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**Standing Committee on Human Resources, Skills
and Social Development and the Status of
Persons with Disabilities**

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Monday, March 22, 2010

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Chair

Ms. Candice Hoepfner

Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities

Monday, March 22, 2010

• (1530)

[English]

The Chair (Ms. Candice Hooppner (Portage—Lisgar, CPC)): Order. We're going to begin the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities meeting number five.

According to the orders of the day today, pursuant to the order of reference of Wednesday, March 3, 2010, we have Bill C-304, an act to ensure secure, adequate, accessible and affordable housing for Canadians, clause-by-clause consideration.

Pursuant to Standing Order 75(1), consideration of the preamble and clause 1 is postponed, and I will begin with clause 2.

(On clause 2—*Definitions*)

The Chair: Madame Folco.

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Thank you, Madam Chair.

Given that this is an ongoing discussion that started before the prorogation of the House, I wondered whether we might not consider the possibility of deeming accepted by this committee all the amendments that had been accepted before prorogation took place last year. I'm not talking about the ones that were discussed; I'm talking about the ones that were actually accepted by committee. This is what I would like to move forward.

The Chair: Mr. Komarnicki.

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): I've had a brief discussion with Mr. Lessard and with Mr. Savage. Mr. Lessard's view was—and I'm amenable to it—that this bill be reported to the House in exactly the form it was in in December when we adjourned, and that the amendments that passed then, but not new and additional amendments, go forward in this report. Of course, there was much argument and debate about whether they should have gone or not with parties voting different ways, but in the end that was the result of the bill. We're prepared to agree to that, but we're not prepared to agree to that plus opening up the bill to a host of new amendments.

Am I understanding Mr. Lessard correctly? I'm assuming I am.

The Chair: Mr. Savage is next.

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Actually, Chair, maybe I'll wait to hear from Mr. Lessard and then the NDP, and then I'll come back at that point.

The Chair: All right.

Monsieur Lessard.

[Translation]

Mr. Yves Lessard (Chambly—Borduas, BQ): Thank you, Madam Chair.

Indeed, we did do a very thorough job in December. I remember the amendments brought forward by every party. They were examined and their true worth assessed, and decisions were made.

I remember very well something that was quite admirable. Mr. Kennedy, among others, had put forward a series of amendments that gave this bill a whole other dimension, enhancing and strengthening it. So we feel that the work is done. If, by chance, we had to accept new amendments, that would open the door to amendments that were already considered and that were not adopted, in other forms.

We feel that we should simply confirm the work that we did in December and recommend the bill as amended on December 8 and 10.

[English]

The Chair: Ms. Leslie.

Ms. Megan Leslie (Halifax, NDP): Thanks, Chair.

I agree with Monsieur Lessard that we have done a lot of work on this bill. The support for this bill grows daily. Looking across the country, looking at all the provinces, looking at the organizations that support this bill, from Amnesty to CERA to FRAPRU, we have a lot of groups that really want this bill to work.

I do believe it's our responsibility to make this bill as good as it can be, which is why we have put a lot of work into a new amendment that would address the concerns about Quebec. That's why we actually have a couple of options in the package for changes to that amendment.

I guess what I want to know explicitly from the parties is whether the new amendment we drafted in order to make sure this bill was the best it could be is something they would support. If that is the case, that would be useful information for me to know to make a decision about this motion.

The Chair: Mr. Savage, did you want to speak?

Mr. Michael Savage: Thank you, Madam Chair.

It's been our view from the beginning that this bill is something we want to support. We feel we've strengthened it considerably. Mr. Kennedy's amendments, following work with a number of groups, have made this bill much stronger. So I was pleased in December when we came to a place where we didn't necessarily all agree, but the committee did its role, and the bill was ready to be reported back to the House.

I think what Ms. Leslie is saying makes some sense to me. If the government is not prepared to consider further amendments but is prepared to bring everything back as it was and no further, then I'm fine with that.

• (1535)

The Chair: Is there anyone else?

Mr. Komarnicki.

Mr. Ed Komarnicki: I have a question. Does Madam Folco's motion require unanimous consent?

The Chair: Yes, it would.

Mr. Ed Komarnicki: Because I would not give it—or at least from our side—but would be prepared to say that we would go along with what Monsieur Lessard and Mr. Savage were saying, with our objections that were duly noted before. The transcript would still remain, but we would agree that the bill could be reported to the House in that fashion. So we would entertain another motion to that effect. I would be prepared to so move that, so this one's disposed of, but we're not prepared to consent to it in that form.

