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# **Standing Committee on Environment and Sustainable Development**

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**EVIDENCE**

**Tuesday, December 8, 2009**

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**Chair**

**Mr. James Bezan**



## Standing Committee on Environment and Sustainable Development

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•(1110)  
[English]

**The Chair (Mr. James Bezan (Selkirk—Interlake, CPC)):** Order, please.

Madam Duncan.

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** I move that Bill C-311 be deemed to have been considered clause-by-clause and be reported back to the House without amendment.

**The Chair:** I have a motion on the floor. I guess we'll have to debate this motion.

I was going to take the time as I called the meeting to order to describe what we, as a committee, need to do with the bill. It's Standing Order 97.1(1) and that we are studying the bill.

Standing Order 97.1(1) reads:

A standing, special or legislative committee to which a Private Member's public bill has been referred shall in every case, within sixty sitting days from the date of the bill's reference to the committee, either report the bill to the House with or without amendment or present to the House a report containing a recommendation not to proceed further with the bill and giving the reasons therefor or requesting a single extension of thirty sitting days to consider the bill

—which we've already done...

and giving the reasons therefor. If no bill or report is presented by the end of the sixty sitting days where no extension has been approved by the House

—which is on December 10—

the bill shall be deemed to have been reported without amendment.

This is the instruction we have from Standing Order 97.1(1).

So with that, I will allow debate on Madam Duncan's motion.

**Ms. Linda Duncan:** My understanding is that it's a dilatory motion. Is it not?

**The Chair:** No, it's not a dilatory motion. This is a debatable motion, so we do have debate on it. If it's a motion to adjourn, then it would be a dilatory motion. That's non-debatable.

**Ms. Linda Duncan:** Mr. Chair, would you like me to speak to it first?

**The Chair:** You can speak to it.

Madam Duncan.

**Ms. Linda Duncan:** Certainly.

Mr. Chair and members of the committee, I have tabled this motion because, to the best of my knowledge, no amendments have been brought forward and there's been a lot of time spent reviewing

the bill. Therefore, I think it's defensible and logical that the bill simply be reported back.

**The Chair:** Mr. Warawa.

**Mr. Mark Warawa (Langley, CPC):** Chair, I appreciate having the time to comment.

We have Bill C-311 before us because it passed in the House. We've been consistent as a government with our target of a 20% reduction by 2020, using 2006 as the reference year. We've heard in the discussion of Bill C-311 that it's not a good bill. We've heard from every witness that the government's harmonized continental approach is the correct one. Even every witness who supported Bill C-311—some did and some didn't—said the government's continental harmonized approach was the right one.

There were different opinions on what target we should be using. We heard that Bill C-311 would result in a dramatic increase in costs of energy for Canadians. One of the examples was gasoline going from \$1 a litre to \$2.50 a litre. Canadians don't want that. We heard that Bill C-311 would kill jobs. There would be a departure of jobs from Canada because we would no longer be competitive.

Bill C-311 is calling for a 39% increase in Canada's commitment. It would not be comparable to what other countries are doing. It would be much more onerous and would put Canada at a disadvantage. As a government, our responsibility is to come up with a balanced approach for a cleaner environment, but also to protect jobs and provide a healthy economy. Bill C-311 does not do that.

We've been consistent from the get-go in expressing those concerns in the House. The Liberals even called it the tiddlywink bill, yet they voted for it and sent it to this standing committee. In hindsight—and hindsight is always 20/20—I'm sure the Liberals are thinking maybe they should not have supported this and sent it to this committee. But here it is. So what do we do with it?

Our government has been consistently opposed to Bill C-311. A preferred route would be to send it back to the House to gut it. Send it back with its title and that would be the end of it. The choice we're now faced with is to send it back unamended, and I think we will support that. It needs to end its life back in the House, and we will be opposing it in the House. But we support sending it back unamended now, with a clear understanding that we will not be supporting it in the House. It needs to die a quick death.

Canada does have a plan. Canada does have targets. We're going to Copenhagen. The minister is heading there and we need to have one united voice. Our plan is a realistic one with realistic targets that will create the balance of a cleaner environment. It will create jobs. Bill C-311 would take us away from that.

We will support the motion reluctantly, but only so the bill gets back to the House where we can kill it.

Thank you.

• (1115)

**The Chair:** Mr. McGuinty.

**Mr. David McGuinty (Ottawa South, Lib.):** Thanks, Mr. Chair.

I'd like to take a few minutes just to put on the record where the Liberal Party of Canada, the official opposition, is right now with respect to this bill.

Our view in the Liberal Party is that Bill C-311 is effectively and essentially a call for a national climate change plan. It in no way constitutes a national climate change plan. It is a call for a national climate change plan. That's an important call, but it's not anything, for example, like the 1,428-page bill before the American Congress, a copy of which I brought here in the last meeting for the minister's interest. It's nowhere near a plan.

The elements, for example, set out in the American legislation are complete. They're complete because they embrace the entire American economy. They embrace different industrial sectors. They embrace the science. The measures embrace a trading system. They embrace the use of international credits. They embrace the proper pricing of carbon. It is a complete bill, and in and of itself, in the United States context, it constitutes a complete plan being negotiated through Capitol Hill today, engaging at least three major committees in the United States Senate. More, of course, Mr. Chair, will be engaged, as we know, post-Copenhagen. More committees and more dialogue will go on in the United States throughout the winter and the spring.

The second point I want to make is that Minister Prentice said this week that in no way would he be swayed by "hype" around the Copenhagen conference. I'm not sure what he means by hype. I don't think the climate change crisis is hype. I'm sure the Bloc Québécois doesn't believe it's hype. I'm quite sure the NDP doesn't believe it's hype. For that matter, I don't think that most Canadians, 82% of whom yesterday revealed that they're not at all happy with the government's performance on climate change, would accept that this is hype either.

If Minister Prentice won't be swayed by hype and international pressure, and in advance of the very international multi-party negotiation that we're entering he announces to the world at large

that there is nothing to negotiate, that's hardly the way to start an international multi-party negotiation—"We have nothing to negotiate. That's our position." So if he's not going to be swayed by hype, and he's not going to be swayed either by the Kyoto Protocol Implementation Act, which is Canadian law—in fact, the Conservatives are challenging the Kyoto Protocol Implementation Act at Federal Court—then I don't believe that Minister Prentice is going to be swayed by an NDP bill, a private member's bill, which is a call for a plan. Because it's not a plan; it's a call for a plan.

