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Chair

Mr. David Tilson

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• (0900)

[English]

The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)): Good morning, ladies and gentlemen.

This is the Standing Committee on Citizenship and Immigration. It is meeting number 36. It's Tuesday, November 26, 2009. The orders of the day are pursuant to Standing Order 108(2), a study of chapter 2, "Selecting Foreign Workers Under the Immigration Program" of the fall 2009 report of the Auditor General of Canada.

We indeed have as our guests today the Auditor General, Sheila Fraser, who is no stranger to these rooms, and her colleagues. Welcome, Madam.

We also have Richard Flageole—that is the correct pronunciation, I hope—who is the Assistant Auditor General, and Suzanne Therrien, principal. I'm not too sure what that means, but maybe you'll tell us.

So welcome. As you know, our witnesses have an opportunity to make an opening statement, followed by questions from our colleagues. I thank you for coming to go over your report with us. Thank you very much.

Ms. Sheila Fraser (Auditor General of Canada, Office of the Auditor General of Canada): Thank you, Mr. Chair.

We thank you for this opportunity to discuss our chapter on selecting foreign workers under the immigration program. As you mentioned, I am joined today by Richard Flageole, Assistant Auditor General, and Suzanne Therrien, principal, who were responsible for the audit.

[Translation]

Canada has an ongoing need for permanent and temporary workers with various skills, and it must compete with other countries to attract them. It is critical that the government programs to facilitate the entry of these workers be designed and delivered in a way to ensure that the needs of the Canadian labour market are met.

We found that Citizenship and Immigration Canada had made a number of key decisions without first properly assessing the costs and benefits, risks, and potential impact on other programs and delivery mechanisms. Some of these decisions have caused a significant shift in the types of workers being admitted to Canada. We saw little evidence that this shift is part of any well-defined strategy to best meet the needs of the Canadian labour market.

In addition, we noted that evaluations of the programs we audited were either not updated or lacking. In our view, until CIC develops a

clear vision of what each program is expected to contribute and evaluates the performance of its current programs, the department will not be able to demonstrate that its programming best meets the needs of the Canadian labour market.

[English]

The inventory of applications in the federal skilled worker category has almost doubled since our audit in 2000. In December 2008, more than 620,000 people had been waiting on average 63 months for a decision to be made on whether they had been granted permanent residency or not. Measures taken by CIC in 2008 to manage the inventory by limiting the number of new applications—for example, processing only those that meet new, more narrowly defined criteria—were not based on sufficient analysis of their potential effects.

While it is too early to assess the full impact of these measures, trends in the number of new applications received since the beginning of 2009 indicate the measures might not have the desired effect. For example, by the end of June 2009, the department had not experienced a significant reduction in the number of new applications. Citizenship and Immigration Canada will have to monitor the situation closely and might need to consider other strategies to manage the inventory. Failure to do so could result in the creation of another inventory of new applications that would prevent CIC from processing these within the six to 12 months it has forecast.

In addition, the department's ability to reduce the inventory of old applications prior to the introduction of ministerial instructions could be significantly impaired. At the time of our audit, Citizenship and Immigration Canada was unable to determine when this backlog would likely be eliminated or to define what would be a reasonable timeframe to do so. Their latest estimate in 2008 indicated that the backlog might not be eliminated for another eight to 25 years.

However, by the end of June 2009, this particular backlog had been reduced to about 452,000 people or by 29%. This reduction was possible because Citizenship and Immigration Canada processed mainly old applications. The department started processing the new applications for eligibility only in November 2008 when the ministerial instructions were finally published.

In June 2009, the overall inventory, which includes both old and new applications, still numbered approximately 594,000. This represents a decrease of only 6.5% in the overall inventory since the introduction of the ministerial instructions.

• (0905)

[Translation]

Our chapter also identified serious problems in the design and delivery of the Temporary Foreign Worker Program that is co-managed by CIC and Human Resources and Skills Development Canada. The Immigration and Refugee Protection Regulations state that before issuing a work permit to a temporary foreign worker, a CIC officer must assess, on the basis of an opinion provided by HRSDC, if the job offer is genuine and not likely to negatively affect the labour market in Canada. The regulations state the factors to consider in assessing labour market effects but are silent on how to assess whether a job offer is genuine. We found that CIC and HRSDC had not clearly defined their respective roles and responsibilities in making this assessment and how it is to be carried out. The genuineness of job offers was therefore rarely verified. As a result, work permits could be issued for jobs or employers in Canada that do not exist.

Furthermore, we found that there is no systematic follow-up by either CIC or HRSDC to verify that employers in Canada are complying with the terms and conditions, such as wages and accommodations, under which work permits are issued. This creates risks to program integrity and could leave many foreign workers, such as live-in caregivers and lower-skilled temporary foreign workers, in a vulnerable position.

Also, weaknesses in the practices for issuing labour market opinions raised questions about the quality and consistency of decisions being made by HRSDC officers. After our audit, regulatory modifications aimed at resolving some of these issues have been published in the *Canada Gazette*.

[English]

Citizenship and Immigration Canada has successfully introduced a number of initiatives and tools to address some of the inefficiencies that we reported in our 2000 audit. However, despite our recommendation to do so, the department has not yet implemented a quality assurance framework to obtain assurance that decisions made by its visa officers are fair and consistent.

Finally, we note that Citizenship and Immigration Canada and Human Resources and Skills Development Canada have implemented programs to facilitate the recognition of foreign credentials. At the end of our audit, the federal government was working with provinces and territories to develop a pan-Canadian framework for foreign qualification assessment and recognition.

Mr. Chair, we have raised a number of important issues in our chapter. We encourage the committee to request an action plan from Citizenship and Immigration Canada and Human Resources and Skills Development Canada and to follow up on what progress the departments have made in addressing our recommendation.

This concludes my opening remarks. We would be pleased to answer any questions the committee members may have.

Thank you.

The Chair: Thank you, Ms. Fraser, and I'm sure there will be some questions.

The first round is seven minutes.

Mr. Bevilacqua.

• (0910)

Hon. Maurizio Bevilacqua (Vaughan, Lib.): Thank you very much, Mr. Chairman.

Auditor General, I would like to first of all thank you very much for all the work you do on behalf of the people of Canada, work that I know myself and actually members of the Liberal caucus take very seriously.

I'm going to take this opportunity, very briefly, in two or three minutes, to outline some of the concerns you have raised, and I would like to hear from you a description of how you would describe essentially the state of the Department of Citizenship and Immigration as it relates to the issues that you have raised. If I were a real partisan guy, you've given me an embarrassment of riches, but I'm motivated by a higher calling, which is to provide Canadians the best possible alternative.

When we look at your report, the audit expected CIC to "have a clear vision of how many immigrants should be selected under each category over a multi-year planning horizon". Despite the commitments made in 2004, a national immigration framework, such as a "strategic roadmap" was still absent. That's one issue.

Then on the issue of strategic planning and programming—and this is from the Library of Parliament's briefing note—"The audit found that evaluations of the programs covered were dated and had not been implemented in a timely fashion that would assist in program development."

On the issue of federal skilled workers, "the audit examines the backlog of applications, which had reached more than 620,000 people by 31 December 2000, as well as measures taken to address the backlog". You found problems there as well. Then "The audit makes a number of observations and three recommendations related to the ministerial instructions. First, insufficient analysis was undertaken in the development of ministerial instructions"—and this of course refers to Bill C-50. And then "Second, the early evidence indicates that the instructions may not be meeting the goal of reducing the number of new applications", and "Third...the audit found that the process and mechanisms for on-going monitoring and revision of the instructions are lacking." Then, "Finally, the audit examines the centralized intake office for federal skilled worker... It finds that the centralized intake office was implemented without sufficient analysis and has encountered some serious difficulties...."

On the provincial nominee program, the briefing note says that "little evaluation has taken place to assess whether the provincial nominee programs are meeting the objectives of the *Immigration and Refugee Protection Act*". As I said, there are many, many other issues related to temporary foreign workers.

You raised concerns with “the quality and consistency of decisions on labour market opinions” and “found that directives were unclear or incomplete and that interpretations varied from one region to another and within offices”. The briefing note further states that “With regard to assessment of the genuineness of a job offer for a temporary foreign worker, the audit found that HRSDC and CIC ‘have not clearly defined their respective roles and responsibilities’, and that measures were not in place to systematically verify job offers.”

I'm simply listing these things for Canadians, who I am sure are viewing this program, because I know they care about Parliament and the work we do. I'm just listing all these things to get a sense of the magnitude of the challenges that this government and we collectively as a Parliament face in addressing these issues. In all the reports that you have written, and you have written many, where do you put this in the sense of a crisis situation? You've written a lot of reports. How serious are these issues?

Ms. Sheila Fraser: Thank you, Chair.

I would say the issues are serious, because obviously Canada needs to have immigration to meet the requirements and the needs of the labour market. I think all studies show that with our demographics, the only growth that will come in the country is through immigration. With an aging population, we need these talented, skilled people to be coming into the country to fill those labour market needs.