The Chair: So you would not consent to Madam Folco's motion, but you would move your own?

Mr. Ed Komarnicki: That's right. Move the motion.... Well, I would leave it to Mr. Savage or Mr. Lessard.

The Chair: I mean, it's not a motion.... It's just that we're trying to—

Mr. Ed Komarnicki: I guess I could. I could move a motion that the bill be reported to the House in the fashion it was, with each party's objections being duly noted in the transcript of that proceeding.

The Chair: Monsieur Lessard, were you next?

[*Translation*]

Mr. Yves Lessard: Just to reassure Ms. Leslie, I want to point out that a new amendment must be dealt with by consensus. I believe that a single amendment was announced. And we will not agree to it because it already distorts one of our amendments that was adopted by the committee prior to prorogation. We feel that the bill should be recommended to the House as amended prior to Parliament being prorogued, so in its entirety and without any additional amendments.

Madam Chair, if amendments to improve the bill had been proposed, I think we would have had to consider them. But that is not the case. No such amendment was put forward.

[*English*]

The Chair: Mr. Kennedy, please.

[*Translation*]

Mr. Gerard Kennedy (Parkdale—High Park, Lib.): I hope we can find a way to move this bill forward. If I understand correctly,

people's opinions on the intent of the bill are causing a problem. It would have been possible to take advantage of prorogation if, last time, we had been able to see to it that the NDP's proposal directly addressed the concern of the Conservative party. Perhaps it is impossible to specifically address that type of concern, but I find that unfortunate. In committee, in December, the parties were able to discuss a variety of issues. That discussion is really important to a bill of this nature.

I want to ask the NDP whether it is possible to find a way to avoid this kind of problem and whether it thinks these amendments can improve this important bill.

[*English*]

The Chair: Ms. Leslie, please, and then I'd like to say something.

Ms. Megan Leslie: Thanks, Madam Chair.

With regard to the question from Mr. Kennedy, we believe the amendments concerning Quebec that we have submitted this time around are stronger. We believe that this finesses the bill. We have worked very hard with a lot of community groups to make sure that the language is good, fair, strong, and also admissible, so that we wouldn't actually have to challenge the chair, which is something that we did last time around.

However, we're taking from the Bloc that they don't support those other drafts of the amendment.

Madam Chair, I do have a question. I don't know if it goes to you or to Mr. Komarnicki. Right now, I am failing to understand the difference between what Madam Folco is saying and what Mr. Komarnicki is proposing. Could I get clarification on the difference?

• (1540)

The Chair: Thank you.

I am going to ask you if you would mind clarifying that. You just explained to me the difference between Madam Folco's motion, which would require unanimous consent, and Mr. Komarnicki's.

Yours is a suggestion. His would be a motion.

Hers is a suggestion that we take all of the amendments that had previously been adopted and basically call them done—ignore them. Mr. Komarnicki is saying let's bring the bill back as it was in its format on December 9 when we were ready to present it to the House.

Is that correct?

Ms. Raymonde Folco: Does that include the amendments that have been accepted?

The Chair: You're including the amendments that had been accepted.

Mr. Ed Komarnicki: Exactly, but no new amendments.

The Chair: Yes, but no new amendments.

Mr. Ed Komarnicki: In this case.... Then there were some 20 amendments—

Ms. Raymonde Folco: I hadn't gone that far—the first ones, yes.

The Chair: So we need a vote on his, while on yours we need unanimous consent.

Is that clear?

An hon. member: Not really.

The Chair: Not really?

Ms. Raymonde Folco: Could I suggest something? Actually, on the first part, Mr. Komarnicki and I agree, and that is that we would accept en bloc all the amendments that had already been voted on, but what I was suggesting is that we go on to look at the new amendments. Mr. Komarnicki is saying no, that's where we stop.

Is that correct, Mr. Komarnicki?

Mr. Ed Komarnicki: What I'm saying is that I'm not prepared to consent to the first process, because I'm saying we either take it as it was and report it back to the House, or we don't just take what it was and then keep arguing. It's either one or the other, not both, and not a part of either one.

Quite frankly, there were some 27 amendments, and now there may be some 30 amendments. Some of them are sequential and some are not so much so, but I'm saying that I'm prepared to agree with what Mr. Lessard's position was, and that is to put the bill exactly in the form it was. That's what I said from the outset. If there is any variation, we'll go back to clause-by-clause and we'll make our arguments again on the record.

