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Wednesday, June 9, 2010

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Chair

Mr. David Tilson

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•(1630)

[English]

The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)): I'm going to call the meeting to order.

This is the Standing Committee on Citizenship and Immigration, meeting number 23, Wednesday, June 9, 2010. The orders for the day are Bill C-11, an act to amend the Immigration and Refugee Protection Act and the Federal Courts Act.

We are here today for clause-by-clause consideration. We have with us a number of the staff, who I will not introduce; you've met them all. But if there are questions on different sections or amendments, they can be asked of those people.

Thank you for coming and giving up your time today.

Monsieur Coderre, you have a point of order?

Hon. Denis Coderre (Bourassa, Lib.): It might be just a point of clarification. I want to have the status on the motion that we were considering before. We were supposed to end that on June 3 at 23:59. Now we have another clause-by-clause, which means that everything we did before has collapsed. I'd like to understand where we're going now. We were supposed to be flexible, and we might have some other amendments that we could promote if we're able to consider that meeting in order.

The Chair: I'm calling the meeting in order. It's at the call of the chair, and we are calling. I hope you've given us all your amendments, but if others surface, you're free to introduce them. Of course I would want time for me and the clerk to look at those amendments, but there's nothing out of order about members introducing amendments as we proceed.

Hon. Denis Coderre: Okay. And what's the status regarding the June 3 motion? What would be the timeframe?

The Chair: We're having a meeting today, Mr. Coderre. It's the call of the chair and I'm calling it.

Hon. Denis Coderre: I'm talking about the motion. We were supposed to end on June 3 because we wanted to table it before the end—

The Chair: We're having a meeting right now to proceed with Bill C-11. I'm not going to get into a debate with you. If you want to challenge the chair that this meeting is not in order, you're welcome to. But I'm saying that this meeting is in order and that we're going to proceed.

Hon. Denis Coderre: So the motion from June 3 is out? It's irrelevant today? I'm just asking.

The Chair: Of course.

Hon. Denis Coderre: Okay.

The Chair: This is June 9.

Hon. Denis Coderre: Okay.

The Chair: I hope that all of you have delivered the various amendments that you have, and I hope that all committee members have copies of those amendments. I guess we'll find out if you haven't as we proceed.

My question to the committee is are there groups of amendments or amendments that will not be proceeded with? If so, can you advise us about them now?

You're not going to tell us as we go along—is that what you're saying?

[Translation]

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): I think it would be simpler to delete the amendments as we go along.

[English]

The Chair: Okay.

[Translation]

Mr. Thierry St-Cyr: In any case, they'll be in the reading book, and we'll think we did them yesterday.

We'll delete them as we go along, if any of them have to be deleted.

[English]

The Chair: Fine.

You've seen the orders of the day. Consideration of clause 1 is postponed, so we will proceed to clause 2.

Mr. Bevilacqua.

Hon. Maurizio Bevilacqua (Vaughan, Lib.): Does the out-of-order ruling still apply?

The Chair: I have no idea what you're talking about.

Hon. Maurizio Bevilacqua: Before we left the last meeting, you gave me a list of NDP 2, 5, 8, 9, 10, 11. How are we going to deal with that? Are we going to just...?

The Chair: I gave those to you outside the meeting in the hope that some of you might correct your amendments in light of the rulings I was making. I wanted to put you on notice, at least, that I was going to be making those rulings.

Hon. Maurizio Bevilacqua: Yes.

The Chair: I did this in the spirit of cooperation, in the hope that this would assist the process of these clause-by-clause discussions.

Ms. Chow.

Ms. Olivia Chow (Trinity—Spadina, NDP): I assume we would proceed in this fashion: you would do a clause, and then, when we come to any of the amendments from the amendment package sent out earlier, you would go through the entire package and we would vote on each of them. Am I correct?

The Chair: I'm going to run down the clauses. I'm at the mercy of the committee; I'll do what you people tell me to do. But what I was intending to do was run down the clauses and ask whether the clauses would carry. Whoever has an amendment can make one.

Monsieur Coderre.

[*Translation*]

Hon. Denis Coderre: Mr. Chairman, even though clause 1 is reserved and even though the amendment of my colleague Mr. St-Cyr wasn't admissible, could we simply ask that the title be completely struck out?

[*English*]

The Chair: Monsieur Coderre, first of all, Monsieur St-Cyr hasn't yet made an amendment. Second, as I've pointed out, pursuant to Standing Order 75(1), consideration of clause 1 is postponed until the end.

[*Translation*]

Hon. Denis Coderre: All right.

[*English*]

The Chair: Anyone else want to talk about anything?

(Clauses 2 and 3 agreed to)

(On clause 4)

The Chair: Ms. Chow, you have the floor.

•(1635)

Ms. Olivia Chow: Clause 4 deals with humanitarian and compassionate grounds. You probably heard me asking quite a few questions in the past regarding paragraph (c), which bars people from applying within 12 months of their refugee status determination. There is also the matter of the fees, etc.

I have a group of motions that deals with a series of things. One basically deletes the entire section; another talks about changing the word “must” to “shall”; another one says that people should not be deported while they are being reconsidered on humanitarian and compassionate grounds.

The Chair: Ms. Chow, we need to be clear which amendments you're speaking of.

Ms. Olivia Chow: I'm trying to save some time.

The Chair: You can do that if the committee allows you to speak to two at a time. But before you can start debating it, you should probably make the amendments.

Ms. Olivia Chow: Just to expedite the meeting, rather than making four separate speeches, what I'm planning to do is make one speech that deals with all the amendments relevant to humanitarian and compassionate grounds.

The Chair: I would like you to make the amendment that you're proposing.

Ms. Olivia Chow: Allow me to finish.

The Chair: Finish what? We need to be clear that we know what amendment you're speaking about.

Ms. Olivia Chow: I am speaking about NDP-0.1, NDP-1, NDP-2.1.

The Chair: Are you going to move the amendments?

Ms. Olivia Chow: Let me finish. The reason I am withdrawing the motion.... You have to allow me to finish saying what I need to say, okay? I need to say it.

The Chair: If you need to say it, then say it.

Ms. Olivia Chow: Thank you.

The reason why it is really important that the humanitarian and compassionate grounds stay—the reason why I'm not moving my amendment—is because later on there is a Liberal amendment that deletes the one-year bar on humanitarian and compassionate grounds. There is a Bloc amendment further down that actually talks about hardship. I had trouble with proposed subsection 25(1.3), “whether a person is a Convention refugee under section 96”.

Because of the other amendments coming up, I am comfortable in not moving those three recommendations in front of you. I would have preferred to exempt the applicants from paying the \$500, but I'm not sure I can find the support in this room to do so.

I certainly hope that members will support the Liberal amendment and the Bloc amendment. Then women leaving domestic violence, or gays and lesbians, who may not completely fit into the convention refugee determination process, would have a chance to then file on humanitarian and compassionate grounds.

Thank you for hearing me out.

The Chair: Thank you, Ms. Chow.

Ms. Olivia Chow: And it didn't take too long, so I want you to give me that flexibility to say what I need to say.

•(1640)

The Chair: You settled me down and I settled you down—there we go.

Ms. Olivia Chow: Right.

The Chair: So the next proposed amendment is the Liberal amendment.

Mr. Bevilacqua.

Hon. Maurizio Bevilacqua: Mr. Dykstra?

The Chair: Oh, I'm sorry. Do you have a point of order?

Mr. Rick Dykstra (St. Catharines, CPC): It's not a point of order; I just want to speak to the amendment.

The Chair: Well, he hasn't said anything yet.

Mr. Rick Dykstra: Okay.

Hon. Maurizio Bevilacqua: It's to remove the concurrent bar on humanitarian and compassionate grounds and the one-year period during the refugee process. I think we know what this issue is about. Refugees need to access humanitarian and compassionate grounds.

The Chair: So you're not proceeding with this amendment.

Hon. Maurizio Bevilacqua: I am, but as written in LIB-1.

The Chair: As I understand it, if this amendment is adopted G-1 cannot be moved.

Is everybody clear on that?

Some hon. members: Yes.

The Chair: We'll go to debate.

Mr. Bevilacqua.

Hon. Maurizio Bevilacqua: That is the debate.

The Chair: Is there any further debate?

Mr. Rick Dykstra: The opposition knows where we stand on this issue—so on division.

Hon. Maurizio Bevilacqua: It passes on division.

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

The Chair: So G-1 is gone.

Mr. Rick Dykstra: We'll withdraw it.

The Chair: Monsieur St-Cyr is next.

[*Translation*]

Mr. Thierry St-Cyr: Mr. Chairman, in your book, you had amendment BQ-2, which I'm going to withdraw. In the last series of amendments that you received, I'm going to propose the following wording.

[*English*]

The Chair: It's BQ 2.1.

[*Translation*]

Mr. Thierry St-Cyr: Exactly.

[*English*]

The Chair: It's new. We're moving at a frantic pace.

Monsieur St-Cyr, you have the floor.

[*Translation*]

Mr. Thierry St-Cyr: I'm going to read it to you: That Bill C-11, in Clause 4, be amended by replacing line 41 on page 2 with the following:

97(1) But must consider elements related to the hardships that affect the foreign national.

When humanitarian applications are reviewed, for procedural reasons, refugee applications are separated from humanitarian applications, and I understand that, but I want to ensure that, in the context of that review, the hardships people face are considered and that they can't be refused simply by saying that their hardships fall under sections ??96 and 97.