I think there are probably two main issues that I would flag for the committee. One is the whole question of the strategy and the framework going forward. In the report we mentioned in one of the exhibits—exhibit 2.5, which is on page 12 of the English version—significant shifts in the categories, and we saw no analysis that would indicate that this is what is desired. Unless things are changed—and I believe there may have been some changes with the latest numbers that were produced by the department—the federal skilled worker program will go down to 18,000 people.

There's been a significant shift to the federal nominee program, which may be appropriate, but we saw no analysis indicating that this was where the federal government thought the immigration decision should go. There's very little oversight, very little understanding of what kinds of immigrants are coming in under the provincial nominee program. I think it raises the role about what is the federal government's responsibility vis-à-vis these programs. I think that's one issue.

The other issue I think is how to manage the applications. To me, that is a big issue. Even though the number of job categories has been reduced from over 300 to 38, there are still tens of thousands, if not hundreds of thousands, of applications coming in every year. Early indications are that this reduction is not having the effect that was desired, and the department is going to have difficulty meeting their target of six to 12 months. So it's a question of how to manage this in a more effective way. Is it reasonable to expect people to wait five years to get a response?

Of course, then there's the monitoring that goes on afterwards and making sure that the jobs are valid. But to me, those are the main challenges this department faces.

● (0915)

The Chair: You've got a minute left.

Hon. Maurizio Bevilacqua: Yes, and I will wrap it up by once again expressing my gratitude for the report.

I also want to tell you—because I know you're a person who doesn't use words lightly—that whenever you mention that you're concerned about the integrity of the program and the protection of foreign workers, I take that to heart. It means a lot to us. This is the reason why this committee has been working hard on this particular issue, because if the integrity of our system is not upheld, then we're going to have some serious, serious issues to deal with in the future. That's something we certainly want to avoid.

Thank you.

The Chair: Thank you, sir.

Monsieur St-Cyr is next.

[*Translation*]

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Thank you, Mr. Chairman.

Thank you to you, Madam Fraser, and your team for appearing here today.

Before dealing with your most recent report, I would like to get back to a previous report that included a section on immigration where you stated, if I recall, that 41,000 individuals were facing a notice of deportation, or of inadmissibility, and that the agency had essentially lost sight of them.

You also said that it was difficult for the agency to expend energy finding them because there was simply no way of knowing whether or not they had left the country. At the time you stated that that was due, in part, to the fact that there were no exit controls in Canada. If I recall correctly, you have made no recommendation to that effect.

Can you tell me whether any news to this effect has been brought to your attention by the government? Do you think it would be advisable for the committee to consider the option of establishing exit controls in Canada? Would that be an advisable option? Should we carry out a cost-benefit analysis? There are inherent costs in creating exit controls, but there are also advantages to be had.

Recently there have been television reports of citizenship fraud: people sometimes leave the country for years while pretending that they are still here. Do you believe the committee should put some effort into this issue?

Ms. Sheila Fraser: Thank you, Mr. Chairman.

The report the member is referring to was issued in 2006 or 2007, I believe. Further to that, we have not carried out a follow-up, but I did point out that we have seen improved procedures, compared to what we had noted in the previous audit, where the department is carrying out more of their risk analysis, and individuals who pose a risk to society are more closely monitored. The department was being more active in tracking them down. So, we found that the situation had improved. However, I have obtained no result or information since. It would be something to ask of the government.

With respect to monitoring, that is really a political question. And, as you know, the Auditor General is prudent not to comment on political matters.

● (0920)

Mr. Thierry St-Cyr: Very well. I understand. That is why I asked you whether we should study this matter, whether it had any potential. But I understand that you would prefer not to speak to that issue. It is understandable.

Let us get back to the report we have here. You referred to the issue of backlogs and ensuing delays. Have you assessed the impact that that could have on the quality of applicants, I don't much like the term, or on the individuals that may choose to come to Canada rather than go elsewhere in the world? Could these delays be having an impact on our selection and, therefore, at the end of the day, on the quality of individuals chosen?

Ms. Sheila Fraser: Thank you, Mr. Chairman.

We have not done any specific work in this respect, but I believe we all understand that those we would like to see come to Canada are also courted by other countries; we are in a sort of competition to get the best. When there is a five-year backlog, if other countries are more efficient and can provide individuals a spot more quickly, Canada is at risk of losing them.

I believe there is a type of fast-tracking system for some positions. Also, the increase in the number of provincial programs is another avenue for people trying to enter more quickly. However, it is certainly a challenge to appropriately target the individuals we want to welcome to Canada and process applications as quickly as possible.

Mr. Thierry St-Cyr: Right. I share your assessment.

I am concerned, among other things, with the issue of immigrant investors, who are, by nature, very mobile individuals able to settle anywhere in the world. When there are significant wait times, in my opinion, there is a kind of filtering process that occurs so that ultimately the most mobile individuals, those who are the most likely to go anywhere in the world could select another place where they will get a faster response.

I don't know whether you will be able to answer my next question, but perhaps you could give us some guidance. I often get the feeling, as an MP, that the wait time issue is almost used as a way to manage immigration. Let me explain myself. In general, within a system, for example, the health care system, there is a waiting period simply because there are not enough resources or enough money. So, people have to line up. The current perception with regard to immigration is that it is a control issue. Annual quotas are established, and the only way to reach those quotas, since a number of people want to come

and live in Canada, is to put on the brakes and to maintain the waiting period.

[English]

The Chair: You're almost out of time, Mr. St-Cyr.

[Translation]

Mr. Thierry St-Cyr: Right.

Have you addressed this issue?

Ms. Sheila Fraser: Clearly, the annual threshold is a political decision once again. I believe that it is based on Canada's capacity to bring these people in and to ensure their success in this country. So, clearly, an annual threshold has been set. It is even tabled in Parliament.

It is also true that Canada is a very popular country. Many people want to come here. The question is to properly target the market needs to the qualified workers' program, specifically. We need to determine what the market needs are and see whether we are targeting them properly, since we also need to determine the right strategy to handle applications within a reasonable timeframe and establish a reasonable timeframe.

● (0925)

[English]

The Chair: Thank you.

Ms. Chow.

Ms. Olivia Chow (Trinity—Spadina, NDP): Ms. Fraser, thank you for coming.

Your report basically said there is no plan, no system, no strategic planning, no vision, no quality assurance framework, no measures to improve the integrity of the temporary foreign workers program, and no monitoring. It's pretty damning.

What we have here is a huge temporary foreign workers program, involving over 200,000 workers, and yet you see the number of skilled workers is soon going to fall from 96,000 to 46,000. I've added the federal and the Quebec skilled workers. So unless you have seen some philosophical policy underpinning this, it seems to me to be driven completely by "whatever the employer wants, the employer gets". Without an overall strategic plan, what kind of danger do you think we might see, say 10 years down the road, or even this year? What will happen to this huge number—200,000—of temporary foreign workers in Canada if the integrity of the program is not well protected? These workers can easily go underground if they can't find jobs anymore because there's no strategic plan, because they may not want to leave. That means we could have a large number of undocumented workers in Canada, and some of them might apply for refugee status. Then there would be a complete mess. You had a report on CBSA two years ago about that problem; this is going to be a lot worse.

So where do you think this is heading, and why is it that way?

Ms. Sheila Fraser: Chair, I'm not sure of the why, but I would note a couple of the risks. If there isn't the strategic planning and the kind of vision going forward, I think, first of all, there can be a risk for Canadian business if they do not have the skilled workers they require.

We met—and Mr. Flageole can perhaps elaborate if you wish—several employers who really do depend on foreign skilled workers coming into the country, and if the people coming in don't meet that demand, Canadian industry could suffer. I think that's one consequence.

The other is that it would appear there's going to be quite a significant shift in the categories under which people are coming in. There will be many more coming in under provincial nominee programs, which might be appropriate and they might better know labour market needs. However, you would expect the federal government to at least know that and know what type of people are coming into the country, what the labour market needs are in those areas, and whether these programs are effective at doing that.

Ms. Olivia Chow: Is anyone tracking that?

Ms. Sheila Fraser: There is minimal tracking, and they're simply informed by the provinces about what's happening, but I wouldn't say there's any strategic analysis direction being given.

The other thing we see, of course, is quite a significant increase in live-in caregivers in the Canadian experience class. Now, the Canadian experience class may also include students who are here, but a lot of them will be temporary workers who have been here for two or three years. These are not necessarily the highest-skilled people, and the question is how the economy can continue to absorb these people and make sure they're successful. So there's quite a shift that's going on or that would appear to be occurring between skilled workers and perhaps less skilled workers. We ask whether that is what Canada needs, and whether the department has done the analysis to say that this is what is appropriate in order to ensure that going forward these people continue to be successful and that the Canadian industry has the people it needs to do the jobs.

Ms. Olivia Chow: Recently, the minister established some new regulations. They're still in the consultation period until the first week of December. They state that there's a limited duration for temporary foreign workers. They can work here for only four years, followed by a period of at least six years in which they will not be authorized to work in Canada. Then they will be able to come again.

Now, I can see this applying for the employer, that you can have only four years, because after four years it's obviously not a temporary job. You need these workers on a permanent basis. Then you cannot go and apply for more people. But this applied to the workers. I don't know whether you could project or not. That really would make the situation even worse, because then there would be people here who would have to leave, and they might not....

