than what we had reported in 2005 on many of the modes. In terms of most current information, we had the most current information of 2004, and we would not have sent anything better than that because for reporting reasons, we don't have more current information.

That has been an issue in the production of that report—to be able to produce the most precise and most accurate picture of the state of transportation.

We also cover the track record of the safety performance of the different modes. For some of the modes, meeting that deadline has been quite a challenge because you have to compile information from across the country, in all of the modes. So you have to report, for example, on the total number of accidents, and you also want to have a breakdown by region and so on, because this is of interest to members of Parliament and so on.

The issue is having timely information. If you have a one-year cycle, you're pushing your luck in being able to be as current as the legislation is asking for, simply because the burden on the industry for reporting this information to the statistical agency being what it is, it is one of the most demanding tasks. We want to make sure what we put in the public domain is good information. We don't want to put in the public domain preliminary information that would be changed subsequently, once we have revised information, because that would be misleading any one of you who might use this information to make decisions.

That's why the one-year cycle on the state of transportation is quite demanding and could prove to be to the detriment of the interests behind the spirit of the legislation. The reason it takes so much time is because we try to cover all fronts, so we have to involve different parties within the organization to be able to cover all of the aspects we want to cover. We cover environment, we cover energy consumption, we cover safety and security measures, we cover employment, and we cover the performance of the different sectors in the Canadian economy as well.

So it's a very thorough report we have been doing, and we've done 18 of them. We have done one for every year since 1996, but we've done reports from 1987 to 1994 as well. We can tell you that from one year to the other, the changes we are able to report are not significant. But if you look at a longer period, like a three-year period, then you start to have a better understanding of the changes that are taking place and we are in a better position to give you a more current and more precise picture of how the industry is evolving.

Mr. Peter Julian: Thank you for responding to that question. That does raise concerns. Right now, then, we would have a report in May 2007 for 2006. Under what the government is proposing, we would be waiting until May 2010 before we get an updated report.

I have great concerns with that, because we have seen an evolution, certainly in rail transport. One of the reasons we're doing an inquiry into rail safety is because of what's happened over the last couple of years with rail safety and rail safety numbers. The counter-argument would be that some of that stuff is available through websites, but that's different from being transparent and clear with the Canadian public.

So I think I would have to disagree with the bill as it's currently written. I think Mr. McGuinty's amendment is very helpful, actually, because we need to have that report done on a much more timely basis than to be sitting from now until May 2010 before there is an updated report that essentially would leave us with the information from 2006.

•(1715)

The Chair: Go ahead.

Mr. Roger Constantin: I think in the proposed change, what would be continued on a yearly basis, not on a three-year cycle, is the posting of the statistical data that are reported in the document. So what we are going to continue to do, on a yearly basis, is give to all interested parties access to the time series information...covering all of the aspects. What would not be done on a yearly basis is the report per se. The report would be done on a three-year cycle as opposed to a one-year cycle, but the data itself would continue to be disseminated on a yearly basis.

Mr. Peter Julian: Mr. Chair, I'm not going to get into a debate with the department about this. I made a political comment; I didn't ask another question. I will come back to the fact that having some material available on a website that may or may not be understandable in the form that it's produced is different from having a report that, by its very nature, has to be understandable and has to be communicated to the Canadian public. What we're talking about essentially is having a report that the Canadian public would have in its hands, where the information is actually communicated to it once every three years. That means essentially we'd be waiting until May 2010 to get any information in an understandable and effectively communicated form from 2006 on. I think that would be a real danger.

I certainly disagree with what the government is putting forward. I think the amendment helps to address that issue of understanding what the evolution is in transportation, particularly with a country such as ours that depends so vitally on the transportation sector.

The Chair: Mr. Carrier.

