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Chair

Mr. James Rajotte

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•(0905)

[English]

The Chair (Mr. James Rajotte (Edmonton—Leduc, CPC)): Members, welcome to the second meeting of the Standing Committee on Industry, Science and Technology.

We're here to discuss committee business. We will start with the motions that we essentially tabled from the last meeting, so we will discuss those. If we have time, and if members would like to, we can get into future business after that, depending on how much time the routine motions take.

The clerk has done an excellent job of distributing the documents, the motions that were adopted by the committee in the last session as well as the motions that were proposed by Mr. Carrie at the last meeting. Members should also have "Allocation of Time for Questioning". I know this is an issue that will likely be debated at length. There is also "As adopted by the committee in the previous session" and "Proposals of routine motion". Members should all have a look at that document as well.

At this point, I recognize Mr. Carrie, to talk about the motions.

Mr. Colin Carrie (Oshawa, CPC): I wanted to thank you very much, Mr. Chair. I'm looking forward to the meeting this morning because we've had some discussion about the different motions that were put forward. I think the purpose of these more or less constructive motions by the government is to allow our committee to work and avoid some of the procedural pitfalls we ran into in the last session, to understand that these routine motions are going to apply equally to everyone here, all the different parties, and we want to introduce them in a transparent, constructive way.

I'm looking forward to debating them and discussing them today, because some contentious issues have been brought forward. But I think if we take the opportunity in the first meeting or two to discuss how we want to bring these forward, it will ensure that the committees work smoothly. Overall, I think our committee last session worked very, very well, and I'm looking forward to continuing in that spirit. So I'm looking forward to seeing what the opposition parties have to say about the motions and the changes that we feel will help things run a little bit better.

The Chair: Thank you.

Mr. McTeague.

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Chair, thank you. I appreciate the parliamentary secretary's attempts at making some changes.

I have just a broad statement about the former routine motions for the committee. It has been generally accepted that this committee, perhaps more than any other committee, has been extremely flexible and that over the past year and a half, with some exceptions—and I note the parliamentary secretary may have alluded to them—these motions have worked out fairly well. I think, for instance, probably the most obvious one was the speaking order, which was an accommodation by both the New Democratic Party and our good colleague, Monsieur Arthur, to make sure all members had an equal opportunity to hear, provide, question, and create greater input in terms of development of legislation or consideration of issues. In my years working on this committee and other committees...this past 18 months have probably been more cooperative and harmonious than any time in the past.

I will tell the parliamentary secretary and you, Chair, that our party has a number of concerns with this. But before going into it point by point, I'm wondering if there might be consideration, because we could spend a lot of time on this. Mr. Carrie has pointed out a couple of sessions. I hope that's not the case. I think we would all like to try to attend to some very important business and develop a strategy on where we should be going, and not take two meetings to do this.

I would suggest we maintain the status quo in order to get back to where we were, so we can get on with the business of doing what we have to do. But there are a number of concerns in each section. I can tell the parliamentary secretary that we probably have difficulty with—and I'm being modest here—more like 80% of what has been proposed.

I would ask, Parliamentary Secretary—I know you've got work to do—in an informal way if you would consider maintaining the status quo. There may be some issues here that we can work in or out as we go through this, but my sense is that before we delve into this massive debate on a point-by-point, blow-by-blow, basis, we in fact consider maintaining and leaving well enough alone to the extent we can.

Thank you, Chair.

The Chair: Thank you.

Madame Brunelle.

[Translation]

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Chairman, based on my experience in several other committees, I found that this particular committee, through your chairmanship, operates rather well. We have reached significant agreement on several occasions which made it possible for us to work peacefully. I, for one, consider these amendments to be of little use. I think it is in our interest to maintain the status quo, and keep the rules we are used to.

I understand the government's intention to improve things, but as the saying goes, the devil is in the details, we must always be careful when seeking to change things. Otherwise, the opposite of what we hope for may occur.

• (0910)

[English]

The Chair: Merci.

Ms. Nash.

Ms. Peggy Nash (Parkdale—High Park, NDP): Thank you, Mr. Chair. I also want to thank those who put together the proposals for change. Being a new member of the committee, I am not familiar with the routine of this committee. However, I am told that it was a very harmonious committee and that there was a lot of productive discussion, and of course the unanimously endorsed report that came out of this committee.

I hope to be able to continue to contribute to that spirit of cooperation and collegiality. In my view, if it's working well, maybe it doesn't need to change. If it ain't broke, don't fix it. I think there is a spirit of cooperation, so that if there are particular instances that arise that are problematic, we can work together to try to resolve them, without throwing out what seems to be a good structure for this committee. I'm particularly concerned about the proposed changes to the speaking order that would remove our time substantially. I don't think that's a constructive approach. That's one particular item I'm concerned about, but I would strongly endorse the view of others that we maintain the status quo for this committee.

The Chair: Ms. Nash, if you look at the time for questioning in the last session, would that be acceptable to you?

Ms. Peggy Nash: Yes, it would.

The Chair: Mr. Carrie.

Mr. Colin Carrie: Thank you very much, Mr. Chair. I want to thank the opposition for their input on these routine motions. As Mr. McTeague was saying, I don't want to spend two meetings on this, and the reality is if we put all these to a vote, you can very easily outvote the government on it. If we could discuss the rationale behind them and maybe just go through them once and talk about them, I would have the opportunity to explain the rationale. Everything we've got here is for improvement and for the right reasons, and believe me, your input is very much appreciated. I think if we can adopt some of these things it will allow us to complete our work even better than we did in the past.

So would that be a reasonable step, to go through it once so we have the input from the opposition parties to know what issues they have?

The Chair: I think we're relying on the goodwill of members, but these are motions you put forward, Mr. Carrie, and I can say as the chair that I wouldn't expect this to take longer than an hour—less than an hour perhaps.

Mr. Colin Carrie: I don't think it would take long.

The Chair: I don't think we'll be spending two meetings on this.

So if members want, we can go through point by point. If there's a big objection, if it's clear the government doesn't have support, perhaps the government can choose to fight another battle, so you have to make your arguments very persuasive, Mr. Carrie, as you can see.

Mr. Colin Carrie: Okay.

The Chair: Under “Services of Analysts of the Library of Parliament”, Mr. Carrie, why should we change the wording?

Mr. Colin Carrie: There isn't a big change here. It was felt that by changing the wording slightly, we would just be clarifying it:

That the Committee retain, as needed, the services of one or more analysts from the Library of Parliament to assist the Committee in its work. These services may be requested at the discretion of the Chair.

That's the only difference there. If the services weren't required, then the chair would have the opportunity to have input into that. That's the only difference.

Hon. Dan McTeague: We have no objection.

The Chair: There is no objection.

All in favour of Mr. Carrie's wording?

Ms. Peggy Nash: So what we're doing is voting clause by clause on the proposals? I thought you had intended just to go through and explain them. I'm just asking what the procedure is.

The Chair: We could go through. My preference—it's up to the committee—would be to go through one point and move forward from there on each one as to whether...

If Mr. Carrie's argument is accepted and the committee feels it's acceptable, we would accept that. If the committee feels they'd prefer to stay with the current motion or not have the new motion, then they would just say so. That would be my preference. Then we could just go from point to point and move on very quickly.

• (0915)

Ms. Peggy Nash: So you're proposing we go through and vote clause by clause or section by section? Is that what the proposal is?

The Chair: Clearly we always hope for a consensus in this committee. The only other way to tell is by vote. If there's a better way of doing so, I'm open to hearing that.

Ms. Peggy Nash: I'd like to hear from my colleagues, but it seems to me that the other way to do it is just to go through and discuss each clause or hear feedback on each clause. I guess my concern is that we've had people say they would like to retain the status quo, and if we vote clause by clause, then we are not retaining the status quo; we're actually amending the rules.

I'd just like to be clear. If the vote means we are in fact amending the routine, then I just want to be clear on that.

The Chair: I think it was clear from comments that the three opposition parties in general favour retaining the status quo, but, as Mr. McTeague pointed out, Mr. Carrie did bring forward these motions. It's his right as a committee member to make these motions, and it's the right of other committee members to accept or reject these motions.

It may be in fact that every single point is rejected, if that's the decision of the committee. I think Mr. Carrie has the right to make the motion or make the argument. It is accepted or not, and then we move on.

Ms. Peggy Nash: Okay.

The Chair: That's my preference. Vote on them, get them out of the way, and move on.

For the first one, are members okay with the new motion, or do they prefer the old motion? It's not a big change, so I don't think we should be particular either way.

Hon. Dan McTeague: It's acceptable on our side.

The Chair: Okay.

(Motion agreed to)

The Chair: Mr. Carrie, you have one motion.

Mr. Colin Carrie: Thank you.

The Chair: At this point, I just want to welcome the analysts, the researchers. They now do exist because we've said they exist. Dan Shaw has been with us for quite some time, and we all know and love Dan very much.

Hon. Dan McTeague: Can we have a motion on that?

The Chair: And we have Eleanor Fast. Eleanor is new to the committee, and we very much look forward to working with her as well. She was with the British High Commission, I believe. She's an expert in the science policy area, if any of you have any interest there. Dan, of course, is the resident economist.

Please feel free, as members, to work with them. They are, of course, non-partisan and they're here to serve the committee as a whole and members individually. Feel free to liaise with them as much as possible.