● (0930)

Ms. Sheila Fraser: It would be best if the department responded. One risk that they may have been trying to address is that, because the processing time under the federal skilled worker program was so long, people were coming in under the temporary program and staying. If these people really have the skills we need in this country, they should be encouraged to apply under the permanent program, the federal skilled worker program.

Ms. Olivia Chow: Rather than the temporary program.

Ms. Sheila Fraser: That's right.

Ms. Olivia Chow: Why is there such a backlog in New Delhi, Hong Kong, Accra, Nairobi? There seem to be some missions that have much longer wait times than others.

Your report mentioned the great amount of paperwork and a certain inconsistency in decision-making. That's problematic, and it adds to the long backlog. Why do you think that's the case?

Ms. Sheila Fraser: The backlog related to specific missions is simply a matter of the number of resources that are put there in relation to the number of applications. It's a pretty simple formula.

Ms. Olivia Chow: It's pretty straightforward: if you want to clear the backlog, put more resources there.

Ms. Sheila Fraser: Yes.

The Chair: I think that's it.

Ms. Olivia Chow: Thank you.

The Chair: I have a brief question. I am looking at the criteria on page 43 that were used to conduct the audit—and this could be a general question that might apply to all of our audits. In selecting a foreign worker, do you look at other jurisdictions, like the American jurisdictions?

I understand you're providing a critique of the system. Many of us already knew about some of these issues, although you were much more concise. I was thinking that maybe you don't look at other jurisdictions. Migration in Europe, for example, is a huge topic, with the formation of the 27 states.

So when you're preparing a critique, whether on this subject or any other, do you look at other jurisdictions to see where Canada stands?

Ms. Sheila Fraser: Generally, we do not. We look to government's own rules, regulations, and policies to see if the organization in question is observing them. Depending on the issue, we may obtain information elsewhere to see how it is done. But looking to other jurisdictions is something we would expect the departments to do. Perhaps through evaluations and studies of other jurisdictions, the departments could learn how to improve their own processes.

The Chair: Okay, that's a fair answer. You don't want to reinvent the wheel. The Americans might have a system that's tougher or not as tough, but we're all worried about terrorism, criminals, and other problems that occur worldwide.

Mr. Dykstra.

Mr. Rick Dykstra (St. Catharines, CPC): Chair, I have to compliment you on the scope of your question and the leadership you showed by asking it. These are big issues.

The Chair: Mr. Dykstra, don't overdo it.

Mr. Rick Dykstra: Oh, sorry.

I want to pick up on Mr. Bevilacqua's point about what not to bring up and how far to go in pursuing partisanship. I could of course mention that a third of the pages of this report refer to a timeframe between 2000 and 2006, but for our purposes it's important not to mention who the government was back then—

• (0935)

Hon. Maurizio Bevilacqua: That brings back a lot of happy memories.

Mr. Rick Dykstra: —and the issues we are still burdened with in terms of that. But I'm not going to do that this morning. I want to point out, though, that from an overall perspective, we have given clear direction throughout the report with respect to a vision on foreign credentials, permanent residents for new Canadians, and also temporary workers and the program itself.

While there are specifics that need to be worked on—and I'm certainly not here to say that there aren't always improvements that can be made, there certainly are...but I see comments, such as on page 41, for example, that in terms of its processing of applications in missions overseas, the ministry has successfully introduced a number of initiatives and tools to address some of the inefficiencies that you noted in your 2000 report; and on page 38, where we talk about the whole issue around foreign credentials and that the government is in fact contributing to the recognition of foreign credentials.

I have two overall questions before I ask a couple of specific ones. Obviously you've had a chance to put the report together, and you've also had a chance to review the recommendations the ministry has made within the context of the review. I'm wondering if you could comment with respect to whether they are specific enough. Are the recommendations such that when you do a further review you would point to them to see if successes have been made?

Ms. Sheila Fraser: Thank you, Chair.

It is correct to say that we have noted improvements in certain areas. Foreign credentials is certainly one area where we see that government is taking action to try to resolve a significant issue for many immigrants in the country. There have been recent developments on the issue of temporary workers as well—which I think is still on the order paper, actually—and we do see some progress being made in that area.

We are pleased that the departments have agreed to the recommendations we made in this audit. Obviously the responses published in the report are fairly short and not terribly specific, which is understandable. We would expect departments to prepare an action plan that would lay out actions to address these recommendations.

When we do our follow-up work...depending on the timelines the department itself establishes for accomplishing the various actions, we will generally re-audit to see if progress has been made. That is becoming standard practice.

We have not as yet seen an action plan from the departments. The committee could certainly encourage them to prepare one and ask for follow-up on a regular basis.

Mr. Rick Dykstra: I appreciate that. I think that's an excellent recommendation in terms of concrete work the committee could follow through on.

I know it's in the report, but to be clear, could you state the dates that the review actually encompassed?

Ms. Sheila Fraser: I'll ask Mr. Flageole.

Mr. Richard Flageole (Assistant Auditor General, Office of the Auditor General of Canada): The review covered the period from promulgation of the new act, in 2002. We did an audit in 2000 and looked at what happened between the two, but the focus was for the period between 2002 and the spring of 2009.

Mr. Rick Dykstra: So the spring of 2009.

The other questions I have relate a little more specifically to the foreign credential program. At the top of page 38 you noted it has contributed to greater awareness of foreign credential issues among stakeholders.

Could you be a bit more specific in terms of what you mean by that? It seems positive, from my perspective, but I didn't note a lot of detail with respect to that sentence in the actual analysis.

• (0940)

Ms. Sheila Fraser: I'll ask Mr. Flageole.

Mr. Richard Flageole: So you're referring to paragraph...? Okay, the title.

As the Auditor General mentioned, that whole issue is very important. It's been a longstanding issue. We have seen the government put two programs in place. We have the foreign credential program put in at HRSDC. We had another one very recently in immigration. It was still early, but those programs seem to be working pretty well.

One is a contribution program. There are a lot of players involved in foreign recognition: provinces, territories, professional associations, and employers. So the program is providing contributions to all of those organizations to facilitate the recognition of foreign credentials. The key role the government can do is facilitate since most of this is provincial jurisdiction.

We were quite pleased to see all those new initiatives taking place. I guess the most important one is the development of the pan-Canadian framework that all the provinces and the federal government are working on. The last discussion we had with the department says it's very close to completion. It still has to be signed, I think, by two provinces, but the intention was to announce that in the fall of 2009.

The Chair: Thank you, Mr. Dykstra.

That concludes the seven-minute round. We're now on to a five-minute round. Mr. Karygiannis has the floor.

Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.): Thank you for coming. Certainly, your report brings to light a number of issues.

I have about five questions. I'll ask them, and if we run out of time, maybe you can respond in writing.

On number three of your report, you sort of state that the benefits, the risks.... You haven't seen a significant shift. There are workers in the backlog who qualify under the current minister's directives and yet these people are either encouraged to drop out or are not moved up. That is question number one.

In the same paragraph, you state that you saw little evidence that this shift is part of any well-defined strategy and that the programs were lacking and had outdated practices. CIC is knee-jerk reacting to problems it has, and it's not using outward and innovative thinking.

On number four of your report, you state that the inventory takes 63 months, which is five years. That's for skilled workers. Yet parental sponsorship applications are even taking up to seven and eight years. We move to have healthy families and have grandparents come over and provide the much needed assistance to the young ones to look after the grandkids while the parents are working. Yet this is taking so—

The Chair: Mr. Karygiannis, can I ask you to slow down? The translators are having difficulty following you. Sorry.

Hon. Jim Karygiannis: Yet they are not providing the assistance that is needed.

On number five, you say it will take eight to 25 years to clear a backlog and that it has been reduced by 29%. However, I am wondering if you have taken into account the people who have dropped and the number of cases that have been shifted from the post that they're supposed to be handled at to other posts. They are taken in order to be negated or killed or demised. Specifically, I'm talking about stuff that has been taken from Damascus to Warsaw. We see Middle East cases in Warsaw, and they have been getting a lot of negatives.

The last question I have for you is on foreign temporary workers. Since this government took office, foreign workers have doubled while the skilled workers are still at the same level. Yet a lot of the foreign workers who are in Canada are not allowed after three or four years to contribute and make this their home. We send them back. I'm just wondering about the investment they're coming in and making. How is that reflecting...?

How is my time, Mr. Chair?

The Chair: You're doing fine. It depends on whether you want to use your whole five minutes or not.

Go ahead, Ms. Fraser.

Ms. Sheila Fraser: Mr. Chair, I'll do my best. I'll just start by saying that we only looked at the federal skilled worker program. We did not look at the family program. That might be something the office would want to consider looking at in the future. So I really can't comment on that.

On the question of the backlog, we used the numbers that the department itself uses to track its processing. I'd like to be clear, because this is an issue that concerns me. The backlog that we mentioned—the reduction of 29%—is the backlog that was created under the 318 job categories, before the ministerial directives. That's a backlog that has been reduced, because in fact while the process was being changed, there was no processing of new applications under the 38.

● (0945)

Hon. Jim Karygiannis: Just a clarification. While the backlog was being decreased, did you take into account how many people abandoned their files?