The Chair: I'm going to tell you that I would have a challenge doing it your way, Madam Folco. I know that the clerks have some reservations because of the different sequence in which we received the amendments. We would have to go back and probably go over some of it anyway, so I think we're probably better off to do one or the other.

Either we accept the bill as it was prior to prorogation, or we have to go through it line by line. That would be my suggestion.

Do you want to speak, Mr. Lessard? Go ahead.

[*Translation*]

Mr. Yves Lessard: That is one of the concerns raised by Mr. Kennedy, and rightly so, in my opinion. Was Ms. Leslie's concern taken into account? Everything hinges on the issue of Quebec's right to opt out with full compensation. That is the issue here. We already dealt with that issue in committee in December, but, at the request of the NDP and FRAPU, we nevertheless reconsidered two other options. We tried—and this speaks to Mr. Kennedy's concerns—to find a solution that, while being acceptable to the House of Commons, would give Quebec that guarantee. In the end, it was not possible. Again, on Thursday, I met with the leader. It really turned out to be impossible.

Everything being put forward right now brings Quebec back to its international human rights obligations. The obligations being set out here are bilateral, in other words, between Quebec, or the other provinces, and Canada. So we cannot look to a third party to determine the obligations that each party has toward the others. That is the nature of our dilemma. In December, we dealt with the issue along those same lines. That is why I stand behind the motion I moved earlier.

• (1545)

[*English*]

The Chair: Okay. Well, as you know, we made a decision several weeks ago that we wanted to take a full day to come back to look at Bill C-304. I would assume that meant that we weren't going to accept it—or we accept it in its format before we prorogued. So I would say that the committee has to make a decision. Either we accept it the way it was before we prorogued, or we continue with our work today and go through it line by line.

Ms. Leslie, I don't know how you feel about accepting Mr. Komarnicki's suggestion.

Ms. Megan Leslie: Madam Chair, can we just take a quick recess?

The Chair: Sure. Why don't we take a couple of minutes?

Ms. Megan Leslie: Thank you.

The Chair: Actually, we've brought food in, and I want to let the committee members know that it's for the committee members, so please help yourselves.

We'll suspend for five minutes.

[*Translation*]

Mr. Yves Lessard: Can we reread it before the break so we can think about it?

[*English*]

The Chair: We're going to suspend for five minutes. Then we'll come back. They have to decide what they're going to do.

• (1545)

_____ (Pause) _____

• (1550)

The Chair: All right, we've had our five-minute break. Can we please reconvene?

Do we know what's going on?

Mr. Ed Komarnicki: It's difficult to go through it other than clause by clause. I don't think Mr. Lessard wants to change the Quebec amendments—

The Chair: No. So we are either going to accept the report or we're going to go clause by clause.

All right, ladies and gentlemen. We need to get started. It is part of our standing order for today that we are going to go through this bill clause-by-clause. I think it would be wise that... We wouldn't have unanimous consent to go ahead with Madam Folco's suggestion, so unless there is going to be a motion that we adopt the eighth report as it was agreed upon on December 10, if there's a motion...

I'm sorry. Just let me just finish. There is a motion?

You moved a motion to accept the report that was determined on December 10.

Mr. Ed Komarnicki: My request is that I moved a motion to the effect that the bill be reported to the House in the same fashion it was reported to it the last time, with any objections recorded on the bill being the same now as they were then, just basically taking the whole proceeding.... We have all of the evidence over here. We have all of the voting—

The Chair: We have that motion. I'm going to read that motion and we're going to discuss it.

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC): What was your wording? The wording—

The Chair: It was that we accept the report that was dated Thursday, December 10: that we accept that same report today and present it as it is.

Mr. Ed Komarnicki: Yes, with all of the voting patterns and objections listed there—

The Chair: We will accept it exactly the same way. We'll get it written out and then I'll read it, but right now we're going to discuss Mr. Komarnicki's motion that we accept our report as we decided it on December 10, as is, on Bill C-304.

Can we have discussion on that, please?

Mr. Kennedy, please.

Mr. Gerard Kennedy: Just for greater certainty, I guess it means that the eighth report that was done in its entirety without change is what Mr. Komarnicki is putting forward. The reference is a little less precise than that, but there is a report that would have gone forward and been reported had Parliament come back. So I just want to be absolutely certain that there's nothing different in saying we're allowing this to go forward now that Parliament is back. So the eighth report will essentially become the report we make today under this motion. Is that correct?