I think at a certain point in time, several years ago, it was important to lay down some track to call for a plan. It's also important for us to remember what's been going on around Bill C-311, and remind Canadians what was done predating Bill C-311, in a previous Parliament, when the government sent a Clean Air Act to a special legislative committee. That Clean Air Act was sent to that special legislative committee and it was rewritten. It was supported by not one, not two, not three, but four political parties in Canada—three of which are represented in the House of Commons, and one, the Green Party, which is not. But four major political parties in the country supported the revamped and improved clean air and climate change act.

The government decided, in its own sense of wisdom, to prorogue Parliament and kill the bill. That's very unfortunate because in that clean air and climate change act was a complete plan for Canada. It spoke about carbon pricing, about how we would allocate permits. It contemplated a domestic and international trading system that reinvested revenues from the allocation and auctioning of permits into different provinces. It created a green investment bank. All of this was killed by the Prime Minister when he decided to prorogue Parliament, for the first time in his short duration as Prime Minister of Canada. That was a plan. That was a plan for Canada that was agreed to by four major political parties, and it was killed using a blunt object called prorogation—killed by the Prime Minister.

• (1120)

Point number three is that we believe Bill C-311 is irresponsible in its incompleteness. It's interesting to see the NDP now looking to rush through a private member's bill, having had the benefit of 33 expert witnesses to speak to the bill and not bringing a single amendment forward to improve a bill that was drafted over three years ago. There was not a single amendment. The leader of the NDP was here and said "Where are yours?" Mr. Chair, this is not a Liberal bill; this is the New Democratic Party's bill. It's their responsibility and the private member's responsibility to improve, to attempt to perfect, to ameliorate, the bill that was drafted over three years ago. But as we've learned this morning, there is not a single amendment being tabled by the NDP.

I think that speaks volumes about whether the NDP is serious about Canada arriving at a credible climate change plan domestically and internationally. In our view, they are not. If they were, they would be addressing a number of issues that I'm going to speak to now. Again for the record, there were 33 witnesses and not a single amendment, even though having reviewed the evidence, in my mind we've heard from at least six witnesses calling for specific changes to improve the bill and arrive at a stronger proposal—not just a call for a plan, but a stronger proposal—to embrace all the essential elements of a plan that should be embraced by a government.

I would like to talk about some of those right now. I want to speak first to what the bill purports to do with respect to interim targets. The bill calls for 25% reductions below 1990 levels by the year 2020. Yet we have heard from extraordinarily competent witnesses, such as the International Institute for Sustainable Development, the World Resources Institute, the Pew Charitable Trust in Washington, asking for clarification on how we would achieve these very ambitious targets, what the plan would look like, what the price of carbon would be, and whether the price of carbon would be fungible with American and/or Mexican and/or European carbon pricing.

There are serious concerns around these interim targets. If the NDP—and it's the mover of the bill—was seriously concerned about holding everyone to a minimum 25% cut in absolute terms from 1990, then the NDP would properly, right now, be taking to task the premiers of Quebec, Ontario, British Columbia, and every other single provincial administration in the country that has not embraced the 25% reduction from 1990 levels.

Why isn't the NDP chiding the premier of Quebec, Monsieur Charest?

• (1125)

[Translation]

Its reductions, or targets, are only 20% with respect to 1990. Why not attack the premier of Ontario, Mr. McGuinty, whose targets are only 15%, and British Columbia, whose targets are only 13%?

[English]

Instead we see that the NDP is holding fast to a number that's very important, a number that we should aspire to be at, but a number that's not backstopped, in this bill, with a plan to achieve it. It's not to say that the Conservative government has a plan, because we've established through the testimony of 33 witnesses that there is absolutely no plan as we enter into these multi-party negotiations in Copenhagen. The bill is irresponsible in its incompleteness, primarily because of the interim targets.

Let us now turn to another part of the bill that is incomplete. I find it difficult to understand how any party, any federal party in our modern federation, could support paragraph 7(1)(b), which has the federal government dictating to provinces the cuts they will be expected to achieve. How is that possible? There is no constitutional authority for this. It would immediately lead to a constitutional crisis. In fact, it would ignite one. It would send different provinces over the top in seeking to clarify where their constitutional authorities begin and end. It would prejudice the outcome of what's already happening, where, in the absence of a federal plan from a Conservative government, provinces have gone it alone. They've

gone it alone. Eight out of ten provinces have already committed to cuts averaging 14% below 1990 levels by 2020. Two other provinces, Alberta and Saskatchewan, have not. These are tough challenges for a national government to crack. Unfortunately, this federal government has done nothing to bring together our provinces and territories in advance of this complex multi-party negotiation in Copenhagen.

This bill tramples on provincial jurisdiction. I can't speak for the Bloc Québécois, but I would assume they would be deeply disturbed about having Quebec told that its 20% target was not sufficient or perhaps too aggressive and that the federal government would cut or enhance its target. We don't see that as the way to proceed in a mature federation in the 21st century, and we are concerned.

Take the Province of Ontario. It is drafting its own tradeable permit legislation to join up with the western climate initiative in the western United States. They've had to go it alone, just as they've had to go it alone in negotiations in Washington. They don't work through the federal government anymore; neither does Quebec. They don't even pretend to, because there has been no leadership from this federal regime, none whatsoever. They have their own climate change secretariats, they have a deputy minister equivalent working in the premier's office, and they're pursuing their own negotiations. They are not waiting for the laggard Reform/Conservative Party. It's too late now. They can't pull this together and they know it.

Under paragraph 7(1)(b), there are some serious concerns that Canadians have manifested in testimony. Within the four corners of this statute, there are some fundamental challenges. The NDP has heard these challenges and has failed to address them in the form of amendments. That's the second and profoundly disturbing part of this bill.

We've heard other testimony about the extent of the powers this bill invests in the executive. This transcends the allocation of targets on a province-by-province basis. These haven't been addressed by legal counsel, the NDP, or anyone else. So there are some serious concerns about investing additional powers in the executive, which—

**A voice:** Excuse me. This delegation of peaceful citizens demands climate action from our government. For 75% of Canadians, who are embarrassed by our government's inaction—

• (1130)

**The Chair:** I'm going to suspend the meeting until we get order in the room.

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\_\_\_\_\_ (Pause) \_\_\_\_\_

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**The Chair:** We're back in session.