[*Translation*]

Mr. Robert Carrier: I have a sense that it's perhaps the type of report that might need to be changed. Based on the way you're talking about it, this is a report that is prepared for three years and is supposed to contain a great deal of information. By its very nature, the current bill is creating a lot of expectations. Municipalities, people who live around rail yards and urban transit companies are pinning a lot of their hopes on this bill. It seems to me that we can't say we're going to wait around for three years to get a report on the effectiveness of the new legislation. I think that's kind of what's behind the request to have the report published every year, even if it means focussing a little more on the statistics and case studies, so we can see the effects of this legislation. It would be a little inconsistent on our part to work so hard on a bill like this, with a view to improving the situation for all Canadians, and then say we're going to wait three years to see whether it's been effective.

Mr. Roger Constantin: Exactly. My colleague Ms. Borges was saying just now that under this legislation, there are two reports: one that is produced by the Department and one that is produced by the Agency. The latter report would indicate, for example, the number of cases the Canadian Transportation Agency is working on.

Mr. Robert Carrier: Is that in the legislation?

Mr. Roger Constantin: It's already included in the legislation, and there is no planned amendment to that provision: it will continue to be submitted annually. Every year, you will receive a report from the Transportation Agency on the type of cases that have been brought to its attention. It will give you an idea, for example of the kind of volume of activity generated by the provisions of the legislation on issues of noise, for example. There will be a presentation on the state of the transportation industry in the report produced by the Department. On reading the Agency's annual report, you'll find out all about the activities associated with the legislation as such and all the cases that have been brought to the attention of the Agency.

Mr. Robert Carrier: Could you tell us what the number of that section is?

Ms. Helena Borges: Under the title "Report of Agency", you find section 42 of the act, which reads as follows:

42.(1) Each year the Agency shall, before the end of May, make a report on the activities of the Agency for the preceding year and submit it to the Governor in Council through the Minister describing briefly, in respect of that year:

- a) applications to the Agency and the findings on them; and
- b) the findings of the Agency in regard to any matter or thing respecting which the Agency has acted on the request of the Minister.

That is what you're asking to see.

● (1720)

Mr. Robert Carrier: Does it talk about the distribution of the report? Is it only submitted to the minister?

Ms. Helena Borges: It's tabled in Parliament.

[English]

The Chair: Mr. Scott.

Hon. Andy Scott: I think the challenge isn't necessarily in getting all the data out. I think we've all come to realize how much data exists about everything. I think Peter's comments about the organization of the data, which is the important part, which means the report.... I think I understand that the government was trying to change the reporting from one to three years for purposes of capturing better-quality information and so on. I think what we are trying to suggest is that this should be two reports, one of which would be an annual report that would capture the information that an annual report would capture. As you say, it's not a lot a change, but it's there. It keeps the department and the minister on their toes. Reports are designed to explain the data, not just provide the data, but to speak to it and organize it and present it.

And for purposes of capturing the government's proposal to move it to three years, we're proposing to move it to five in the next amendment. I think to go from what we're doing to what we think might be done, there's an honest effort to try to propose a one-in-five solution rather than a one-in-three, so that we get the best of both worlds.

The Chair: Mr. Jean.

Mr. Brian Jean: Thank you, Mr. Chair.

The thing to recognize is that we do have a finite number of trees. Stats Canada and the Canadian Transportation Agency...

A voice: Let the people buying paper do the worrying.

A voice: They're killing our trees.

Mr. Brian Jean: Well, I am worried about that. Now we're asking for not only a yearly report but another report in five years, and the Canadian Transportation Agency already reports on transportation. Stats Canada already reports on transportation. The department has told us they publish the data on their website on a continuous basis. My question to everyone here is, why not? They're the ones who came up with the recommendation. It's not like they're trying to hide something. It's just that the data is already available, and they are spending tax dollars for something that's not accomplishing anything. They're bringing this forward and suggesting that we do it every three years to save Canadian taxpayers some money, because they're not doing anything of any substance for this report that they are required to give by statute. It seems fairly straightforward if the data is available elsewhere, which it seems to be, unless the Liberal Party is trying to create employment for reports.

The Chair: Mr. Laframboise.