The Chair: That is how I understand the motion. That is how we are going to write it and present it.

Mr. Gerard Kennedy: Would Mr. Komarnicki accept a friendly amendment that it be precise in reference; that we talk about the eighth report on December 10 as occurred? That's how it's titled in *Hansard*.

Mr. Ed Komarnicki: Yes.

The Chair: Gerard just wants to make sure that we want to accept the exact report we're going to table.

Mr. Ed Komarnicki: I am told by the legislative clerk, just for clarification, that the ending portion of the report refers to the relevant minutes of the proceedings in meetings 55, 56, 68, and 69. So all of the parties' positions and voting records would be incorporated within that. If that's correct, I'm happy with that narrow motion.

The Chair: Let me read it as we have it right now, and you can let me know what you think. It says:

That the eighth report of this committee on Bill C-304 in the last session be adopted, as it was debated and subjected to the same voting pattern, without any change.

Mr. Ed Komarnicki: That is perfect.

The Chair: Would you like me to read it again? Was that clear?

Mr. Gerard Kennedy: I was seeking that degree of precision. I'm not saying yet how we're voting, but I'm trying to understand what we have.

The Chair: Okay. Good.

Ms. Leslie, please.

• (1555)

Ms. Megan Leslie: Thanks, Madam Chair.

I wonder if the chair would accept an amendment to that motion to include amendment NDP-5, which people have in front of them.

The Chair: Are you suggesting a friendly amendment? If not, then we have to actually put it in and debate it as an amendment.

Ms. Megan Leslie: Somehow I don't think it would be considered friendly.

The Chair: Okay, so you want to put in an amendment.

Ms. Megan Leslie: I want to make a subamendment to his motion.

The Chair: Sorry, that's ruled out of order, because you'd be amending the bill.

Is there any other discussion?

(Motion agreed to)

The Chair: Thank you very much.

It seems we have completed this very efficiently. I would like to do a little bit of committee business very quickly and deal with the travel we talked about. The clerk will hand out the report and the work he did in getting us ready for the trip we want to take. We can discuss it and make some decisions, and we'll be ahead of the game.

We talked previously about a trip to an aboriginal community. Madam Folco put forward a very good suggestion that we go the night before to give us a little more time to spend at the first nations community.

Georges has put down a fourth option of \$14,129 that includes one night of accommodations. It would be for six to eight committee members. I think that looks like a great suggestion. I wonder if there's any discussion on it.

Mr. Savage.

Mr. Michael Savage: Could you confirm the dates we're talking about?

The Chair: We haven't confirmed anything. Because we've moved things down a bit I think we're looking at April, and we have the minister coming on one of the first days. We'll let you know in advance. If it's all right with the committee, we will propose a few dates and e-mail them to your office. Then we'll set the dates.

I've just heard that the minister's coming on April 14, so if the committee's in agreement, we'll find two good dates in April and let you know.

Monsieur Lessard.

[Translation]

Mr. Yves Lessard: I have a question for Mr. Etoka.

We submitted suggestions regarding two reserves near Val d'Or. Would it be those two reserves?

The Clerk of the Committee (Mr. Georges Etoka): I was given two names.

[*English*]

The Chair: It's unfortunate, Mr. Lessard, but we won't be able to go to every location we discussed and hoped to visit, but this is probably the best plan.

Madam Folco.

Ms. Raymonde Folco: I'd like some explanation of options three and four.

If I understand option three, we would go up on the Monday, visit Barrière Lake and Lac Simon, sleep over, and come back the next morning to Ottawa.

The Chair: Yes, we would take a bus and stay over.

Ms. Raymonde Folco: But we would come back the next morning. Is that right?

The Chair: That's what it looks like.

Ms. Raymonde Folco: It would make better sense to go to Barrière First Nation, sleep over, in the morning visit Lac Simon, and then come back. Then we would have more time, rather than doing it all in one day. Otherwise we would be rushing a long distance and making two visits in one day. I don't think it's doable.

The Chair: I think option four is the best one, because we wouldn't be making both legs of the trip on a bus. It would give us a little more time. We would just reverse it by going up the night before, staying for a night, having a full day of visits, and then taking the bus back.

Mr. Lessard.

