



House of Commons  
CANADA

# Standing Committee on Foreign Affairs and International Development

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FAAE • NUMBER 005 • 3rd SESSION • 40th PARLIAMENT

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EVIDENCE

**Tuesday, March 23, 2010**

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**Chair**

**Mr. Dean Allison**



## Standing Committee on Foreign Affairs and International Development

Tuesday, March 23, 2010

•(1100)

[English]

**The Chair (Mr. Dean Allison (Niagara West—Glanbrook, CPC)):** Welcome to the Standing Committee on Foreign Affairs and International Development, on the matter of some committee business.

I'm hoping this meeting doesn't take too long. I believe we want to agree to a speakers list in terms of witnesses we're going to bring in to deal with Rights and Democracy. I know we have a motion before us.

The other thing I want to touch on briefly is that on the 25th we have the UN High Commissioner for Refugees prepared to come to the first hour.

There was also a request by the Canadian Global Campaign for Education, a group that wanted to appear before us. My question would be whether the committee wished to entertain this organization. If not, there is no requirement for us to do so. They sent us a letter just indicating that they'd like-

**Mr. Bernard Patry (Pierrefonds—Dollard, Lib.):** What's the date on the letter?

**The Chair:** It's dated March 25.

**An hon. member:** Who are they?

**The Chair:** It's in regard to UNESCO's *Education for All Global Monitoring Report*. They wanted to go through that. I don't know whether anyone would be interested in entertaining that request or not.

That said, going back to Mr. Patry's motion the other day, I wonder whether we would have some consensus to look at that motion. I know there were some dates set there. If we were okay with the list that Mr. Patry had set forward, we could probably schedule them in best over the next couple of weeks. I know we have a list here from the last time and we are going to add people to that as well.

Mr. Abbott

**Hon. Jim Abbott (Kootenay—Columbia, CPC):** Thank you, Chair.

Just before I start my comments on the issue at hand, I would suggest in the spirit of cooperation—and I'm quite serious, although I realize that some people have chosen to doubt that—that we work cooperatively together as much as we possibly can. We have certain rules that we work around, and sometimes we work them to our

advantage, or whatever it is, but I noted that following the in camera meeting, I believe it was at the last meeting, the chair had not made any comment whatsoever about what occurred at that meeting. I don't think there was anyone who was authorized to make any comment about what happened at the in camera meeting—because that's the whole purpose of an in camera meeting—and I was interested to note that, about ten minutes after the meeting, the content of the meeting, the decisions of the meeting, turned up on a blog in public, in the public Internet space.

I just think all of us, myself included, have to be very conscious of this kind of thing. We have to have a level of trust with each other, particularly around in camera meetings, and I say that to myself; all of us do. Particularly, each of us is responsible for any staff member we may have here. We are fully responsible for whatever that staff member may or may not do.

**Mr. Paul Dewar (Ottawa Centre, NDP):** On a point of order, have you talked to your colleague about this?

**Hon. Jim Abbott:** Yes.

**Mr. Paul Dewar:** I thought it was dealt with and I thought it was understood.

**Hon. Jim Abbott:** No, this is a new incident.

**Mr. Paul Dewar:** Oh, okay, because there was something and I was taking it personally. But you're talking about something else.

**Hon. Jim Abbott:** All of us get into battle enough as it is—

•(1105)

**Mr. Paul Dewar:** Fair enough.

**Hon. Jim Abbott:** —and we try to work within those rules. So that's it.

Mr. Chair, as we know, the issue at hand is establishing the Rights and Democracy witness list for the committee. My position remains the same. I used many illustrations of the CBC and the EDC, and all the rest of it, the other day. I feel very strongly about that. I do believe there are a myriad of international issues that need to be discussed at our committee, and I'm not sure there's any great value in prolonging the Rights and Democracy hearings. However, that said, because of the reality of the makeup of the committee and the fact that, notwithstanding that if I could convince my colleagues on this side of the table to accept my position we would still be outvoted, I'll be perfectly happy to accept—or not happy, but I will accept—whatever is the decision of the majority. As a consequence, I don't think there is any point in me trying to describe further what my concerns are, so I cede the floor.