Ms. Sheila Fraser: No, we wouldn't have. I don't think there were very many, but what many people might end up doing is abandoning that and trying to apply under the new category, because in effect government would appear to be processing the new applications, not the old. That's why the backlog that existed at the beginning of 2008 would take eight to 25 years to clear, potentially.

The issue now is that a new backlog is being created with the new applications, and the overall backlog, as we mentioned in March, has only been reduced about 5% to 6%.

We've got some recent numbers. About 120,000 applications have not even been opened.

The Chair: Thank you, Mr. Karygiannis.

Hon. Jim Karygiannis: May I finish?

The Chair: I am sorry. I'm telling you, you are finished. We are going to move on to Ms. Thi Lac.

Thank you.

[Translation]

Mrs. Ève-Mary Thaï Thi Lac (Saint-Hyacinthe—Bagot, BQ): Good morning, everyone. Thank you for coming here to speak with us.

Ms. Fraser, you said that the plan presented by the department was flawed and that a strategy needed to be developed. I agree.

You also mentioned that the wait times had a significant impact on applicants, but also on their employers. You also spoke about changes to the number of categories. My colleague, Mr. St-Cyr, properly identified the source of this by confirming that these wait times were likely leading to that phenomenon.

In point 8, you said that many resources were devoted to assessing applicants, but that there are few resources to ensure a follow-up with employers to determine whether they were respecting the terms and conditions. We know that, for most programs, applicants are linked to an employer and not to a job, which in many ways puts workers in a weaker position because they could lose their job arbitrarily.

We have talked about the wait times that can be as long as 63 months when an applicant already has a permit tying him or her directly to an employer and that applicant loses his job abruptly. There are also abnormal delays for employees who would like to qualify for the same kind of position but with another employer.

Ms. Sheila Fraser: Mr. Chair, I understand the question, but our study does not look at individuals already settled in Canada who lose their jobs, and the time it takes for them to find another employer. The issue of monitoring conditions is more in terms of the conditions imposed by an employer for a permit, meaning salary or housing conditions and so on. We feel that there has been little follow-up in this area.

I would like to also clarify that we are not recommending a follow-up of all employers because this would be impossible, but at the very least, the department should undertake a risk assessment, it should assess cases that could present the greatest risks and follow up on them.

Mrs. Ève-Mary Thאי Thi Lac: Do you also believe that vague criteria are unduly increasing the number of applications? If the selection criteria were clear, this would not lead applicants to believe that they were eligible. Since the criteria are perhaps vague, has this not led to an increase in the number of applications? Some will not be eligible, but they don't know it initially because it is not always clear.

• (0950)

Ms. Sheila Fraser: I believe that the system was amended with the opening of the Sydney office, where preliminary assessment is done of an individual's eligibility, prior to any detailed analysis being done in the mission. Obviously, the reduced number of classes also was intended to improve clarification, but we see that there is still a significant number of applications, and this has perhaps not had the desired effect.

Mrs. Ève-Mary Thאי Thi Lac: Thierry, do you have another question to ask?

Mr. Thierry St-Cyr: Yes. I would like to continue with what we started in the previous round, meaning the wait times that are often used as a management tool.

We also addressed the issue of wait times being different depending on the country. This gives the impression that without putting in regional quotas... In passing, I agree that there should be an overall quota. I understand that we can't let everyone in. In the absence of a regional quota, we have established a de facto quota by allocating more or fewer resources to slow things down in some areas or speed them up elsewhere, geographically speaking...

Is this also your impression as a result of your analysis?

Ms. Sheila Fraser: I think that we can understand that the number of files that can be processed in a year depends on the staff in place to do the work. Obviously, the number of resources allocated in different offices will have an impact on the number of individuals that can be approved.

[English]

The Chair: Thank you. We're way over, I'm afraid.

Mr. Young.

Mr. Terence Young (Oakville, CPC): Thank you, Chair, and thank you, Madam Fraser, for another thorough report.

Just for the record, I'll note that the report goes back to 2002. I was glad Mr. Bevilacqua decided not to be partisan, because this doesn't relate to any single government. It relates to governments that go back to 2002.

I see that the departments have agreed with every one of your recommendations, which demonstrates the quality of the audit. They are working to improve, but it appears that the processes themselves are in transition. In the private sector, we used to call that "continuous improvement". In many cases, your concern seems to

be centred on a lack of information. This seems to be a primary concern, a theme of the report.

It appears that things are moving so fast that the analysis hasn't kept up with the innovations, and the people at Citizenship and Immigration Canada have been innovative. I look at pages 18 and 19 of the report, and I see that there are at least seven innovations designed to manage the inventory of the federal skilled workers category and reduce the number of applications. Do you have any insight into why these innovations weren't as successful as expected?

Ms. Sheila Fraser: There have been some administrative measures that have improved the processing and the administration generally. There were also ministerial directives designed to reduce the number of job categories, which was an attempt to try to better target the workers Canada needed and to lessen the backlog. At the time of the audit, we said it was still too early to see if this was successful. Early indications were that the number of applications were not going down significantly.

Mr. Terence Young: You don't have enough information to tell why they're not being successful. Do you still have some hope that they will be?

Ms. Sheila Fraser: We are recommending very strongly that the department track this closely. Early indications are that they will not be able to meet the six- to 12-month time for processing that they established for themselves, so they need to have a better sense of what the inputs are.

In addition, I think they need to be clearer about what they mean by "backlog". We just learned that they count the backlog from the time someone is accepted as being eligible, but there can be a long time before an application is opened and assessed for eligibility. The average Canadian would expect backlogs to be counted from the time you submit an application, not from the time you're deemed eligible. This might be something the committee would want to explore with the department. But in any case, we want to recommend that the department track this carefully, because the measures that were put in place may not have the intended effects.

• (0955)

Mr. Terence Young: One innovation that worked was the expedited labour market opinion. You reported that they have cut in half the average processing time for a labour market opinion since we became the government. Can you tell us about these initiatives and how they are making the system more efficient?

Ms. Sheila Fraser: I'll ask Mr. Flageole to address that.

The Chair: Sure.

Mr. Richard Flageole: That's a new initiative that was launched, which really facilitates the process for employers, under a number of conditions, to obtain those labour market opinions. That is a good example of a way to really improve the process. There was a very significant reduction in the time required to get the approvals under that.

Mr. Terence Young: Thank you.

Does this expedited labour market opinion process help the government make sure that employers are complying with their obligations? How does it do that?

Mr. Richard Flageole: That's related to the whole issue of following up on conditions. Again, you'll see that we indicate in the report that the department indicated to us that they didn't have the authority to do that. If an employer wants go through the expedited process, he has to agree to voluntarily be subject to a follow-up on conditions.

The Chair: Thank you, Mr. Young.

Ms. Grewal.

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Thank you, Mr. Chair.

Thank you, Madam Fraser, for your time this morning.

You mentioned in your report that there are some initiatives that Citizenship and Immigration Canada has taken to address inefficiencies in the processing of applications abroad, such things as tools to validate diplomas, third-party language tools, and visa application centres.

Can you please explain how these initiatives are improving efficiencies in Canadian missions abroad?

Ms. Sheila Fraser: I'll ask Mr. Flageole to address this.

Mr. Richard Flageole: As an example, when we did the last audit in 2000, we saw that immigration officers abroad were spending a lot of time assessing language skills. One of the only ways to do that is to have interviews, so they were interviewing a very high number of people, and that took a lot of time with scheduling and meeting and whatever.

Since then, they have moved to using those official language tests. The number of interviews was reduced very significantly, since those interviews were done mainly for language purposes. The visa application office is a fairly interesting concept too. People are applying there. It's like a service provider. They do a lot of work, reviewing the application and putting the files together. People have a chance to talk to them. So when the file arrives at the mission, it's in very good shape.

Immigration officers were quite impressed by the quality of the applications they were receiving once they went through a visa application office. That's quite a new initiative that the department has not yet done any evaluation on, but it's quite an interesting concept in terms of efficiency.

Mrs. Nina Grewal: Mr. Chair, do I have some more time left?

The Chair: You do have more time.

Mrs. Nina Grewal: I'll pass the rest of my time to Madam Wong.

Mrs. Alice Wong (Richmond, CPC): Thank you, Mr. Chair.

Thank you, Madam Fraser, and all of you who are here.

The government definitely recognizes the need to bridge temporary and permanent resident status to retain skilled foreign workers with Canadian experience. That's why we introduced the Canadian experience class in September 2008.

In your report on page 28, I read:

We found that the work carried out by CIC to design and implement the Canadian Experience Class category included detailed options analysis, assessments of

potential impacts on other programs, and a detailed risk assessment. In our view, this is a good example of how programming decisions should be supported.

I'd like to ask all of you which aspects of the program, in your opinion, are well designed and implemented. Can you shed some light on that?

Ms. Sheila Fraser: Thank you, Mr. Chair.

This is, as was mentioned, a new category that was created in 2008, under which workers who come into the country temporarily, after a certain period of time—I think it's three years—can apply for permanent status without having to leave the country before coming back in. As well, there are international students.

