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Chair

Mr. Merv Tweed

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•(1105)

[English]

The Chair (Mr. Merv Tweed (Brandon—Souris, CPC)): Thank you, and good morning, everyone. Welcome to the Standing Committee on Transport, Infrastructure and Communities, meeting number 31. Our orders of the day are pursuant to the order of reference of Tuesday, May 25, 2010, Bill C-20, An Act to amend the National Capital Act and other Acts.

Joining us today from the Department of Transport, we have Monsieur Simon Dubé, director of portfolio management, crown corporation governance.

When we adjourned the last meeting we were debating a BQ amendment to clause 3 by Monsieur Nadeau, and because he's not here and I know he wants to participate, I'm going to ask the committee that we stand clause 3 for now and we'll move to clause 4.

I'd like to ask the committee that we stand clause 3 until Mr. Nadeau returns, and we'll move on with the other clauses and move forward. Clause 3 is where we were left debating. We were talking about the number of people on the committee. If everybody is good with that, we'll move to clause 4.

(Clause 3 allowed to stand)

(On clause 4)

The Chair: Does everyone have the amendment package? We do have extras if you don't have them.

There are no amendments to clause 4.

(Clauses 4 to 7 inclusive agreed to)

(On clause 8)

The Chair: We have a Liberal amendment.

Monsieur Proulx.

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Thank you, Mr. Chair.

Clause 8 is the question of the...different committees or subcommittees have been removed in the submission. We would like to add clause 8.1:

There shall be an Executive Committee of the Commission consisting of the Chairperson, the Chief Executive Officer and three other members to be appointed by the Commission, at least one of whom shall be from the Province of Quebec and at least one of whom shall be from the Province of Ontario.

The reason why we are doing this is the Quebec government is absolutely worried that, whether it be the executive committee or

other subcommittees, major decisions could be taken without any participation from any Quebecers. We've already had an amendment accepted to include...this is the one Mr. Nadeau is interested in, clause 3, which has been postponed. But we would insist that there be an executive committee composed of at least one member for the Province of Quebec and one member for the Province of Ontario. Ideally, we would have other committees, or subcommittees, if you want, and we would make sure that there is one Quebecker on every one of these committees or subcommittees. But for the time being, we would be satisfied with having an executive committee consisting of these different people.

•(1110)

The Chair: Thank you.

Are there comments?

Mr. Jean.

Mr. Brian Jean (Fort McMurray—Athabasca, CPC): I thought there was an executive committee that was appointed or formed at one time, in relation to the commission itself. What's the position of the department in relation to an executive committee?

Mr. Simon Dubé (Director, Portfolio Management, Crown Corporation Governance, Department of Transport): Currently the National Capital Act provides for the executive committee, and what's being proposed in Bill C-20 is to remove that specific committee and leave the commission to decide on what committee it needs to undertake its business. I'll just note that over the past number of years, despite the provisions in the National Capital Act for an executive committee, there hasn't been any such committee meeting formally.

The Chair: Do you have a comment, Mr. Jean?

Mr. Brian Jean: Yes. Why is the proposal to leave it that way? My understanding, from being briefed sometime ago on this, if memory serves me correctly, was that the format for the executive committee was there. However, in essence, they had never met over a period of two or three years because in fact it was difficult to get all the members of the board, or something like that.

Mr. Simon Dubé: Yes, exactly. The NC Act is an old act. In this provision, and in other cases as well, the executive committee was useful in the period when it was difficult to get all the board members all together, especially if you had board members from across the country. Now with new technologies, it's easy for the board to call an ad hoc meeting if they need to, and they can do that by teleconference, or even by video conference now. So that's why the need for a smaller group of board members forming an executive committee isn't as important as it used to be.

The Chair: Monsieur Proulx.

[*Translation*]

Mr. Marcel Proulx: Mr. Chair, I would like to read subsection 9 (1) of the National Capital Act, 1985. That is what is being referred to. The subsection reads as follows:

9. (1) There shall be an Executive Committee of the Commission consisting of the Chairperson, the Chief Executive Officer and three other members to be appointed by the Commission, at least one of whom shall be from the Province of Quebec.

A little later, subsection 9(3) deals with other committees, including a National Capital Planning Committee. It was all necessary because the intent was for all the various topics to be dealt with by committees with in-depth knowledge of those topics.

Now we are kind of taking a step backwards but saying that we are moving with the times. The NCC has an executive committee. In our Parliament Hill context, all our committees have steering committees so that everything does not have to be discussed at the full committee. Many discussion items are handled at those steering committee meetings.

The National Capital Commission has an executive committee and we would like it to have a member from Quebec and at least one member from Ontario. They would be able to deal with all kinds of matters much more easily and simply than if the whole committee were there. Just imagine! If they had to have a meeting to decide the topics for an upcoming discussion, with four people in an office, three by teleconference, and so on, it would be hell. It would so be much easier to have an executive committee.

•(1115)

[*English*]

The Chair: Mr. Jean.

Mr. Brian Jean: The difficulty is that I just don't understand what the purpose of the committee is going to be. It's not laid out.