I want to thank security for their great work in bringing order back to the chamber.

Mr. McGuinty, you have the floor.

• (1135)

**Mr. David McGuinty:** Thank you, Mr. Chair.

Perhaps I could continue addressing the merits of the bill.

I'd like to turn now to arguably the most obvious omission, which the NDP, by the way, have been made aware of repeatedly, publicly and privately, and they have since come to committee here this morning and have failed to address it. That is the whole question, Mr. Chair, of the fact that this bill does not embrace the use of the CDM and joint implementation and international credit mechanisms.

Mr. Chair, since 1992, when the UNFCCC was crafted, there's been a worldwide acknowledgement that the use of market mechanisms to achieve environmental outcomes was going to be essential going forward. That is why, in the Kyoto Protocol, for example, Canada and the United States pushed hardest to see the inclusion of a tradeable permit scheme in that protocol, because the United States in particular and we as a country drew on the experience in the United States under the U.S. Clean Air Act, where it became clear that achieving reductions of smog precursors, chiefly from electrical utility generation stations, could be done so using market mechanisms more efficiently and at reduced cost.

Under the U.S. Clean Air Act, the notion of a tradeable permit scheme was devised and went on to considerable success. From that point forward, the planet—all those countries that have signed on to UNFCCC and the Kyoto Protocol—agreed that we would use market mechanisms to achieve those reductions. We would also use market mechanisms, like the clean development mechanism and joint implementation, to address the crucial problem of technology transfer between wealthy and developing countries. We would facilitate that transfer of technology. We would see flows of investments, which have been described by the Prime Minister as a socialist plot to transfer wealth from the north to the south, betraying, as an economist, his fundamental ignorance of the use of market mechanisms to achieve environmental improvement.

But everyone has agreed that we would need the use of these mechanisms to move forward and to harness the power of the market and to create, as Deutsche Bank has suggested, by 2020, if we have a fully fledged international trading system up and running, a carbon exchange market, which they project will be larger than every stock exchange in the world in existence today combined.

So why the NDP have omitted any reference to market mechanisms, any reference to the use of international credits and international offsets, is a great mystery. What the bill then implies is that we're going to have to achieve in this country interim reductions and longer-term reductions, with which we take less issue, but the interim reductions, that is, entirely domestically. Here, the NDP is in very good company, because they share this position with the Reform/Conservatives.

The Reform/Conservatives will tell us that Canada is going to achieve "their" feeble targets without the use of international trading, international credits, or international offsets. In fact, Mr. Chair, we're the only country in Copenhagen right now—the only country—first of all, without a plan, and secondly, the only country that's denying... until, I predict, next week when the minister will be reeled out of his corner on the use of international credits, just as he was reeled out of his corner last week on absolute reductions versus intensity reductions. We're the only country denying that we're going to be using international credits and offsets to achieve our domestic

reductions. It is nonsensical beyond belief, Mr. Chair. In fact, it's reckless and irresponsible.

Every European country that achieved its Kyoto Protocol targets did so by purchasing a minimum of 20% of their reductions offshore, by using credits and using offsets.

• (1140)

The United States has as a central element of its entire plan the use of international credits. The government says we're going to be fungible, connectable, with the United States. We are not going to be fungible and connectable with the United States if we don't have absolute targets. They've already climbed down on that, Mr. Chair. And we certainly aren't going to be fungible or connectable with the United States if we don't use international credits and offsets on a continental and global basis. The use of international credits and the use of enhanced market mechanisms are among the top three areas of profound negotiation that will commence in Copenhagen right now, as we speak.

This bill has nothing. It is incomplete by virtue of the fact that it doesn't embrace market mechanisms and doesn't provide for the use of international credits. Worse, the NDP, having heard all this expert testimony, refuses to bring the amendments necessary to correct its own bill, which is, to our mind, its responsibility.

Finally, Mr. Chair, the bill speaks in clause 10 of a just transition fund. That's a noble call, again, for a just transition fund for industry. In principle, we support the notion, as described here, of "spending or fiscal incentives, including a just transition fund for industry", but we have no idea what that means. It would be important for the NDP, in my mind, to go further and help describe what that means.

We've had many meetings with the Canadian Labour Congress and other groups that are calling for a just transition fund for industry. It may be about cushioning the blow for workers who are vulnerable because of the retrofitting and upgrading of manufacturing facilities in the country. We don't know. It would be important to clarify, through amendment, what that actually means.

All other parts of the bill are worthy of support. The official opposition strongly supports the preamble section that calls for Canada to respect the science of climate change, and, quoting the bill, "to stay within two degrees of global warming and thereby prevent dangerous climate change". We believe strongly in the role of the Commissioner of the Environment and Sustainable Development contemplated in the bill. It was our government that created the Commissioner of the Environment and Sustainable Development office, and our party continues to call for its full independence as an officer of Parliament.

We strongly support the role of the National Round Table on the Environment and the Economy in pronouncing itself on any eventual plan. However, the chair of the board of the NRTEE came here and told the NDP and this committee that the NRTEE, in his view, was not seized with this responsibility, was not resourced for this responsibility. Don't take that testimony at face value. But as a person who helped build the national round table for almost nine years, I think there is a role for the round table to help Canada move forward on climate change.

The offences and penalties are appropriate. The expected reductions, generally writ, are appropriate.

There is another problem with the bill. Under subclause 9(2) it says:

Regulations made under subsection (1) to ensure Canada meets the target referred to in paragraph 5(a) and each of the interim Canadian greenhouse gas emission targets referred to in section 6 shall be made, amended or repealed under paragraph 9(1)(c)

(a) on or before December 31, 2009, in the case of the target for 2015

We know that this is absolutely not achievable. It is December 8. It is not possible to get this bill through the House of Commons and the Senate by December 31 to receive royal assent. Again, there are no amendments forthcoming from the NDP to correct a very obvious and gaping hole in their own bill.

• (1145)

Finally, with respect to the call for a plan and the notion of laying out plans on a five-year basis, we strongly support holding the government to account and compelling them to deliver a plan.

The official opposition has concluded that the Reform/Conservatives don't want a plan. They don't want a plan before the next election, Mr. Chair, because they don't want to move to put a price on carbon emissions through a cap-and-trade system. They have resisted every call to table a comprehensive plan for Canada. There is no bill, no regulations, no price on carbon, no emissions trading system. Provinces have completely overtaken the federal government.