This was brought in, of course, so that once those people were here, we wouldn't lose them by making them go back home and reapply. We found that the analysis regarding the introduction of this was very well done. There were considerations of various options. There was a good assessment done, and we could tell that there was a lot of thought given to this category before it was implemented. This is the type of analysis we would have liked to see more broadly.

We point this out as a very good example that we think can be applied more broadly. The department can obviously do it.

• (1000)

Mrs. Alice Wong: Thank you. I'll give the rest of the time to Mr. Dykstra.

Mr. Rick Dykstra: How much time is left?

The Chair: You have less than a minute.

Mr. Rick Dykstra: I have a few questions, and obviously we've got a little bit more time.

One thing I want to expand on when I get an opportunity a little later is the relationship between the provinces and the territories. One of the points you make throughout the report in terms of recommendations and analysis is the inherent difficulty of trying to make sure that the federal government is actually creating the programs and ensuring that they are being run, while at the same time the provinces and territories have responsibility for implementation.

A number of the points you make here relate to what the provinces are doing. Perhaps I'll come back to this in the next round, but could you briefly outline how you think the provinces and the territories need to assist us in terms of addressing the issues you've outlined?

Ms. Sheila Fraser: Thank you, Mr. Chair.

As we see in the report, the provincial nominee programs have grown quite significantly and are expected to continue to grow. They are not subject to the same system as the federal skilled worker program is federally. They are, as we mentioned in the report, quite diverse. Criteria vary from province to province, and even though there is a requirement that they furnish information to the federal government, that information is often lacking, so the federal government doesn't have a good understanding of what the various programs are and who is coming in under those programs.

There is mobility in this country, so you would expect much greater coordination, or at least an understanding of who the immigrants are who are coming into the country under the programs and whether they are filling the labour market needs today and also going forward. We would have expected to see that broader analysis done.

The Chair: Thank you.

Go ahead, Ms. Mendes.

[*Translation*]

Mrs. Alexandra Mendes (Brossard—La Prairie, Lib.): Ms. Fraser, Ms. Therrien, Mr. Flageole, thank you very much for coming.

If possible, I would like to talk about the IT management of our files abroad and the infamous world case management system, which does not seem to work very well. This exercise was started in 2000, if my memory serves me. It seems that there were a number of failures during its implementation.

Could you tell us the main reasons for these failures during the implementation of the system?

Ms. Sheila Fraser: I will ask Mr. Flageole to talk about that.

Mr. Richard Flageole: Thank you, Mr. Chair.

The overall case management system was a response by the department to a recommendation we made in 2000, dealing with all the technological difficulties. The project commenced in early 2001.

In 2006, the office conducted another audit on major IT projects: we had already noted numerous difficulties related to the system. So we looked at it and we noted quite a wide range of problems in terms of the definition, scope and management of the project.

Obviously, some things were important. For example, in 2003, when we separated the activities... we sent a number of things to the Canada Border Services Agency. This led to questions about various things.

The project experienced significant cost overruns. The scope of the project had to be restricted. Ultimately, it should be in place by June 2010. So we see the light at the end of the tunnel. Let's say that it was not a great IT development success story.

Mrs. Alexandra Mendes: There were failures and all kinds of problems. Do you think that evaluations were done and corrective measures—we hope—made that will have an impact on the infamous backlog? Could this help reduce the infamous backlog?

• (1005)

Mr. Richard Flageole: This should certainly have an impact on efficiency. However, it's important to realize that it took so long to develop the system that in the meantime, current technology has taken great steps forward. We refer to that in this chapter. This means that the department is now considering other types of applications—for example, electronic applications via the Internet to be able to accept electronic payments.

Mrs. Alexandra Mendes: If I may... this is already being done. In terms of immigration, electronic payments are already accepted using a credit card. Citizenship and Immigration Canada already has this in place.

Mr. Richard Flageole: Yes, for some things, but not for others.

Mrs. Alexandra Mendes: It is possible for almost all the programs, is it not? For the permanent resident applications, work permits or student permits, it is possible to pay online using a credit card.

Mr. Richard Flageole: You are referring to documents that for the most part have been issued by Canada from the Vegreville centre in Alberta. Here, we are talking about what is being done in the missions abroad.

Mrs. Alexandra Mendes: Okay.

Mr. Richard Flageole: Not all applications are made electronically. The message here is that the department needs to put in place a new system. It will already have to update a number of new technologies. It will be important for the department to properly manage all those elements.

Mrs. Alexandra Mendes: Have any security or system integrity concerns been brought forward with regard to these new technologies and the use of the system?

Mr. Richard Flageole: This is all still just a project but it should be implemented within the next two or three years. It's important that the department make sure that it takes all these aspects into consideration.

Mrs. Alexandra Mendes: Earlier, you talked about the number of files that went months or years without being opened. This is often what causes the delays. This is probably not even included when the backlog is calculated.

Let's start from the principle that the first application made by an individual is submitted online. In principle, that should help to reduce the wait time, should it not?

[*English*]

I think I'm out of time, anyway, or very close to it.

Thank you. *Merci beaucoup.*

The Chair: I have a question about overseas operations. Maybe you have the answer in here and I just haven't found it, but Ms. Chow raised some particular jurisdictions that have particularly lengthy timeframes. Are you able to tell the committee where the problem areas are? What particular jurisdictions are problem areas, and, if you can, would you tell us why?

Ms. Sheila Fraser: Mr. Chair, I can refer you to exhibit 2.7 on page 17 of the English version. We indicate there the average processing times. They come from the department's own reports at December 31.

If the problem is defined as being long processing times, you can see that in certain offices the processing time is much longer than in others, but again it goes back to the levels, essentially, that have been assigned to the various offices. How that overall limit has been divided and assigned would be a policy decision, and consequent to that are the resources that are put in place to do the processing. That is something that would have to be discussed with the department.

The Chair: So you're not in a position to explain, for example, the situation with New Delhi. Damascus is another; Accra is another. Are you unable to say why those particular areas have longer processing times than others?

Ms. Sheila Fraser: At the simplest, it would be a very large number of applications received relative to their capacity to process them.

The Chair: Do you think that's what it is, as opposed to the actual overseas operations in those particular areas?

• (1010)

Ms. Sheila Fraser: I believe it's that; as well, a target or a limit is given to each one of these offices. They have a limit to the number of people they can accept in a year. If they get many, many applications in relation to that limit, obviously the delays are going to go up.

I don't believe it's necessarily a question of being inefficient. There may be some element of inefficiency, but I really think it relates to the number of applications they're receiving versus the number they can accept.

The Chair: I have Mr. Calandra.

Ms. Sheila Fraser: Mr. Chair, Mr. Flageole, I think, wants to—

Mr. Richard Flageole: Mr. Chair, I will add that when we did the work, we found that most of the missions are meeting their targets. The overall target for Canada as a whole is allocated to each mission, and the missions are meeting their targets. The department is following that very closely. If one is behind, they might move this. The delay is really related to the target that is allocated to a mission compared to the number of applications coming in.

The Chair: I suppose I just look at my own experience. We all have those in our particular constituency offices. There's no question that some areas are more difficult to deal with than others. It could be any number of reasons. You mentioned language and percentages of skilled workers. It could be all kinds of things. As you just said, Ms. Fraser, it could be volume.

I'm trying to get at whether there are particular areas, particular jurisdictions. I don't know whether I want to name any. Are the overseas operations working better? Maybe that wasn't part of your audit, but are our overseas operations in one jurisdiction more of a problem than in others, or is it just, as you say, different issues such as skilled workers, volume, and those types of things?

I'm looking at the efficiency of Canadian operations overseas and whether there's a problem with the efficiency of those particular areas.

Ms. Sheila Fraser: Yes, I understand, Chair. That is not an issue we looked at specifically. There would have to be studies done. You would almost have to study the targets that are given to each office and the number of people who are assigned to that office, and then make other considerations and do all that assessment. That is not something we have done, but it is something the department might be able to discuss with the committee.

The Chair: Thank you, Ms. Fraser.

Next is Mr. Calandra.

Mr. Paul Calandra (Oak Ridges—Markham, CPC): Thank you, Mr. Chair, and thank you, Auditor General, and your team. It's really quite an extraordinary piece of work.

In the interests of continuing non-partisanship, I'm not going to mention that the Liberals were in power for much of this time period—

The Chair: You know, I'm going to stop you. You guys have got to stop this.

An hon. member: It's fun.

The Chair: I know it's fun, but...Mr. Calandra, carry on.

Mr. Paul Calandra: Actually, I printed it from the Internet so I have a different version, but sections 2.44 and 2.45 outline a number of situations between 2000 and 2005 that caused the backlog or inventory to increase dramatically. It was a time when we were changing the act. Apparently there was a court injunction, and standards were reduced at one point, so it was really a difficult time, obviously, and something we are still dealing with today. Again, as it says in the report, it was a key factor in the increase in the inventory.

What recommendations do you have—because obviously governments will make changes again in the future—so that we don't run into this type of situation again? It really appears to have left future governments in a bit of a dilemma in dealing with the backlog.

Ms. Sheila Fraser: Chair, I think we first have to accept the reality that there probably will always be a backlog. Canada is a very favoured place, and there are always going to be, one would assume, a lot of applications coming in. I think the real question is how well we are doing at getting the right people in quickly. That goes back to ensuring that there is a good analysis of labour market needs and that the department understands the projections going forward and then assesses the job categories based on that analysis.