The NCC witness before us has testified that this was actually already set up in the legislation before, and it hasn't been utilized because they call all the members. So I don't really understand (a) why we would force them to have a cumbersome part of the act that they don't use and they had the opportunity to use before; and (b), why we don't just let them decide what committee they have to form to do specific work, whether it be an executive committee to decide on appointments, or whether it be a committee to decide on new properties they want to buy or new properties they want to move forward on.

I just don't know why we wouldn't leave it to the committee, as a whole, because that's, in essence, what your proposal is, and, quite frankly, it hasn't worked in the past. Is that fair to say, Mr. Dubé?

Mr. Simon Dubé: Yes. As I mentioned before, the National Capital Commission hasn't used the executive committee provided in the act because I guess they didn't need it. They were able to conduct their business through the full board or using advisory committees, as required, on specific subject matters.

Mr. Brian Jean: Mr. Chair, if I understand it, then, with the new forum we're proposing, with the new legislation leaving out the executive committee appointment, that still allows the board itself to appoint one, if they deem it necessary for a specific purpose. Is that fair to say?

Mr. Simon Dubé: Absolutely. If they feel at some point that they need an executive committee, they could create it and decide what that committee can do.

Mr. Brian Jean: Great. Thank you.

The Chair: Mr. Proulx.

[*Translation*]

Mr. Marcel Proulx: Thank you, Mr. Chair.

Mr. Dubé, the National Capital Act dates back to 1985. That is 25 years. You do not look to me as if you are in your fifties. How long have you been at the National Capital Commission?

Mr. Simon Dubé: Actually, I work at Transport Canada.

Mr. Marcel Proulx: Were you told that this National Capital Commission committee has never met since 1985?

Mr. Simon Dubé: I cannot actually say whether it has been since 1985, but it is a number of years.

Mr. Marcel Proulx: That is my question. They were created in 1985; the executive committee and the other committees, I mean. Now Mr. Jean is making you say that it has never been used.

Mr. Simon Dubé: Before we decided on this amendment, we did go through a process of checking. According to the people with the corporate memory going back a number of years, no one could remember this committee being active or used.

Mr. Marcel Proulx: When does that corporate memory go back to?

Mr. Simon Dubé: More than 10 years, but I could not tell you to which exact year.

Mr. Marcel Proulx: Okay. So we can agree that it has perhaps not been used for the last 10 years, but maybe it was beforehand.

Mr. Simon Dubé: Maybe.

Mr. Marcel Proulx: Thank you.

[*English*]

The Chair: Mr. Jean.

Mr. Brian Jean: Frankly, although it's a good proposal, and obviously it was in the act before, it would be best to leave the flexibility to the committee and the commission to appoint a special executive committee as they need to—and we have heard evidence that they can still do so—not to set up a committee that has absolutely nothing to do and is set up for no reason.

From that position, the government would vote against this particular amendment.

(Amendment negated)

(Clause 8 agreed to)

(On clause 9)

The Chair: We have BQ-3.

Monsieur Guimond.

[Translation]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Chair, could I ask you to postpone discussion on this amendment? My colleague Mr. Nadeau is in an in camera meeting with the commissioner of official languages at another committee. He is going to join us momentarily. I suggest that we wait for him before discussing amendment BQ-3.

● (1120)

[English]

The Chair: Mr. Jean.

Mr. Brian Jean: I have a difficulty with that.

If we want to move on to another clause, that would not be a problem—unless it would affect any others.

The Chair: I'm going to ask Monsieur Guimond that.

On clause 10, we have a BQ amendment as well. Is that the same request?

[Translation]

Mr. Michel Guimond: Yes, it is the same request.

[English]

The Chair: *Oui?*

Mr. Marcel Proulx: Could we deal with Liberal amendment 3, or do you want to postpone all of clause 9?

Our amendment on clause 9 is to add after line 31, whereas the one for the Bloc is removing lines 22 to 31. Maybe we should postpone amendment Liberal 3 so that we discuss it all at the same time. I wouldn't mind.

The Chair: We seem to have come to a bit of a...

Monsieur Guimond.

[Translation]

Mr. Michel Guimond: I have no objection to waiting, but, through you, Mr. Chair, Mr. Proulx might notice that his amendment proposes an addition after line 31, and we are asking for lines 22 to 31 to be deleted.

In any event, if you prefer to debate clause 9 in its entirety, we could postpone the discussion on amendment BQ-3. I have no problem with that.

[English]

The Chair: I think I'm going to defer until Monsieur Nadeau....

We do have some open clauses we could pass. Unless there's further debate, we'll stand clause 9.

I will move to clause 12. There are no amendments to clause 12, so I would ask that clause 12 carry.

Monsieur Proulx.

Mr. Marcel Proulx: Can I have time to look at it, please, because there are a whole slew of amendments in clauses 10 and 11.

The Chair: Yes.

(Clause 12 agreed to)

The Chair: We have clause 14 without any amendments.

(Clause 14 agreed to)

The Chair: There are no amendments on clause 16.

(Clauses 16 to 18 inclusive agreed to)

The Chair: I'm moving to clause 20, showing no amendments.

Monsieur Proulx.

● (1125)

Mr. Marcel Proulx: There's G-9, which is proposed clause 20.1. Does Mr. Jean feel it connects to clause 20 as such, or would you rather let it go?