So in the sense that this bill will call on the government and compel the government to come up with a plan, we're extraordinarily supportive, because it is the conclusion here on the official opposition side that they will not deliver a plan. They won't deliver it for a few reasons. One reason is, having mounted such a dishonest shock-and-awe campaign in the last election campaign about pricing energy by pricing carbon emissions, the government and the Reform/Conservative Party have backed themselves into a corner. And they won't tell Canadians the truth, which is that we have to put a price on carbon emissions; we will be dragged there by the American administration.

This is where it's very interesting, Mr. Chair, because the Reform/Conservatives have become Democrats by convenience. They will now blame their former brethren, the Republican Party, for apparently not being open to negotiation over the three years in which they had a direct line to the White House. Apparently there was no way of having negotiation.

**The Chair:** A point of order, Mr. Warawa. It had better be a point of order.

**Mr. Mark Warawa:** It is, Chair.

The discussion and comments made by Mr. McGuinty have to be relevant. They have to relate to the motion that is before the committee, and he is now digressing and talking about the Republican Party in the United States. He has to stay on topic.

**The Chair:** You do have to be relevant, Mr. McGuinty, so I ask—

**Mr. David McGuinty:** Absolutely.

**The Chair:** —that you get right to the point.

**Mr. David McGuinty:** My point is, sir, that in the context of Bill C-311 and its implementability in Canada, it's important to acknowledge where we are today and where we're coming from. That's why it's important for Canadians to revisit the relationship between this government and the previous American administration and the existing one. It's the minister of this government who is apparently heralding his great energy dialogue with the Obama administration, hiding behind it on a daily basis. I think that's completely relevant to this bill and this discussion.

They are Democrats by convenience, Mr. Chair, and they're Democrats by convenience because it's all about hiding and bobbing and weaving and simply not telling Canadians the truth, which is that we have to put a price on carbon emissions, on greenhouse gas emissions; we have to change the economics of fossil fuels and carbon emissions in the country, bring in a full suite of measures: fiscal, spending, support, adjustment, adaptation, both domestically and internationally. All of these have to be embraced in a coherent suite of measures, as has been done in less than six months, yes, by the Obama administration. But four years later we have no such comprehensive suite, and as a result, Canada has no plan.

So Bill C-311 has all kinds of challenges inherent in it. As I said, it is equally irresponsible in its incompleteness, just as irresponsible as the federal government's irresponsibility in, now, 47 months and counting, not delivering a single statutory instrument, not a single bill, not a single proposed law, not a single private member's bill, not a single regulation for consideration by the House of Commons. That is why, at this stage, we will not be supporting sending this bill back to the House unamended, because it is deserving of amendment. It is deserving of us going through this on a clause-by-clause basis to expose for Canadians how important it is for Canada to get a serious climate change plan for this country. Unfortunately, it is too late now, in advance of the negotiations that have already commenced, but post-Copenhagen, Mr. Chair, it will be extraordinarily important for us to come back to this House of Commons and hold this government further to account and drag them out of their corner, reel the government out of its corner again, and get a meaningful plan for climate change for Canada.

Thank you, Mr. Chair.

• (1150)

**The Chair:** Thank you, Mr. McGuinty.

Monsieur Bigras.

[*Translation*]

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Thank you very much, Mr. Chair.

At the outset, I would like to say that we will be supporting the NDP motion that deems Bill C-311 to have been considered clause by clause and reported back to the House without amendment.

Why will we be voting in favour of this motion, Mr. Chair? First, as far as I know, neither the Liberal Party nor the Conservative Party has tabled any amendments. So we must accept that, even if we were to make grand speeches in this parliamentary committee, and say that we had to have clause-by-clause consideration of the bill and that it has to be amended because it does not meet our needs, the fact is that no amendments have been tabled in committee. A few weeks or meetings ago, you very clearly indicated the prescribed timelines for such proposals. No amendments have been proposed. Those who wanted to see the bill amended did not come forward with any amendments; they therefore inevitably and indirectly subscribe to the motion as presented. We will see whether or not the speeches and votes reflect the speeches that we will hear today in committee.

Why vote in favour of this motion? Second, because it is urgent that we take action, Mr. Chair. We must make sure that we have a bill, a climate change act, before the minister arrives in Copenhagen. Mr. Chair, it is completely unacceptable to find ourselves with a government that has no strategy, no plan, no regulations, and that has postponed the implementation of its climate change regulations two or three times. In the meantime, south of our border, at least three pieces of legislation, in both chambers, deal with this issue.

Just yesterday, the U.S. Environmental Protection Agency clearly stated that it considered CO<sub>2</sub> emissions to be dangerous. South of the border, they see the need to take urgent action. They are already working, studying amendments to bills, whereas we find ourselves in a situation where we have an opportunity for a bill... We can agree or not. It is, nevertheless, incumbent on us to amend what is on the table to ensure that we have regulations as quickly as possible. There seems to be some bad faith here.

In all honesty, I think that this bill is consistent with a motion presented by the Bloc Québécois and adopted on November 25, 2009. According to that motion, we must first ensure that any proposal accepts the importance of limiting the rise in temperatures to less than two degrees Celsius higher than the pre-industrial era. Second, in order to comply with that scientific opinion, we need a strong commitment to reach a reduction of between 25% to 40% below 1990 levels by 2020, which is directly stated in this bill.

Mr. Chair, we are therefore studying a bill aimed at respecting the spirit of a motion adopted by a majority of parliamentarians on November 26, and whose objective was to establish a 25% reduction target using 1990 as the reference year. Members of our government will be going to Copenhagen where they will say that we want to reduce our greenhouse gas emissions by 20% by 2020. What they are not saying, however, is that the reference year being used is 2006.

I would remind you of all the efforts that have been made in Quebec since 1990. The manufacturing sector in Quebec reduced greenhouse gas emissions by 25% based on 1990 levels. I should also mention sectors such as pulp and paper mills and aluminum smelters, which reduced their greenhouse gas emissions by nearly 15%, and all with no mention of intensity. In intensity, the aluminum

sector's reductions in Quebec were 50%. In real reductions alone, the figure is 15%.

The Conservative government persists in its desire to use 2006 as the reference year. They want to start from zero. Why start from zero, Mr. Chair? For one reason only: to satisfy the demands of a single sector of Canada's economy, petroleum.