**The Chair:** Thanks.

I have a list here. We have Mr. Rae, Mr. Obhrai, and Mr. Dewar.

Mr. Rae, I'll turn the floor over to you, sir.

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Chairman, in the spirit that my good friend Mr. Abbott has expressed, we are also interested in walking and chewing gum at the same time. That means we understand that there are other things the committee has to do. In the interest of transparency, we have obviously discussed it among other parties in preparation for the meeting. I'm quite happy to suggest that we hear Mr. Guterres in the first hour on Thursday and then move to a discussion of the G-8 meeting. If it's possible to have government witnesses available on Thursday for an hour, I'd be quite happy to accommodate that.

In addition to the names that Mr. Patry has in his original motion, we think that with five sessions between Tuesday, March 30, and Tuesday, April 20—because there is a gap because of the Easter break—we could accommodate the employees who are involved in the dispute. There are the current board members, led by the chairman, Mr. Braun; Mrs. Trépanier; a dissident board member who has now left, Mr. Akhavan; Mr. Broadbent; Mr. Clark; Mr. Allmand; and Mr. Latulippe, who is the new president. Mr. Latulippe would have the last word, in a sense, and would say how we are going to go forward, given all that we've heard and all that has taken place. That is our suggestion, and I think it can be done.

Our only additional request would be to see, before Mr. Braun and Mr. Gauthier appear before us, any contracts they awarded to various public relations firms, investigative firms, legal firms, and internal auditing firms that have been hired by the board since January 2010. We would like to see these contracts before the meeting so that, frankly, it becomes a more useful exchange of information and of fact. I think if we can get some agreement on that, we can move forward.

**The Chair:** Okay.

Next to speak are Mr. Deepak Obhrai, Mr. Paul Dewar, Mr. James Lunney, and Mr. Peter Goldring.

**Mr. Deepak Obhrai (Calgary East, CPC):** Thank you, Mr. Chair.

You made an argument in the past that you would like to move forward and so call in witnesses who would get the Rights and Democracy things moving forward. However, it is the desire of the committee to listen to people like Mrs. Trépanier and the others.

While we are going to say it is in the interest of working together and moving forward so that the other agendas can be done, I find it a little strange that at the last minute we have a G-8 request, which we have been doing since the last time and nobody was willing to do that. We would actually be required to follow Mr. Bernard Patry's motion over here to try to accommodate that on Thursday.

I'm not saying the G-8 is not important. I am just saying it is a little too short notice for us. The Minister of Foreign Affairs would be issuing statements and public press conferences on the G-8. I don't think the government is in a position to get something as quickly as Thursday. Nevertheless, it is an important issue.

If I'm not mistaken from Mr. Rae's suggestion, I understand we would meet on Rights and Democracy on Tuesday, March 30, then April 1, 13, 15, and 20. Is that what you are proposing at this stage?

**An hon. member:** It is.

**Mr. Deepak Obhrai:** All right.

Now, a question was raised in the House yesterday by my colleague on the other side in reference to Mr. Braun not coming on a certain day. If I understand correctly—and this is for the clerk to decide—it is a matter of scheduling and not a matter of stating that the person can come or not. In the past, we have always accommodated somebody whose schedule does not permit them to come on that day. Out of these five meetings with all the proposed witnesses, we are going to have a similar issue where somebody is not available on certain days and may not be able to be accommodated.

I want to make it very clear over here, as a response to the question that arose yesterday, that whether a witness can come or not has nothing to do with the Government of Canada. It is up to the witnesses themselves and their own schedules. As a committee, we can do what we can under the rules of the House of Commons on how to call in witnesses. I want to make it very, very clear that it has nothing to do with the government doing anything on this.

The question is, what is the availability of all the witnesses who have been proposed? I think we will also propose one additional witness. Maybe the better picture would be for the clerk to call all the listed witnesses to find out when they can be fit in.

The issue at hand now is what are we going to do on Thursday during the second hour? If it is possible, I would recommend that we call many of the witnesses and see if there is a possibility to do the Rights and Democracy again on that day. There is a possibility one witness may be available on that day. As soon as we are done with Rights and Democracy, then the steering committee will be able to fill up the other dates in reference to G-8 and other motions we have put forward.