The Chair: Clause 20.1 is showing as a new clause. If we want to pass clause 20 and then deal with 20.1, we could.

Mr. Jean.

Mr. Brian Jean: I have no problem dealing with both clause 20 and clause 20.1 at this stage. I don't think it changes the substance of any other clause.

The Chair: I'm showing nothing on my records either.

(Clause 20 agreed to)

The Chair: Do we want to discuss proposed clause 20.1?

Monsieur Guimond, clause 20.1 is a government amendment. Again, we can wait, if that's your desire.

[Translation]

Mr. Michel Guimond: Is it a new amendment?

The Chair: Yes.

Mr. Michel Guimond: It is about the greenbelt. I would prefer to wait until Mr. Nadeau comes back.

[English]

The Chair: Clauses 21 to 26 have no amendments.

(Clauses 21 to 26 inclusive agreed to)

The Chair: I think we're at a crossroads now, so we'll take a short recess for lunch. I'll emphasize some of the things on our upcoming schedule while we're eating.

● _____ (Pause) _____

●

● (1140)

The Chair: Welcome back.

When we recessed we had completed all the clauses that were without amendment, and we're now going back to clause 3. We're discussing Bloc amendment 2.1.

Could I just ask for order, please, so that we can move forward with this?

We were discussing BQ amendment 2.1. It was moved by Monsieur Nadeau, and just for clarification, at the time we were having a challenge making sure that the numbers added up correctly.

(On clause 3)

[Translation]

Mr. Richard Nadeau (Gatineau, BQ): Do I have the floor, Mr. Chair?

[English]

The Chair: We're just pulling out BQ-2.1, and just for advice, if we defeat this, we deal with BQ-2. If we adopt it, then we don't deal with BQ-2.

When we last recessed, we were just trying to confirm that the numbers added up, and according to the amendment from Mr. Nadeau, the members other than the chairperson shall be appointed. That's one person, the chair; then three persons who are ordinarily resident in the NCR from local municipalities in Ontario, at least two of whom must be from the city. That adds up to three. Then there are three who are ordinarily residents of the national capital region from local municipalities in Quebec. That's three, and then eight from the Canadian population. So it adds up to one, the chair, three, three, and eight, which gives us fifteen. We were debating over the number seven or eight. So it is correct.

Monsieur Nadeau, you were explaining your position, and I'll ask you to continue.

[Translation]

Mr. Richard Nadeau: Mr. Chair, the proposal is to have three from the part of the Outaouais covered by the National Capital Commission and three from the part of the Ottawa Valley on the Ontario side.

At the last meeting, someone said that if the figure 8 appeared in paragraph 3(4) c, the figures would not add up. Has that been fixed?

[English]

The Chair: It is eight.

[Translation]

Mr. Richard Nadeau: Okay.

As well, we want 25% of the other members of the board of directors to be from Quebec. In simple terms, three would be from Ottawa, three would be from Gatineau and 25% of the others would be from Quebec. That is the spirit of the amendment, Mr. Chair.

[English]

The Chair: Mr. Jean.

Mr. Brian Jean: I don't see any issue with this. The government is fine with this position on this.

The Chair: Further comment? If not, I'll call the question.

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

(Clause 3 as amended agreed to)

(On clause 9)

The Chair: We have two amendments here. We have Bloc amendment 3.

Monsieur Nadeau.

• (1145)

[Translation]

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

You have the text of the bill. The clause in question defines the powers and the mission of the National Capital Commission. The clause seeks to specify the National Capital Commission's role in transportation. Our amendment seeks to take this role away from the National Capital Commission. Let me explain why.

The Constitution defines the role of each of the levels of government. Under this sharing of legislative power, the Bloc Québécois feels that road construction and upkeep, as well as public transportation, is a provincial matter. In our opinion, therefore, it is quite unacceptable at this table that the representatives of political parties that have all voted to recognize Quebec as a nation should seek to hand over powers that rightly belong to Quebec to a federal body like the National Capital Commission.

Developing its territory is a matter for the government of Quebec and must remain so, even in a border region like the Outaouais. That is the spirit of our amendment, Mr. Chair.

[English]

The Chair: Are there any comments?

Mr. Jean.

Mr. Brian Jean: Frankly, I'd like to hear from Monsieur Dubé in relation to this. Our position at this stage is that we want the NCC to obviously take under its wing the objective of transportation planning. Indeed, the NCC is responsible for much of the upkeep and obviously the roads, etc.

It would be no different from any provincial government and their jurisdiction, because we do not want to infringe upon any provincial government jurisdiction. But in this particular case, to take out the mandate of transportation planning for an area that obviously is used by commuters and used by a lot of people, to ignore that particular need, would be, frankly, negligent.

Mr. Dubé, what's the position in relation to transportation planning?

Mr. Simon Dubé: The intent here is to clarify that word, recognized as part of the planning of the national capital region. It covers transportation between the two provinces. The NCC already has many bridges, including two interprovincial bridges. It has a network of parkways. So it clearly has a role in transportation, especially when it comes to connecting the two provinces.

Mr. Brian Jean: If I may, Mr. Chair...