Hon. Dan McTeague: Welcome.

The Chair: Welcome.

Mr. Dan Shaw (Committee Researcher): I should mention that the third member is Mark Mahabir. His background is in law.

The Chair: Is Mark going to be a regular?

Mr. Dan Shaw: If we need law.

The Chair: Okay.

Hon. Dan McTeague: We do.

I understand one is from the British High Commission originally. That's encouraging, but in Canada we have such things as the "low commission". Of course, Mr. Mahabir will be able to talk a little about that later on. My commission is very cheap, by the way.

The Chair: Thank you.

We'll now go to "Subcommittee on Agenda and Procedure".

Mr. Carrie, briefly.

Mr. Colin Carrie: Thank you very much, Mr. Chair.

The idea here, to clarify, was to try to make it more equitable for the opposition, but also to define a quorum. If we have a subcommittee and the subcommittee is designed to do some work, it's to make sure there is a quorum made up of at least three members, one from the government and two opposition members, and then, to clarify that, you're allowed to have an assistant at the meeting. That's the idea behind it.

If there's an issue with the wording, or if you don't like it, we don't have to change that. Since subcommittees can do important work, we thought it important to clarify it and make sure that it's equitable for the opposition, that you don't have three government members there. If you can give me your feedback on this, that would be wonderful.

● (0920)

The Chair: Mr. McTeague.

Hon. Dan McTeague: I think the current system works well as it is. I don't have a problem with the parliamentary secretary—generally, I think he's been very good—but from the perspective of subcommittee work, I think we should leave it the way it is. That would be the opinion of the Liberal party, Chair.

The Chair: Madam Brunelle.

[*Translation*]

Ms. Paule Brunelle: We object to having the Parliamentary Secretary sit on the subcommittee. When the Liberals were in power, parliamentary secretaries sat on the committee, but it was as a result of the repeated demands of the Conservative Party, that it all changed. It seems to me that we should keep the status quo concerning the make up of the steering committee.

[*English*]

The Chair: Ms. Nash.

Ms. Peggy Nash: We support the status quo there.

The Chair: Mr. Carrie.

Mr. Colin Carrie: Even with the old clause, it doesn't say that the parliamentary secretary can't be on that subcommittee. If that is the issue, we should clarify that too.

The Chair: We could take a vote, but I'm sensing, Mr. Carrie, that we don't have the votes on this one.

Mr. Colin Carrie: Sure.

The Chair: I don't think it's anything personal against you.

The clerk does recommend that we change "be established" to "be created". It's not a big change.

Hon. Dan McTeague: I'm sorry, where is that change?

The Chair: Under "Subcommittee on Agenda and Procedure" she recommends we change it to "be created" rather than "be established", on the old or the new.

Hon. Dan McTeague: More creationist. Is there a reason why? I'm not big on the tyranny of words, but....

The Chair: That's in the new one. I misunderstood that. Okay, we will go with the old one. The old one is in effect on the subcommittee on agenda and procedure. We need a mover for that.

Hon. Dan McTeague: To change from "established"?

The Chair: No, to stay with the status quo.

Hon. Dan McTeague: I'll move it.

The Chair: It is moved by Mr. McTeague and seconded by Ms. Nash.

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

The Chair: Now we'll go to "Reduced Quorum".

Mr. Carrie, would you like to make your argument?

Mr. Colin Carrie: Thank you very much, Mr. Chair.

The idea behind this one is because we had the opportunity to travel in the last session but sometimes different members couldn't make it. The idea here is that the committee can still hear evidence if we don't quite have quorum. There won't be any voting, but if we've travelled somewhere and we don't have quorum because a number of members couldn't make it, we can still hear evidence. That's the idea behind this one, particularly for travel.

The Chair: I have Mr. McTeague and then Monsieur Vincent.

Hon. Dan McTeague: Mr. Chair, we have two problems with this. Of course, the first would be that a quorum would have a government member. This means that any meeting could effectively be shut down by government members not showing up. The second problem is the insertion here of designation of chair. Of course, with having a government member present, our concern or fear is that it would scuttle any committee meeting from ever taking place if there was a "no show" by government members. So we would naturally oppose this and request that the status quo remain.

The Chair: Thank you.

Monsieur Vincent.

[*Translation*]

Mr. Robert Vincent (Shefford, BQ): Mr. Chairman, we are also in favour of the status quo. What could possibly justify starting a hearing 15 minutes later, if we don't have quorum from the very beginning? We will be forced to justify ourselves before witnesses. If only one or two members are present, this is rather insulting for the witnesses appearing before us. Quorum is beneficial for everyone, and it is important. As far as we are concerned, we want to keep the status quo. Thank you.

• (0925)

[*English*]

The Chair: Thank you.

I'm sensing the status quo is in favour, Mr. Carrie.

Mr. Colin Carrie: I think you're right.

The Chair: So I need a motion for reduced quorum, Mr. McTeague.

Hon. Dan McTeague: I so move.

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

The Chair: We have "Distribution of Documents". We have "Designated Chair" in the previous motions and we do not have that in the new motions. Do the members wish to keep that motion?

Hon. Dan McTeague: We prefer to maintain where we have been on this for some time. We have no problem with restricting the role of the chair, but in this one the responsibility of the clerk is motion distribution only. I think it should be from the time it is submitted, as opposed to the time the clerk receives it. So we'd prefer to maintain the status quo.

Are you talking about the distribution of documents or are you going back to...?

The Chair: We're doing the designated chair, because the designated chair is not in the new motions but it is in the old motion.

Hon. Dan McTeague: I'm sorry. That would be maintained.

The Chair: Mr. McTeague is in favour of maintaining the designated chair, the section in the old motions. Do other members want to maintain it?

Hon. Dan McTeague: There was no provision to replace it, so I think it would stand.

The Chair: That is moved by Mr. McTeague.

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

The Chair: Next is "Distribution of Documents". Mr. Carrie, perhaps you'd like to explain the rationale there.

Mr. Colin Carrie: Basically it was thought that this wording would be a little bit clearer.

The Chair: Thank you.

Mr. McTeague has made his points on this. Would anyone else like to talk about the distribution of documents?

Madame Brunelle.

[*Translation*]

Ms. Paule Brunelle: With respect to the distribution of documents, the proposed amendment is rather interesting because it reads, "documents to be distributed must be in both official languages." This wording is much stronger than it was previously. We support the amendment.

[*English*]

The Chair: The Bloc favours the amendment.

Mr. McTeague.

[*Translation*]

Hon. Dan McTeague: May I ask the Bloc Québécois to clarify something, Mr. Chairman? I understand that the motion reads, "documents to be distributed amongst the committee members must be in both languages". This is a given, and poses no problem whatsoever. However, what precedes this does pose a problem, because it includes all documents, and most notably, motions. The problem is that if a motion is tabled with the chair, we must wait for the clerk to issue a confirmation, and this could take longer than the 48 hours necessary to distribute documents. We have no problem with the section concerning official languages, but the sentence that precedes that part is problematic as it increases the responsibility for the distribution motions. This is a problem for us.

I'm not sure if Ms. Brunelle and the Bloc Québécois will accept all the amendments or only the part concerning bilingualism and official languages.

Ms. Paule Brunelle: It seems to me that if the Bloc Québécois had not been here to constantly demand that documents be produced in French, there would be much less French on Parliament Hill. This is a principle we hold dear.

I understand the concern over motions, and that in some cases we could have them much more quickly if they were not translated in both official languages, but I would prefer building in the obligation to distribute documents in both official languages within our procedural rules, even if it means being flexible when it comes to bills. If this is the case, we can assure you of our full collaboration.

• (0930)

Mr. Robert Vincent: Exactly.

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

Mr. Robert Vincent: I'd like to add a comment. We have always been rather flexible. When dealing with motions, my interpreters have always helped with the translation. I don't believe that we've ever had a problem with the motions tabled within committee.

Like my colleague, I believe that it is important to require our witnesses to table documents in French as well. In the past, documents have been tabled strictly in English, and we often had difficulty obtaining them in French. I think we should have a basic principle: when witnesses are invited to appear, and if they have documents to submit, these must be tabled in both official languages.

In addition, we would like to have them a few days before the meeting, because very often we only receive documents pertaining to the next day's meeting on the very same day of the meeting, or at 5:00 or 6:00 p.m. the evening prior. Would it be possible to obtain the documents at least one or two days in advance, to cross check what witnesses will be tabling, and to determine what type of questions we want to ask them? It is much easier for us when we have documents the day before the committee meeting.

Thank you.

The Chair: Thank you.

Mr. McTeague, over to you.

Hon. Dan McTeague: For the benefit of Bloc Québécois members and other members, I would like to point out that it said in the previous motion, under the section "distribution of

documents", the following words: "[...] to members of the Committee only when they exist in both official languages and that witnesses be advised accordingly." It's already there.

Mr. Robert Vincent: Mr. Chairman, the problem is with the words "when they exist". They are under no obligation to provide documents in both French and English. We do not want these documents if they "happen to exist"! No, we want both versions, one in French, and one in English. We do not agree with the wording "when they exist".

[*English*]

The Chair: Mr. McTeague, and then I have Mr. Carrie and Mr. Stanton.