I think that's the way we ultimately would like to proceed.

• (1110)

**The Chair:** Thank you.

I've got on the list here Mr. Dewar, Mr. Lunney, Mr. Goldring, and Mr. Abbott.

I'll state again, the quicker we can nail down the list of witnesses the easier it will be to fit them in according to their schedules. The challenge has been calling on a Tuesday to try to get them for a Thursday, etc.

To Mr. Dewar's point and to your point, Mr. Obhrai, there was a scheduling conflict. Those people will be invited back and once again we expect them to be here. They said they could come. It was just a question of timing.

Mr. Dewar, the floor is yours.

**Mr. Paul Dewar:** I'm glad to see some consensus.

For the record, I'll be polite, but I was very disappointed. I'd asked a question in the House, and Mr. Obhrai provided a different answer to the question of why was it that Mr. Braun wasn't coming to committee. He was confirmed to come.

There's a pattern here with this board. I'm sure we'll get to it when he comes before the committee. We had him booked for today. As a committee, this isn't about someone who's somehow related to this committee down the line. He's the chair of an institute that, under the legislation that guides it, is accountable to Parliament and to this committee. We had Mr. Beauregard come before the committee in the fall to provide their report.

I have to say for the record that I think what has been put forward by Mr. Rae is reasonable. We're moving forward.

As a member of this committee, I have to say for the record that I'm disappointed at the fact that Mr. Braun has basically decided to ignore us. I'm now hearing that he wouldn't have been available on Thursday because he has a board meeting. This is from a chair and a group of people who cancelled board meetings in June, from what I've heard, so that they could change the agenda on what was happening within the institute. I now hear the agenda for this board meeting on Thursday is so that they can suspend rules, accountability, and procurement. We're being ignored by a group of people so that they can change the rules of the institute in their favour.

Indeed, I'll agree with Mr. Braun on one thing that he stated in an op-ed yesterday. I don't agree with him going after the credibility of a person who has passed away, but I will agree with him on one thing. It is about accountability.

I will state for the record that I want to see all of the contracts this group has put forward, without any accountability, in my opinion. I want to see the things that Mr. Rae has mentioned. Where did they get Treasury Board approval for an untendered contract to secure a PR firm, to have an audit done, and to use an investigative firm that has some interesting background in terms of what they do for their business? I want to see those contracts in front of this committee. If they're going to be suspending rules and accountability on Thursday, I want those contracts in front of this committee when they come. If Mr. Braun and Mr. Gauthier are coming, they need to bring some documents. I'd like to see that in the invite, as Mr. Rae has offered, Mr. Chair.

I will certainly live with the fact that there's a consensus. But as a committee member, I have to state for the record that when someone who should be accountable to this committee turns up his nose at us not once but twice, in a way, because he said he's not available on Thursday so that he can change the rules of the institute, I'm not happy. I certainly am happy to work with the committee to make sure we can get on with this.

Thank you.

•(1115)

**The Chair:** Thank you.

Mr. Lunney.

**Mr. James Lunney (Nanaimo—Alberni, CPC):** Thank you, Mr. Chair.

It is nice to see some agreement breaking out around the table. However, I have to take exception to Mr. Dewar raising the issue of having to subpoena witnesses. The reality is that we haven't come to an agreement yet on the slate of witnesses. It's not the fault of the people who are being asked to appear.

**Mr. Paul Dewar:** On a point of order, this was regarding a witness who refused to come to this committee when he was asked to.

**Mr. James Lunney:** Nobody has refused to come.

**Mr. Paul Dewar:** Yesterday it was said that a witness who said he was going to come to this committee was in fact not going to come.

**The Chair:** Mr. Lunney.

**Mr. James Lunney:** With all due respect, Mr. Dewar seems to think he's Perry Mason and he has the power to unilaterally subpoena people. I take exception to that.

I also think he's impugning people's reputations. There are rules for Treasury Board guidelines on contracts and on what work the committee or an organization like Rights and Democracy is allowed to do. I think we may want to have a look at what the guidelines were and what amounts were paid. It's wrong to impugn these people by saying they've somehow violated the guidelines, when he has no more knowledge about it than any of the rest of us do.