[*English*]

The Chair: Okay, the bells are going. Is there debate on this?

(Amendment agreed to)

(Clause 4 as amended agreed to)

The Chair: We are going to suspend. When we come back we will deal with clause 5.

●(1640) _____ (Pause) _____

●(1735)

The Chair: Order.

Clause 5 has a couple of NDP proposals.

Ms. Chow.

Ms. Olivia Chow: I'm not moving amendments NDP-3 and NDP-4.1, because I spoke to my Bloc colleague. This deals with provincial selection authority for granting on humanitarian and compassionate grounds. I was concerned that if the provincial guidelines were high, some of the deserving people who want to stay in Canada on humanitarian and compassionate grounds might not be able to meet those criteria. But I've been persuaded to respect especially the Quebec provincial government's power to determine who they want to let into the country, so I'm not moving those two amendments as a result.

(Clauses 5 to 7 inclusive agreed to)

(On clause 8)

The Chair: We go to clause 8.

Monsieur St-Cyr.

[*Translation*]

Mr. Thierry St-Cyr: Mr. Chairman, in the second package of amendments, there was amendment BQ-3. I would like to withdraw it and instead submit amendment BQ-3.1.

The idea in fact is to ensure that the minister's ability to make regulations, which provide for who may or may not represent applicants, extends to all divisions of the Board and that includes the initial interview.

[*English*]

The Chair: Debate?

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

(Clause 8 as amended agreed to)

(Clauses 9 and 10 agreed to)

(On clause 11)

The Chair: We're now on clause 11.

Ms. Chow.

Ms. Olivia Chow: There is a group of recommendations, starting with NDP-5, that deal with interviews. The existing law—before Bill C-11—provides for personal information and allows the claimant to describe their own story. They can write their own narrative. This will be replaced by an interviewing process in Bill C-11. I was concerned that the interviewing process would be too rushed and there wouldn't be enough time for legal representation.

However, there are other amendments coming up that increase the first part of the time that will allow claimants to have legal counsel. I'm withdrawing all of my amendments that deal with the interview. There are a few of them. I'll go through them as they come up, but the first is NDP-5.

I have been assured that the interview process will not be harsh, since it will be done by Immigration and Refugee Board officials and staff and not through CBSA. So it will not necessarily be confrontational, and the applicant will have the capacity to get a copy of the tape, etc. So I have been assured that the process will be okay.

• (1740)

The Chair: Mr. Dykstra.

Mr. Rick Dykstra: No.

The Chair: I have in my notes amendment G-1.1. Is that incorrect?

[*Translation*]

Mr. Thierry St-Cyr: Mr. Chairman, if I may, I'm going to withdraw amendment BQ-4, since the government is proposing to set a minimum time period of 15 days in the act. The purpose of my motion was to establish a period of 28 days, but I am giving in to the government's wish, which was also agreed upon with the Liberal Party critic. So I'm going to withdraw amendment BQ-4.

[*English*]

The Chair: Thank you, sir.

BQ-5.

[*Translation*]

Mr. Thierry St-Cyr: I'm also going to withdraw amendment BQ-5. At the outset, I wanted us to consider the question whether the time period for the first hearing should be fixed under the act, but after considering the matter, I don't believe it is absolutely necessary to include that in the act. We can leave the possibility of determining that by regulation.

[*English*]

The Chair: Are you ready now?

Mr. Rick Dykstra: Yes.

The Chair: You're on, sir.

Mr. Rick Dykstra: I move amendment G-1.1.

The Chair: Do you all have that?

A voice: No. Hold on a minute.

Mr. Rick Dykstra: I can read it, if you'd like.

The Chair: Well, if they have it, maybe it's understood, and we don't have to. Just a second. Does everybody have it? It's amendment G-1.1.

Ms. Chow, do you have it?

Ms. Olivia Chow: Yes, I do.

The Chair: Okay.

Mr. Dykstra has the floor.

Ms. Olivia Chow: Mr. Chair—

The Chair: We have to let him speak to it first.

Ms. Olivia Chow: Sorry.

Go ahead.

Mr. Rick Dykstra: I'll just move the amendment:

The date fixed for the interview must not be earlier than 15 days after the day on which the claim is referred, unless the claimant consents to an earlier date.

The Chair: Ms. Chow.

Ms. Olivia Chow: No, I have questions on other...

The Chair: Is there further debate?

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

(Clause 11 as amended agreed to)

Ms. Olivia Chow: Isn't there another...? I have not voted against—

The Chair: Excuse me, Ms. Chow. I thought I said "as amended". I hope I did.

Ms. Olivia Chow: No, no.

Mr. Rick Dykstra: Yes, you did.

Ms. Olivia Chow: We're not ready for clause 11 yet.

The Chair: Well, okay, you can help me with that, because I have a note here that says "new clause". Who's going to do that?

The Bloc is. Go ahead, Monsieur St-Cyr.

[*Translation*]

Mr. Thierry St-Cyr: That's what I wanted to ensure. We have to add clause 11.1 to the bill. The purpose of this new clause is to add a title after section 107 of the act and to enable the Refugee Protection Division to state that, in its view, the application is clearly unfounded if it is clearly fraudulent.

This amendment obviously goes together with the following amendment, the other Bloc Québécois amendment. The idea is to give the first decision-making level the ability to rule an application unfounded. In that case, that application would be handled at the appeal level in the same way as an application that does not have that status, but it would be handled on an expedited basis. The purpose of this provision is to include this concept in the act.

We have to deal with them in the order in which they are presented.

[*English*]

The Chair: Are the bells ringing again? No. Go away.

Ms. Chow, you have the floor.

Ms. Olivia Chow: Do we have to vote?

The Chair: No, it was a false alarm.

Ms. Olivia Chow: Mr. Chair, could there be some explanation as to how this would work in terms of the timing? We're debating, I guess, Bloc amendments 5.01 and 5.1. Are we doing both at one time, or is it just...?

• (1745)

Mr. Thierry St-Cyr: I think they go together.

Ms. Olivia Chow: They go together. If that's the case, could there be some kind of explanation of how the process would work if a claimant were found to be not telling the truth, for example, and that person's claim was "manifestly unfounded"? Could there be some description of it?

Mr. Peter MacDougall (Director General, Refugees, Department of Citizenship and Immigration): Are we also talking about BQ-5.1, to get it together?

The Chair: I don't think we're there yet. We're at 5.01 at this stage.

[*Translation*]

Mr. Thierry St-Cyr: Mr. Chairman, I understand why we're discussing clause 5.01, but to really understand what we're going to vote on, I would like the officials to explain to us what the consequences would be if we adopted both. In my opinion, the two go together. Consequently, I would like them to tell me what the result would be if the committee adopted both clauses, while understanding that we will have to adopt them separately, for course.

[*English*]

The Chair: I agree. One of the questions is whether there will be someone who won't have the right to appeal. Is that a fair question?

Mr. Peter MacDougall: So the two clauses—

The Chair: You can talk about both of them. It appears we're in agreement on that.

Mr. Peter MacDougall: All right.

The essence of BQ-5.1 is that it restores the right of appeal to someone from a safe country of origin. If this is adopted, that will be restored.

A manifestly unfounded claim, as Mr. St-Cyr mentioned, is an additional tool to a safe-country-of-origin concept. It's recognized by the UNHCR. It's used by several other countries, including Norway and Sweden, so it's well known. Essentially, it provides the opportunity for a consequence. With respect to the safe country of origin, if there's an appeal adopted, we would also look at providing some kind of consequence.

The original reason we did not have an appeal for safe-country-of-origin claimants has to do with the accelerated process, essentially a consequence of being from a presumptively safe country. If these are adopted, and you have a manifestly unfounded claim, and you've restored an appeal, then we would look at ways to priority-process people who have either been found to be manifestly unfounded at the Refugee Protection Division, or have been determined to be safe-country-of-origin nationals. Following the Refugee Protection Division decision, we would seek to accelerate the Refugee Appeal Division hearing for those two groups of people. Obviously, this would be set out in the regulations subject to Governor-in-Council approval and pre-publication.

The Chair: Monsieur St-Cyr still has the floor.

[*Translation*]

Mr. Thierry St-Cyr: Obviously, if we adopt these two recommendations, we're giving the government the opportunity to prescribe by regulation the time limits for the regular process and for the expedited process. If the committee had to proceed in that manner, what timeframes would the government set by regulation for both processes?

[*English*]

Mr. Peter MacDougall: For the regular non-safe-country-of-origin legitimate founded claim, you would have the 15-day

information interview. You would have 90 days at the first level of the Refugee Protection Division. You would then have another 15 days to file a notice of appeal to the Refugee Appeal Division. Finally, you would have 120 days after that for your Refugee Appeal Division decision. That's for the regular stream.

For safe-country-of-origin claimants, the 15-day interview would be for everybody. However, for that group we would propose 60 days for the first level, the Refugee Protection Division hearing, rather than 90. Similarly, they would get 15 days to file an appeal to the Refugee Appeal Division, but their hearing would be completed in 30 days, as opposed to 120.

With respect to manifestly unfounded claimants, this determination would not happen until the Refugee Protection Division hearing. So they would, like the regular claimant, have 15 days for the information interview and 90 days for the refugee protection hearing. If the claim is subsequently found to be manifestly unfounded, they would then move over to the fast track for the Refugee Appeal Division. So there would be 15 days to file notice of appeal and 30 days for a Refugee Appeal Division hearing.