[*Translation*]

Hon. Dan McTeague: I don't think there is a real disagreement. It is a good point. You said the word "when they exist" is rather troubling, but no document can be distributed unless it is translated in both official languages. Regardless of a document existence, it can only be submitted to the committee if it is in both of the official languages. However, what I have issue with is that you are asking for a change in order to obtain something which already exists, and that you have accepted Mr. Carrie's other proposals. This is what I find troubling.

[*English*]

The Chair: We have Mr. Carrie and Mr. Stanton, then we'll go to Madam Brunelle.

Mr. Carrie.

Mr. Colin Carrie: Thank you very much, Mr. Chair.

If we look back at our history in the committee, we did have instances where we were handed documents and they were in one language only. The idea here is to strengthen it. It mentions "including motions", but it also clarifies that "The Clerk shall advise all witnesses appearing before committee of this requirement." In the old way it just said that witnesses be advised accordingly. This is trying to strengthen it so that the witnesses know, because we are quite aware there are two official languages in Canada. It's only fair that we have equity in the committee so that somebody who does require the French documents have them, or the English documents, as it would be, in a reasonable amount of time, too.

The Chair: Thank you.

Mr. Stanton.

Mr. Bruce Stanton (Simcoe North, CPC): Thank you, Mr. Chair.

I was just going to suggest that I think you might have sufficient support for this particular new proposal. I think we should probably move on. As the parliamentary secretary has pointed out, it provides more clarity around the issue. I think there might be sufficient support for it. So could we call for a consensus and move to the next one?

• (0935)

The Chair: Thank you.

Madam Brunelle.

[Translation]

Ms. Paule Brunelle: Perhaps it is the presence of motions in the government amendment that is causing the problem. Personally, insofar as we ensure that we will be flexible, I would prefer for the proposal to remain as it is. The difference between the two procedural rules, it seems to me, is that the new proposed rule indicates to members of the committee that documents to be distributed must be in both official languages. There is therefore an element of obligation, which seems important to me for the respect of the francophones around the table.

[English]

The Chair: I have Mr. McTeague.

[Translation]

Hon. Dan McTeague: Unless I am mistaken, over all the years that I have been here, no unilingual document was distributed unless the chair had the unanimous consent to do so. I know that Mr. Carrie just said that there had been exceptions.

[English]

To my understanding, we have never distributed documents that were not in both languages. Members could be invited to speak to the witness, or in this case to the presenter, but the chair has always sought, in my experience—and that is with at least three chairs—unanimous consent in the event that we had only documents for expediency's sake.

[Translation]

If we introduce this element of obligation, it is entirely possible that some witnesses who would otherwise be in a position to make a good presentation would no longer be able to do so. If memory serves me well, even the Bloc Québécois has on occasion accepted documents there were not in French. The word "must" could therefore cause problems even for the Bloc Québécois, as well as for us in the opposition, if the issue is clarifying, knowing and being aware of someone's position, particularly when we require that witnesses appear before the committee, often with just a few hours notice. I know that James Latimer, the previous clerk, always had difficulties in that regard. We have to give some degree of latitude to the chair.

[English]

The Chair: I have Monsieur Vincent, Mr. Carrie, and then I will likely seek a consensus.

[Translation]

Mr. Robert Vincent: I will give Mr. Carrie the floor.

[English]

The Chair: Okay, Mr. Carrie.

Mr. Colin Carrie: I take Mr. McTeague's points and I thank him for those. The idea behind this, though, is to be a little bit stronger. The committee always has the right with unanimous consent to override anything we have in front of us, the idea being that these are the rules, and these are the rules that are expected to be followed. We believe by strengthening the standard rules we're less likely to run into a situation where we'd have to rely on the chair to make a ruling that may or may not be controversial. It still allows us, with unanimous consent, to accept documents in one language, but by

clarifying it and by being strong upfront, it gives everyone involved that expectation. I think it's the right expectation.

The Chair: I think I have Monsieur Vincent now.

[Translation]

Mr. Robert Vincent: I move a subamendment in order to eliminate the words "including motions".

[English]

The Chair: To the new motion?

[Translation]

Is this a new motion, Mr. Vincent?

Mr. Robert Vincent: Yes, it is the same text:

That only the clerk of the committee be authorized to distribute to the members of the committee any documents and that all documents which are to be distributed among the committee members must be in both official languages [...]

The only words we wish to delete are "including motions".

[English]

Hon. Dan McTeague: Chair, we accept that.

The Chair: Okay. So the amendment by Monsieur Vincent is to take Mr. Carrie's motion and to remove "including motions".

Do we want to have a discussion, or do we want to accept or reject this? Are members in favour of this amendment?

(Amendment agreed to)

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

● (0940)

The Chair: Let's move on.

Ms. Peggy Nash: Mr. Chair, just a small point. There is a typo. I believe the last sentence of the paragraph says, "The Clerk shall advise all witness"; I think it should say "all witnesses".

The Chair: Okay.

We have "Working Meals". They're in a little different order here, so let's do "Staff at *in camera* meetings".

Mr. Carrie, do you want to address that?

Mr. Colin Carrie: Basically, it's to allow each party to be permitted to have one party staff member attend in camera meetings. If you wanted to clarify that they would be from the whips' offices, that would be fine too.

The Chair: Members are allowed to have staffers here for in camera meetings. So the clarification is that we allow members of the Liberal, Conservative, Bloc Québécois, and NDP whips' offices

Mr. Colin Carrie: And allow Monsieur Arthur's whip's office as well.

The Chair: It's to allow members from the whips' offices to attend in camera meetings. Is that the intent of the motion?

Mr. Colin Carrie: That's the idea, yes.

The Chair: Okay.

We'll go to Mr. McTeague.

Hon. Dan McTeague: For greater clarity, could we insert the words “to have one party staff member, to include House officer and research”, which we have, “and whip staff”? I would prefer to allow that more formally.

The Chair: So what would be the exact wording?

Hon. Dan McTeague: It would be “whip staff”. So as opposed to having “one party staff”, have “one member of the whip's staff attend in camera meetings”.

The Chair: Okay.

Hon. Joe McGuire (Egmont, Lib.): You could get people from the PMO there too, as well as the whip's people.

The Chair: Well, if you want to make that amendment, Joe, we could certainly do that.

Hon. Joe McGuire: I'm not going to make an amendment, but I think the way it's worded, you could have.... You're saying it could be the whip, but is it? Does it say “the whip”?

The Chair: Mr. McTeague, take the floor.

Hon. Dan McTeague: We've asked for the whip, so it would be there. In fact, I should point out that before Mr. Carrie proposed it, we wanted the whip's office there, and so did they. We're okay. We're fine, Joe, with your intervention.

The Chair: We could have “one member of the whip's staff”. Is that acceptable to members?

Some hon. members: Agreed.

The Chair: Okay, so we'll go with the new “Staff at *in camera* Meetings”.

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

The Chair: We'll now go to “*In camera* meetings transcripts”.

Go ahead, Mr. Carrie.

Mr. Colin Carrie: Basically, it's added the wording “and these transcripts be destroyed at the end of the session”.

The Chair: We'll have Mr. McTeague.

Hon. Dan McTeague: Chair, I have a comment. We were concerned about this.

It may come as a surprise to some members, but in fact transcripts in camera are kept for 30 years. There's probably a good reason for that.

I would use the precedent of RADARSAT, when I was on the foreign affairs committee. When we were passing legislation on RADARSAT-2, we had to actually go back to in camera work on RADARSAT-1, which took place several years before. It was very helpful and very instructive to the committee, and it allowed members to be privy to where they stood several years ago.

I see no purpose in having to do this, and I think it would probably be counterproductive to allowing members in camera to avail themselves of the previous wisdom of previous committees. I would urge that we not propose or support this. We will not be supporting this recommendation, Mr. Carrie, for that reason.

The Chair: We'll go to Madame Brunelle.

[*Translation*]

Ms. Paule Brunelle: Mr. Chairman, I will give you an example. When I was sitting on the Subcommittee on Solicitation Laws, our work was interrupted by the elections. The subcommittee had travelled, there had been an enormous number of hours and public funds invested in order to gather this testimony. The work was resumed later on, and at times we must come back to such information much later on. It would be most unfortunate to lose all those transcripts, which were made with great difficulty in the case I refer to. In fact, we had to meet with some witnesses in secret. It would be best to keep the documents. We therefore do not agree with the way in which you want to proceed.

● (0945)

[*English*]

The Chair: There is a point of information that the clerk has provided, which I think builds on Mr. McTeague's point but which I feel I ought to read as chair. The transcripts are presently kept in the clerk's officer under lock and key, where only members of the committee and committee staff can consult them. At the end of the session, the transcripts are sent to the National Archives, where they are kept sealed for 30 years, after which time they are made public.

So that's a point of information for members.

Hon. Dan McTeague: So in 30 years you and I are going to be in real trouble.

The Chair: Mr. Van Kesteren, and then Mr. Carrie.

Mr. Dave Van Kesteren (Chatham-Kent—Essex, CPC): Mr. Chair, I think the idea behind this is that when we have an in camera session, you're allowed to just let it all out. Although 30 years is a long time, in some cases that may create some difficulties for members. I think, just as a precedent, we understand that we don't have to worry about it getting out to the public. We can really thrash things out. I know when we're not in camera, we're very careful with our words, but in camera we can speak freely.

I like the idea. I can't imagine 30 years down the road that something I say is going to come back to haunt me, although that could be the case.