• (1155)

So this is not a fair proposal. In order for it to be fair, we would need to include paragraph 7(1)(b), which is aimed at limiting emissions on a provincial basis. My colleague, David McGuinty, is against it and does not understand why the Bloc is in favour of this provision. I must remind him why this paragraph is in Bill C-311; it was because of discussions with his Liberal Party colleague Pablo Rodriguez, when he introduced Bill C-288.

Surprisingly, at that time, the Liberals were very much in favour of paragraph 7(1)(b) because they felt that it provided greater flexibility. In their opinion, it made for a more asymmetrical federalism. We are proposing that Canada be able to negotiate an international commitment, setting greenhouse gas reduction targets for each province, exactly as is done in Europe. It is important to adopt a common, but differentiated approach, something that both Conservatives and Liberals have always promoted. It would have to apply here in Canada and we would have to use 1990 as the reference year. We would also have to participate in an international carbon market.

On one side, we have political parties suggesting a very weak 3% reduction target based on 1990 levels. On the other, we have a party whose targets are still not known. A great deal of time has been spent educating us about the three bills being debated in United States and we still do not know the target proposed by the official opposition. Is it 20%, 15%, 3%, 25%? Is it even higher? We have no idea.

But we do know—and this must be acknowledged—that the Liberals are adopting 1990 as the reference year, about which we are proud. We are pleased that the official opposition has understood that 1990 must be used as the reference year. So we find ourselves in a situation where the government is presenting us with an unfair, unambitious plan. We are hoping that the official opposition's position will reflect the votes that have already been held. What are these votes? There was the vote on Bill C-288, which sought to implement the Kyoto Protocol in Canada. There was also the vote on the Bloc motion, adopted by this Parliament on November 25, 2009, which called for an objective of no more than 2 degrees Celsius and a 25% reduction below 1990 levels by 2020. That is what we agreed to, in principle, by adopting Bill C-311 and this is what we repeated with the motion debated by the Bloc.



To conclude—I do not intend to filibuster—we will be voting in favour of this motion because it is urgent that we take action. The Copenhagen conference is taking place as we speak, and I think that it is important that the vote in this committee and in the House be unequivocally in favour of a bill that goes along with the recommendations made by scientists.

Thank you very much.

[*English*]

**The Chair:** Thank you.

Mr. Warawa, you have the floor.

**Mr. Mark Warawa:** Thank you, Chair.

I've listened intently to the comments made by my colleagues here. I think what we've seen over the last many years is very concerning. It's a pattern of Liberal flip-flops, not just recently, but over the last 15 years or so, and maybe over 20 years. Maybe it's a pattern that has been consistent.

The Liberals spoke against Bill C-311 when it was in the House and said it was no good. Then they voted for it, which left people scratching their heads. How could they be against it, yet vote for it? That resulted in Bill C-311 being sent to committee.

Then the Liberals said that Bill C-311 needed to be amended. Here we are to discuss amendments, and in spite of them saying it needed to be amended, where are their amendments? There are none.

When the Liberals were in government for 13 long years, they set targets and committed Canada to the Kyoto targets, but they had no plan. Now they have no targets. Today we've seen the Liberals filibuster, and we have protesters taking off their clothes and protesting a Liberal filibuster against climate change. So we've seen it all.

Our government has been honest. We've set the targets. The government is taking many of you to Copenhagen to be part of those international climate discussions and negotiations. We've been honest and we've said we want to have an agreement. The planet needs an international agreement on climate change. Canada will do its fair share.

But all we hear is talk, talk, talk from the Liberals. I think there has been enough talk. We need to move on to action, so I will move that the debate be now adjourned.

•(1200)

**The Chair:** Okay. I have a motion on the floor. It's a dilatory motion that is non-debatable and immediately votable.

All those in favour of adjourning debate? This is to adjourn debate on the motion. It's not to adjourn the meeting.

(Motion agreed to)

**The Chair:** Debate on the motion is now adjourned. Just so everybody is clear, that motion is off the floor, but at the same time, we won't be considering that business now. We've adjourned debate on Bill C-311, so it will be deemed reported back to the House unamended on December 10.

Oh, wait. We vote on the main motion, true enough, which is that Bill C-311 be deemed to have been considered clause by clause and be reported back to the House without amendment. So we're going to vote on the motion itself, since we've adjourned debate.

(Motion agreed to on division)

**The Chair:** That's carried, so we'll report that back.

Do we have one motion that has been on the record for Mr. Scarpaleggia?

I understand that you wanted to move this.

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.):** I gave notice of this motion a couple of weeks ago now, I guess.

**The Chair:** Could you read it into the record, please?

**Mr. Francis Scarpaleggia:** Sure. Thank you.

It states:

That pursuant to Standing Order 108(2) the Standing Committee on Environment and Sustainable Development invite Mr. Graham Thomson, author of the paper entitled *Burying Carbon Dioxide in Underground Saline Aquifers: Political Folly or Climate Change Fix*, and other experts to discuss new information relating to the impact on Canada's water resources of carbon capture and storage technology as potentially applied to the oil sands; or otherwise incorporate a discussion of Mr. Graham Thomson's paper and its findings in the committee's final study report.

**The Chair:** Thank you. Do you want to speak to the motion?

**Mr. Francis Scarpaleggia:** Yes. Well, essentially, while the last few weeks have been very important because we have been discussing the great global challenge, which is climate change, and Canada's reaction or lack of reaction to it, I think many committee members are hoping we can bring closure to a study that began almost a year ago into the oil sands and their impact on water.

As you know, Chair, it's important that our report reflect the most up-to-date information and insights on the issue of water and oil sands. Since the end of our hearings, including our tour last spring, there have been new papers published, new reports published. There has been a paper published on the potential impact of carbon capture and storage on aquifers.

We've heard over and over again from this government, and in fact from the Government of Alberta as well, that carbon capture and storage is one of the solutions to the growing emissions coming from the oil sands. I have my doubts as to whether it's applicable to the oil sands, but in any event, Mr. Warawa on many occasions wanted to discuss carbon capture and storage in the context of the committee's study on oil sands and water. This would be the opportunity to incorporate into the report some kind of discussion. It doesn't have to be a major chapter by any means, but I think some kind of discussion should be incorporated into the final report on the subject of carbon capture and storage and the potential impact on aquifers in the region of the oil sands.