• (1750)

[*Translation*]

Mr. Thierry St-Cyr: Under the current regulations, when someone appeals to the Federal Court, there is an automatic stay of removal for that person. Now there would be two classes. What are your intentions with regard to the regulations concerning stays of removal for those individuals?

[*English*]

Mr. Peter MacDougall: The principle of safe country of origin from the outset was to provide priority processing. So what we would further explore in regulation is for those groups of nationals, both safe country of origin and people manifestly unfounded.... We would seek in the regulations to provide a non-suspensive judicial review. That is to say, when someone files application for leave to the Federal Court, their removal is stayed for the period in which the decision needs to be made about leave. We would seek in the regulations, for manifestly unfounded claimants and for safe country of origin nationals, to have their judicial review application become non-suspensive. In essence, they could be removed during the leave application process.

[*Translation*]

Mr. Thierry St-Cyr: Thank you.

[*English*]

The Chair: Ms. Chow and then Monsieur Coderre.

Ms. Olivia Chow: Let's say Mexico is a designated country. They applied and were refused. However, they believe they have humanitarian and compassionate grounds. At what point can they start their application?

I guess maybe during the hearings or soon after the hearings they discover they're really in the wrong stream. They can go to humanitarian and compassionate grounds. They might be rejected or may be accepted. If they are accepted, then they apply for landed status. But if they are rejected, do they have access to Federal Court appeal?

Mr. Peter MacDougall: You're asking if someone from a designated country of origin has access to the Federal Court after a negative refugee decision?

Ms. Olivia Chow: After humanitarian and compassionate grounds, yes.

Mr. Luke Morton (Senior Legal Counsel, Manager, Refugee Legal Team, Legal Services, Department of Citizenship and Immigration): Yes, everyone will have access to judicial review.

Ms. Olivia Chow: However, if they have gone through the appeal division and they've been turned down, and they then apply, do they at that point still have the possibility to go to Federal Court?

Mr. Luke Morton: Yes, they will have access to go to Federal Court, And for the two categories we were talking about, the manifestly unfounded and the safe country of origin, the difference is it could be proposed that they would not benefit from a legislative stay of removal. They could file their leave application, but they could be removed.

Ms. Olivia Chow: Right. In the case of humanitarian and compassionate grounds, that happens anyway, right? So we're not delaying the removal process if they apply through Federal Court.

Mr. Luke Morton: Well, currently there is a legislative stay of removal for certain groups of people. From your Refugee Protection Division, if you're seeking judicial review you benefit from a legislative stay of removal. But as you said, for humanitarian and compassionate, you don't benefit from a legislative stay.

Ms. Olivia Chow: Right. And if they have exhausted the situation.... Can you explain about who would be seen as manifestly unfounded? How do you define who they are?

Mr. Luke Morton: The key is it's defined in the definition.

Is it clearly fraudulent...?

• (1755)

Mr. Peter MacDougall: Yes. It's in BQ-5.01. The definition being used here is that the manifestly unfounded complainant is one whose claim is clearly fraudulent.

Mr. Luke Morton: And as Peter mentioned, that's consistent. That language is taken from the United Nations High Commission on Refugees EXCOM Conclusion No. 30.

Ms. Olivia Chow: And fraudulent would be one aspect of their claim, or are all aspects of their claim fraudulent?

Mr. Luke Morton: It's hard to predetermine how the Refugee Protection Division would determine that. It would be up to the board member. But the test is in law that it's clearly fraudulent. That's as much as we can say today.

Ms. Olivia Chow: Okay—i.e., no basis for it...

Mr. Luke Morton: I can't speak for the Refugee Protection Division.

The Chair: Okay. We're debating these two amendments at the same time.

Monsieur Coderre.

[Translation]

Hon. Denis Coderre: Mr. Chairman, I have a number of questions. From time to time, I hear you use the expression "safe

countries of origin" and "designated countries". Do you draw a distinction between a safe country and a designated country, and, if so, what is it?

[English]

Mr. Peter MacDougall: No, I make no distinction. In fact in the G-2 government amendment it introduced the use of the word "safe", and in the amended BQ-5.1 it moves back to the original language of "designated", which is in Bill C-11. So I do not make a distinction now.

[Translation]

Hon. Denis Coderre: I'd like to know whether, in your mind, a designated country is a safe country?

[English]

Mr. Peter MacDougall: Yes.

[Translation]

Hon. Denis Coderre: If it's a safe country, that means you're drawing a distinction between a refugee from a safe country and a refugee from another country, aren't you?

[English]

Mr. Peter MacDougall: Sorry, could you repeat that, sir?

[Translation]

Hon. Denis Coderre: I'm in favour of speeding things up. The important thing in this act, in my opinion, is for everyone to have the right to appeal and for everyone to be entitled to something that is fair. If we get the impression that the process isn't fair, people may be pleased that the act is passed, but, in five years, we'll be dealing with the problem created by the interpretation of what a designated country is and what a safe country is.

If Bill C-11 isn't adopted, will an immigration minister or government have the opportunity to designate a country?

[English]

Mr. Peter MacDougall: No.

[Translation]

Hon. Denis Coderre: Consequently, this is a new feature, isn't it?

What proves to me that a person, even if that person has a right of appeal—that's what I understand. You're saying that we now have safe countries or designated countries and that everyone has a right to appeal.

What's the point in granting a right of appeal for everyone if there are designated countries?

[English]

Mr. Peter MacDougall: As I said, there will be accelerated processing. There is still a consequence, if you like, of being from a designated country, a safe country.

In the first instance you will have a faster refugee protection hearing; we'll be processing you faster at the front end. With the safe country of origin you'll be getting a Refugee Appeal Division hearing 30 days after your notice of appeal, compared to 120 days for someone who is not from a designated country of origin. It's accelerated processing for safe countries of origin, the same access to an appeal as everyone else.

[Translation]

Hon. Denis Coderre: Let's take the case of a homosexual who comes from a safe country. He is a homosexual, but since he comes from a safe country, that person's file will be handled more quickly than if he came from another country. Is that what this means?

[English]

Mr. Peter MacDougall: Will his case be heard more quickly if he's from a safe country?

Hon. Denis Coderre: Well, that's what you're saying. You would expedite it because—

Mr. Peter MacDougall: Yes, we expedite it because he's from a safe country; however, there is also a provision in clause 12 to designate groups of people as unsafe.

[Translation]

Hon. Denis Coderre: I'm not moved by editorials. It doesn't bother me when an editorialist tries to define the national interest. As a legislator, I want to make sure that we'll ultimately have the best possible act and that it can protect every individual. This is a principle or a value: We have to protect every individual. That's fundamental.

People will have their press scrum afterwards. As a former Minister of Citizenship and Immigration, and as a Canadian and Quebecker, I want to make sure that we implement the principle that every individual is entitled to a chance and a hearing, and that it isn't because a person comes from a particular country that he or she will be "screwed"—pardon that expression; I don't know how it will be translated.

This is important for me; it's fundamental. Personally, I'm ready to give everything, and that's no problem for me. We can deal with the time and all that; the regulation can completely change. Ultimately, we have to be able to look at ourselves in the mirror and sleep well at night. We all talked to the representatives of the Canadian Council for Refugees, and we all talked to everyone. I want to be sure that when Ms. X comes to Canada, she'll be treated fairly.

As of now, will we be completely changing the situation, intrinsically? As of now, every case will no longer be individual because we've said that certain individuals were coming from a country. I'm asking you to reassure me; that's all I'm asking.

If a woman who doesn't want to be sexually mutilated is from a country that is suppose to be safe, will she have as much of an opportunity as if she was from another country that does not appear on the list? What about a battered woman? What about a homosexual who wants to come to Canada because it's a tolerant country and a free country and whose only crime—because it's a crime in 72 countries—is to love someone of his own gender? Will that person get the same chance if we interpret the act?

• (1800)

[English]

Mr. Peter MacDougall: I don't know how you could come to the conclusion that each case is not individually assessed. It is—

Hon. Denis Coderre: I'm just asking a question, Peter. I just want to know.

Mr. Peter MacDougall: Yes, and I'll answer.

It is currently, it will be, and if BQ-5.1 is adopted everyone will get access to an appeal on an individual basis.

[Translation]

Hon. Denis Coderre: In your view, even if there are designated countries, since every person has a right to an appeal, every case will be handled as an individual case.

[English]

Mr. Peter MacDougall: At the Refugee Protection Division and the Refugee Appeal Division.

[Translation]

Hon. Denis Coderre: So that's what that means. That's good.

In that case, if everyone has a right to an appeal, do we really need designated countries? All we need would be regulations to expedite the processing of cases based on situations rather than countries.

[English]

Mr. Peter MacDougall: With BQ 5.01 and BQ 5.1 we'll have two tools to accelerate processing. One is based on a country of origin accelerated processing. The other is done on an individual basis: as the case is found to be manifestly unfounded, that's another way to accelerate it.

So we will have two complementary tools to accelerate processing.

Hon. Denis Coderre: Thank you.

The Chair: Further debate?

Monsieur St-Cyr.

[Translation]

Mr. Thierry St-Cyr: Mr. Chairman, as Mr. Coderre has asked some very relevant questions, and this concerns my amendment, I feel the need to respond.

First of all, with regard to the designation of countries, I relied on the work that was done by the Liberal critic, Mr. Bevilacqua, to ensure that there were a number of signposts to prevent the government from putting too many countries on the list.

I also would have preferred the term "designated countries" over "safe countries" because it's a more neutral term, with fewer implications of a diplomatic or international political nature, since a country would probably want to have that recognition.