I think it's more just the idea of what in camera is all about, and that we continue to.... It's not really an in camera meeting if these documents can be released in 30 years. I think there's a matter of precedent, and principle there as well.

The Chair: Thank you.

Mr. Carrie.

Mr. Colin Carrie: Again, as Mr. Van Kesteren was saying, Mr. McTeague brought up an example where he actually had access to in camera documents. My understanding from the clerk is that they're filed under lock and key and then sealed for 30 years, and then they're publicly....

The Chair: No, sorry.

Mr. Colin Carrie: Could you clarify what you just said?

The Chair: Yes, I'll clarify that.

The transcripts are kept in the clerk's office under lock and key, where only members of the committee and the committee staff can consult them.

Mr. Colin Carrie: That would be for a year or for 30 years?

The Chair: Forever—for the duration of the session. After the session they're sent to the National Archives.

Mr. Colin Carrie: That's what I mean. After the session they're sent to the National Archives. They're sealed.

Mr. McTeague brought up an example, and I just wanted him to clarify. The understanding is, as Mr. Van Kesteren was saying, that when we're in camera, what's said is said, and there's no concern about that. As to what Mr. McTeague was just stating—and maybe you could clarify this—it doesn't sound like the rules we already have.

The Chair: I have Mr. Brison and Mr. Stanton, but perhaps Mr. McTeague would want to clarify that.

Hon. Dan McTeague: Mr. Chair, the rule is that in camera meetings can bring back in camera documents from years ago and can refer to them under special request. That was done, again, with RADARSAT. I can only use that as a precedent. I didn't make the request; I believe the NDP made the request at the time. But it had to be in camera. That, of course, was recorded as well and had to be before the committee. So special circumstances can take place.

Mr. Brison has raised an issue with respect to cabinet documents.

The Chair: Can I just address your point, Mr. Carrie?

Mr. Brison.

Hon. Scott Brison (Kings—Hants, Lib.): Just for clarification, in terms of the cabinet documents, it's only 20 years. I'd like to understand better the rationale for having a longer period for committee than for cabinet.

The Chair: I just identify that as information for the committee. I'm not here to explain why it's 30 years. We can find that out.

Hon. Scott Brison: There must be a historic....

The Chair: We can find that out.

Hon. Scott Brison: Mr. Chair, can we ask the legal beagle here—not to put him on the spot.

Hon. Dan McTeague: Low commission, remember.

The Chair: I think we'll endeavour to find that out for Mr. Brison. I thought cabinet documents were in the paper the next day, but....

Mr. Stanton.

• (0950)

Mr. Bruce Stanton: Thank you, Mr. Chair.

It just occurs to me that the nature of in camera meetings in terms of the transcript really is the domain of the committee for that particular session.

Keep in mind the kind of work that's done in camera. These are usually discussions around formulating a work plan, committee business, and the development of recommendations. I mean, you're putting a report together and there's a lot of discussion. Points are raised about how we formulate and ultimately come to a conclusion and agreement on what recommendations will be included in a

report. But really, the permanent record is the report itself and the debates that led up to it, and I think that's the key record that needs to be preserved.

It seems to me that the in camera portion, while it is relevant for the current session—and I myself have had occasion where I've had to go to the clerk's office, particularly when we're in the development stage of report recommendations and considering what should be in and not in a report—once that's done, the nature of that part of the debate of the committee, I would think, would have very little relevance for some point in the future.

As has been pointed out, there may be very rare circumstances where the points that are raised in committee might have to be referred to, but I just can't imagine a scenario, because of the nature of that kind of dialogue, of it being relevant to committee business that occurs in a subsequent session of Parliament.

I really think this is an effort to put the public record and the reports and the outcomes of the committee into the place it should be held, and that should be the permanent record of the committee's work, not all of the dialogue that flows into those recommendations.

That's the only point I would make.

The Chair: That is true, and that clarification I want to ensure. All of the witness testimony will be preserved. That's all public. I hope I didn't leave members with that impression. It's only the in camera portion that we're talking about.

Mr. Van Kesteren, and then Madame Brunelle.

Mr. Dave Van Kesteren: Just to follow up what Mr. Brison pointed out—he has left the room, but maybe Mr. Regan can....

Were you in cabinet? I think you're referring to cabinet documents, but there must be some times in cabinet, too, where you can talk about something and not have to ever have that recorded for 20 years down the road or something. So when he brings that point in—and I think Mr. Stanton has laid it out quite well—it's the very principle that at those meetings, when we can actually thrash things out, you can say, with due respect to opposite members and your colleagues, what's on your mind.

We're setting a precedent, and I think we need to set a precedent in the proper direction. If it's 20 years at one point, we should eliminate at committee...so in other areas of government we can actually have these times where we can thrash things out and not have to worry about future generations dissecting them and trying to understand or judge us for what we said at that particular time. I just think it's an important thing, and I'd like to see government move in that direction.

I can't see the rationale for keeping it for 20 or 30 years. To me, it just makes absolutely no sense. So although it might seem like a minute point, it's important. We're setting a precedent.

The Chair: Okay.

Madame Brunelle.

[*Translation*]

Ms. Paule Brunelle: I would like to draw your attention to another point. Beyond the time period, we are being told that we want to ensure confidentiality because of the witnesses and that it is in in camera discussions that people feel free to express themselves. However, according to the old procedural rule, the consultation of transcripts of in camera meetings was reserved for members of the committee. According to the new rule being moved, transcripts could be consulted by other members of Parliament. We're therefore broadening the access to more people, members and senators. It seems to me that the arguments being raised intend the opposite. We are saying that we want to ensure that discussions be as confidential as possible and that we be able to speak as freely as possible, but such a motion makes the transcripts accessible to a greater number of people.

• (0955)

[*English*]

The Chair: Monsieur Arthur.

[*Translation*]

Mr. André Arthur (Portneuf—Jacques-Cartier, Ind.): Thank you, Mr. Chairman.

I can understand, and I will support, what the parliamentary secretary suggests, that the transcripts from our in camera meetings be destroyed at the end of the session. It is logical, because we have all agreed that there is nothing of consequence in that.

Beyond that, when I first came to this committee, I had a very peculiar experience. While the Bloc Québécois was publicly denouncing me in my riding on the pretext that I was not participating in parliamentary deliberations, Mr. Crête, at this table and at in camera meetings, was trying to reduce the possibility that some committee members might share their time with me so that I could ask questions. I am sure that Mr. Crête was quite capable of behaving in this rather surprising, but perhaps understandable manner for a politician, because it was never to be made public that he and his party were talking out of both sides of their mouth at the same time. You can say one thing in public, and say another in private. The fact that these discussions were secret made it possible to say one thing and the opposite at the same time.

Personally, I found the situation quite amusing when, because of an indiscretion that I played no part in, the newspaper *La Presse* was able to publish discussions that had taken place concerning the difficulties I was having getting speaking time, when Mr. Crête was trying to prevent other members of the committee from giving me time while simultaneously his party was publicly denouncing me for not having participated in debates in the House. Finally, I find that this is really very funny, when one considers that even the statements made by Churchill during the war when he was half-drunk were published—they were never able to marshall the privacy that he might himself have dreamt of—and we are deciding that what we say is so important that we must protect our right to say one thing in private and its opposite in public.

On the other hand, if we agree that our private meetings are only to chit-chat about things that are of no interest, it is perhaps the most ecological idea to take those papers and recycle them at the end of the year. That is why will readily support the motion put forward by

the parliamentary secretary. I did nevertheless want to share my amusement with the members of the committee at the notion that the secrecy of our discussions could assist certain members of the committee to say one kind of thing in public and the opposite in private.

Thank you.

[*English*]

The Chair: Merci.

I have Mr. Carrie and then Monsieur Vincent.

Mr. Colin Carrie: Thanks again, Mr. Chair.

I just want to clarify for Madame Brunelle that it says, “for later consultation by members of Parliament”, as opposed to “members of committee”. Sometimes the committee membership changes during a session. So you may be a member of the committee today, but tomorrow you may change to another committee. So by making that slight change there, you would still be able to have access, as you'd no longer be a member of the committee.

Again, on having the transcripts destroyed at the end of the session, the problem with keeping anything for 20 to 30 years is that it could be become public and you may not have the opportunity to explain yourself at that time. I feel more comfortable with just having it destroyed.

The Chair: Thank you.

Monsieur Vincent.

[*Translation*]

Mr. Robert Vincent: I have a point of clarification, Mr. Chairman. I would like to say to Mr. Arthur that Mr. Crête was saying that he did not participate in debates in the House. When we talk about the House, we are talking about what goes on in the House of Commons. Here, we are in committee. They are two completely different things.

[*English*]

The Chair: Thank you.

Ms. Nash.

Ms. Peggy Nash: I've listened to the discussion and I don't have a firm opinion one way or the other on this, but what I haven't heard is that the status quo has been a problem for this committee at any time in the past.

I think what is being proposed is a change for a hypothetical problem, and I'm not sure that makes sense, so I support the current provisions.

• (1000)

The Chair: Mr. Carrie, do you want to vote on this? I sense three parties are opposed.