• (1600)

[*Translation*]

Mr. Yves Lessard: We gave the contact information to Mr. Etoka for Lac-Simon and Kitcisakik. The reason that we gave Kitcisakik was that, after checking in Lac-Barrière, we learned that there was a nation problem, a major dispute. In practical terms, Lac-Simon and Kitcisakik are around a half-hour apart, in Val d'Or. One is in the park, and the other is outside.

That was our suggestion. There had already been some contact. That is the information we provided. Is there something that needs to be changed in that regard?

[*English*]

The Chair: So you're saying we wouldn't go to Lac Barrière.

The Clerk: We'd go to a new lake he's talking about. He just gave you the name.

The Chair: Sorry, what's the name?

[*Translation*]

Mr. Yves Lessard: Kitcisakik.

[*English*]

The Chair: Kitcisakik. Is that the one you had talked about.

A voice: Right.

The Chair: Okay.

So in option four we would have a slight change. We would not go to Lac Barrière; we would go to Kitcisakik.

Mr. Lessard, why would you like to go to that one instead?

[*Translation*]

Mr. Yves Lessard: It is currently a political reason in that there is an internal dispute within the nation. We could be caught in the crossfire—not gunfire, but debate—and that is why it makes more sense to go to the two others.

We will also find two of our concerns in those two places. One reserve is slightly better organized—not much—and the other completely lacks organization.

[*English*]

The Chair: Thank you.

Madam Folco.

[*Translation*]

Ms. Raymonde Folco: I would like some more information.

How long is the flight from Ottawa to Val d'Or?

Where will we stay? I imagine we would stay in Val d'Or for the night. How long is the bus ride from Val d'Or to Lac-Simon? How long does it take to get from Lac-Simon to Kitcisakik? How long does it take to get back to Ottawa from Kitcisakik?

I think we need that kind of information before we can make a decision.

Mr. Yves Lessard: A half-hour, a half-hour and a half-hour.

Ms. Raymonde Folco: It is always a half-hour?

Does that include the flight from Ottawa to Val d'Or, Mr. Lessard?

Mr. Yves Lessard: Going from Ottawa to Val d'Or takes as long as getting to the airport.

You are talking about flying? Fine, that is option number four.

It is not far. It goes pretty quickly. On a charter flight, we would be there in 45 minutes to an hour. From the airport to Lac-Simon, it is a half-hour, and from Lac-Simon to Kitcisakik, if memory serves, it is another half-hour or 45 minutes.

Ms. Raymonde Folco: How long would it take to get back to Ottawa?

Mr. Yves Lessard: Do you mean if we come back by bus?

Around four or four-and-a-half hours, tops.

Ms. Raymonde Folco: Mr. Etoka, would it be a charter or commercial flight?

The Clerk: A charter flight.

Ms. Raymonde Folco: Fine. We need that kind of information.

[English]

The Chair: We know that the clerk will do a good job of putting the trip together. We have a good understanding that we'll be able to fly there in a short time the night before, make these visits, and take the bus back.

If everyone is in agreement, can we proceed with that? I'll get some dates in April for you. We'll probably have two dates, and whichever date is best for the majority of people we'll go ahead with.

I have one more suggestion. Mr. Cannan suggested that we have a couple of witnesses via teleconference from reserves that have been very successful in British Columbia. We'll probably have some time for that, so if it's agreeable to the committee we'll also line those up as we are completing our study on poverty. Then at least we can get some of those witnesses.

Mr. Cannan.

Mr. Ron Cannan (Kelowna—Lake Country, CPC): Madam Chair, my staff has sent that contact information to the clerk.

The Chair: Good. Thank you for that.

Mr. Savage.

Mr. Michael Savage: Have we confirmed a date for the minister? Did I hear that?

The Chair: Yes, it is April 14.

Mr. Michael Savage: I put this in the form of a motion, and I can bring it to the committee if necessary. It would be helpful to know that we have the minister for two hours. Two ministers usually come—the Minister of Human Resources, and the Minister of Labour. Will they be available for the full two hours?

•(1605)

The Chair: We can find out and get back to you.

Mr. Michael Savage: It's worthwhile when we get the ministers—maybe for their benefit, not ours—that we have a chance to hear what they have to say.

The Chair: We'll find that out for you and get back to the committee.

I need a motion to accept our travel budget request, which should be in front of you. It was moved by Mr. Casson.

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

The Chair: Is there anything else?

Thank you.

The meeting is adjourned.

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