•(1205)

**The Chair:** Is there any debate on the motion?

Mr. Warawa, and then Mr. Bigras.

**Mr. Mark Warawa:** Thank you, Chair.

I have no problem with calling more witnesses for the oil sands study. I don't know if this motion is timely, because the steering committee is going to have to decide what the next commitment of the committee is. Should it be SARA? I think so. On Bill S-216, there are legislative requirements. Maybe there is other private members' business, bills.

At this point, I have no problem with passing a motion that we call somebody else. It's just that it's fine to have Mr. Graham Thomson come, but when will that be? That will be up to the steering committee to decide when we're going to have a review, when we're going to have a continuation of a study of the oil sands.

Chair, I want to make it very clear that supporting this is supporting that we re-open discussions for the oil sands at some time, and Mr. Graham Thomson would be included as one of many more witnesses for the oil sands.

But clearly we're not making a commitment that it's our next study. I think we have to go to SARA. I've heard from a number of environmental groups that have shared with us their concern that we stopped SARA and that we need to get back to SARA, the Species at Risk Act.

I will support it with the understanding that Mr. Graham Thomson will be just one of many other witnesses who will be invited to the committee sometime in the future.

**The Chair:** I think the motion is clear on that. It's not putting a timeline on it. The steering committee will decide that timeline, Mr. Warawa. Plus, it said "and other experts to discuss new information relating to the impact on Canada's water resources" and the oil sands, so I think it's quite clear in the motion that we're just voting on inviting more witnesses, including Mr. Graham Thomson.

Monsieur Bigras, *s'il vous plaît*.

[Translation]

**Mr. Bernard Bigras:** I do not know where this motion has come from, but I also need some explanation. My question may be for the research analysts.

What point are we at in preparing the report? Has a lot of work been done? Have we prepared the draft? I have yet to see the draft report.

[English]

**The Chair:** The report is still in draft stage, and they've gone through a first purview of it. There is a concern about Dr. O'Connor. We had Dr. O'Connor at the committee, and there was a decision made by the College of Physicians and Surgeons of Alberta about Dr. O'Connor, which we have to take into consideration in the report.

Again, when we have finished hearing from all the witnesses, we will then start with the final round of the report.

Monsieur Bigras.

[Translation]

**Mr. Bernard Bigras:** It seemed to me that we had practically finished studying this matter and were in the process of preparing the draft. I thought that the next step would be to collate and amend this draft. However, it looks as though we are now suggesting that we reopen the debate and I am wondering where that could lead.

Mr. Warawa is quite right. We are talking about Mr. Thompson, but other experts have also been mentioned. Who are they? At the end of the motion, there is mention of conclusions that he will be presenting in a final report, once his study has been completed. This motion is rather vague. I completely agree with Mr. Warawa. The steering committee should deal with this issue. If the steering committee feels that the debate should be reopened, this witness could certainly be invited, but we would have to see whether other witnesses could be as well.

• (1210)

[English]

**The Chair:** I do have Madam Duncan before, if you're ready, Ms. Duncan.

Francis, I'll come back to you.

Linda.

**Ms. Linda Duncan:** Thank you, Mr. Chair.

I've spoken to Francis about this a bit, and he may have adjusted it and tried to be flexible, given the discussion, but I find unfortunately the motion a little nonsensical. I'm not really sure what I'd be voting for if I voted for the motion.

My concerns are severalfold. I know the government is keen to get back to SARA. I'd also like to get back to SARA, but frankly, I would prefer that we first of all deal with the draft report on the oil sands and water. The reason for that is, as far as I understand, and as Monsieur Bigras said, it is our understanding that we have finished our hearings and all we are waiting for is our very capable staff to complete their drafting of the document.

Since that date when we finished those hearings, way back last summer, the economy has picked up in Alberta and approvals of further oil sands activities are steamrolling ahead. I think there is very important timeliness in our report; I think it's incumbent upon us as committee members to be expediting, getting any recommendations that we may agree on, based on the testimony we've heard to date, and getting that into the hopper, into the government for consideration.

As I recall, Mr. Warawa quite some time ago, when we were deliberating what we would hear and what we would not hear on that topic, was very keen to discuss carbon capture and sequestration. We decided to kind of sidebar that as another avenue to go into. I would not be averse to the suggestion that at some date this committee actually take on the discussion of carbon capture and sequestration, including looking at the potential impact on water resources. Because the main testing and potential use in this country right now for carbon capture and sequestration, and for the United States and China, is for coal-fired power, I would prefer the discussion on that technology not just be restricted to the tar sands. I don't think that will allow us the proper ambit by talking about that technology and the potential impact on groundwater, surface water, and so forth.

I appreciate Mr. Scarpaleggia's curiosity on this. I would instead encourage, leading into our discussion potentially on CCS, that the committee obtain or perhaps the library staff could help us to get the report, and simply begin the background reading.

My second concern would be that as Graham Thomson is a journalist, he has been roundly criticized that he can't actually attest to the findings in this paper, and he has defended it by saying it's a compilation of what a broad array of experts have said in that area. So I can foresee getting into the problem of him relaying what's in his report, and then we may say, well, we'd like to hear from some of those experts who are in the report, and on and on and on it goes.

I would rather that we had the opportunity to sit down as a committee and map out what we might like to discuss and what kinds of experts and background materials and testimony and so forth we would like on this discussion. I think clearly the government is strongly behind that as almost its singular technology right now. I think it's incumbent upon this committee to seriously start delving into looking at that.

I am not in favour of delaying a report getting out, and I'm very strongly in favour of making that our first and foremost activity. I'm hopeful that within, say, two meetings we can complete our review and agreement or disagreement on that final report and we can get back to SARA expeditiously and give it the time it deserves.

I understand the interest in Mr. Graham's report, but there are a lot of other reports that are coming out as well that potentially we could review. I would rather that those are focused on a broader discussion of CCS and the various uses that could be made across Canada.

• (1215)

**The Chair:** We do have a steering committee meeting scheduled for Thursday morning.

I've got Mr. Scarpaleggia, then Monsieur Bigras, and then Mr. Warawa.

[Translation]

**Mr. Francis Scarpaleggia:** I agree with both Mr. Bigras and Ms. Duncan. If you read the motion carefully, you will agree that it is really ambiguous and flexible. After all, that was the intent.