[Translation]

Mr. Mario Laframboise: I have a problem with this, Mr. Jean. Here we have a report that summarizes the transportation situation in Canada, and the Department of Transport doesn't want to table annually the report on the transportation situation in Canada.

What's going on here? Are you proposing to us the abolition of the Department of Transport? Maybe that would be a solution. It could merge with another department.

I am uncomfortable with the fact that you don't want to publish an annual report. We're talking about the report that is signed by the minister, on the state of transportation in Canada. All kinds of things could come up in the area of security, for example, and three years would go by before it's reported on! I have a lot of trouble accepting that the minister is refusing to sign the report, in light of the way security is evolving in Canada, especially in transportation.

You probably tabled that while the Liberals were in power. Did Bill C-44 or the other bills provide for the same thing?

I think it's extremely important that the minister produce a report every year that summarizes the state of transportation because of the way things are evolving in Canada, because of security-related issues, etc. I'm telling you, it's not a waste of paper.

I have a lot of trouble with you telling us it's too complicated to do the work.

[English]

The Chair: Ms. Borges.

Ms. Helena Borges: Just to clarify, we're not proposing that we not do our work. We will continue to do our work. What we are saying is that rather than preparing a paper report, we have all that information available on the website—in even more detail. You can go on our website today and you can find data on any mode of transportation, any trend, and have it there.

In fact, I would suggest to you that other than in the case of reports tabled in Parliament—which the minister is obliged to present in such a format—we do not get very many requests for hard-copy reports. We do get many requests for the electronic data. And why do we do that? Because all the provinces and all the transport carriers and the users would rather have the very detailed data.

In the report, because it is a summary, we can only put general numbers. What the industry and the provinces want are the very detailed numbers, and they're available on our website all the time. We will continue to do that. What we would like to be able to do is to give Parliament a more analytical report every three years. That would include, as the motion suggests, that we not only look backwards but also look forwards and say to you that over the past three years this is what's been happening out there and these are the kinds of things we see coming in the future. But the actual analytical data will continue to be available annually on our website, as it is today.

I think Mr. Jean is right. We are having to produce this report on paper, and it doesn't really get a lot of dissemination or use. We think our resources could be put to better use, in fact, in collecting more data and analyzing it and putting it on the website, rather than having to write a report that is then tabled and doesn't get a lot of use otherwise.

• (1725)

The Chair: Mr. Julian.

Oh, Monsieur Laframboise. Are you finished? Go ahead.

[Translation]

Mr. Mario Laframboise: I have a lot of trouble accepting that you're minimizing the importance of this report that has to be produced and signed by the minister. Regardless of what Transport Canada puts on its website, I want the minister to affix his signature on the document and that he be the one to tell us what the transportation situation is in Canada. Once the document is signed, he will ensure that what is on the website conforms to the report. In my opinion, it is important for the minister to be accountable for the report. I'm having a problem with you not attaching importance to that. Maybe this is the new government's new way of governing.

[English]

The Chair: Mr. Julian.

Mr. Peter Julian: Mr. Chair, if we had this process in place right now, if we had, right now, this idea that every three years the minister would prepare a report, then we would be referring back to the last report, which would have been produced in 2003. That was three parliaments ago, and I don't even know who the Minister of Transport was in 2003. Can anyone here around this table remember who was Minister of Transport in 2003?

I know some folks at the back know. I was asking the table. It wasn't a broad question; it was a limited question. But thanks, just the same.

Voices: Oh, oh!

Mr. Peter Julian: No cheating.

We'd be looking at 2003 analysis from a minister who was the minister three parliaments ago. That is why I think very strongly—and I agree with Mr. Laframboise on this point—we need to have the minister on an annual basis, making sure that he or she is providing the analysis and signing that report and is beholden to the Canadian public as a result of that report as well.

The Chair: Mr. Scott.

Hon. Andy Scott: I think there is a larger issue, and I think there's an innocent difference of opinion.