I also think it would be wise to remember that the organization is in transition and a new president will be coming in very shortly. The people who are acting as chair and the board have a responsibility to try to put things in order, as they will be leaving, or at least the acting president will be leaving, in order to turn it over to a new president. They have their own business to do. When our committee has a firm date on which we can ask them to come, I'm sure they'll be very willing to comply.

I noticed that the acting president was not on the Liberal list. I think we probably need to hear from Mr. Gauthier, who is the acting president right now.

**The Chair:** Just for the record, Gauthier and Braun have agreed to be here on April 1, so they're committed.

**Mr. James Lunney:** That's great. Thank you. I'm glad there's some agreement on that.

My final point is that I think it should be clarified whether in fact there is legal action against the organization by the employees who were dismissed. If there is court action involved already, I'm not sure how that affects the committee's rights or responsibilities, or our ability to hear from witnesses that are in fact engaged in a lawsuit. I just think that should be clarified. Maybe others would care to comment on that.

Otherwise, it sounds like we're coming close to agreeing to a slate. I think we're bumping some important issues off the table that we do need to get on with, so I hope we can resolve this issue as quickly as possible so that we can go on to other very important matters that are also before this committee.

Thank you, Mr. Chair.

•(1120)

**The Chair:** Thank you.

Mr. Goldring, Mr. Abbott, and Madam Lalonde.

Mr. Goldring.

**Mr. Peter Goldring (Edmonton East, CPC):** Thank you, Mr. Chairman.

I would like to say a few words on what my colleague was just talking about, the other important issues. Rights and Democracy should certainly have a thorough airing itself too, but I'm looking at the draft schedule here, and I'm seeing five instances of "Bill C-300 or...". Those "ors" can really mean no Bill C-300, if you want to interpret it that way.

I want to underscore the importance of reviewing Bill C-300 and having an airing and consultation on it, because I believe one matter was overlooked in the previous hearings. I want to bring out this one short comment here from one company. It underscores the importance of having discussions not only with the mining industry, but also with the other ancillary industries that are contributing to the economy. This company has one paragraph that says:

Canun International is a Canadian-owned Canadian-based company. We are not a mining company per se however the equipment we supply is made in Canada and is sold to the mining companies. There is no doubt that should this bill proceed in its present form it will be used to attack the Canadian mining industry. This will result in the corporate offices, of those mining companies under attack, leaving Canada. Their leaving will, in turn, result in the total loss of our business and the loss of the twenty-nine jobs dependent upon that business.

I want to underscore the importance of continuing with the consultation on Bill C-300 and bringing in some of these ancillary companies for their viewpoint on it, too, to see if this isn't a common thought and a common concern, not only of the mining industry corporations themselves, but of many other Canadian industries.

At this time of concern for the economic well-being of our country, I think we have a duty and responsibility to thoroughly discuss that. So rather than looking at the "ors" on Bill C-300, I would think we could take the time to plug in sufficient time for Bill C-300 and to be sure we allow sufficient time for the rest of this session.

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

Mr. Abbott.

**Hon. Jim Abbott:** Mr. Chair, I wonder if you could give us a little clarity. Mr. Dewar has said that Mr. Braun was confirmed to be here today. Can you confirm that?

**The Chair:** Originally, Mr. Braun said he could be here, but then his schedule changed, so we asked him for another date. We have him down for April 1. He has never said that he will not come to the committee.

**Hon. Jim Abbott:** No, no, I understand that. It's just that I'm reading from *The Globe and Mail*, where it says "Rights agency chairman skips testimony" and "NDP MP wants to issue subpoena after Rights and Democracy chief backs out of committee appearance for second consecutive week". Of course, we also know that Mr. Ignatieff has chosen to wade in on this as well.

Quite frankly—I'll say it to Mr. Dewar's face—I think this is really unacceptable and unfair to be imputing motive to Mr. Braun, to be casting aspersions as you have. I don't think it serves any purpose whatsoever. As a matter of fact, I would go so far as to say that I

think you owe Mr. Braun an apology, and I would hope that would be forthcoming. These people who are on these committees, whether they happen to be on our side of an issue or another side of an issue, give a tremendous amount, far more than their per diems or expenses would warrant.