I agree that we do not necessarily have to have Mr. Thompson or other experts testify on this issue. However, it would be irresponsible to produce a report that is not up-to-date, that does not consider the issues raised since we began holding our meetings, whether they be with respect to Dr. O'Connor's file or Dr. Schindler's report that was published this morning. We would be publishing a report with a number of shortcomings.

If we do not want to invite Mr. Thompson, I would prefer to conclude this report and publish it as quickly as possible instead of waiting and opening up the debate to other witnesses. When drafting the report, I would like the research analysts to mention the ideas raised by Mr. Thompson.

It is unlikely that we will be able to think about studying carbon storage in the next few weeks. We have two other reports to complete and two other issues to deal with. An in-depth study on carbon storage is not something that we can do today. As a fair compromise, I would suggest that we give our research analysts

permission to include a small section on what came out of Mr. Thompson's brief, without prejudice, so that our report will be as complete as possible.

[English]

**The Chair:** Okay.

Monsieur Bigras.

[Translation]

**Mr. Bernard Bigras:** I do not know if Mr. Scarpaleggia is making a motion or just a suggestion. Personally, if this is a motion, I would not be in favour of mandating the research analysts to include the aspects covered in Mr. Thompson's analysis without knowing what they are. I am somewhat cautious.

However, I would like to make an amendment to the motion. I do not know whether this is possible.

[English]

**The Chair:** Yes, you can make an amendment.

[Translation]

**Mr. Bernard Bigras:** I move:

That, pursuant to Standing Order 108(2), the Committee ask the Steering Committee to evaluate the invitation of Mr. Graham Thomson, author of the paper entitled "Burying ...

That means that we do understand what Mr. Scarpaleggia has just said. The steering committee would be formally mandated to study this issue. Given that we do not have very many items to study, the steering committee could meet as early as Thursday.

**Mr. Francis Scarpaleggia:** Unfortunately, I will not be here on Thursday. I have to be in my riding because the Olympic torch is coming through my area.

**Mr. Bernard Bigras:** Are you a member of the steering committee?

**Mr. Francis Scarpaleggia:** Yes.

**Mr. Bernard Bigras:** It is important that the steering committee meet in order to look at this possibility. There is a strong commitment from the committee that the steering committee will take into account. At the same time, this would enable us to work on future business, to begin looking at what we should study and what we should be prioritizing. That is what my motion is all about.

[English]

**The Chair:** For clarification, the amendment that just was thrown on the floor by Monsieur Bigras is "That the Standing Committee on Environment and Sustainable Development ask the steering committee to consider the invitation of Graham Thomson."

[Translation]

**Mr. Bernard Bigras:** I repeat:

That, pursuant to Standing Order 108(2), the Committee ask the Steering Committee to evaluate the invitation of Mr. Graham Thomson, author of the paper,,,

• (1220)

[English]

**The Chair:** I don't know if "invites" is the correct word to put in there, but that's what we have.

So now we're debating the amendment.

I do have Mr. Warawa and Madam Duncan on the speakers' list now, but we are speaking to the amendment that the steering committee consider the invitation.

Mr. Warawa, you have the floor.

**Mr. Mark Warawa:** Mr. Chair, the spirit of what Mr. Bigras is suggesting makes sense. In my comments I said that I think the steering committee needs to deal with the order of what we're going to be discussing. As I said also, in the spirit of looking at some more witnesses, I would agree with Mr. Scarpaleggia that we need to hear from more witnesses on the oil sands study. If he's suggesting just one, then I don't agree with that.

Again, the steering committee needs to deal with this. The amendment, I think, is bang on. I thank Mr. Bigras for his wisdom and suggestion, and I would support that. If Mr. Scarpaleggia accepted it as a friendly amendment, we'd have to deal with it just once.

My question, through you to Mr. Scarpaleggia, is whether he would accept that as a friendly amendment.

**Mr. Francis Scarpaleggia:** Mr. Chair, I appreciate Mr. Bigras' trying to bridge the issue, but I fail to understand what really needs to be discussed at steering committee. I've made it very clear that we don't need to have additional witnesses, and I made it very clear that I'm not asking that we have additional witnesses by a certain date or that we pick up the study by a certain date or have it published by a certain date. These are the kinds of things that the steering committee deals with. I'm not dealing with those in this motion.

I'm just a little concerned that the object is to get this into a little committee where it can be killed. That's really what it's all about. If we're going to kill it, why don't we kill it in the big committee, which has the representatives of the steering committee at it?

While I appreciate Mr. Bigras' trying to find a noble compromise, I just fear that I'm being led down the garden path here, if you will, Mr. Chair.

**The Chair:** I have Ms. Duncan, and then Mr. Watson.

**Ms. Linda Duncan:** Mr. Chair, I still have problems with how I can vote on the motion, because I'm not sure what I'm voting for. At the same time, I'm voting to bring in Thomson and/or incorporate his report and/or hear other experts. I'm not sure it's really giving us a lot of guidance. I also have to admit that I'm puzzled, because usually when I raise this kind of discussion, it's immediately said that it's steering committee business and we can't discuss it in the committee.

But I'm still willing to keep discussing it.

**The Chair:** That's exactly what we have. We have an amendment to send it to steering committee to discuss it.

**Ms. Linda Duncan:** Okay, but I want to speak to it.

**The Chair:** We're speaking to the amendment.

**Ms. Linda Duncan:** I'm speaking to the amendment. I don't know if you can amend the amendment.

**The Chair:** I won't entertain that, actually. If you don't like the amendment, defeat the amendment and then you can move another amendment.

**Ms. Linda Duncan:** That's okay. I want to tell you what my concern is with his very valiant attempt to try to refer this to the steering committee.

My preference is that we not focus just on Mr. Thomson, that we focus in on the big decision of whether we move forward expeditiously to finalize our report or whether we continue ad nauseam hearing experts. I could probably come up with 55 more witnesses. Dr. Schindler has now published his research. There's the new information about Dr. O'Connor. I think what we need is a discussion about how we can put constraints....

If there's something that's directly relevant to give us updated information to make sure our report is correct, I'm fully in favour of that. I'm not sure this constrains that. I'm really worried about the timeliness of our report.