So in any way would this section, in your opinion, violate any jurisdictional issue or infringe upon any jurisdiction of the Province of Quebec or the Province of Ontario?

Mr. Simon Dubé: The intention has always been clear. I communicated to the NCC that this is meant not to change the role of the provinces or the municipalities, and that it is a player, but it is not the leader in that field.

Mr. Brian Jean: Obviously, the government sent this bill to Quebec. Have we heard anything back from Quebec or Ontario in relation to this particular clause?

Mr. Simon Dubé: I'm not aware of anything from Ontario or Quebec on that specific aspect. I've heard about other items, and some have been discussed so far, but not on transportation.

Mr. Brian Jean: So as far as you're aware, the Quebec government has nothing to say on this clause.

Mr. Simon Dubé: Not really.

Mr. Brian Jean: Thank you.

The Chair: Is there further comment?

(Amendment negated)

The Chair: We'll now move to amendment Liberal-3.

Monsieur Proulx.

Mr. Marcel Proulx: Thank you, Mr. Chair.

Within the territory of the national capital region there are five existing bridges, one of which is totally under the supervision, construction, renovation—the whole shebang—of the National Capital Commission. I'm sorry, two are under the NCC; two are under Public Works; and one is shared one-third Quebec, one-third Ontario, and one-third Public Works and Government Services Canada.

The intent of this amendment is to make sure that all existing bridges and future bridges in the national capital region would be constructed and renovated and maintained by the National Capital Commission.

• (1150)

[*Translation*]

Mr. Michel Guimond: A point of order, Mr. Chair.

[*English*]

The Chair: Go ahead.

[*Translation*]

Mr. Michel Guimond: Could you ask Mr. Watson not to use his cell phone when the committee is in session. The House of Commons rule applies: you can use a BlackBerry, but you cannot talk on a telephone.

Thank you.

[*English*]

The Chair: I'll ask all members just to respect the rules of the committee.

Mr. Jean.

Mr. Brian Jean: The government cannot be in favour of this particular Liberal amendment. Certainly, I think we would have to have a lot more discussions with provinces, especially the Provinces of Quebec and Ontario, before we infringed on any of their jurisdiction. Frankly, I don't see this as being something that the Government of Canada should play a role in, especially a dominant role, as suggested by this particular amendment. So we will be voting against it.

The Chair: Is there further comment?

(Amendment negated)

(Clause 9 agreed to)

(On clause 10)

The Chair: We move to Monsieur Nadeau and BQ-4.

[*Translation*]

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

The object of our amendment is to recognize in law the status of Gatineau Park and its reason for being. The bill that we are studying provides a definition of Gatineau Park and sets out its boundaries. But it has been given no due status, nor has the use to which it is to be put been established. These clarifications simply establish in perpetuity the space that is so important for the region.

That is all, Mr. Chair.

[*English*]

The Chair: Is there comment?

Mr. Jean.

Mr. Brian Jean: Considering the relationship between this amendment and G-5, if this passes, does it mean that G-5 would be out of order, Mr. Chair?

I'll tell you, if I may, Mr. Chair, the reason I prefer the wording of G-5, but I'll wait until the clerk gives us confirmation on that.

The Chair: There are some similarities, in fact strong similarities, between G-5 and BQ-4.

Mr. Brian Jean: If I may say, Mr. Chair, the reason I'm in favour of G-5—and I'm hoping to convince other member of the committee here—is that we did hear from witnesses regarding the private property component of the park, or private property within the park.

My interpretation of the wording of BQ-4, “so as to leave it unimpaired for the enjoyment of future generations”, is that the term “unimpaired” could be interpreted to unduly restrict the rights of property owners. I can see that happening.

If you deal with G-5, it specifies that the NCC shall manage its properties “in Gatineau Park for the enjoyment of the people of Canada, including allowing for the pursuit of recreational activities.” I think, frankly, that would be better wording than BQ-4, because it does exactly what I think the Bloc are intending to do with BQ-4, which is, of course, to allow people to continue to use Gatineau Park and enjoy the facilities, including the recreational activities. So I think it's a better use of a clause.

• (1155)

The Chair: Monsieur Proulx.

Mr. Marcel Proulx: Thanks, Mr. Chair.

I just ask for clarification.

[*Translation*]

Could we ask Mr. Nadeau to explain the impact on section 10.1, dealing with the master plan, if his amendment were accepted?

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

What we are suggesting goes after the heading. We are not taking it out, we are keeping the 10-year requirement for the master plan.

[English]

Mr. Marcel Proulx: I'm sorry. Then does clause 10.1 become clause 10.2, and clause 10.2 becomes clause 10.3, and so on and so forth?

[Translation]

Mr. Richard Nadeau: Mr. Proulx is describing what we want to do. In other words, we are not taking section 10.1 out; it is already in the bill.

[English]

The Chair: Go ahead, Mr. Proulx.

Mr. Marcel Proulx: Could we ask the witness a question? As it is, we're talking of schedule 2 in the amendment, which reads, "Gatineau Park, the boundaries of which are set out in Schedule 2, is hereby established".

Aside from this amendment, what do we have to give a detailed description of the Gatineau Park?

[Translation]

Is there a geographic description, a cadastral description, at the moment?