With regard to the acceleration mechanism, you know I have often put questions about this to various stakeholders. Most people agree that it would be highly acceptable to have acceleration mechanisms for dubious cases or for which we would like to have a quicker decision. That moreover is the formal position of the Office of the UN High Commissioner for Refugees, which says it is in favour of a list of designated countries if it's for procedural purposes, not to strip people of rights.

I believe that, taken together, these two amendments will help achieve all objectives, and I hope I have the committee's support.

[English]

The Chair: Ms. Chow.

Ms. Olivia Chow: Mr. Chair, as you know, the lack of an appeal is the area that caused me the most grief. For a long time the New Democrats thought that every applicant should have the right to appeal. I'm glad we see the Refugee Appeal Division will be created in this bill. Until this amendment, the last few words of the clause said they may not have the power to appeal.

The motion in front of us removes that, which means that every individual, no matter which country they are from, will have a full-fledged hearing, and they will not be treated differently from anybody else. They will also have a complete appeal to officers who are trained to hear their cases. That gives me comfort that these claimants, whether they are gay or lesbian in so-called safe countries or people leaving honour killings, etc., will have the full protection as a refugee claimant under the law. The only difference is they will have the Refugee Appeal Division hearing a bit faster than those who are not, and that doesn't trouble me that much. If they fail on these two grounds, I can't see any reason why they should have.... If they then apply to the Federal Court, I can't see why we should stop the deportation during the application. So I'm okay with that, because they have full hearings and full appeals.

There is a series of motions I might as well talk about that I had already introduced—

• (1805)

The Chair: I'd rather you waited until later on.

Ms. Olivia Chow: Okay, I'll wait. I was trying to save some time.

The Chair: Monsieur Coderre.

[Translation]

Hon. Denis Coderre: Mr. Chairman, I'm satisfied by the arguments. I'm also thinking out loud. Not all men are angels. We want a balanced act. In other words, just as the minister must not be at the mercy of a system, the system must not be at the mercy of a minister. I'm not asking you to make any comments; this is political.

There may be a necessity, since this is a first. You confirmed that this previously didn't exist and that we won't be talking about safe countries but rather designated countries. I want to make sure that things ultimately work properly. I don't know whether we should consider a clause that would require revision in five years. While a three-year period is a bit short, a five-year period affords the time to determine whether things have worked properly.

I don't like us introducing a concept that affects a system, a specific value. I'm willing to believe that, from now on, all cases will

be individual and that, under the regulations, matters will go more quickly. That's fine. Mr. Chairman, I would like us to be able to discuss matters. I am prepared to give my support for this clause if we first consider the possibility of requesting a review of clause 12 in five years. That's called a review provision.

We could do it, unless provision is already made for it in the transitional measures of the act. I believe we would be improving this bill if we gave ourselves the opportunity to say that we agree with all that, but that we'll review everything in five years to see whether it really has worked properly. There is one fact: The planet is changing enormously. Cases may arise that we haven't considered. We have to give ourselves a way out. Perhaps we may even renew this provision. If we give ourselves a way out, if we decide that, in five years, we'll see that the designated country concept has worked well, I believe this would serve everyone.

[English]

The Chair: Are you moving a sunset clause?

Hon. Denis Coderre: I'm asking first, Mr. Chair, to have kind of a little debate. I want to seek advice from my colleagues. I think if we have that, we will go to sleep very early tonight.

The Chair: I'd like that.

Hon. Denis Coderre: I know. That's why I'm saying that.

The Chair: Mr. Dykstra and then Ms. Chow.

Mr. Rick Dykstra: I am actually not sure the amendment Mr. Coderre is suggesting is necessary. Perhaps one of our representatives from the ministry could clarify the ongoing review that takes place with respect to issues like this.

• (1810)

Mr. Peter MacDougall: Certainly. The intention is that for the group that works to inform the advisory panel, the resources have been set aside for a monitoring and analysis unit within CIC. Its job will be to be monitor country conditions around the world, including, and in particular, the conditions of countries that become designated countries of origin. So there will be an ongoing analysis and an opportunity to change designations.

I can't remember the date, but about ten days ago we tabled with the committee the draft safe-country-of-origin regulations, and—

An hon. member: Designated.

Mr. Peter MacDougall: Yes, designated countries of origin. I'll just read it to you:

The Minister may cancel a designation made under subsection 109.1(1) of the act without consulting the advisory panel of experts.

So the minister, in response to country conditions, can overnight de-designate a country from the designated country of origin list. So there is an ongoing review mechanism there. Fixing it to a certain period of time would probably actually limit the ability to be responsive to changing countries of origin.

Mr. Rick Dykstra: The point is, if we put in a timeframe review it would actually limit some of the capacity of the ministry or the minister to actually de-designate a country.

Mr. Peter MacDougall: It would make us less responsive—

Mr. Rick Dykstra: Okay.

Mr. Peter MacDougall: —to changing conditions.

The Chair: I have Ms. Chow next.

Ms. Olivia Chow: Am I correct in saying that somewhere in the regulations it would say that a committee would review the status of the designated countries periodically, in the same way you have a temporary-stay-of-removal committee?

I guess the regulation will come later, but you're prepared to have that say-so regarding an ongoing review?

Mr. Peter MacDougall: I think at this time it would be premature to judge the regulation. What we've put forward so far is to suggest the minister can de-designate.

My understanding is that the minister will return with regulations close to the pre-publication period, for the discussion.

Ms. Olivia Chow: Can you say that again? Can you speak a bit louder? I couldn't really hear you.

Mr. Peter MacDougall: Are you asking me if we can put a piece in the regulations about having the advisory panel review on a regular basis?

Ms. Olivia Chow: Yes, I think that was the intention, that that's what you're planning to do anyway—

Mr. Peter MacDougall: I think it would make it specific in the regulation.

Ms. Olivia Chow: —that you're going to review it, and if you say so, it just gives comfort to people that once a country is designated, it's not going to be there forever. So it's just making something explicit that you're planning to do anyway.

Mr. Peter MacDougall: We can certainly consider it. I can't commit to putting it in at this point. We have to consult our minister.

The Chair: The light has gone out.

We'll go to Dr. Wong and then Monsieur Coderre.

Mrs. Alice Wong (Richmond, CPC): I withdraw my comment.

The Chair: You withdraw.

Mr. Coderre.

[*Translation*]

Hon. Denis Coderre: I believe I've been misunderstood.

[*English*]

I'll speak slowly

[*Translation*]

There's a difference between a minister's power to make or reserve a decision. The act grants him a power. He can make decisions. He has an extraordinary power to take extraordinary measures in certain cases, but there is a framework. That's resolved.

I'm speaking as a legislator. A committee can decide whether a country is designated or not. The problem is that we're making quite a Draconian change to our way of viewing matters, even though there are appeals for everyone. From now on, the Department of Citizenship and Immigration Canada has the authority to designate

countries and to send a message about such and such country. We're politicizing the system. We're doing it with a capital P, not a small *p*. To ensure that doesn't become a small *p*, I wonder whether we, as parliamentarians, shouldn't have that ability, as Ms. Chow said earlier. It isn't because a country is designated that it will be designated all the time. On the other hand, we have to have the ability to say that we might have made a mistake and that, regardless of the government, we can always make changes to the act. Wouldn't it be better to have a bill containing a clause that allows a review?

• (1815)

[*English*]

The Chair: Unless this is quick, we're going to have to suspend. The lights are....

Mr. Thierry St-Cyr: We only have 15 minutes.

The Chair: Okay, Monsieur Coderre will have the floor when we return. The meeting is suspended.

• (1815)

_____ (Pause) _____

• (1935)

The Chair: Ladies and gentlemen, we're back on the air.

We're dealing with Bloc amendments 5.01 and 5.1.

Monsieur Coderre has the floor. But before he says anything, I will say that if BQ 5.1 carries then G-2 cannot be moved, because it amends the same line. If it's adopted, the vote will apply to G-2.1 and G-2.3, since they're interrelated.

Monsieur Coderre, you have the floor.

[*Translation*]

Hon. Denis Coderre: Thank you, Mr. Chairman. Since there won't be a vote, I'll take one or two minutes to continue this discussion. I'd like to go back a little.

One thing troubles me a bit. We talked a lot about safe countries. I don't believe in that concept because, by definition, a safe country doesn't exist. We've accepted an amendment and, instead of talking about safe countries, we'll be talking about designated countries. I asked Mr. MacDougall whether the expressions "designated country" and "safe country" meant the same thing. He told me they do. That raises a problem in my mind. Of course, one thing is interested. Now, as a result of the amendment, everyone will have a right to appeal, with time restrictions depending whether it's a designated country or not. That's why, when we put an immigration or refugee protection system in place, we have to find a way to avoid being at the mercy of the minister, or at the mercy of the system. The beauty of an immigration system is this balance between the two. The primary aim of a bill of this kind is to ensure that every individual seeking refugee status in Canada has the opportunity not only to be heard fairly and equitably, but also, to the extent possible and if that person meets the criteria, to be protected.

In short, Mr. Chairman, I'm prepared to support a lot of things, but the designated country question poses a problem. That's why we talked about the way we can determine the period of time during which a country will be considered a designated country. I requested a brief debate on that. In my view, this is the only bone of contention in the entire file. I'm satisfied with the amendments, and I believe we'll be able to amend the bill by this evening. However, the change in values and approach troubles me. If we are somewhat at the mercy of this new concept, there's no guarantee that this won't be a designated country in five years, for all kinds of reasons.