**The Chair:** Mr. Watson.

**Mr. Jeff Watson (Essex, CPC):** I have a question, Mr. Chair.

The amendment is proposing that it's pursuant to Standing Order 108(2). What does Standing Order 108(2) actually authorize us to do? Are we authorized to send it to a steering committee pursuant to that particular standing order?

**The Chair:** Standing Order 108(2) reads as follows:

108(2). The standing committees, except those set out in sections (3)(a), (3)(f), (3)(h) and (4) of this Standing Order, shall, in addition to the powers granted to them pursuant to section (1) of this Standing Order and pursuant to Standing Order 81, be empowered to study and report on all matters relating to the mandate, management and operation of the department or departments of government which are assigned to them from time to time by the House. In general, the committees shall be severally empowered to review and report on:

- (a) the statute law relating to the department assigned to them;
- (b) the program and policy objectives of the department and its effectiveness in the implementation of same;
- (c) the immediate, medium and long-term expenditure plans and the effectiveness of implementation of same by the department;
- (d) an analysis of the relative success of the department, as measured by the results obtained as compared with its stated objectives; and
- (e) other matters, relating to the mandate, management, organization or operation of the department, as the committee deems fit.

It's kind of like we can do whatever we want.

● (1225)

**Mr. Jeff Watson:** Okay. That's what I wanted to know. Thanks.

**The Chair:** I have nobody else on the speakers' list. Are we ready for the question? We're voting on the amendment.

**Mr. Francis Scarpaleggia:** Could you read the—

**The Chair:** The amended motion will read as follows, and I'll do this in English:

That pursuant to Standing Order 108(2), the Standing Committee on Environment and Sustainable Development ask the Steering Committee to evaluate the invitation of Mr. Graham Thomson, author of the paper entitled "Burying Carbon Dioxide in Underground...."

—etc.

**Mr. Francis Scarpaleggia:** I don't believe we have to invite him, so if we're now making a decision as to whether the steering committee decides to invite him or not, then case closed. If he's not invited, that's it. If we don't incorporate the discussion of his paper into our draft report, then I can't support the amendment. I don't mind having the steering committee decide whether we either invite him or we don't invite him, and the researchers can incorporate some kind of discussion about the issue in the report, in the same way they're going to have to update their report to discuss Dr. Schindler's paper, which was a follow-up to his appearance in Alberta, and in the same way they're going to have to incorporate new information on Dr. O'Connor, which we didn't have back in the spring. I'm just saying let's open up a subheading in the paper to discuss this. Now, we don't have to take a strong position in favour of Mr. Thomson's paper or against Mr. Thomson's paper, but there should be some kind of balanced discussion, led by the researchers, in the draft report on this issue. To not talk about this issue at all, to pretend it doesn't exist, I think makes our report less credible.

So I'd like us to vote on this motion, and the motion will give the steering committee a choice about whether to invite Mr. Thomson. If we don't feel we should have any more witnesses because we want to get on with the job, then the researchers will have a brief discussion of the issue and a brief review of Mr. Thomson's article in the drafted committee report.

It's quite possible that we won't have any recommendations flowing from that discussion, but somehow it needs to be addressed and recognized that this issue exists. I don't want to send it to steering committee, where we're going to decide we don't have time for more witnesses and we can't invite Mr. Thomson and that will be the end of it.

**The Chair:** Okay. We're still discussing the amendment.

Ms. Duncan.

**Ms. Linda Duncan:** I fully understand where Mr. Scarpaleggia is coming from. I'm just wondering if maybe it's a little premature. We haven't seen the report. For all we know, maybe it's mentioned in there.

I'm just wondering if maybe when that report is brought to us it might be possible for one of us to make a recommendation that there be such a reference in the report. It just seems a little premature if everybody hasn't read the report. I think we're having to reach an agreement on something before we've discussed it. That's the problem.

**The Chair:** This is just on the report. Until we're actually back to studying oil sands and we're going to finalize the report, I'm not in a position to circulate that report because I need to make sure it stays confidential until we're ready to consider it. So I am sitting on that report.

And of course the report takes into consideration discussions and witnesses that we've had at this committee table, so any new evidence that has come to light hasn't been considered.

Regardless of that, are there any other comments? We're voting on the amendment.

(Amendment agreed to)

**The Chair:** Is there any more discussion on the amended motion?

• (1230)

**Mr. Francis Scarpaleggia:** I'd like to have a recorded vote on the motion.

**The Chair:** Okay, we're going to have a recorded vote.

Not seeing anybody else wanting to speak, I'll have our clerk call the question by roll.

**An hon. member:** Can she read the—

**The Chair:** I'll read the motion.

That pursuant to Standing Order 108(2), the Standing Committee on Environment and Sustainable Development ask the Steering Committee to evaluate the invitation of Mr. Graham Thomson, author of the paper entitled "Burying Carbon Dioxide in Underground Saline Aquifers: Political Folly or Climate..."

**Mr. Justin Trudeau (Papineau, Lib.):** That's the amended motion.

**The Chair:** That's what we're voting on, the amended motion. The amendment carried. The amended motion reads:

That pursuant to Standing Order 108(2), the Committee ask the Steering Committee to evaluate the invitation of Mr. Graham Thomson, author of the paper entitled "Burying Carbon Dioxide in Underground Saline Aquifers: Political Folly or Climate Change Fix?", and other experts to discuss new information relating to the impact on Canada's water resources of carbon capture and storage technology as potentially applied to the oil sands; or otherwise incorporate a discussion of Mr. Graham Thomson's paper and its findings in the Committee's final study report.

That is the motion as amended.

(Motion as amended agreed to)

**The Chair:** The vote is carried, and it is unanimous.

Okay, we're at the end of our agenda. Just before I entertain Mr. Warawa, I want to remind everyone that we have a steering committee at 11 o'clock in room 237 across the hall. I ask the steering committee members to be there. If you can't be there, I ask that you have a substitute for you. That would be good.

I've also sent out an invitation as chair of the committee, inviting all our members for a Christmas lunch up in the Parliamentary restaurant, room 602, at noon.

**Mr. Jeff Watson:** The chair is buying.

**The Chair:** I'm buying. I invite all of you in to celebrate a little Christmas cheer and enjoy each other's fellowship in a more informal setting.

Go ahead, Mr. Warawa.

**Mr. Mark Warawa:** I move that we adjourn.

**The Chair:** I have a motion to adjourn. All those in favour?

**Some hon. members:** Agreed.

**The Chair:** The meeting is adjourned.





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