[English]

Mr. Simon Dubé: Currently in the definition section of the bill, the words "Gatineau Park" refer to schedule 2 in Bill C-20. Schedule 2 is that detailed cadastral boundary. It's in the bill currently before this committee.

Mr. Marcel Proulx: The first paragraph in this amendment says the following:

Gatineau Park, the boundaries of which are set in schedule 2, is hereby established

Does this exist anywhere else?

Mr. Simon Dubé: No. It's not in the bill or the act.

Mr. Marcel Proulx: When we're talking about Gatineau Park, what are we referring to?

Mr. Simon Dubé: In Bill C-20, the definition is this:

"Gatineau Park" means the area whose boundaries are described in Schedule 2;

Mr. Marcel Proulx: Schedule 2 would be incorporated, then?

Mr. Simon Dubé: It's in the bill.

Mr. Marcel Proulx: Okay. Where do we refer to schedule 2 in the bill, sir?

Mr. Simon Dubé: Schedule 2 is towards the end of the bill, actually. It's on page 13.

Mr. Marcel Proulx: We discussed all of this, Mr. Chair, in our study of the previous bill, Bill C-37. We had very interesting witnesses, but...I'm having a senior moment.

The Chair: As we all do.

[Translation]

Mr. Marcel Proulx: Where is that, Mr. Dubé?

Mr. Simon Dubé: On page 13.

Mr. Marcel Proulx: The schedule.

Mr. Simon Dubé: Yes.

Mr. Marcel Proulx: Where is the schedule mentioned in the bill itself?

Mr. Simon Dubé: In the definition section at the beginning. On page 2, line 24 in French, it says:

"parc de la Gatineau" Territoire délimité à l'annexe 2.

Mr. Marcel Proulx: Lines 24 and 25.

Mr. Simon Dubé: Exactly.

Mr. Marcel Proulx: Mr. Nadeau, why include paragraph 10.01 (1)? It is already in the definition.

Mr. Richard Nadeau: It is being added so that the second element is included in the bill.

Mr. Marcel Proulx: The first element is not necessary.

Mr. Richard Nadeau: By the way, the amendment would add clause 10.01, not 10.1.

● (1200)

Mr. Marcel Proulx: I understand, but in clause 10.01, the first paragraph....

Mr. Richard Nadeau: It is actually the only paragraph.

Mr. Marcel Proulx: No, there are two.

Mr. Richard Nadeau: Oh, okay. I understand what you mean. That is true.

Mr. Marcel Proulx: The first paragraph establishes the boundaries described in Schedule 2. That is already in the bill, on page 2, lines 18 and 19.

Mr. Richard Nadeau: Yes, I understand. I am following up on that.

In that case, since the point is to make sure that it is in there and that it appears in the beginning, we do not have to include it.

[English]

Mr. Marcel Proulx: Could we check with the clerk to make sure that in a previous meeting we did not change anything at page 2? In the English version it would be lines 18 and 19.

[Translation]

In the French version, the geographic description of the park's boundaries appears in lines 24 and 25. But we have never seen a geographic map showing the park's boundaries, except on an 8½-in. by 11-in. sheet of paper. It is awfully hard to see the deer on a sheet that size.

Mr. Simon Dubé: You need a good magnifying glass.

Some hon. members: Ha, ha!

[English]

The Chair: The reference to Gatineau Park in proposed section 2 hasn't changed. We did make some amendments, but the description hasn't changed.

Mr. Marcel Proulx: It changed neither in English nor in French.

The Chair: It has not changed in French either.

Mr. Marcel Proulx: Thank you.

The Chair: Okay?

Mr. Marcel Proulx: He's deciding whether we still need proposed subsection 10.01(1).

The Chair: Oh, okay.

Monsieur Nadeau.

[*Translation*]

Mr. Richard Nadeau: Mr. Chair, clause 10.01(1) would add consistency regarding the role of national parks. That is the reason for it.

[*English*]

The Chair: Is there any other comment?

(Amendment negatived)

The Chair: We're now moving to Liberal-4, and before we open the floor up for discussion, I'll advise the committee that if Liberal-4 is adopted, BQ-5 and BQ-5.1 cannot be moved and G-5 cannot be moved as is. Okay?

We'll go to Monsieur Proulx.

[*Translation*]

Mr. Marcel Proulx: Thank you, Mr. Chair.

The purpose of amendment LIB-4 is to correct what I believe to be a fundamental error that infringes upon our democratic process, given that the bill reads as follows:

10.1 (1) At least once every 10 years after the day on which this subsection comes into force, the Commission shall submit to the Governor in Council for approval a master plan for the National Capital Region for the next 50 years, including principles and objectives.

The following paragraph reads:

(2) The Minister shall cause a copy of a master plan approved under [the preceding] subsection to be laid before each House of Parliament within 30 sitting days after its approval.

That means that the government decides everything. Everyone knows what it means when you say “governor in council”. The government determines the master plan for the next 50 years and advises each House of Parliament. Furthermore, amendment G-5 confirms that the master plan is to be laid before each House of Parliament, but not for approval by the House of Commons or the Senate. It is for information purposes only.

I think that once every ten years—and this is certainly not unreasonable—the master plan for the national capital region should without a doubt be approved by the House of Commons and by the Senate.