Mr. Colin Carrie: To address Madam Nash, this has not necessarily happened in this committee, but there have been issues on other committees. Whatever we decide to vote on, the idea was, as I said, to clarify the first part. You may be a member of this committee today, and for whatever reason you may not be an industry committee member a week from now, but you may want to have access to it. The way it's written now, it says they're kept at the clerk's office for consultation by members of the committee. By changing it to "members of Parliament", that would allow you access later on in the same session to work that you had participated in. Again, whether or not it's destroyed, I suppose, will reflect what you feel is better in your opinion.

I'm prepared to vote on it now, but I did appreciate the opportunity to explain that portion to you.

The Chair: Go ahead, Mr. Van Kesteren, briefly.

Mr. Dave Van Kesteren: Thank you.

Ms. Nash, I would like to add that I'm glad that you're reflecting on this. That's a good question. But we could also ask why we would keep this information. It's a matter of privacy. I just think we're moving towards that more and more in our society—protecting our privacy. I think it is not necessary to keep this information for 30 years. Probably nothing will ever happen. But future courts can judge. They can change those rulings. Again, I don't think that much is said in our committee, but we need to set a precedent. I just think it's important that it's not necessary to keep these documents. I can't understand why we're doing it. I would just feel more comfortable if we moved in that direction in government, and this sets a precedent.

The Chair: Mr. Brison.

Hon. Scott Brison: I just want to make it clear that Canada's new opposition feels very strongly that in the interest of transparency and accountability we in fact should maintain the status quo.

Hon. Dan McTeague: And we need to keep it. That's a good transcript. That's a good line.

The Chair: Mr. Carrie, would you like a vote on this?

Mr. Colin Carrie: Absolutely, if that's the committee's desire.

The Chair: Mr. Carrie moves that we adopt the new "*In camera* meetings transcripts".

(Motion negatived [See *Minutes of Proceedings*])

The Chair: I do need someone to move the old "*In camera* meetings transcripts" motion.

Hon. Dan McTeague: I so move, Mr. Chair.

The Chair: Thank you.

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

The Chair: Now we have working meals. On the old motions it's on the first page, and it's after "*In camera* meetings transcripts" on the new document.

Mr. McTeague.

Hon. Dan McTeague: Mr. Chair, I just want to know if there's any question about subcommittees also receiving the benefit of working meals, in consultation with the chair.

Mr. Colin Carrie: That's a good point.

The Chair: They can.

Hon. Dan McTeague: Do we need to put that in writing, or is that just something at the discretion of the chair?

The Chair: We can add it if you like. We haven't needed it in the past.

Hon. Dan McTeague: I don't know if there's any need for it. It's just not been there before. I know the committees have relied on it.

The Chair: Mr. Carrie, do you want to explain the change in wording?

Mr. Colin Carrie: Basically we are clarifying that the cost of the meals is to be charged to the committee budget. Again, the wording was felt to be a little bit clearer.

The Chair: It's an effort to make the wording clearer. Is it acceptable? *D'accord*?

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

The Chair: Mr. Stanton.

Mr. Bruce Stanton: On this question of the subcommittee, I think there's a presumption here in the routine motions that in fact the work of the committee includes that of the subcommittee. I note in the wording that's been proposed here is included the phrase "as may be required". I assume that to be an all-encompassing responsibility that the chair and the committee have been charged with to oversee in every respect. The subcommittee is in fact part of these routine motions as well. I think it's a good one.

• (1005)

The Chair: I think members have agreed to the new motion.

In the new one we have "Witnesses' Expenses". Mr. Carrie, do you want to explain that?

Mr. Colin Carrie: Thank you very much, Mr. Chair.

Basically, it added "That, as established by the Board of Internal Economy and if requested". Again, it brings clarification and a little bit stronger language. We've also added something because some people, when they come to committee, may require child care expenses. We feel that if somebody can't get child care expenses, for whatever reason, it shouldn't stop them from appearing as witnesses.

Again, it's a little bit better clarification of the language, and it adds "childcare expenses of the witnesses shall be reimbursed".

The Chair: Thank you.

Mr. McTeague.

Hon. Dan McTeague: Mr. Chair, we would like that the old motion remain intact with the issue of day care expenses covered.

Hon. Scott Brison: Early learning and child care.

The Chair: Mr. McTeague, are you making...?

Hon. Dan McTeague: Day care or child care.

The Chair: You're making an amendment to the old motion?

Hon. Dan McTeague: I'm wondering if there is a flexibility with Mr. Carrie. I would prefer to have the old wording with the addition of child care expenses.

The Chair: Mr. Carrie, is that acceptable?

Mr. Colin Carrie: It is.

I do believe that there was the wording "as established by the Board of Internal Economy" for reasonable travel, and it clarified that there are certain rules we have in the Board of Internal Economy for travel. With the status quo there could be expenses outside of this that, for one reason or another, witnesses may try to take advantage of, and it was to keep it in the box of what we work by.

The Chair: There are two changes, as I understand it. Number one is "as established by the Board of Internal Economy", and the second is child care expenses.

Mr. Colin Carrie: Right.

You have a third one.

The Chair: What is the third one?

Mr. Bruce Stanton: The other item is this issue of additional witnesses beyond the two. The weakness in the last session's routine motion is that it really leaves a fairly broad range for I don't know who. I guess it's at the discretion of the chair to decide when exceptional circumstances require more than two witnesses. The new proposed routine motion for this particular area in fact gives more clarity on that point, and it says there should be two. As with anything under committee business, the committee has the ability, if those exceptional circumstances exist, to deal with that, and if they come up we can make a decision to allow more than two. But in fact we've given more clear direction on that particular point, and it doesn't leave the chair of the committee with the unilateral decision to decide when they can add a third, fourth, or more witnesses without the consent of the committee. I'm not taking anything away from the chair's ability to make these good judgments on behalf of the committee, but nevertheless I think it clears the issue up.

The Chair: Okay. Thank you.

Is there anyone else on this point?

Mr. McTeague.

Hon. Dan McTeague: I have an overarching concern about the question of flexibility to allow the chair the discretion to allow more than just one, and we're not too exercised over this, but I think there should be some wording that doesn't limit this up to a maximum of two representatives. If you remove that, we're fine with the change.

The Chair: You are proposing removing...

Hon. Dan McTeague: Start from "living expenses to be reimbursed to witnesses who are invited to appear before the Committee".

The Chair: Up to a maximum of two representatives.

Hon. Dan McTeague: Yes.

The issue there is the removal of the discretion that's given to the chair to have more than two witnesses paid for, and I think that's.... Normally, as a committee we wouldn't even worry about this, because it looks pretty obvious, but this etches this in stone, and I don't want to have us come back to an unlikely scenario where we have more than two.

I'm looking for the flexibility here, Mr. Chair.

• (1010)

Mr. Colin Carrie: I believe the committee can do what it wants with unanimous consent, and it does give that certainty. It has the box, and then outside the box we would all have to agree on that. It said "as established by the Board of Internal Economy" because they've figured out what we should be paying as a government, and it just keeps it. It's a nice conservative thing to put in there.

Hon. Dan McTeague: In that case, let's accept it.

Mr. Colin Carrie: You understand that.

Hon. Dan McTeague: Oh, I understand full well. But what if I'm having a grumpy day? I mean, I've got five kids, you've got four, or three....

The Chair: Okay, Mr. McTeague is convinced.

Some hon. members: Oh, oh!

The Chair: Mr. Stanton.

Mr. Bruce Stanton: Mr. Chair, there's ample opportunity for the committee to have those kinds of decisions put in front of them. We meet twice a week. For a decision like that, or a matter of committee business, it can generally....

I don't know what the history has been with this committee, but certainly in my short experience here in committee work, for a quick decision on something like that there's certainly no harm in putting it in front of the committee. The process of gathering witnesses and scheduling—that can be put in front of the committee at the end of a meeting quickly, and away we go. But it does at least require that the chair bring that to the committee for their discussion instead of just deciding.

Again, I'm not taking anything away from you, Mr. Chair, but really the committee should be in the driver's seat on this one.

The Chair: Ms. Nash.

Ms. Peggy Nash: I support the offer of child care expenses.

I'm wondering what the motivation is behind the change here, taking away the discretion of the chair. Has there been a problem with the chair of this committee not exercising the proper discretion in this regard? Is there a problem that we're trying to fix here?

If the goal is that it normally be limited to two, but that the chair has flexibility, that seems to me a reasonable way to handle that. I'm just wondering if there's a particular problem that we're trying to fix.

Mr. Colin Carrie: Not for this committee.

The Chair: Mr. Stanton.

Mr. Bruce Stanton: The Board of Internal Economy sets out guidelines for a purpose. I think it's incumbent on us to try to make sure that we work within those guidelines.

Look, we're responsible for the costs that are incurred through the course of our deliberations as a committee. We're providing discretion. I can understand that. There needs to be flexibility. But I think we also....

Whether this has been a problem on this committee or not, I think we have to be of a mind that whatever we decide here on routine motions—as we've seen by our own example here this morning—in subsequent sessions, with subsequent members and chairs on this committee, these routine motions will come forward for consideration in the future as well.

What we're trying to do here is fine-tune and nurture these routine motions along to aid the course of committee work here in Parliament, for this committee and others. I don't see any harm at all in making sure that we tighten up some of these areas to ensure that we're keeping the costs of our committee work at least within the guidelines set out by the Board of Internal Economy.

The Chair: As the chair, I can offer only advice, but it seems to me that if the government wants to pass this motion, it can get the two changes if it amends it to say “at the discretion of the chair”. I think it's up to the government to decide whether they want all three and lose a vote, or want two and win a vote.