We're saying that we'll be establishing a committee that will provide permanent monitoring. That's what I understand. That's good, with regard to the minister, but we are parliamentarians. This is a bill that is Parliament's responsibility. I've even done this a number of times. It is utterly normal and healthy, in the name of democracy, for a minister to have extraordinary powers in a situation and to be able to make decisions and live with that political responsibility. He is a representative of the people. It is entirely healthy and proper.

However, it isn't always the same minister. As the saying goes, the dogs bark, but the caravan moves on. In five years, we may not interpret the act in the same way. Furthermore, there will probably be legal precedents. I don't know how that may turn out. There will probably be case law. We may wonder whether such and such definition is consistent with the Charter. Does the designated country concept meet the constitutional test of the Canadian Charter of Rights and Freedoms? Even if a person has a right of appeal, will that person feel comfortable, will that person be treated justly and fairly? Those are questions that a number of people may subsequently have.

I'm interested in finding a way to protect the individual seeking refugee status. I've always said generous, but not naive. We need a balance between openness and vigilance; we have to be very vigilant. When you're talking to a refugee, have to consider that that person needs help. You mustn't think that he's a terrorist or a potential problem. It's the exception that confirms the rule.

My question is the following. It may be desirable for monitoring to be done by the minister or a committee to protect ourselves from the system or from the consequences of this new act.?? However, as parliamentarians, we at least need to have a debate or make a decision. Since this is a fundamental element, in our minds, and it will have an impact on the very future of the way in which we manage the immigration system, I believe we should very seriously reflect on the idea of parliamentarians being able to review clause 12 in five years. If we added that to the bill, we would be protected, because we don't know what the future holds for us.

● (1940)

In a way, this indicates that, regardless of who is minister, we have that possibility if we see, in five years, that things are not working. Perhaps

[English]

the monitoring committee thinks it's okay, but when we have a debate among ourselves as parliamentarians, maybe it's a valid point to say that every five years, specifically for that issue, we should have a sunset clause.

[Translation]

I'm not ready to move a motion yet, Mr. Chairman. I would like us to take two or three minutes to resolve this matter, even though each person spoke a little earlier. This will be my only question today, and it will concern clause 12.

I think this clause poses a problem because every individual has a right for his or her case to be considered unique. Creating the safe country category?? would alter the situation, based on my own experience. I'm in favour of us being able to establish a fair timeframe. I recognize that, in some cases, we may have to operate more quickly, but I want us to protect ourselves. Sometimes it's good to have a second opinion on the application of this bill.

Mr. Chairman, first I would like to ask my colleagues from the other parties to give me their views. Don't be afraid, we won't be going to bed late; I don't intend to obstruct. We've worked so diligently. We've heard from witnesses; we've met with people. Some individuals told us they were concerned about the matter of designated countries or safe countries. Others told us they were ready to try it if there was the possibility of appeal. I think it would be healthy for us, as legislators, to have at least an answer to this question. If you think it would be appropriate to have

● (1945)

[English]

a sunset clause for a specific article in the bill, then I would feel much better. I would like to have unanimous support for clause 12. I need to be reassured on that issue, or to at least have your point of view on that.

I'm going to support the bill tonight, but I have some doubts regarding that issue.

Thank you, Mr. Chair.

The Chair: I asked a question of you, and I didn't just ask it in innocence. I was asking whether you're going to propose an amendment. If you're not, we'll move on.

You have the floor if you have more questions to ask of the staff or you wish to say something else, but I'm not getting involved in this.

Hon. Denis Coderre: No, I'm not asking you to.

[Translation]

We could wrangle over this, the two of us, but that's not what I'm asking of you. Perhaps you can help me. I'm asking you whether it's legally possible to have a review provision for a single clause. That's an honest question. I don't want to cause any problems, Mr. Chairman, but we have a clear debate. If the other colleagues have nothing to say, they have nothing to say.

Is it possible to have a review provision for the issue of designated countries? Can we have a review for this issue? You think, you said and I would like you to repeat that the monitoring is adequate. That reassures me, with regard to people who will be coming to our country—

[English]

The Chair: Monsieur Coderre, we have some lawyers here.

Hon. Denis Coderre: That's why I'm asking the question.

The Chair: Why don't we stop and see what they have to say?

Hon. Denis Coderre: On a point of order, Mr. Chair, if I have the floor and I'm saying something I have the right to finish what I have to say. Okay?

The Chair: Okay. I'm sorry, but—

Hon. Denis Coderre: Thank you. I accept the fact that we have lawyers here and we can have some answers.

Mr. Luke Morton: Mr. Chairman, I am a lawyer, but I'm out of my league on this one. I'm going to defer to the committee staff.

I don't want to deflect the question, in a sense, but more importantly I don't want to mislead the committee. It's not an area I've worked on. I think it's more of a parliamentary legislative kind of rule.

I apologize, but I don't know the answer, if the specific question is whether you can have a sunset clause on a specific article. I understand that to be the question.

Hon. Denis Coderre: Yes.

The Chair: Wait a minute here. He's not surrendering, but you can interject for a second.

[*Translation*]

Mr. Thierry St-Cyr: From what I understand, Mr. Coderre hasn't drafted a formal amendment and, before introducing one, he wants to know what the other members think. For my part, I think that what is on the table is reliable enough for us to be able to include it in the bill. Obviously, if there are future problems, Parliament can always make amendments to it. These are mechanisms that exist elsewhere in the world. What is more, the Office of the UN High Commissioner for Refugees has said that this acceleration on the basis of the concept of designated countries was highly acceptable.

I would also like to emphasize that, even though, in principle, it is definitely possible to include a review provision for a single clause, it seems to me that, in the context of a reform in which we make a whole series of amendments in order to produce a coherent whole, we could find ourselves in a situation in which one element would be missing or a number of offsetting elements would disappear. In short, I'm reluctant to have a review provision that applies to this provision.

[*English*]

The Chair: Are you okay?

Ms. Chow, and then....

Ms. Olivia Chow: Mr. Chair, I think we're talking about two separate issues. Mr. Coderre is looking at the clause having a sunset provision. My earlier question to the department officials here was about how to de-designate certain countries whose conditions have changed. The response I got back was that they routinely, automatically, have a committee in place to regularly review these countries' situations.

I would prefer to see it in the regulations so that it's not just a practice. I hope it will take place. I received an answer that they may or may not do that, but it would be good if they actually put it in the regulations to say—I would assume—that a country will be

reviewed and if it no longer needs to be designated will be pulled out.

My concern is really the country, not necessarily the clause itself. I've been assured that they were planning to do that anyway, and I take their word for it. Hopefully the minister will address it and put it in the regulations so that it's clear.

In terms of whether the clause or the entire bill needs to be reviewed, occasionally we say that after a few years' time there be an evaluation of the entire thing. Sometimes we've done that and sometimes we haven't. Is it just this clause that we need to review? I'm not sure. That's not necessarily a sunset situation; all good public administration will provide evaluation. When a program gets set up, whether it be temporary foreign workers, live-in caregivers, or refugee reform, all good public servants will evaluate a program every five or eight years to see whether the program is achieving the kinds of objectives we've set out to achieve.

I would imagine that the government does so on a regular basis. If it doesn't do that, then actually it's not a good practice. Whether it be five years or eight, I would hope that there would be automatic review, evaluation, to see whether a law is accomplishing what it was planned or supposed to accomplish.

Do we need to say that? I'm not sure. Perhaps the committee can say that we will come back in five or eight years—of course, who knows where we'll be—to evaluate the entire package to see whether this has been successful or not. We could certainly do that. But I'm not sure whether it should be put into legislation.

● (1950)

The Chair: Okay.

Hon. Denis Coderre: I have a small question to Rick as parliamentary secretary.

What does the minister have in mind to evaluate whether or not the bill, or the program, is a success?

Mr. Rick Dykstra: The difficulty is two things. The first is that five years probably isn't enough in terms of being actually able to review, because by the time this is implemented, you want to make sure you actually have gone through this process a number of times to see how it has worked. From my perspective—and of course this may not be the minister in place at immigration in five, six, seven, or eight years—what he has wanted to do is to have at least the option for the minister responsible, regardless of who it is, to be able to delist a country. When you are seeing a minister at this point wanting to make sure there is not the option to put a country on a list but only the option to take a country off a list, it is telling me very clearly that he is saying we are going to review and look at this issue on a regular basis. It will be in a lot more than just five years. I have a feeling that, each and every time the review committee meets—which is struck to advise the minister and provide him or her with the country that should be considered safe—that committee that serves as we do is going to see what the reasons were, what the rationale was.

In fact, the way this compromise is, we have actually put ourselves in a position of being able to have the committee at least know and be aware of the decisions that are made. Then, obviously, if they want to bring it back here to the committee to bring some of those folks in, to present us why they made the decisions they made, that option is always open to this committee. From my perspective, it is built in.

I will add one more thing. Let's not forget these are going to be public servants who sit in these positions. They, themselves, will be there based on their personal review; and the review they face as public servants is going to take place on a regular basis as well. We have within the framework of the legislation a review mechanism; a review process is in place that is somewhat at the minister's discretion but also at the committee's discretion. I also believe that, based on the setup of the committee, we have in place a structure upon which members will be reviewed on a regular basis as public servants.

• (1955)

Hon. Denis Coderre: Mr. Chair, I won't move any amendment. Thank you very much.

The Chair: There is no further debate, so shall amendment BQ-5.01 carry?