•(1205)

[*English*]

The Chair: Mr. Nadeau.

[*Translation*]

Mr. Richard Nadeau: Mr. Chair, I have a subamendment to propose on this point, if my Liberal colleagues are willing to accept it. It ties into amendment BQ-5.1, on page 12.1. I will read what the result would be. It is not that complicated.

In the wording of amendment LIB-4, after the words “the Commission”, we would add, enclosed in commas, “after consultation with the public and governments of the provinces concerned”,

followed by “shall lay before each House of Parliament, for approval, a master plan” and so forth.

Are the Liberals in favour of that subamendment?

Mr. Marcel Proulx: Sure.

[*English*]

The Chair: So we now have a subamendment to the amendment. I'm just getting clarification to make sure we have it presented.

[*Translation*]

Mr. Richard Nadeau: So it would be [*Editor's note: inaudible*], if adopted.

Mr. Marcel Proulx: I assume there would be a consultation [*Editor's note: inaudible*].

[*English*]

The Chair: The subamendment is on the Liberal-4 amendment, in the second paragraph, where it reads “force, the Commission”. After “the Commission” there would be “after consultation with the public and governments of the provinces concerned, shall lay before each House of Parliament, for approval, a master plan.”

[*Translation*]

Mr. Richard Nadeau: Precisely. The purpose of the amendment, Mr. Chair, is to ensure that the governments of the areas concerned, in other words, Ontario and Quebec, are consulted, and that the public is as well.

[*English*]

The Chair: Do you have a comment, Mr. Jean?

Mr. Brian Jean: The difficulty with the Liberal amendment and the Bloc subamendment is that if passed, they actually obliterate amendment G-5, which deals with, I would suggest, all of the proposals and comments made by both Monsieur Nadeau and Monsieur Proulx.

I would suggest, on that basis, because the issue of public comments and getting consultations at national and regional levels is set out in here as proposed subclause 10.1(3)—“a master plan is approved by the Governor in Council, it shall be laid before each House of Parliament”—and it speaks about restrictions on the Governor in Council approving a master plan, etc., that's why we would have to vote against it in this particular case.

I would suggest, if members could look at the government's position on amendment G-5, it does lay out all of the issues they referred to, and it does so in what I would suggest to be a better format than the subamendment and the amendment.

The Chair: Monsieur Proulx.

Mr. Marcel Proulx: Mr. Chair, I have a lot of respect for my colleague, Mr. Jean, except that in this case he's wrong.

Proposed subclause 10.1(3), outlined in amendment G-5, says very plainly:

[*Translation*]

“[...] it shall be laid before [...]”; it does not say that it has to be approved.

[English]

With what they want to do, it still reads:

Before a master plan is approved by the Governor in Council, it shall be laid before each House of Parliament.

The approval still remains with the Governor in Council. I feel that the approval should rest with both chambers.

The Chair: Monsieur Guimond.

[Translation]

Mr. Michel Guimond: Fine.

[English]

The Chair: Monsieur Nadeau.

[Translation]

Mr. Richard Nadeau: Under the provision in amendment G-5, the provinces are not consulted as such; the government does not consult the provinces. The other thing is that we want it to be approved by the House of Commons, by elected officials, not just the government of the day.

So I repeat that we are in favour of amendment LIB-4, as subamended.

[English]

The Chair: Is there further comment?

(Subamendment negated)

(Amendment negated)

The Chair: We will now move to amendment BQ-5. I'll just inform the committee that if BQ-5 is adopted—

• (1210)

Mr. Marcel Proulx: I'm sorry, where are we? We were discussing the Conservative-NDP coalition. That's why my attention was drawn away. Sorry.

The Chair: That's fine.

We are moving to amendment BQ-5, and just for the information of the committee, if BQ-5 is adopted, BQ-5.1 cannot be moved.

Monsieur Nadeau.

[Translation]

Mr. Richard Nadeau: Mr. Chair, we wish to withdraw amendment BQ-5 and proceed directly with amendment BQ-5.1.

[English]

The Chair: Just a minute, please.

Monsieur Nadeau has withdrawn amendment BQ-5 and we're going to amendment BQ-5.1.

Mr. Richard Nadeau: Yes.

The Chair: Just for the committee's information, if amendment BQ-5.1 is adopted, amendment G-5 could not be moved.

Monsieur Nadeau.

[Translation]

Mr. Richard Nadeau: Further to the proposed amendment that unfortunately was not adopted, we want to reassert, with

amendment BQ-5.1, our demand that the public, the provinces concerned and the House of Commons be consulted before the plan is ultimately approved by the House of Commons.

There you have it, Mr. Chair.

[English]

The Chair: Thank you.

Is there comment?

Mr. Jean.

Mr. Brian Jean: Obviously this is an issue in which we believe G-5 is the better amendment, and as such we will, as government, be voting against this amendment, because obviously amendment G-5 could not be moved if this passes.

The Chair: Is there further comment?

(Amendment negated)

The Chair: We now move to amendment G-4.

Mr. Brian Jean: I'll find it.

The Chair: It's page 13 in your package.

Mr. Brian Jean: I don't have it memorized, Mr. Chair.