We saw a reduction in job categories, but we didn't see the underlying analysis as to why the categories were reduced to those 38. We would have expected to see that, and then very good tracking afterwards. That's what we are recommending now: to make sure that these new measures that have been put in place do actually have the desired effects, because we do not see a reduction in applications. If the targets are maintained at the same levels, the backlog is going to skyrocket, and in fact the targets may even be reduced; the projection the department had was down to 18,000.

There are a whole number of factors in there. They include labour market needs, the targets in the programs, how well they are working with the provinces, and whether they become even more limited in the applications.

• (1015)

Mr. Paul Calandra: I'm on different pages than you are, but the modernization of the computer system is on my page 28. I'll get you the actual section, but I think it said that work was started back in 1994 on a system, and only now, in June 2010, will we finally be rolling that out. What caused some of the delays? From 1994 to 2010 is an awfully long time to bring a computer system online. That's an awfully long time.

Ms. Sheila Fraser: Yes. This has not been one of the success stories in computer program development.

We looked at the management of large IT projects specifically in 2006. We looked at the global case management system, and we noted a number of problems, such as changes in scope. One of the big difficulties was getting the funding for the project. As well, there was a lack of people with the skills needed to do it, and the program was more complex than people had anticipated initially. There have been a number of challenges and difficulties along the way.

This has always been a very important system, because people in those missions are just overwhelmed with paperwork, and in this day and age, one would expect systems to be computerized. It is supposed to come out in June of this next year. It is hoped that it will increase efficiencies, but as Mr. Flageole mentioned earlier, in the intervening time there have been many changes and many advances in electronic processing, and the department will probably have to look at those fairly rapidly, because the system was developed several years ago.

The Chair: Thank you, Ms. Fraser.

Go ahead, Mr. Dykstra.

Mr. Rick Dykstra: I want to return to the issue around the relationship with the provinces in two particular areas that you identified in the report, not necessarily with respect to recommendations, but more as they were outlined in your review in terms of the relationship that the federal government does have.

There are two areas. One is the whole issue surrounding the change we made in legislation with respect to part 6 in the budget, Bill C-50, which changed the point system. It made it more conditional upon Canada's economic need, Canada's need with respect to market forces, and how one would become a permanent resident in Canada through that application.

In that area, you spoke to the issue surrounding how those categories are arrived at—for 2009 there are 38 categories—and the direction we should take with respect to how we determine those categories. I found it quite interesting, because from going through the process and from being involved as a parliamentary secretary, I noticed how much detail we put into the work and the effort of dealing with stakeholders who could advise us, whether they were labour unions, public sector unions, provincial governments, or business. We went through an exhaustive list initially to ensure that the first time we went through this, we'd get it right, and second, that we had set in place a process that would allow us to make sure we were picking the right categories and in fact assisting the provinces, the territories, and the federal government in a way that's going to make it successful over the long term.

You were not critical, but you questioned how that process was going to work. I'm taking issue a little bit because the process I went through in terms of assisting with that and reviewing it seemed to be extremely exhaustive and detailed.

• (1020)

Ms. Sheila Fraser: Thank you, Chair.

As we note in the report, the agreements don't require the provinces to get any kind of agreement or approval beforehand. They can pick their own categories. They simply inform the department.

There is work being done to try to do an overall evaluation, which is probably really critical as to how this system is working. In the agreements there is a requirement for them to provide information to the federal government on the retention of nominees within their jurisdiction, but we note in the report that the information is either absent or incomplete, so the federal government doesn't have a good idea of what is actually happening in the provinces.

As a minimum, we would expect that there would be some exchange, but at the end of the day it's the federal government that has the responsibility for this. How do they know if the provinces are even monitoring their programs well? There needs to be better coordination and better information-sharing. I think the overall evaluation is really important, and you would expect there would be more discussion about the job categories. Maybe they would not necessarily be directly in line, but if they have job categories that are completely different from the 38 federal ones, you would expect some explanation as to why that is.

Mr. Rick Dykstra: I wonder if perhaps this is an area in which we didn't do a proficient enough job in terms of explaining how the process worked when you were going through it. I take it that we need to do more, but I struggle too, for example, when I use the temporary caregiver categories that you studied. Again, it was the follow-up: do we know if the individual who's received a job is actually being paid properly? Do we know if the individual is being treated properly? Are they doing the work they had agreed to do?

In these two areas anyway, I see some real difficulties for us. As a committee, we actually did a review of the temporary caregiver program, as you are probably aware. In fact, we just passed it again unanimously under concurrence in the House of Commons. There are some very specific recommendations in there that the committee put forward. In fact two recommendations, recommendations 4 and 5, actually speak almost specifically to the issues you brought forward.

The question I have is maybe more of a point than anything else. I understand what you're saying in terms of the ministry needing to reach out further to the provinces or territories, because they in fact have responsibility for it when it gets into the specifics, when it gets into the—

The Chair: You're not giving Ms. Fraser an opportunity to respond.

Mr. Rick Dykstra: How we are going to deal with that? Even if our best efforts are made, it's sometimes difficult to enter into that type of relationship with the provinces.

The Chair: Thank you.

Go ahead, Mr. Karygiannis.

Hon. Jim Karygiannis: Thank you.

I have some numbers that came to us from the Department of Citizenship and Immigration. I'm going to put them to you, and maybe you can tell us how this paradigm is shifting.

In 2004 we let 113,442 skilled workers into Canada. In 2009 we let in 103,736. That's a drop of 10%.

In 2004 we let in 90,668 temporary foreign workers. Here's the kicker, and my colleagues across the way should certainly look at this number: in 2009 we let in 192,500 temporary workers. That's an increase of 210%.

On the one hand you're saying that the inventory levels have decreased by 29%, and yet it's going to take 25 years. In order for the folks to look after their skilled worker needs, we have temporary workers, and these people are coming in for two to four years. They're not going to contribute anything to their lives after they leave, because part of their life is left in Canada. Did you run across something in your calculations that will provide an answer for this?

• (1025)

Ms. Sheila Fraser: Chair, I'd just like to clarify for everyone that when we mentioned the 29% reduction, that is in the old inventory, in the applications from before February 2008. There's another inventory that's been created, and the overall reduction at the end of March was about 6%. There has been a slight reduction, but overall it's not 29%.

Hon. Jim Karygiannis: Ms. Fraser, there are fewer skilled people coming in, so that means a lot of people have dropped out. Certainly in my experience in my riding I see a lot of people who have dropped out after waiting for five or six years, and now, with this new inventory that's been established... This tinkering is not working. What the minister did is certainly not working. You as the auditor can give us an explanation of what needs to be done, or give us some guidance or even a critique.

Ms. Sheila Fraser: I'll let Mr. Flageole explain, Chair.

Mr. Richard Flageole: Mr. Chair, that's a point we raise in the report. I think there was a previous question about the impact of the delays. If it takes five years to process a permanent application, and the employer needs the employee—and we talked to a number of employers while we did the audit—employers were using the temporary foreign worker program to bring in people they needed to have on a permanent basis. There's been a very, very significant increase in the number of temporary foreign workers.

Hon. Jim Karygiannis: The answer is to increase the number of skilled workers we're allowing into Canada. In this shift of one dropping by 10% and the other increasing by 210%, it has shifted around so that these people who are coming in as temporary foreign workers are being allowed in as skilled workers. Is that the solution? Should we be allowing more people in so that we don't have this knee-jerk reaction that the numbers show?

Ms. Sheila Fraser: If I could respond, Chair?

The answer, as we say here, is to have a good analysis of labour market needs and to do the evaluation to verify that the programs are actually meeting those needs.

You mention a 10% drop, but when we did the audit, as we note in exhibit 2.5, there was a projection that it was going to go down to 18,000 people being accepted under the federal skilled worker program, which is a significant drop. That's why we say there have been significant shifts in the programs and significant shifts are being projected going forward.

Is that what is needed to meet labour market needs and is this the right direction to being going? We obviously can't comment on that,

but we would have expected to see the analysis that would have supported these major shifts and an understanding as to how it was meeting the needs of the labour market. We would also have expected to see an evaluation of the programs.

Hon. Jim Karygiannis: Ms. Fraser, if you were out in public industry and you were looking at numbers like this when you were doing an audit of a corporation, you'd certainly give it a failing mark, would you not?

Ms. Sheila Fraser: I wouldn't be too impressed by the planning, the strategic vision, and the potential consequences of all of this, as well as the fact that there is no analysis to justify the changes and the shifts that are occurring and that no one seems to know whether this is the right thing to be doing.

Hon. Jim Karygiannis: In other words, there's nobody there who knows what they're doing, including the minister.

Thank you.

The Chair: All right.

Monsieur St-Cyr is next.

[*Translation*]

Mr. Thierry St-Cyr: Thank you, Mr. Chair.

I want to continue my questions on the allocation of resources in different missions throughout the world that have to impose a de facto quota on a geographic basis and even, indirectly, on an ethnic basis, since it is grouped by embassy.