Mr. Bruce Stanton: Well, let's go for two and win a vote.

That's okay with you guys?

The Chair: Is that fair for me to say? I think there's acceptance of “established by the Board of Internal Economy” and there's acceptance of “childcare expenses”, but members....

My understanding is that we'd take the new motion, and at the end they would say, “and that, in exceptional circumstances payment for more representatives be made at the discretion of the chair”.

I need a mover for the amendment, and it cannot be me.

Mr. McTeague.

Hon. Dan McTeague: I'll move that, Chair. However, I have a question on that.

If two out of three are passed here, does that mean they get an extra badge on that side for the numbers they do pass?

Your sleeve is going to be pretty long. You'll have to get the measure of the other parliamentary secretary's—

•(1015)

Mr. Colin Carrie: You'll get the badge. We're inclusive.

The Chair: Order.

This is not in camera. These records will be kept.

Some hon. members: Oh, oh!

The Chair: Are members okay with Mr. McTeague's amendment?

Some hon. members: Agreed.

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

The Chair: Okay, we'll move forward.

We have a new one, I believe, “Priority of Legislation”.

This is a new one, Mr. Carrie?

Mr. Colin Carrie: Absolutely. To explain, this has not been a problem with our committee at all. It's just to formalize that if legislation comes forward, whether it's a government bill or private member's bill, we do deal with the legislation first, as opposed to any study over non-legislative business.

The Chair: Okay.

Mr. McTeague.

Hon. Dan McTeague: Well, we will have a problem with this. It basically allows government priority for legislation, and that may not necessarily be in the best interests of the committee, whether it's one that's led by either side. I can see that the tables may be reversed. We never know. If we or another party form the government, this may not be quite as advantageous.

Probably from a purely legislative perspective, I believe this would not be in the interest of the committee or the parties, depending on where they sit in this committee on either side of the chair. So we would certainly oppose this.

The Chair: I have Madam Brunelle, and then Mr. Carrie.

[*Translation*]

Ms. Paule Brunelle: We have a principle here that stipulates that the committee is master of its own agenda. This is an important principle and it is the reason why the steering committee sets out the agenda, the issues to be dealt with, etc. We disagree with this provision because it would allow the government to interfere with the committee's work on these bills. In our opinion, it is really unacceptable.

[*English*]

The Chair: Merci.

Mr. Carrie.

Mr. Colin Carrie: I hear what you're saying, but the idea is if there's any private member's bill that would be brought forward, that would take priority as well. The idea here is if there are things brought through from a legislative standpoint, they are more important than studies.

That would be my opinion and my position, and I stand by that.

The Chair: I have Mr. Stanton.

Mr. Bruce Stanton: Mr. Chair, again, in my short time here in the House and working in committee and in Parliament, in my view, there's nothing more important than bills that are referred to standing committees that come from the House. There is no doubt that committees do important work, important studies, that result in excellent recommendations for consideration by the government of the day.

I think we have to be reminded that these rules, these new suggestions, work to serve all parties of the House, as they do with private members' business and government bills. But the fact of the matter is, for Parliament to work and to continue to do good work on behalf of all Canadians, we have a responsibility to do our best to address legislation that the House has passed on second reading and sent to committee. There should be no reason why the work or studies that we may have in front of us cannot be set aside momentarily while those bills are addressed.

In fact, when I look back on some of the work by committee in reviewing and studying some of these bills, on average, the length of time that's taken for those in committee is certainly far less than some of the work we do on more comprehensive reports.

This is a critical new proposal that will aid the work of Parliament, that will certainly not be as advantageous to those who would choose to obstruct and delay, perhaps for political reasons even, I might suggest. But when it's all said and done, our work in the standing committees of the House is to make sure we give proper vetting of those issues that the House has in fact passed.

So I strongly support this direction. I think it's a direction that all committees should be mindful of, and hopefully will also be adopting, as well as this one.

• (1020)

The Chair: Thank you.

Is there anyone else?

Mr. Carrie.

Mr. Colin Carrie: I did want to continue on with Mr. Stanton, because it is a question of understanding. As Mr. McTeague said, regardless of what side, the belief is that Parliament's number one priority is for legislation for the people of Canada. And even in the Senate, they were doing a study on internal trade, but I think they put that aside four times because there was important legislation that had to be dealt with for the Canadian people.

This is a good rule. It means that we can do the work that Canadians expect us to do, and do it in a timely manner. So we will be supporting this motion.

The Chair: Okay. I'll make two comments.

This does refer to private members' bills and to government bills. As Mr. Stanton pointed out, these are bills passed by Parliament. Clearly it has to be Parliament that has to pass the bill at second reading, so the issue is whether we want to put this into effect. Conventionally, most committees have done this in the past, and that's certainly been my experience in my seven years here, but it's whether we want to formalize this. I'm asking members to consider that.

Do we have any more speakers?

Mr. Stanton.

Mr. Bruce Stanton: I have one further follow-up, Mr. Chair.

On this topic of benefiting other parties, I think it would particularly behoove the third and fourth parties in the House to consider that this would be a tremendous advantage for them. They work in areas of private members' business. Private members' motions are before the House regularly, but bills are also. There are limited mechanisms for other opposition parties in the House to make sure they can get their bills through the process. This would clearly be an advantage to them in expediting that process, because the government of the day—whichever party it might be—particularly if they're in majority, would have the ability to block and delay from that point of view as well. As has been pointed out, I believe this is an advantage to parties in the House, to bring their ideas forward and to get legislation through.

These are recommendations by Parliament, not just by the government. I think this helps Parliament work. I think Canadians expect this is the kind of measure we should be taking to move this process along. I hear time and again when I'm in the riding the complaints and dismay about how things grind to a halt up here. This is a good measure, and I would encourage the third and fourth parties to support it.

The Chair: Thank you, Mr. Stanton.

I see no more speakers. We will have the question.

(Motion negated)

The Chair: Let's do "Motions", which is in the new document, and then "Notice of Motions", and last, "Routine Motions".

Mr. Carrie, do you want to explain the rationale for the motions section?

Mr. Colin Carrie: There is a clarification. If you look at the third sentence in the English form, it says:

And that the period of notice be calculated from the time the motion has been distributed to the members of the committee by the Clerk of the Committee;

Again, the idea is to clarify things. Let's say I e-mailed the clerk at 11 o'clock on a Sunday night, or something along those lines. This is so we have clear rules of what we mean by that 48-hour notice, so there are no arguments.

The Chair: Mr. McTeague.

Hon. Dan McTeague: I think there is a concern with respect to when the clerk gets the motions as opposed to when they are sent. That might be somewhat problematic, but the more egregious concern is that it removes the question of motions that relate directly to the business under consideration of the committee. We've seen those used in the past, and they've certainly been strongly urged. I see no reason why we would want to move away from that. I would strongly urge that we retain the status quo in terms of this particular proposal by Mr. Carrie.

•(1025)

The Chair: Okay.

Ms. Nash.

Ms. Peggy Nash: I think it removes the flexibility of the committee, and I would support maintaining the current language on notice of motions.

The Chair: No one else?

(Motion negatived)

The Chair: I need someone to move “Notice of Motions”.

Mr. McTeague.

Hon. Dan McTeague: We're not abstaining on this one.

An hon. member: Not today.

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

The Chair: We have, then, “Motions deemed to be abandoned”, on page 2 in the new....

Mr. Carrie, do you want to make that argument, regarding motions deemed to be abandoned?

Mr. Colin Carrie: This is new. It's basically to allow the committee to work efficiently, so that we deal with any motions that are put forward and not just leave them sitting there ad infinitum.

The Chair: Mr. McTeague.

Hon. Dan McTeague: I understand the rationale for putting something like this forward, but I could see a scenario wherein I don't like a motion and I begin to speak, once I have the chair's consent—he recognizes me—and I speak for two days, and the motion never gets debated. I wouldn't like to see that kind of scenario, and that's certainly what this opens us up to. We'd prefer the language to remain as it is currently crafted.

The Chair: Okay.

Are there any others on this?

Madame Brunelle.

[*Translation*]

Ms. Paule Brunelle: The problem we have remains the same. It seems to me that the committee must remain the master of its own destiny. This is a fundamental principle. It could come to pass that the committee, because of some weighty topical issue, might decide that a topic should be dealt with later because there is some urgency. It seems to me that the previous rules helped us have the necessary flexibility. I would not like to see the committee lose that freedom.

[*English*]

The Chair: Are there any further comments?

Mr. Stanton.

Mr. Bruce Stanton: I have a technical question, Mr. Chair.

In regard to routine motions—I'm mindful of the fact that there are Standing Orders for committees as well—in terms of precedence, are there circumstances where the Standing Orders for committees supersede routine motions? Or is it seen the other way: do routine

motions essentially build and further define some of these issues? If we get to a position of conflict, which one wins out?

The Chair: Committees are masters of their own domain.

Do you have an example of a standing order that would conflict with a motion?

Mr. Bruce Stanton: Well, I'm just thinking here of the proposal we have in front of us. I don't have the Standing Orders in front of me, but are there specific Standing Orders that deal with this issue of how long a notice of motion stays in effect?

The Chair: Right now, there's no limit on motions. This is a new motion. As I understand it, there's no motion among the old motions that deals with this topic; this is in fact a new motion.