Mr. Chair, thank you very much. I would move this amendment G-4, and if I can find it I'll even move it faster.

It goes without saying that we want the amendment to include:

The plan must contain principles and objectives, including in respect of Gatineau Park and the Greenbelt.

This obviously was amended based on the agreement between the parties, and I think it goes without saying that it's a great amendment. I hope everybody supports it.

The Chair: Is there comment?

• (1215)

Mr. Marcel Proulx: It's an automatic one, because we've already included the greenbelt, so now we have to adjust. But we'll vote in favour.

(Amendment agreed to [See Minutes of Proceedings])

The Chair: We now move to amendment BQ-5.2.

If you would move the amendment, then I have a ruling.

[Translation]

Mr. Richard Nadeau: Give me two seconds.

Mr. Chair, amendment BQ-5.2 speaks for itself. We want to make sure that, in the Ottawa-Gatineau area, the National Capital Commission makes proportional investments in both Quebec and Ontario. So we want to add this provision to ensure that the National Capital Commission's master plan incorporates the principle that investment must be commensurate with the demographic weight of Quebec, as well as Ontario across the river.

As the Bloc Québécois has often said, when the NCC allocates resources, its investments are not commensurate with the demographic weight of Quebec. It is only reasonable to expect the NCC to invest fairly in both regions covered by the National Capital Commission, the greater Gatineau area and the greater Ottawa area.

Given that the plan is submitted at least once every ten years and that it covers a 50-year period, incorporating this provision into the master plan would still leave a fair degree of flexibility, while ensuring that all investments are fair and proportionate. The figure of 25% is commensurate with the demographic weight of the population of the region in question on the Quebec side, whereas the figure is 75% for the more extensive Ottawa side.

The Chair: Thank you, Mr. Nadeau.

[*English*]

It is the opinion of the chair that this is a new introduction of a notion of investments and is a new concept that would put it beyond the scope of the bill.

Mr. Marcel Proulx: So we can challenge the chair.

The Chair: You can challenge the chair or agree with the chair's ruling.

[*Translation*]

Mr. Richard Nadeau: So, according to your decision, you do not accept this amendment, is that right? In that case, I challenge your ruling, Mr. Chair.

[*English*]

The Chair: Yes, and I am ruling that it is inadmissible.

Mr. Marcel Proulx: Why?

The Chair: The ruling of the chair has been challenged.

(Ruling of the chair sustained: yeas 6; nays 5)

The Chair: The BQ-5 amendment is inadmissible.

We now move to the G-5 amendment. I will just advise the committee that if G-5 is adopted, Liberal-5 and BQ-5.3 cannot be moved because they are amending the same lines.

Mr. Jean.

Mr. Brian Jean: Thank you, Mr. Chair.

Obviously G-5 is quite lengthy, but it's very important to the government and, I would suggest, to the opposition parties. This particular amendment adds a clause that would oblige the commission to manage any property of the commission that is in an immovable location in Gatineau Park for the enjoyment of the people of Canada, including allowing the pursuit of recreational activities, which I mentioned before. Obviously, I think it's very consistent with what the Bloc put forward earlier.

It also requires that in developing a master plan, the NCC must provide opportunities for public comment across the country, and that was also one brought forward by the Liberals, as was said earlier.

Also, before a master plan is approved by the Governor in Council, the proposed master plan shall be tabled in each house of Parliament. The Governor in Council may not approve the master plan before a specified time after that—I think it's 180 days. Just to be blunt, this is in line with existing parliamentary procedures from other legislation and other sections of other acts. Because it is the minister responsible for crown corporations who tables documents in Parliament on behalf of the corporation, this is very consistent.

The last substantive proposal in G-5 is that in developing the master plan, the NCC must provide opportunities for public comments at the national and regional levels. Before the Governor in Council approves the master plan, it must be tabled in each house, as I said before, and no approval will be possible before 160 calendar days, or 30 sitting days. Both houses have that option in there to challenge it at that stage.

• (1220)

The Chair: Do we have any comments? Monsieur Proulx?

Mr. Marcel Proulx: We will not be able to vote in favour of this for the simple reason that it goes against what we had explained previously.

We want the master plan to be approved by both the House of Commons and the Senate. This amendment with the subamendment and so on have been denied to us. It doesn't make this one better because the other has been turned down, so we're going to vote against it.

The Chair: Monsieur Nadeau.

[*Translation*]

Mr. Richard Nadeau: Mr. Chair, can we put the amendment to a vote in two parts? I am not sure whether that is possible, but we could start with point (a) and then go to point (b).

So, point (a), on page 14, would be one amendment, and point (b), on page 15, would be another unto itself.

[*English*]

The Chair: My understanding is that they have been moved as one amendment, and I would ask if the government is willing to divide the two.

Mr. Brian Jean: First of all, prior to them being moved, that would have been possible. I don't think it's possible at this stage. Frankly, I think it has to be looked at as one total section of the bill, because they walk hand in hand. No, we wouldn't be prepared to.

The Chair: Mr. Bevington.

Mr. Dennis Bevington (Western Arctic, NDP): I have a question for our witnesses, if we're through that particular point.

The Chair: We're through the point but not the amendment.