I also want to talk about the problems experienced by some embassies where there are management problems. In Nairobi, for example, often files are lost; things have to be sent again, etc.

I have often wondered why the embassies around the world are processing these applications instead of doing it directly here in Canada. For example, under the Quebec program, applications are dealt with on Quebec soil by Quebec public servants over whom we exercise better control.

Have you already looked at the efficiency of this management model which is scattered around the world, with all kinds of individuals of different cultures and different ways of operating, in comparison to what it might be like if it were managed from Canada?

• (1030)

Ms. Sheila Fraser: Mr. Chair, we did not look at the issue of efficiency, but I would question the ability of individuals here, in Canada, to assess files from foreign countries. How could they have the knowledge they need to properly assess the file? It's important to realize that many files contain fraudulent documents. So, an in-depth knowledge of the situation in each country is essential. I presume that it would be extremely difficult to do that here in Canada.

Mr. Thierry St-Cyr: Thank you.

In point 8 of your brief, you talked about the follow-up of temporary workers coming here. When the committee looked at this issue, it made a recommendation to require a mandatory visit of temporary foreign workers after three months, not necessarily by government representatives, since this could be a cumbersome duty, but rather by accredited NGOs for that purpose. So, three months after their arrival here, they would be seen in order to ensure that they are working where they are supposed to be working, and to see whether they are benefiting from the right salary conditions, if the employer is complying with legislation, etc. This was what the committee had recommended. We will see whether we should follow up on this.

Do you believe that this could be an interesting way to ensure a follow-up of what is happening once a labour market notice has been issued and a visa has been handed out? In that way we could see whether the system is working properly.

Ms. Sheila Fraser: We believe that there should in fact be a follow-up. In my opinion the solution proposed by the committee could be quite interesting. I would note however that the department could never follow up 100% of all cases. An analysis would have to be based on risk. Obviously, if employers are well known, and they hire temporary workers every year for various activities, and we know what the company's reputation is, we may not need to go and see each employee, every year. We would need to identify the highest-risk cases and follow up on them.

Mr. Thierry St-Cyr: We spoke to a number of stakeholders about the possibility of conducting a partial check, but we were told that there was a risk of tension between the employer and employees or a possibility of reprisals. The employer could ask questions and might wonder whether, if we went to see his or her employees, it was because someone had blown the whistle. There is a fear of this.

However, I have thought that a systematic check could eliminate this problem. Perhaps a random check might, at the very least, be a compromise between efficiency and risk...?

[English]

The Chair: You're out of time, but you can have a quick question. Is it a question or a statement? I don't know what that was.

[Translation]

Mr. Thierry St-Cyr: I would just like to know whether a random visit could be a compromise between efficiency and the risk of tension.

Ms. Sheila Fraser: In any risk-based audit, there should be a random component to ensure that the criteria used to identify the most risky cases are valid. There is therefore always a random component, so as to confirm risk management.

[English]

The Chair: Thank you.

Go ahead, Ms. Chow.

Ms. Olivia Chow: In July 2002 there was a pilot project to bring in temporary foreign workers under the lower skills categories C and D, because in the other program, the permanent residence class, they changed the point system so much that if you have lower skills, you probably won't make it, unless you're a parent sponsored by a son and daughter who live in Canada, but that takes eight years.

Putting that aside, have you seen any evaluation on this pilot project? Have you seen any studies on whether this pilot project is effective or not? Have you seen any rationale of whether these lower-skills workers should come in as temporary foreign workers or permanent residents or through the provincial nominee program? Are there any such studies?

• (1035)

Ms. Sheila Fraser: Chair, I'll ask Mr. Flageole to respond to that.

Mr. Richard Flageole: Mr. Chair, we talk about this program in the report. I think when we mentioned examples of major decisions without sufficient analysis, that was one, in terms of risk and whatever. After seven years, it is still a pilot, so it hasn't been evaluated, but it's part of the evaluation plans for the department. I think an evaluation has been initiated on that project; it should provide all the information about what the key issues are and how effective the program is.

Ms. Olivia Chow: When is the evaluation supposed to be finished?

Mr. Richard Flageole: I think it's planned for 2010-11, unless I'm wrong.... It's 2012.

Ms. Olivia Chow: It's 2012. It has really been a 10-year pilot project.

With a large number of temporary foreign workers coming into this area, there is obviously a labour need for lower-skills workers, but there's no queue for them to line up in, so they have to find some way of coming in.

Have you looked at the impact in terms of the numbers of people who are filing refugee status applications in Canada because they want to work here, they have a job here, their manual labour is needed here, and they want to stay here? That's why they're here; they got into the wrong stream. Because there is no stream for them to stay in Canada permanently, they went into the refugee stream.

Have you noticed that? Is that a cause for concern?

Ms. Sheila Fraser: Chair, that's not an issue we looked at. We looked at the selection under this federal skilled worker program; we did not look at what happened subsequent to people being accepted into the country.

Ms. Olivia Chow: So you don't know whether they left or stayed because they're temporary, right?

Ms. Sheila Fraser: Yes.

Ms. Olivia Chow: And you didn't look at the question of the number of undocumented workers and where that's at?

Ms. Sheila Fraser: No, we didn't look at that.

Ms. Olivia Chow: Might you want to, because this would have a fairly dramatic impact on the underground Canadian economy?

Ms. Sheila Fraser: We can consider it.

Ms. Olivia Chow: Okay.

Does this category, the live-in...oh, so it's a different live-in caregiver program.

You also mentioned that in the live-in caregiver program there had been a departmental report that talks about exploitation, that they had trouble, there are problems that date back to the nineties, and yet there had not been much action, in terms of dealing with the potential exploitation.

In your mind, has the situation got better or worse because of the much larger number of live-in caregivers coming into this country?

Ms. Sheila Fraser: Thank you, Chair.

We mention in the report the concern that vulnerability has grown over the years, given the large increase in applications. Some measures have been put in place, but as we mentioned previously, there is no systematic follow-up. In fact, there was some question about whether the department had the authority to be able to do it. There is a new program, which was mentioned earlier, whereby they have to voluntarily agree to do that, and of course new measures have been introduced more recently after this report, which we believe would address many of the concerns that have been raised here.

The Chair: Thank you, Ms. Chow.

Mr. Dykstra.

Mr. Rick Dykstra: I want to give you a chance to respond to the issue around provincial jurisdiction and the relationship we obviously have with the provinces and some of the details involved in trying to run these programs. While they may be federal in nature, when it comes to implementation and review, when it comes to ensuring the implementation, they become a provincial responsibility. And, as you know, the minute the federal government treads on provincial jurisdiction, regardless of how significant or insignificant, there's some pretty strong pushback from the provinces and territories.

I wanted to give you an opportunity to respond to that because you have outlined in a number of your recommendations in a number of areas within the report the struggle that relationship has meant to some of the programs we have run.

• (1040)

Ms. Sheila Fraser: In this case, obviously, there have been agreements with the provinces, and we are certainly not commenting on the appropriateness of that. Quite frankly, it may be the provinces were best able to determine labour market needs. But we would certainly have expected there to be much more coordination, better information, on the part of the federal government to understand the types of programs that are being run in the provinces, what kinds of workers are being brought in, and this overall evaluation.

They're beginning that process, and we would certainly hope this would be done expeditiously. We note in the report that issues have been raised by the provincial auditors general in at least three provinces about how these programs are being managed. Because it is a federal responsibility at the end of the day, we would have expected there to be perhaps more information and more coordination, and that the federal government be more aware of what is happening in the provinces.

Mr. Rick Dykstra: Okay. Thanks.

Chair, I know Mr. Calandra has one or two more questions, and then I think we're pretty much ready to wrap up.

Mr. Paul Calandra: With respect to the paper burden reduction you found at some of the offices.... In my previous life I was executive assistant to the chair of the Red Tape Review Commission in Ontario. We did a lot of great work there, so I was interested in this section in particular, especially as it relates to workers abroad, and if there are other initiatives like this you think we can do to reduce the paperwork. I know the computer system is coming online, but that has to have a huge impact on them overseas.

Ms. Sheila Fraser: The computer system has been viewed for a long time as the solution to reducing paperwork. The paperwork in the missions is unbelievable, and it's not surprising that documents get lost. It's very hard in this day and age to work with a paper system. This will be critical to efficiencies, or even just to maintaining efficiencies within the department.

We raised a question in here about the processing centre in Sydney, that there should be an evaluation done as to whether that is actually contributing to efficiencies or not, and that is something we would look forward to seeing the department commit to doing.

I don't know if Mr. Flageole wants to add anything more.

I think the computer system will be major.

The Chair: I'll take the question, then. I'll take the Conservatives' time.

I'm looking at your report. You've made another number of interesting recommendations. After each recommendation, as usual, the particular ministry—in this case the immigration ministry—provides a response. Are there any of those responses that you have concluded as not being adequate?

Ms. Sheila Fraser: Chair, no, we noted that the department is committed to addressing the issues we have raised. We certainly had excellent cooperation from the department all through the audit, and we obviously discussed the recommendations with them to make sure they would be doable. What is missing—these are just very short responses that we put in—is the more detailed plan as to how the department will actually do this and over what time period. Some mention time periods, but most do not. We think it's important that the department establish for itself how long it will take to actually address some of these issues and that they be realistic about that. Some may take several years to do.