Mr. Bruce Stanton: So there's nothing in the Standing Orders that would...?

The Chair: Not that I know of.

Mr. Bruce Stanton: I'll look that up, and if I find an example, I will have to—

The Chair: We can have the clerk address it, if you want.

The Clerk of the Committee (Ms. Michelle Tittley): In general, the rules governing process in the chamber also apply to committees, with notable exceptions. I can provide you with some references to that after the meeting, if you'd like.

In terms of dealing with motions, it is up to the committee to decide how it deals with its own motions. At this point, there is no order paper or notice paper for committees. It's up to the committee to decide whether those motions remain or, as this new motion might suggest, are abandoned.

•(1030)

Mr. Bruce Stanton: Yes. It really is the former, then.

Thank you very much for that clarification.

The Chair: All those in favour of “Motions deemed to be abandoned”, please signify.

(Motion negatived [See *Minutes of Proceedings*])

The Chair: In the new package, I think there are two that deal with “Rounds of Questioning” and “Speaking Order”. In the old one, we have “Allocation of time for questioning”.

Can we deal with “Rounds of Questioning” first?

Mr. Carrie, if you want to.... I think the speaking order is the more contentious point.

Mr. Colin Carrie: Okay.

The Chair: Moving it from six to seven minutes—

Mr. Colin Carrie: That's right.

The Chair: —for the first round, and then the latter rounds would remain at five minutes.

Mr. Colin Carrie: Yes. In the last session we had quite a lot of meetings where there were one plus one. By going to seven minutes, the idea here would be to get everybody through the first round. They get 28 minutes as opposed to the six minutes. So, basically, a wording....

The Chair: Mr. McTeague.

Hon. Dan McTeague: Chair, I am probably feeling the most contentious about this, and I understand the template that has been given in other committees.

Mr. Carrie, myself, Mr. Van Kesteren, and Mr. Arthur were all here at the initial new meeting, when we sat—correct me if I'm mistaken—I think it was in March or April of 2006. What we tried to do at the time was to hammer out something that was unique and different from other committees, given the unique circumstances of this committee, the presence of Mr. Arthur, and, of course, dealing with the low number of questions that the New Democratic Party would have.

The Liberal Party gave one of its positions away and the Conservative Party gave up one of its positions as well. We changed the time as well, so that everyone, in effect, could get a question in. I think that helped us build consensus in at least two reports, and it's probably one of the highlights of the nature in which this committee has worked in a very cooperative fashion. I would hate to see a template for problems in other committees imposed or presented that would untangle what I thought I was a fairly important and successful routine for us.

I would ask Mr. Carrie, or anyone else who thinks that these two motions could work, to demonstrate to me where our rounds of questioning here have not worked. I thought we really emphasized the spirit of cooperation and accommodation that I think we've all made—certainly the one and two parties in representation here—to both the independent and to time, and that mix has worked very well for us. So I would make a friendly proposal that we abandon both the rounds of questioning and speaking order provisions in favour of what we already have, which has worked very, very well for this committee.

The Chair: Thank you.

I now have Mr. Carrie.

Mr. Colin Carrie: Thank you very much, Mr. Chair.

Again, I appreciate the previous session and the cooperation, but I would remind Mr. McTeague that we actually did have quite a contentious issue. Under the old way, in the first two rounds everybody got to speak twice, except for the independent. Because we believed that everybody on the committee was equal and should have an opportunity to speak, we were often in the position, as the government party, to give a speaking position to the independent, Mr. Arthur, because he did have some very significant things to offer the committee. Because of the one-hour meetings that we quite often did have, he wouldn't have had that opportunity unless the government had given up a speaking position. You can argue back and forth as to whether that's fair or not, but if Mr. McTeague remembers, the Bloc Québécois did have an issue with that, the Conservative Party giving a speaking position to the independent.

If you have the sheet in front of you and you do round one for seven minutes and round two for five minutes, round one would add up to 28 minutes and round two would add up to 20 minutes. That would allow everyone to speak at least once. The independent would be speaking less, of course, but in the old way, if you added the two scenarios, it came to 49 minutes.

So the idea of the round was not to in any way impair the uniqueness of the committee, but it was to enshrine the ability of the independent to speak. Because of the nature of our witnesses and because we do have a lot of work to do, it would allow him at least once in the two rounds to have the right to speak and contribute to the committee.

• (1035)

The Chair: Okay, thank you.

I have Madam Brunelle, Ms. Nash, and Mr. McTeague.

[*Translation*]

Ms. Paule Brunelle: I had not raised my hand, Mr. Chairman, but I would be pleased to say a few words.

It seems to me that our way of working was quite appropriate. It seems that there are many disagreements. We can see that Mr. Arthur harbours some resentment. I therefore do not really want to reopen this debate.

As far as speaking time, statements and questions from independent members are concerned, we can take our inspiration from what happens in the House of Commons. We can see that it is a party system and that parties have priority when it comes to taking the floor. I think it would be best to continue to work as we have in the past. We had an agreement and it worked well.

[*English*]

The Chair: Okay. Merci.

Ms. Nash.

Ms. Peggy Nash: Again, I'm told that this is a committee that has worked very well together in a spirit of collegiality and respect, so I'm a little surprised that a proposal would be made that effectively cuts the speaking time of our party almost in half. I don't see it as constructive, and I am obviously opposed to it.

The Chair: Thank you.

I have Mr. McTeague.

Hon. Dan McTeague: Chair, I just want to continue to reinforce the fact that if we were to use the template not used in this committee but used by other committees in terms of speaking times, allocation-wise it would see the independent go from about—and I can do percentages or minutes as you wish—5.618% of the time or five minutes in two hours, or to 10% or 10 minutes.

I see here a couple of pitfalls. One, in terms not necessarily of this committee, but generally speaking, overall the Conservative time in terms of questions would go from 26 minutes to 32 minutes and the Liberals would go from 26 minutes to 27 minutes. The big loser in this, regrettably, is the NDP, which would go from 16 minutes down to 12 minutes.

I think we should leave well enough alone. I will leave it at that. I think the way it has stood here is both unique and very precious. I'd prefer that we not use this as a template. There has rarely been an occasion, to my knowledge, certainly from our party...where I think on some occasions, to have Mr. Arthur speak, we've been very accommodating as well. I think I'd like to keep that, respecting the fact that the Conservatives have removed a member to allow Mr. Arthur, I believe, to constitute one of the five on committee.

The Chair: Thank you.

I have Mr. Van Kesteren and then Mr. Carrie.

Mr. Dave Van Kesteren: Thank you, Mr. Chair.

Mr. McTeague, you pointed out the point that I was going to make, that we have removed a member to accommodate Mr. Arthur. Notwithstanding, he has proven to be a very valuable asset to this committee, and I think we've all grown to love and admire our colleague.

And we did have, as Mr. Colin so rightfully pointed out, some difficulties at the last session. That did cause some concern.

The two recommendations on the rounds of questioning and the speaking order address those concerns. We feel it is important that Monsieur Arthur has his input. As I said, it has proven to be very valuable in the past, and I'm sure it will be very valuable in the future too.

As Madam Brunelle pointed out, it is true that independents don't have the party recognition, but committees are somewhat different from what takes place in Parliament. Committees are where the real work is done, where acts are dissected, where reports are made, and I think it behooves us that we have all members contribute to that. I think in lieu of the fact that we have three members on this committee, Monsieur Arthur is definitely a valuable asset.

I think it accommodates what we're trying to do as a committee. We do feel very strongly about this. Maybe there's a compromise we can work out, but we need to be assured that Monsieur Arthur has some contribution and won't be stopped from doing that.

• (1040)

The Chair: Thank you.

Mr. Carrie.

Mr. Colin Carrie: To build on what Mr. Van Kesteren was saying and to take into account what Mr. McTeague was saying, the reality is that a lot of our meetings are the one to one. What happens with that scenario is we go through round one and round two, maybe, and then the witnesses go. Then the next round comes in, and we do the witnesses and they get their opening statements, and then we go through round one and round two again.

With those scenarios, and we've had quite a lot of them, if you look at the record to see how much Mr. Arthur actually had the opportunity to speak, it was a lot less than it would be if we always had two-hour meetings.

So if the idea here, to be fair...and again, as Madam Brunelle was saying, as committees we're masters of our own destiny, and Mr. Arthur is a full member of this committee. He should be treated as such, and we should allow some type of institutionalization that he does have recognition and the ability to speak and add to this committee, just like any other member of the committee.

That is the idea of the change. We don't see any other way of actually making sure that he gets the chance to speak than to just outline it in the rounds. Then there won't be that argument back and forth. It could be any party saying...the Conservatives or the Liberals...you can't give your speaking spot to somebody else.

The Chair: If I can say from the chair's perspective, the issue here in the last session was exactly as has been pointed out, that, especially if we had an hour session, we typically got through maybe half of the second round or perhaps even to the bottom of the second round, and Monsieur Arthur is at the last spot in the third round so he would never get a question.

What happened was the Conservatives would very often take two of the three spots and would allow one of their spots to be taken by Monsieur Arthur. This was objected to by other members of the committee. My view was that if a person of one party chose to give his spot to another, as the Conservatives did with Monsieur Arthur, to accommodate the one-hour session, or, as happened in Windsor, where Mr. McTeague gave his time to Mr. Masse, I think that's gracious of the member and I would allow that. I think perhaps if the committee gives the chair direction and says, yes, members can give their time to another member, then that may solve the problem and we may in fact be able to adopt the speaking order of the last session.