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

The Chair: Shall amendment BQ-5.1 carry?

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

The Chair: That will be a new section. You will make that a new section, those two sections.

I will say it again. I think I have already said that. I'll just repeat what I've said: amendment BQ-5.1 has been adopted, so this vote will apply to amendment G-2.1 and amendment G-2.3.

Mr. Rick Dykstra: Just for clarification, Chair, what you are saying then is that both government amendment G-2.1 and government amendment G-2.3 are automatically carried.

The Chair: Yes.

Mr. Rick Dykstra: Thank you.

The Chair: I will just repeat it again. Amendment G-2 can't be moved.

Okay, I am clear now. Amendment BQ-5.01 will be a new clause and will be renumbered when the clerks do this, so amendment BQ-5.1 will be the new clause 12.

Shall clause 12 as amended carry?

(Clause 12 as amended agreed to)

(On Clause 13)

The Chair: We are now on to clause 13.

Ms. Chow, we are on to some amendments to clause 13 for you. The others we have dealt with.

Ms. Olivia Chow: Thank you.

I'm going to deal with NDP-6.1, NDP-6.2, and NDP-6.3 together.

On what I was originally pushing for—and that includes NDP-7—when there is an appeal situation in front of the Refugee Appeal Division, there really shouldn't be any limit to what can be submitted as information. However, if that were the case there would be rehashing of all the previous arguments, which is not necessary, and then, what about new information?

The existing bill says that "...the person who is the subject of the appeal may present only evidence that arose after the rejection of their claim or that was not reasonably available". I was concerned as to what "reasonably available" means. Sometimes it means that person would not have the financial means to obtain it, or perhaps they're worried that if they get the information, their family back home would be put in jail because they were testifying against their own government.

I've been persuaded that what is reasonable will protect those situations, and therefore we do not need to eliminate the words "that the person could not reasonably have been expected in the circumstances to have presented, at the time of the rejection".

I am not moving these amendments, because it seems to me there are enough safeguards to protect the applicants, so they are able to present information without a lot of barriers.

• (2000)

The Chair: Thank you.

G-2.1 was adopted under BQ-5.1, so clause 13 has been amended.

(Clause 13 as amended agreed to)

(On clause 14)

The Chair: We are now on clause 14. Monsieur St-Cyr.

[*Translation*]

Mr. Thierry St-Cyr: No.

[*English*]

The Chair: My mistake—it's the government. Mr. Dykstra has the floor.

We're on clause 14, and there is amendment G-2.2.

Mr. Rick Dykstra: There are a couple of BQ amendments as well, Chair, but if you want me to go first....

The Chair: There are?

Ms. Olivia Chow: Yes, there are new clauses.

[*Translation*]

Mr. Thierry St-Cyr: May I take the liberty of interrupting?

[*English*]

The Chair: If you're following along in the order paper, maybe it's not there. There's a new clause 14.1, which will have the Bloc amendments and other amendments.

This is clause 14, on which there is just G-2.2. So you're the only one on that.

Mr. Rick Dykstra: I move amendment G-2.2.

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

The Chair: Shall clause 14 as amended—

Ms. Olivia Chow: Mr. Chair, hang on a second. I have to withdraw amendment NDP-8. I had an amendment earlier, and I was worried that if the situation in a certain country—

The Chair: Excuse me. I only have one amendment here, and that's the government amendment. We're not on new clause 14.1 yet.

Ms. Olivia Chow: Thank you.

The Chair: I'm going to be asking for amendments to new clause 14.1. We're now voting on clause 14.

(Clause 14 as amended agreed to)

The Chair: Okay, we got over that blip.

On new clause 14.1, I have amendment BQ-7.

[Translation]

Mr. Thierry St-Cyr: Mr. Chairman, I'm going to withdraw amendment BQ-7. In my opinion, in view of the previously adopted amendments, including an appeal division for everyone, it is no longer necessary.

[English]

The Chair: Thank you.

We have amendment NDP-8.

Ms. Olivia Chow: It's similar. I was worried that if people are just about to be deported, if the situation changes, there should be a reopening of their case, whether it's through RAD or PRRA. However, now that RAD is available for everyone, for all claimants, I no longer need to move this motion.

• (2005)

The Chair: Okay.

Government amendment G-2.3 was already adopted, so new clause 14.1 has already been created.

Are we following along? Okay. We're on to amendment G-3.

Mr. Thierry St-Cyr: Has new clause 14.1 been carried?

The Chair: Amendment G-2.3 will result in a new clause, and we've already voted on that through amendment BQ-5.1. I hope I'm not confusing you.

Ms. Olivia Chow: Sorry, we did amendment G-2.2. And we did amendment G-2.3 earlier.

The Chair: Yes, we did. It was adopted.

Ms. Olivia Chow: Okay, so have we done clause 14 and new clause 14.1?

The Chair: Yes.

Ms. Olivia Chow: Thank you.

The Chair: Okay, how are we doing?

Mr. Terence Young (Oakville, CPC): I'm not sure we passed clause 14.

The Chair: We did. We're going at a frantic pace here.

Mr. Terence Young: Are we at new clause 14.1 now?

The Chair: No, we're on clause 15. We're now going on to clause 15, unless someone wants to correct me.

Mr. Alan Tonks (York South—Weston, Lib.): No, I'm satisfied.

The Chair: All right.

Okay, we're on clause 15, and we have amendment G-3.

(On clause 15)

Mr. Rick Dykstra: I move the amendment, Mr. Chair.

The Chair: You realize, Ms. Chow, if that is adopted, amendment NDP-9, which is the next one, cannot be moved.

Ms. Olivia Chow: Mr. Chair, on both of these, clause 15 and amendment G-3 are moving the responsibility of the IRB and the minister on PRRA. There are actually other motions here that transfer all the responsibility to the refugee board, which I support. We went through this when we were talking during the technical briefing last time we met. I was able to get assurances that it was a good route to go, and I'm convinced of that. So I will support amendment G-3 and other motions that are coming up later from the government.

However, amendment NDP-9 would eliminate the one-year bar on the PRRA. I no longer need to do this because the one-year bar from humanitarian and compassionate grounds has been granted, so I no longer need to rely on the PRRA. The PRRA is not a very effective instrument anyway. In the past only 2% or 3% got approved. So I'd much rather have an appeal division than go the PRRA route. I have no trouble pulling back amendment NDP-9, which deals with giving the failed claimants the access to PRRA.

The Chair: Thank you.

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

(Clause 15 as amended agreed to)

(On clause 16)

The Chair: On clause 16, we have government amendment G-4.

Mr. Rick Dykstra: So moved.

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

The Chair: Shall clause 16 as amended carry?

Mr. Thierry St-Cyr: There's no amendment G-5.1?

The Chair: I haven't got there yet.

Mr. Thierry St-Cyr: It's a new clause. Sorry.

(Clause 16 as amended agreed to)

The Chair: We're now on to the new clause, 16.1, which is amendment G-5. I think I told you before that amendment G-5 is inadmissible, so we're on to amendment G-5.1.

Mr. Rick Dykstra: I'll withdraw amendment G-5 and I move amendment G-5.1.

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

(Clauses 17 to 19 inclusive agreed to)

(On clause 20)

The Chair: On clause 20, we have amendment G-5.2.

Ms. Chow.

• (2010)

Ms. Olivia Chow: Mr. Chair, I have a series of amendments, NDP-10, NDP-11, and NDP-11.1. They're really about information-gathering on the public hearings. I withdrew the requirement for the public hearings earlier on, so these are just echoing what I was trying to do earlier, because I was worried that eight days was not enough. So all of these are unnecessary at this point.

The Chair: Thank you, Ms. Chow.

Mr. Dykstra, on amendment G-5.2.

Mr. Rick Dykstra: I so move.

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

(Clause 20 as amended agreed to)

(Clauses 21 and 22 agreed to)

(On clause 23—*Right to counsel*)

The Chair: On clause 23, there is a Bloc amendment.

[*Translation*]

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

The first book contained amendment BQ-8. I'm not going to introduce it, instead I'm going to introduce amendment BQ-8.1. Both have the same objective but are worded differently. In both cases, the idea is to provide a clarification to ensure that the right to be accompanied by counsel also applies to the preliminary interview that takes place at the very start of the process. I wanted that to be absolutely clear. That's the purpose of this amendment.

[*English*]

The Chair: Monsieur Coderre, is there debate?

[*Translation*]

Hon. Denis Coderre: I want to understand. The expression "à leurs frais" means at the individual's expense, doesn't it?

Mr. Thierry St-Cyr: Yes.

Hon. Denis Coderre: That's good.

Mr. Thierry St-Cyr: It can also be at the minister's expense.

Hon. Denis Coderre: Thank you.

[*English*]

The Chair: Thank you.

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

(Clause 23 as amended agreed to)

(On clause 24—*Abandonment of proceeding*)

The Chair: Ms. Chow, you must have said something. I have the amendment on clause 24 struck out. You must have withdrawn that.

Ms. Olivia Chow: Yes, because it's also part of that information-gathering, the interview in the beginning. It's the same thing I was talking about.

The Chair: Okay.

(Clause 24 agreed to)

(On clause 25)

The Chair: On clause 25, we have amendment G-6.

Mr. Rick Dykstra: Mr. Chair, I move amendment G-6.

The Chair: Ms. Chow.