The users who use the data are doing this all the time. They do it full-time; they're looking at this data. They probably contribute to the provision of the data they're organizing. This is a document that is tabled in Parliament to members of Parliament. It's important that it's signed by the minister because that's where the accountability piece comes from. What distinguishes the production of a report from all the broad data that would be on the website is the exercise of presenting that information to us in a way that we might ask for it, the way that we would receive it, and the way it would be debated.

The idea that somehow there's less value in that, in what I think I'm hearing, than I believe there should be—and I'm sure that's not what you meant....

All we're suggesting is that maybe having a less comprehensive report annually and a broader and more expansive report every five years might even save Mr. Jean's trees; I don't know. The bottom line here is that this is an honest effort to get two things done: to have an annual accountability by the minister to the committee, to Parliament—to do that every year—and then to have something much more comprehensive every five years.

You would have the best of both worlds. You have the immediacy that has been spoken about in terms of the importance of safety and you have the comprehensiveness of a much richer document. That's what we're attempting to do, and I think it's been expressed here quite well that it is something that has some value.

• (1730)

The Chair: Mr. Jean.

Mr. Brian Jean: I'm so confused—I've heard "report" so many times tonight. Could the department just go over, then, what this amendment would mean? We would have a report every five years, we'd have a report every year, and we'd have another report every year, plus the reports, of course, from the Canadian Transportation Agency and Stats Canada and any number of other bodies. How many reports would we have here?

Can you tell us how many trees as well, or not?

Ms. Helena Borges: I'll try.

Currently this bill envisages two reports. One is called an industry report that the department provides, and Mr. Scott's suggestion is that it be very tiny. Right now, according to the legislation, we can't get away with that. We have to make a big report. There's a second report, which is the one we were explaining to Monsieur Carrier. The agency has to report annually on its business, how it conducts its business, the cases it hears, the complaints it hears. And that's not changing. There are no changes proposed to that.

On this report, the industry review, the government is proposing that it be changed from one year to three years. The motions put forward suggest that we keep it at one year, but on top of that, that we produce a new five-year report that would be even more comprehensive than what we have to produce now on an annual basis. I guess our concern is we already produce a very comprehensive report. It is very time consuming. We believe that if we did it every three years, instead of every year, we could make it more comprehensive. We could do what you're asking us to do in the five-year report in the three years, and then every year just put the data on the website.

Maybe I'll take a volunteer measure and suggest something. Would it be useful if we tried to bridge the two motions that the Liberal members have put forward and come up with a one-year report that would not be as comprehensive as what is now in the law? I would have to talk to my colleagues here. Could we then do a five-year report that would be as comprehensive as this, and more, including your state of the industry?

Hon. Andy Scott: I just have a question. I'm hearing two things. You're talking about how comprehensive it would have to be, yet you're also telling us not to worry because it's all on the website anyway.

Ms. Helena Borges: The details, the facts, yes....

Hon. Andy Scott: I'm trying to reconcile those two comments that you're not going to lose everything every year because it's all on the website, but if we ask you to produce it every year, that's too much to do. I don't understand that.

Ms. Helena Borges: Let me explain it this way. When you're trying to produce a report for public consumption, you can't put a lot of data in there. You have to summarize the data. You have to present it. You have to write it.

Hon. Andy Scott: To make it meaningful for us, I think is what you're saying.

Ms. Helena Borges: Right. But I'll ask you this question. How many of you have read the department's report on an annual basis?

And that's what we're finding, that people aren't reading it.

Okay, Mr. Julian is reading it.

It takes a lot of effort for what we're understanding is little value. We would rather put our energies into producing something that might be more useful. When we give you a report every three years, we would rather it be much more comprehensive and actually portray the trends and do a really good product. There isn't a lot of change in the data on an annual basis. It changes very little.

The Chair: I am going to make the suggestion that we table this again at the next meeting. We'll deal with it at that point. I know some people are heading out of town.

We'll see you on Tuesday.

Have a nice weekend everyone. Thank you.

The meeting is adjourned.

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