I think it's really unfair. I find it really quite amazing that we're having this discussion this minute about establishing a witness list and yet Mr. Dewar decides that he is going to grandstand in the House of Commons with the question that he did yesterday and then make these kinds of extreme, inflammatory, and unhelpful statements.

Thank you, Mr. Chair.

**The Chair:** I have Madame Lalonde, then Mr. Patry, and then Mr. Rae on the list.

[Translation]

**Ms. Francine Lalonde (La Pointe-de-l'Île, BQ):** Mr. Chair, I would like to begin my saying how pleased I am—and I hope not relatively speaking—to see that we can finally agree on an agenda and a work program. To be preached to after being forced to go along with prorogation and losing a great deal of time in this committee because of a filibuster, well, that's all a bit much, Mr. Chair.

I'm anxious to get down to business and before we do that, I too would like to say that I was shocked to see Mr. Braun twice postpone his appearance. According to our documents, he was supposed to be here. We even received confirmation of his appearance. He was a no-show the first time and the second time, I know that he was in Montreal to meet with employees of Rights & Democracy.

I'm very anxious for us to begin and I hope that others will not go on as long as I have.

Thank you, Mr. Chair.

• (1125)

[English]

**The Chair:** Thank you, Madame Lalonde.

We're going to move over to Mr. Patry, then to Mr. Rae, then to Mr. Obhrai.

**Mr. Bernard Patry:** Merci.

I'm not going to discuss Mr. Braun. He's willing to come on April 1. We agreed to have Mr. Braun here on April 1; he'll come with Jacques Gauthier. It could be all in two hours altogether with David Matas, Brad Farquhar, and any other current member who wishes to appear. I think that's fixed. He said he cannot come before April 1. He'll come on April 1.

On Tuesday, March 30, the people who've been fired, I don't think there are any legal issues about this, Mr. Lunney, if these people want to appear. The one elected by the union.... I think we provided the names. They sent us a letter saying they would like to come. I think we should agree on this. After April 1, we have Madame Trépanier and Payam Akhavan. On April 15, Mr. Broadbent, Mr. Clark, and Mr. Allmand, former president.

The last one, but I think it's important to have him also, we hope he will be gazetted by that time on April 20. That's it for us. That's going to provoke the discussion.

I think it's fair. We have balance on both sides. If you have any other witnesses you would like to have here, just tell us.

Merci.

**The Chair:** Okay.

Mr. Rae and then Mr. Obhrai.

**Hon. Bob Rae:** If peace breaks out, that's a great thing.

How about this for an idea? If we're looking at this thing we've been working from, a lot of it—and Mr. Goldring talked about this—is the Bill C-300 issue and the G-8 summit priority on maternal and child health. Why wouldn't we do an hour on maternal and child health on Thursday? If you guys want to do that, that's absolutely fine. Presumably you're ready to do it. It doesn't have to be the minister; it can be whoever you want to put forward from CIDA or from anywhere else telling us more about it. We're debating it today in the House. Why don't we try to get at it on Thursday for an hour? Then next week we'll get into Rights and Democracy.

Peter, I'm convinced we're going to be able to get through Bill C-300 within the 60-day limit, and there will be lots of opportunity to discuss that.

Does that sound reasonable, Mr. Chairman?

**The Chair:** I think it would make sense to invite some government officials to discuss that for the second hour. My thought is that on March 30 we'll look at inviting the staff who were fired, along with the union. Ms. Trépanier has indicated she'd prefer to be there with them at that time, so we'll look at March 30 for that. Then we'll say for April 1 we'll look at having Mr. Gauthier and Mr. Braun. I'm also going to suggest that we have the board members as well on April 1.

We could look at having Mr. Latulippe here on April 13 as a possibility, and then Mr. Broadbent, Mr. Clark, and Mr. Allmand on April 15 as well, or vice versa. We'll look at trying to fit them all in, maybe just one week after we come back.

Mr. Patry, on that point.

**Mr. Bernard Patry:** I want to say that Madame Trépanier wants to appear with Dr. Akhavan. That's her wish. She wants to come with Dr. Akhavan, not with the union.