Ms. Olivia Chow: Mr. Chair, I assume that this is for the minister to decide within the time standard that's going to be set out. I assume that the regulations will be presented later on, perhaps once the regulations are presented by the department, I guess in a month or so. I don't know how long it would take to put the timelines together. It's in the *Canada Gazette* anyway, but perhaps that can be sent to committee members for their information so it's clear how much time there is in each of the categories. As an undertaking, is that a problem?

Mr. Rick Dykstra: I don't think that's going against what would be normal procedure, except to say that it is probably going to be more than a month.

Ms. Olivia Chow: Or however long it would take. I don't know how long it would take for them to write the regulations—

Mr. Rick Dykstra: Right.

Ms. Olivia Chow: —but the sooner the better.

Mr. Rick Dykstra: Fair enough. Thanks.

Ms. Olivia Chow: It's easy for me to say.

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

(Clause 25 as amended agreed to)

(On clause 26)

The Chair: On clause 26, we have a Bloc amendment.

[*Translation*]

Mr. Thierry St-Cyr: Mr. Chairman, I—

[*English*]

The Chair: Go ahead, sir.

[*Translation*]

Mr. Thierry St-Cyr: I'm going to withdraw that amendment. At first, I want to make sure that the people who review the applications at the first level come from inside and outside. This question has been raised a number of times. There was an exchange of letters between the minister and the Commission chair, and I'm satisfied with that. So I don't see the need to introduce it.

[*English*]

The Chair: Okay, he's withdrawing that.

NDP-13.1, Ms. Chow.

Ms. Olivia Chow: My motion is very similar to the Bloc motion. It's the same thing. I wanted to make sure that who we hire are the best, whether it's internally or externally.

I've been assured that's going to take place. It's part of the routine procedures, that they would seek internally and then go out. If they can't find anyone, they would go out externally. It is under the mandate of the chairperson, and those letters that were provided to us already exclusively said so, so I no longer need to move this motion.

(Clause 26 agreed to)

(On clause 27)

• (2015)

The Chair: On clause 27, we have the government amendment G-7.

Mr. Dykstra.

Mr. Rick Dykstra: Yes. So moved.

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

The Chair: Shall clause 27 as amended carry?

Mr. Rick Dykstra: No, no. Chair, I have one more amendment.

The Chair: I haven't got to G-8 yet. G-8 will come in a new clause.

Mr. Rick Dykstra: It will? Okay.

(Clause 27 as amended agreed to)

The Chair: We are on to a new clause, clause 27.1, and that is a government amendment.

Mr. Rick Dykstra: Thank you, Mr. Chair. So moved.

The Chair: Just give me one second.

Ms. Chow.

Ms. Olivia Chow: I assume this is now going to centralize all the PRRA applications from the protection officers, the division, so that they can gain the benefit of staff that already have the expertise in this area. So it's an efficiency motion, which I think is worthy of support.

Am I correct in that assumption?

Mr. John Butt (Manager, Program Development, Department of Citizenship and Immigration): Yes.

This is part of the package of amendments that go to moving the pre-removal risk assessment process from the department to the board. It basically sets up a parallel set of procedural rules for the Refugee Protection Division with respect to applications for protection—i.e., PRRA. That's as opposed to the previous section 170, which dealt with the procedural rules with respect to refugee protection claims.

So it's basically a parallel provision that makes the distinctions with respect to the pre-removal risk assessment process.

Ms. Olivia Chow: Mr. Chair, can I just ask them...?

Right now, I think the officers can do PRRA, like two a day or something. It's very slow. Do you envision that once this transfer takes place, it would be a lot faster? Perhaps because people already have the expertise, they can certainly process more cases?

Mr. John Butt: I think the biggest benefit is that the Immigration and Refugee Board has a comprehensive infrastructure for supporting the decision-making with respect to pre-removal risk assessments, if they do them.

Today, a pre-removal risk assessment officer at the Department of Citizenship and Immigration is responsible for doing their own research, their own file management, their own management of their schedule. All of that activity at the Immigration and Refugee Board will be centralized and maintained by the research unit at the board and by the scheduling units at the board. So it should be more

efficient and therefore the officers there should be more productive than the officers could possibly be at CIC.

Ms. Olivia Chow: Thank you.

The Chair: Mr. Coderre.

[*Translation*]

Hon. Denis Coderre: I have two questions, Mr. Chairman.

First of all, this amendment states:

170.1 In respect of an application for protection under subsection 112(1), the Refugee Protection Division

(a) may inquire into any matter that it considers relevant...

That's a lot of power. What do you mean by the expression "any matter"?

[*English*]

Mr. John Butt: That is a general provision.

Hon. Denis Coderre: Open bar?

Mr. John Butt: No, I don't think it includes open bars.

It's basically the general rule of procedure that's available to the division when it's dealing with pre-removal risk assessment. It's virtually the same wording that you will find in section 170, with respect to their proceedings when they're dealing with refugee protection claims.

Hon. Denis Coderre: Secondly, Mr. Chair, I wasn't there, but I read the verbatim regarding the relationship with PRRA under the new IRB and the function of a member of Parliament. I don't know if it's under that and if there will be some regulation. I know that as a member of Parliament we were able to intervene vis-à-vis PRRA under CBSA, right?

[*Translation*]

The IRB is now a quasi-judicial tribunal. An MP may not intervene in a quasi-judicial tribunal. What assurances can you give me? Sometimes an action that we have to take as an MP, as a legislator, really makes a difference with regard to that agency. Does that mean we can no longer make submissions now?

• (2020)

[*English*]

Mr. John Butt: Any representation that the member of Parliament wants to make will have to be made through the person or through the person's counsel. Today, I understand that members of Parliament will be in touch with the PRRA office, but they do not speak directly with the individual decision-makers on cases. So certainly any information that a member of Parliament has can be put before the decision-maker, but it will be done in accordance with the rules of the Immigration and Refugee Board.

Hon. Denis Coderre: So we'll have a capacity to do that?

Mr. John Butt: There won't be anything specific in the legislation with respect to that, but certainly any information that's pertinent to the decision to be made can be put before the decision-maker. However, it has to be done in a way that does not unduly influence the quasi-judicial nature of the member's decision.

Hon. Denis Coderre: Okay. Representation means also that we'll have kind of a receipt.

[*Translation*]

We'll have an acknowledgement of receipt. That means that we don't give information. We'll have assurances that the information has been transmitted, won't we?

[*English*]

Mr. John Butt: I think for that level of detail you'd have to ask the Immigration and Refugee Board about how their procedures will work. There will be rules governing the applications for protection, the pre-removal risk assessment applications.

Hon. Denis Coderre: So that will be under regulations.

Mr. John Butt: There will be rules governing the procedures in more detail, and I'm sure you can raise questions with the board about how those issues can be resolved in the rules of the board.

Hon. Denis Coderre: Thanks.

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

(Clauses 28 to 32 inclusive agreed to)

(On clause 33)

The Chair: We have some amendments here for clause 33 and clause 34.

Ms. Chow.

Ms. Olivia Chow: NDP-14 is no longer relevant because of the timeline. We dealt with the timeline earlier.

The Chair: Yes.

Ms. Olivia Chow: The timeline is going to be presented, whether 60 days or 120 days, actually 60 days or 90 days. That's going to come forward in regulations. So I don't need to move NDP-14.

The Chair: And NDP-15?

Ms. Olivia Chow: So clause 33, I assume, is okay.

The Chair: I was going to try to go through them all, but if you can tell me about—

Ms. Olivia Chow: I will do NDP-15 also, which is clause 34.

The Chair: You're going to move that, Ms. Chow?

Ms. Olivia Chow: No, I will move clause 33 as is, not the amendment.

(Clause 33 agreed to)

(On clause 34)

The Chair: Clause 34, NDP-15. Ms. Chow.

Ms. Olivia Chow: This is the interview, which we dealt with earlier on, so no need to deal with this one.

(Clauses 34 and 35 agreed to)

(On clause 36)

The Chair: We're on clause 36 and we have government amendment G-9.

Mr. Dykstra.

Mr. Rick Dykstra: So moved. It's just a technical change.

The Chair: Okay.

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

(Clause 36 as amended agreed to)

The Chair: Shall clause 37 carry?

Ms. Olivia Chow: No, there's G-10.

The Chair: I'm sorry, Ms. Chow, we keep throwing you off on these.

That's going to be a new clause; it's going to be clause 37.1.

Ms. Olivia Chow: I'm sorry.

The Chair: I'm sorry. I probably have something that you don't.

Ms. Olivia Chow: You do.

The Chair: No, no, don't....

Ms. Olivia Chow: I obviously don't.

The Chair: No, no, stop.

(Clause 37 agreed to)

The Chair: We're on to new clause 37.1. It's a government amendment, G-10.

Mr. Rick Dykstra: So moved.

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

The Chair: I guess that's it.

(On clause 38—*Application for protection*)

The Chair: On clause 38, we have government amendment G-11.

Mr. Rick Dykstra: So moved.

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

(Clause 38 as amended agreed to)

(Clauses 39 to 41 inclusive agreed to)

(On clause 42—*Order in council*)

• (2025)

The Chair: We're on clause 42. We have a government amendment, G-12.

Mr. Rick Dykstra: Yes, it's regarding when it comes into force, Mr. Chair, so I would move the government amendment 12 on clause 42.

Some hon. members: Carried.

The Chair: Just give me a second.

Ms. Chow, if this amendment carries....

Ms. Olivia Chow: Allow me to speak to that.

The Chair: I'm going to let you tell me what you think of amendment 16.1.