The Chair: Thank you.

Mr. Karygiannis.

I'm sorry, Ms. Mendes is first. I apologize.

[Translation]

Mrs. Alexandra Mendes: Thank you, Mr. Chair.

In closing, I would like to speak to quality control of the process. You made a number of recommendations in this regard, both in 2000 and in 2006, but there does not seem to have been any follow-up. There is no framework to ensure service quality and especially—and I know this is a concern to many of us—fair processing of the applications.

When the applications are reviewed by our officers abroad, the criteria applied and the responses given should be relatively similar to those used everywhere else. It seems to me that the computerization of this process would be an asset, because the evaluation of the files using this method would be fairer and less subjective than on paper. In the latter case, the quality of the presentation, the paper or the documents is always a factor.

• (1045)

Ms. Sheila Fraser: This has been an issue for a very long time. When we conducted our audit in 2000, we recommended that a quality management framework be set up. We had indeed noted that the decisions were not always uniform or consistent. Obviously, given that there are offices the world over, there is a fairly high risk that some decisions will be inconsistent.

In this report, we noted that no progress had been made in this regard. We reissued a recommendation. The department agreed and stated that it would tackle this problem within the next two years. There again, there should probably be a more specific plan setting out exactly what will be done, by whom and in what timeframe, as well as the resources required. I presume that there will be training, follow-up documents, internal audits and perhaps other things. All of these elements should be implemented in the case of a quality management framework.

Mrs. Alexandra Mendes: Have they not been?

Ms. Sheila Fraser: No. I will ask Ms. Therrien to give us more details.

Ms. Suzanne Therrien (Principal, Office of the Auditor General of Canada): Further to our audit, we developed a quality control framework, in other words, tools to help assess quality. Unfortunately, this framework was not implemented, in some cases due to a lack of time. People working in the missions are very busy and often give priority to processing applications, of course, rather than implementing a quality management framework.

Mrs. Alexandra Mendes: So you are saying that not only must they process applications, but they must also look after quality control themselves.

Ms. Suzanne Therrien: Yes.

Mrs. Alexandra Mendes: So this is not assigned to an outside position.

Ms. Suzanne Therrien: No.

Mrs. Alexandra Mendes: In the long term, they would do so. Thank you.

I will now turn the floor over to Mr. Karygiannis.

[English]

The Chair: You have two minutes.

Hon. Jim Karygiannis: Thank you.

Madam Fraser, you said that all the posts are meeting their targets. You also mentioned the level of staffing that has been assigned. We are doing a couple of studies and we have noticed that in posts such as Nairobi, Ghana, and Kingston, Jamaica, as well as some of the other posts in African-sourced countries, the waiting times in comparison to other areas are much longer.

The minister is staffing those posts and they're meeting their targets, yet these inequalities are visible in immigration posts in African-sourced countries. How does one explain that?

Ms. Sheila Fraser: Chair, it's a question of the target that has been given to that particular mission as compared to the number of applications. The committee might want to ask the department what the target levels are for those missions and then how many applications they receive in a year. Obviously if they're receiving many more than the number they can accept, the backlog is going to go up.

The Chair: Thank you, Mr. Karygiannis.

Monsieur St-Cyr is next.

[Translation]

Mr. Thierry St-Cyr: Thank you.

Ms. Fraser, I would like to return once again to one of your previous reports that mentioned the turnover rate of immigration commissioners and, among other things, long wait times before commissioners found out whether their positions would be renewed or not.

Have you observed any progress or developments on the part of the government in this regard? For the benefit of the committee members, could you please remind us of the consequences ensuing from this situation?

• (1050)

Ms. Sheila Fraser: I hope my colleague has figures with him, because that would help me. We published that report this spring, and in it we reviewed the Governor in Council appointment process, including appointments of IRB members. We noted a very high vacancy rate, that is, close to 30%, which results in long wait times for file processing, but also backlogs in the processing of files.

Mr. Flageole may recall the exact figures.

Mr. Richard Flageole: There is a backlog of about 50,000 files. Clearly, the fact that the member positions were not filled and that there were many vacancies had a significant impact on the ability to process these cases. This report is fairly recent. Of course, we have not done any follow-up in this regard, and—

Ms. Sheila Fraser: We raised the question of wait times for file processing. Obviously, these people are already in Canada. It's more difficult to send them back for that reason.

Mr. Thierry St-Cyr: In that same report, you also addressed the question of the performance of IRB members. I imagine that it must be difficult to evaluate that type of work. Besides the number of cases processed, there are not a great deal of quantitative measures.

Has any work been done to assess the consistency of the decisions? That is an important question for the integrity of the system. Does a given situation always lead to the same decision? I can give you the example of two brothers from Palestine who came to Canada at the same time, who had the same arguments, the same attorney, and the same file. However, one brother's file was accepted by one member, while the other brother's application was denied by another member.

Have measures been put in place? Does the government do any monitoring? Is this type of incident exceptional? Many of us claim that this clear lack of consistency in the decisions is a recurring problem.

Ms. Sheila Fraser: Mr. Chair, I don't believe that we studied this question during our audit. We looked at the appointment process of the IRB members, not the operations of the board as such.

Mr. Thierry St-Cyr: I don't know whether this is part of the Auditor General's mandate, but I think it would be a good idea for you to try and determine whether there is a process, within the Immigration and Refugee Board for example, that seeks to ensure that similar cases lead to similar decisions.

Is that something that you could envisage?

Ms. Sheila Fraser: We can study that, but the committee could also ask the board to identify which quality management assurance programs have been put in place.

Mr. Thierry St-Cyr: IRB members must often wait a very long time to find out whether their mandate will be renewed; could you please remind the committee members of the consequences that this can have on their work? I don't recall the figures, but you provided us with statistics on the time it takes for IRB members to find out whether their mandate has been renewed. In some cases, it was not until their mandate had actually come to an end.

Ms. Sheila Fraser: Yes, if I remember correctly, we noted in the report the time required to train an IRB member: it was at least one year or even a year and half before that person acquires all the relevant knowledge and can work efficiently. It takes a certain amount of time. We were concerned about the turnover rate and the vacancies. It is important there be a certain number of experienced members working with the new ones. There should be a better planning process.

As concerns appointments, it was more general than that. It also affected directors of government corporations and so forth, who should communicate better when people are not appointed, and even, in some cases, when they are.

• (1055)

[English]

The Chair: Thank you.

We have time for one more question or maybe two.

We'll have Ms. Chow.

Ms. Olivia Chow: Mr. Chair, instead of a question, I'm wondering whether you would entertain a motion that is directly connected...or can I place it, and then we can deal with it later?

You don't want to do that.

The Chair: No. If you have a notice of motion, you can always file that.

Ms. Olivia Chow: Yes, that's what I want to file.

The Chair: We only have a couple of minutes, and I'd like to leave it for questions.

We'll go to Ms. Wong.

Mrs. Alice Wong: My question, Mr. Chair, is about the Canadian experience class. We expect that by 2012, the level of the CEC will grow to 26,000, which is a 420% increase in three years. It will then account for 20% of the economic class category. My question to you is whether you think this is a realistic projection. If so, what kind of impact will this kind of growth have on the overall national immigration framework? What other program would be effective for implementation? As you already have assessed, this is a good program, it has a lot of merit, and we intend to do more. Following that, what kind of impact do you think it will have on our system?

Ms. Sheila Fraser: Chair, we don't have any particular concerns about the projections. These are the department's numbers, but they appear to us to be reasonable. As for the impacts, I think that's really a question that should go to the department.

I don't know that we have actually looked at the potential impacts. Clearly, I think that based on the analysis that was done when this program was set up it was felt that it would be beneficial. The examples were university students who would continue to stay in Canada instead of being lost to other countries and people who have worked here for two or three years. They would have a process by which they could stay in the country and continue to work rather than having to leave. It was felt that it would be beneficial for the labour market.

Mrs. Alice Wong: Thank you.

The Chair: You can have a very brief question, Mr. Karygiannis.

Hon. Jim Karygiannis: Madam Fraser, I want to follow up on where I left off on the African-source countries and the length of time it's taking to reach targets. The processing times for spousal applications in those countries—and I know you probably didn't cover it—have gone through the roof. There has been an increase of about 75% to 90%. I would conclude from your remarks that to process family class spouses, especially, the minister needs to allocate and assign more staff to it, and if he hasn't done so, he's failed those particular individuals.

Ms. Sheila Fraser: Mr. Chair, I would suspect it goes back to the targets that are being set for the various missions, and the resources are set as a function of that.

Hon. Jim Karygiannis: That's not the case for spouses. These are family class. These are wives and husbands.

Ms. Sheila Fraser: Then it would be the question of resources that have been put to—

Hon. Jim Karygiannis: So he's failed; thank you.

The Chair: We've come to an end, Ms. Fraser. You've done it again; you've survived two hours of questions. I often wonder how you do it, but thank you very much for coming, and we thank your colleagues as well.

Ms. Sheila Fraser: Thank you, Mr. Chair.

The Chair: This meeting is adjourned.

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