**The Chair:** We'll work out the details.

**Hon. Bob Rae:** Yes, we're going to work it out.

**The Chair:** Right now we're saying that we agree with the list, so we'll try to work around their schedules.

Mr. Obhrai.

• (1130)

**Mr. Deepak Obhrai:** Mr. Chair, I have a couple of points I want to raise here and ask for some clarification from Mr. Patry.

First, on Thursday, in reference to Mr. Rae's suggestion, we would have to look at the availability at the department. Who can come? If there is a possibility that they can come, we'll ensure they will come.

If there is no possibility and they cannot come, we would have to then look at some other way.

Let me just make sure, before we accept that, that I check back with the availability of those who are able to come at that time.

Now, the second question I want to clarify here is this. At the original discussion when we started, which we agreed upon, we said we would study Rights and Democracy, followed by making a report and recommendation to go back to Parliament. I'm not sure whether that is the intention. What is the intention? If that is the intention, that you want to study the report, make recommendations, and table it back to Parliament, then we're looking at additional days to sit and go over those reports and everything.

I just want to know if that is still the intention of the committee members to study the report, make a report, make the recommendations, as somebody suggested, and report it back to Parliament. Then I would say we need more time than what we have just picked up. Right now all we said were the witnesses, but we have no given time. We said we would study the report with the recommendations.

I do want to say that once we start studying the report, one can expect it to be a little more in-depth and it is not going to be a fly-by-night situation.

**The Chair:** Go ahead, Mr. Rae.

**Hon. Bob Rae:** Thank you, Mr. Chair.

Frankly, my off-the-cuff answer to that would be let's wait and see what happens at the end of the witnesses and let's see what the situation is then. I think we'll have to look at it then. I certainly don't have a fixed view on it, I can assure you, as to whether it's worth it, frankly, because we all know it will be as contentious as hell and may not be the best way to deal with this question. I think we need to get some more facts out on the table and hear the perspectives that people have, and then try to see whether we can set up a process for a report.

I don't have a fixed view on it. I just assumed we didn't make that decision until we were down the road, if that's okay with everybody.

**Some hon. members:** Agreed.

**Hon. Bob Rae:** Okay.

**The Chair:** Mr. Dewar.

**Mr. Paul Dewar:** I think those comments were attributed to me, because initially I was asking that we do that, but there is nothing in front of us to suggest we do that.

First of all, if this committee is in fact the committee that has oversight to the institute, I think we have some responsibility, if we find there are problems, to make recommendations. I guess what Mr. Rae has said is fine. I think if people see there are major problems with the way things were done, and there could be changes made, then we should recommend. Recall that this institute was born out of a report from this committee and that we are the ones who have oversight to the institute.

I think it's incumbent on us not just to hear from people—and there will be contentious issues, no doubt—but if there are things that need to be repaired, we make recommendations. I think it's a reasonable thing in the spirit of cooperation here today that we look at having that as an option. We can do that as a committee, Chair. We can say that after what we've heard, we think we should make some recommendations. We might even come up with them without having to spend weeks hearing from people. We might actually come up with some things everyone agrees to; you never know.

I'll just refrain from commenting on Mr. Abbott's comments. I'm not going to bite today, Jim, and I'll leave it there.

**The Chair:** Okay. Let me then summarize the list of people we're going to work into the schedule over the next couple of weeks. I believe Mr. Obhrai was going to put forward another witness as well. We're going to try to get in for the second hour on the 25th, which is—

**Hon. Bob Rae:** Does that witness have a name?

**The Chair:** Yes, does that witness have a name? We'll make sure that everyone gets that name.

On the 25th we will try to get department officials on G-8 maternal and child health. If that's not possible, would these other individuals who indicated they'd like to spend a little time before the committee be all right for the second hour?

**An hon. member:** Yes.

**The Chair:** We will first try to look at maternal health. We'll look at working to get the witnesses in. When we have a schedule we'll send it out to the offices.

Is that okay? Is there any other business, then? Can we leave it at this for now?

We will have to have another subcommittee meeting to discuss future business when we get further down into Rights and Democracy.

All right, thank you very much. The meeting is adjourned.

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