Ms. Olivia Chow: Okay, on both NDP-16 and 16.1, I moved those motions at the time that I was extremely worried that the RAD, the Refugee Appeal Division, had been set up and that those folks who are under so-called safe countries would not have access to it. I was worried that the one-year ban that comes under the H and C consideration would have an impact because they're different coming-into-force provisions.

Since those two are now dealt with—that people will have H and C consideration and an appeal—I no longer need to worry about when things come into force. So I'm not moving NDP-16 or 16.1.

The Chair: Shall amendment G-12 carry?

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

(Clause 42 as amended agreed to)

(On clause 1—*Short title*)

The Chair: Okay, we're on to the short title. There's a Bloc amendment.

[*Translation*]

Mr. Thierry St-Cyr: Mr. Chairman—

[*English*]

The Chair: Don't be too long.

[*Translation*]

Mr. Thierry St-Cyr: I withdraw that amendment. However, the minister has introduced new bills and I'm going to come back to put an end to this ridiculous practice of giving bills vulgar names.

[*English*]

Mr. Rick Dykstra: I certainly wish my colleague all the best.

The Chair: We have some debate on the short title.

Monsieur Coderre.

[*Translation*]

Hon. Denis Coderre: Mr. Chairman, we may not have the right to amend the title, but we do have the right to delete it. The future will tell us whether this act is fair or not. It's a very subjective title. We can't decently walk around saying that this is the equitable refugee bill. I move an amendment that we delete this title.

[*English*]

The Chair: Okay, we're going to vote on clause 1.

Ms. Olivia Chow: Sorry, has it been moved?

Some hon. members: No.

Mr. Rick Dykstra: As Thierry's not moving his amendment, Denis is.

Hon. Denis Coderre: That's it.

Ms. Olivia Chow: Mr. Chair, on a point of order.

The Chair: No, no, just a minute.

I'm assuming, Monsieur Coderre, that you have moved clause 1, which is the short title?

Hon. Denis Coderre: There you go.

The Chair: And do we have debate on this?

Hon. Denis Coderre: And I'm asking to withdraw it.

The Chair: We need to vote on clause 1. Does someone wish to move clause 1?

Ms. Olivia Chow: Just to be clear—

Mr. Rick Dykstra: Unamended?

The Chair: Clause 1, unamended.

Mr. Rick Dykstra: I so move.

Ms. Olivia Chow: Mr. Chair, just to be clear, on a point of order, there is no Bloc amendment, there is no cancellation, and there is now a motion to move the title, without any amendment. Right? I understand.

Mr. Chair, originally, had it been just the way it had passed, I would not think it was very balanced. I've said so many times. I want it to be fast and fair, but it wasn't fair. But I think now I can accept it. I don't like the title, but I can't say that it's necessarily unbalanced. It would be difficult for me to vote for the bill and then say it's not balanced, so I'm going to support the title, even though I hate putting these names on these crooked consultants, the “balanced” package, or however we have that in front of us.

● (2030)

Mr. Rick Dykstra: For the new bill that's coming, you are the one who coined the phrase; it's been named after you.

The Chair: We're on Bill C-11, and it seems the most contentious issue is the short title.

More debate? Monsieur Coderre.

[*Translation*]

Hon. Denis Coderre: In any case, we've done an excellent job. Some things have been changed, particularly as a result of all the criticisms, including those of my Liberal Party colleague, who diligently worked with the government.

We're saying this is a fair?? bill. The question isn't whether it's fair or not; it will be up to people to judge. It isn't up to a legislator to characterize a bill.

So I think that everyone has done an extraordinary job; everyone has worked very well. Everyone will be able to be proud and make his little speech to the media, saying that we all worked well and that we all deserve a piece of the pie.

We won't conduct a major debate on this, but, out of principle, we shouldn't characterize an act, whatever it may be.

People will say what they want about this. The minister will introduce it, and we'll introduce it by saying that it's more balanced, because, without opposition pressure, we would have had a bad bill.

I can say that too. Since we can't amend the title, we must simply delete it. However, I won't conduct a two-hour debate on that, Mr. Chairman.

[*English*]

I'm on the record.

The Chair: Shall clause 1 carry?

(Clause 1 agreed to)

The Chair: Shall the title carry?

Some hon. members: Agreed.

The Chair: Shall the bill as amended carry?

Some hon. members: Agreed.

The Chair: Mr. Dykstra.

Mr. Rick Dykstra: Mr. Chair, are we done voting?

The Chair: No, we've got a couple more.

Mr. Rick Dykstra: I just have a couple—

The Chair: No speeches until I finish.

Mr. Rick Dykstra: Thank you.

The Chair: And then I'll probably have one before you.

So we finished the bill.

Shall I report the bill as amended to the House?

Mr. Rick Dykstra: Just a question on that. I want to get clarification on how quickly we could get it back to the House.

The Chair: Monsieur St-Cyr has offered to report it on Friday. That's the earliest the staff can get it ready.

Mr. Rick Dykstra: Okay.

The Chair: I will not be present, but Monsieur St-Cyr has agreed to present it.

Mr. Thierry St-Cyr: I was told it's okay.

The Chair: We're almost there, folks.

Monsieur St-Cyr, you can get together with the clerk and work something out.

Ms. Olivia Chow: Mr. Chair, that means the report stage will come on Wednesday, Tuesday, Monday...?

Mr. Thierry St-Cyr: We don't know.

Ms. Olivia Chow: We don't know, okay.

The Chair: Shall I report the bill to the House as amended?

Some hon. members: Agreed.

The Chair: Shall the committee order a reprint of the bill?

Some hon. members: Agreed.

The Chair: I hear no nays, so that's that.

It appears we've finished. Mr. Dykstra has asked to speak, and before he does that I want to congratulate the parties. A lot of work has been done behind the scenes on this. It's been quite amazing that we've done this in the few hours we've been here. But I know that hours and hours have been spent, particularly by the critics and the parliamentary secretary. I know I've had very little to do with that.

On behalf of the rest of the committee, I congratulate the critics and you, Mr. Parliamentary Secretary, for the hard work you've done. I expect there's been give and take on all sides, and you've done well. So congratulations.

Before Mr. Dykstra speaks, we still have another week left. I'm assuming we will not sit tomorrow, and I'm going to suggest a subcommittee meeting on Tuesday at 3:30. Unless someone has strong objections, the committee would not meet on Tuesday; we would have a subcommittee meeting on Tuesday at 3:30.

Ms. Chow.

• (2035)

Ms. Olivia Chow: Just to make it simpler, would there be consensus while we're in that mode that next Tuesday, rather than a

subcommittee, we deal with the consultant bill? It may get done by Tuesday or Thursday. It may not. It might be too complex.

No?

Mr. Thierry St-Cyr: It's not been reported from the House.

Ms. Olivia Chow: Oh, pardon me. Oh, yes, it hasn't gone through second reading. I'm just way ahead of myself. Never mind. I forgot about second reading. Sorry, never mind.

Mr. Rick Dykstra: Unanimous consent, second reading?

The Chair: Mr. Dykstra has the floor.

Mr. Rick Dykstra: Thank you, Mr. Chair.

I'm not going to be long. I know we've all been at this for a while, but I think it's important to note the work that has gone on here.

To you, Mr. Chair, for your ability to keep us moving forward, thank you very much. Aside from the budget bill, this is maybe one of the bigger bills that actually carries through the House of Commons. It's significant change, as you mentioned.

Mr. Bevilacqua said to me a couple of times that when it comes to refugee reform legislation, we get one chance at it every generation. This was our chance to do it, albeit it looked as if it were going in the wrong direction a couple of times—and one time in particular. We've been able to pull this thing back. We actually have something on the table. To all three of my critics, in working through this, certainly Maurizio originally was trying to move this forward, and over the last while both Mr. St-Cyr and Ms. Chow have come to the table on this and made sure that we moved the bill forward.

There's a lot of talk. There's a song by U2, which starts out by saying there's been a lot of talk about this song, and maybe too much talk. Quite frankly, I think there's been a lot of talk and probably too much talk about the fact that we can't work together.

From my perspective, and certainly from the government's perspective, this is an opportunity for all of us from a party perspective to have input into a significant piece of legislation, which in some respects we can all take credit for. So I say to the opposition, I think we did some great work here. We did some good work. We did things that are right for the country and certainly right in terms of moving forward on this legislation.

I want to credit the staff from the ministry as well. I know we're not supposed to name names and that you people are supposed to be oblivious to the whole process, but quite frankly, you did a hell of a lot of work, sometimes in a very short period of time. Mr. MacDougall, in particular, I have to cite you specifically for all of the efforts you put into this. Certainly from all of our perspectives and the government's perspective, it's because of your work and that of your team that we now have what we have. It was because of your efforts. Quite frankly, to each and every one of you, thank you for the work you do and for assisting all of us here who have had an impact on this process as parties—not just the government.

Last but not least, I would note that the folks who sit on this side of the House have had to endure a little bit of change and effort, and sometimes not always the kind of media you expect. We come here as individuals and we each work for the parties we represent, but I happen to think that today you can mark down in your books that in this 40th Parliament, we did something. We did something that means a lot to this country, and it's something that we all did, quite frankly, by participating and working together. So thank you to each and every one of you. I appreciate it.

Some hon. members: Hear, hear!

The Chair: Thank you, Mr. Dykstra.

I am remiss in not thanking you, ladies and gentlemen, for giving up the hockey game. There's still time. Thank you very much.

Ladies and gentlemen, this meeting is adjourned.

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