If that clear direction.... It was at the discretion of the chair last time, and my view was that if Mr. Van Kesteren says "Mr. Chair, my time will be used by Monsieur Arthur", as the chair, I will recognize Monsieur Arthur.

Hon. Dan McTeague: That's fine.

The Chair: And if we do that, that's fine, and if that is accepted, then I want the committee to clearly state that to the chair, and I think then the Conservatives and Monsieur Arthur may accept the first....

Mr. McTeague.

Hon. Dan McTeague: Mr. Chair, that makes a lot of sense, and I would certainly take that up as a proposal, that in fact the discretion be given to the chair to recognize the independent and that we keep the original rotation. I should also point out for my Conservative colleagues that in the scenario of the one hour, they get three rounds of which they can give one to Mr. Arthur. The official opposition only gets two rounds. So I just want to make that abundantly clear. It's not like we're getting anything out of this that would create a.... It's again an accommodation and flexibility, which I think is probably rarely demonstrated in other committees, but it is here. So I would follow up on the wisdom of the chair and accept that as a motion, that the discretion be given to the Conservative Party, to the chair, or to any party to allow a turn to Monsieur Arthur if they so choose, prior to the time that he is normally assigned as an independent.

• (1045)

The Chair: For example, in Windsor when you gave your time to Mr. Masse...if you choose to say "My time will be used by Mr. Masse"—

Hon. Dan McTeague: Chair, as long as we understand that Mr. Van Kesteren will, from this day forward, give me all of his time, I'm on board.

Some hon. members: Oh, oh!

Hon. Dan McTeague: Chair, thank you.

The Chair: Thank you.

Mr. Stanton, and then Mr. Vincent.

Mr. Bruce Stanton: Mr. Chair, seeing that you're looking at the existing or the previous session's motions, I note that there already is discretion for the chair, so I don't know why that would have been a problem. It says "that, at the discretion of the Chair, during the questioning of witnesses, time and sequence be allocated as follows". It would seem to me that the chair has the ability to allow changes to that allocation. Or does that need to be clearer?

The Chair: The reason for that, Mr. Stanton, was that I was challenged and it was a source of friction.

Mr. Bruce Stanton: That's been added since the previous session then?

The Chair: No, no. Even though we adopted this, it was a source of friction, which is why I'm clarifying now so that there's no confusion as to what I will be doing if, for instance, Mr. Van Kesteren offers his time to Mr. Arthur.

Mr. Bruce Stanton: Is the proposal then to amend this by adding clarification in regard to allowing the parties to assign their allotted spot if they so choose?

What are we proposing?

The Chair: I don't know whether we need to add anything formal. I just want to make it very clear that this is what this wording means. I agree with you that this wording does allow the chair to do that, but I just want to make it clear with all members of this committee at the outset that this is what that wording means.

Mr. Bruce Stanton: Might I suggest that if it's not clear, then let's put the words in the motion that make it clear, so that we don't have to waste time at some point in the future having that debate.

The Chair: Okay.

I have Monsieur Vincent.

[*Translation*]

Mr. Robert Vincent: Thank you, Mr. Chairman.

During the last session, I was a fierce opponent of the speaking order, but we were able to come to an agreement on this issue. I think that the status quo, that also prevailed during the previous session, was perfect. I agree that we should make reasonable accommodation and that we should give the chair the right to give the floor to Mr. Arthur, in this case. I will not oppose that and I think it is reasonable under the circumstances.

[*English*]

The Chair: Mr. McTeague is next, and then Monsieur Arthur.

Hon. Dan McTeague: Just for greater clarity, Chair, what we're proposing and what I accepted from you—which I hope is acceptable to members—is to not deal with Mr. Carrie's motions here but to leave the existing routine motion in place with the following words, more or less.

So on the allocation for time of questioning:

That the witnesses be given up to ten (10) minutes for their opening statement and that, at the discretion of the Chair, a member may yield their time to another, and that during the questioning of witnesses, time and sequence be allocated as follows:

We would maintain the rotation we've always had but give the chair the discretion, not just in terms of sequence but in recognizing

a member who may be yielded. So it's there in writing if a member like Mr. Arthur...or if I decide to give my time to Ms. Nash, or Mr. Brison, or whatever the case may be.

The Chair: Would it make sense to put it at the very end?

Hon. Dan McTeague: As you wish, Chair.

The Chair: It would say that "during the questioning of witnesses, time and sequence be allocated as follows, and that a member may yield their time to another":

• (1050)

Hon. Dan McTeague: I will leave that to the discretion of the chair.

The Chair: Thank you.

Monsieur Arthur.

[*Translation*]

Mr. André Arthur: I would simply like to thank my colleagues for their generous perspective. Of course, after two years here, I am able to recognize that the Parliament of Canada is essentially a Parliament of parties, and that the arrival of an independent MP, even if he is elected, can cause many people to see this individual as a rare beast, more or less desirable, with which they want to deal for as brief a period as possible. However, I have to admit that I was mortified, during the last session, to see you trying to respect the right that other members might have to share their time with me during the study of issues that I might have some interest in, areas in which I might have some expertise or on which I might have something to say.

I even remember that the way in which the speaking order was organized last year allowed one of our guests to calculate exactly when he would appear here, so as to be appearing during the round of questions where I would not have a right to speak. I remember his very joyful face when a Conservative colleague gave me his time, which allowed me to interview the vice-chair of the CRTC to my taste, an organization that is part of my area of expertise, the same expertise that a fire hydrant might have in relationship to the neighbourhood dog.

I would therefore like to thank my colleagues for their generosity. I recognize that by coming to sit here, I am taking the place of a Conservative member and that I do not have a truly independent status, but I have seen enough of my colleagues' work to know that in Parliament, we do what we can and not as we wish. I thank you for your generosity.

I gratefully support Mr. McTeague's motion.

[*English*]

The Chair: Thank you.

Do I have the consensus of the committee to not adopt the two motions of Mr. Carrie but to adopt allocation of time for questioning with Mr. McTeague's amendment?

Some hon. members: Agreed.

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

The Chair: I think we have two left. We have "Minority Reports".

Mr. Carrie, do you want to make the argument?

Mr. Colin Carrie: Basically, this is a clarification, standard House proceedings, that we recognize this.

The Chair: Okay. Is there any approval or objection to this motion?

Mr. McTeague.

Hon. Dan McTeague: Chair, we will not be supporting this.

I would ask for clarification from Mr. Carrie. I've never heard the word "annex". I'm wondering if he means "appendix"? The appendix is, I think, already covered in 108(1)(a) of the Standing Orders. The Standing Orders would effectively allow for this. I think this is probably—I don't want to say mischievous—not necessary given what we have. The way we've worked this in the past seems to have been acceptable. We will not support this.

The Chair: Madame Brunelle.

[*Translation*]

Ms. Paule Brunelle: We will also oppose it, obviously. This remains the same effort to preserve the freedom and flexibility the committee must have. It has to be able to decide if there will be a minority report and to decide what form it will take. That would tie us up in rules that seem absolutely useless to me. I see no problem with how things were and I do not understand why we want to consider these changes.

[*English*]

The Chair: Okay. Does anyone else have anything?

Mr. Stanton.

Mr. Bruce Stanton: Mr. Chair, it just seems to me that, again, in an effort to try to have some continuity on this question.... I know that when this issue comes up about dissenting opinions, customarily the committee seeks agreement among the committee members as to what time and when such dissenting opinions would have to be submitted. That tends to vary from one committee to another. Here we are attempting to have some clarity on the issue, but also some continuity so that committee members can't overtly obstruct the proceedings of the committee to try to play games with issues around dissenting opinions. I know that members customarily will also provide whatever accommodations are necessary, but we all know that when circumstances arise in which politics begin to trump the important work of the committee, these issues come into play. This

would be a way to make sure that the 72-hour period became the norm, and that parties that wished to, and continued to have the right to, as has been said under the Standing Orders, would have their absolute right to do that.

The suggestion here is an attempt to provide some clarity around the question of the time, and I believe it's a wise move.

• (1055)

The Chair: Thank you.

I don't have any other speakers.

(Motion negated)

The Chair: Members, that deals with all of the routine motions presented by Mr. Carrie. There is one, though, from the last session that we did not deal with: "Designate a Chair". It's on the first page. I don't think it's very controversial. Can I get someone to move this motion? It's in the routine motions as adopted by the committee in a previous session. It's to designate a chair, and it's on the first page.

Hon. Dan McTeague: I'll move that, sir.

The Chair: It's so moved.

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

The Chair: Members, it took a little longer than we thought it would. We have five minutes left, so I'm suggesting as the chair that we actually make Tuesday a future business meeting. I'm suggesting that members think very seriously about the types of topics they'd like to discuss. I'd prefer if they'd bring in two or three or five ideas and see if there are any ideas we can agree on.

We have eight more sessions. One session will be for future business, so we have seven sessions. If members can think of something that can be accomplished within seven sessions, or even two items that can be accomplished, please bring them forward at the next meeting.

Again, if you have any questions in the meantime, please contact the clerk or me or the researchers, and feel free to talk aside from the committee.

Are there any other items?

Thank you all for your cooperation today.

The meeting is adjourned.

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