Go ahead.

Mr. Dennis Bevington: What's the process for national parks approval and master plans?

Mr. Simon Dubé: The National Parks Act provides for a committee being created locally in consultation. But getting into the details, I—

Mr. Dennis Bevington: Does it go to the Governor in Council?

Mr. Simon Dubé: I don't think so. I have the parks act with me, but I don't know it by heart, I must admit. I can try to find that for you, if you want.

The minister tables the report on the plan once it's completed.

Mr. Dennis Bevington: That's it?

Mr. Simon Dubé: Yes. That's what I can find in section 12.

Mr. Dennis Bevington: I live next to a national park with about 43,000 square kilometres of land that's held in perpetuity for Canada. Under the laws of Canada, then, the minister tables the—I think this is a good step up from national park designation of management plans. If we were to take the principle that everything that happened on national land had to go through the Parliament of Canada and the Senate for approval, this would be a very difficult process.

When you look at what the government is proposing here—and I know the NDP critic for this particular subject has given me instructions to support this—I see the logic of it because it does give a higher degree of national approval requirements than under the National Parks Act, which is land that is controlled by the federal government completely, right across this whole country.

I think this is fair. I see it as a fair amendment that provides a greater degree of participation by this Parliament in that decision, compared to the amount of decision-making this Parliament is entitled to, to very vast tracts of land in my jurisdiction.

• (1225)

The Chair: Monsieur Nadeau.

[*Translation*]

Mr. Richard Nadeau: Mr. Chair, with respect to amendment G-5, I want to know whether my colleagues in the government would be willing to remove point (b), which we have issues with. It mentions recreational activities, and we do not want to misrepresent the ecological nature of Gatineau Park.

I want to know whether the government would agree to withdraw point (b). If so, we would be willing to accept point (a).

[*English*]

The Chair: Mr. Jean.

Mr. Brian Jean: First of all, we don't see that as being a difficulty. If we look at ecological...and at the definitions section and the greenbelt and how we're trying to encompass it, I think those protections are already in there, because it has to be developed in an ecological manner. That was the very first definition we dealt with.

Ms. Lois Brown (Newmarket—Aurora, CPC): That's right.

Mr. Brian Jean: So from that perspective, I would not be prepared to remove that part of G-5. I think it speaks for itself.

The Chair: Monsieur Guimond.

[*Translation*]

Mr. Michel Guimond: Since I was trying to find a compromise out of courtesy to the government, I am going to propose a subamendment that point (b) be removed.

[*English*]

The Chair: Okay. A subamendment has been proposed by Monsieur Guimond that paragraph (b) be removed from the original amendment G-5 on page 15 of your amendments.

Is there any debate?

(Subamendment negatived)

The Chair: Shall the amendment as proposed carry?

Mr. Marcel Proulx: Sorry, are we talking about the coalition again?

The Chair: *Oui.* We're back to amendment G-5 and I'm asking if that amendment shall carry.

(Amendment agreed to)

The Chair: Because G-5 has carried, Liberal-5 and BQ-5.3 cannot be moved, which takes us to Liberal-6. So we're dealing with Liberal-6 on page 17, and after it's introduced, I will make a ruling.

Mr. Marcel Proulx: So you want me to speak on it now?

The Chair: Yes, you have to introduce it.

Mr. Marcel Proulx: Thank you.

In the general direction of the National Capital Commission having a planning role to play in the national capital area, we feel that to that planning role should be added the question of sharing the jobs of the federal public agencies in the national capital region, 75% in Ontario and 25% on the Quebec side, and establishing the employment nodes in each of these provinces.

• (1230)

The Chair: The ruling of the chair is that the introduction of the notion of employment is a new concept and beyond the scope of Bill C-20. I will therefore rule it inadmissible.

Mr. Marcel Proulx: I challenge your decision, Mr. Chair.

The Chair: The chair's decision has been challenged.

(Ruling of the chair sustained: yeas 6; nays 5)

The Chair: As the ruling of the chair has been sustained, Liberal-6 is inadmissible, which now moves us to BQ-6. Here I'll advise the committee that if BQ-6 carries, so does BQ-9, and if BQ-6 doesn't succeed, BQ-9 will also fail.

Monsieur Nadeau.

[*Translation*]

Mr. Richard Nadeau: Mr. Chair, this amendment would remove from the bill the part on the national interest land mass. So it is a major amendment.

The idea of a national interest land mass, included in the bill, would allow the National Capital Commission to designate any land, such as Gatineau Park and other land in and around Gatineau, as being part of that land mass. On one hand, this new designation and increased presence by the NCC in the Outaouais region may further complicate the government of Quebec's ability to exercise its jurisdiction with respect to land use planning. On the other hand, the idea of a national interest land mass flies in the face of the Quebec nation and the integrity of Quebec's territory.

The integrity of Quebec's territory is a principle that has been staunchly defended by every Quebec government, regardless of its political stripe. Coupled with the NCC's existing expropriation rights, the provision regarding national interest land mass would give the NCC too much power.

There you have it, Mr. Chair.

[English]

The Chair: Thank you, Monsieur Nadeau.

Are there comments?

Mr. Jean.

Mr. Brian Jean: I think his comments were sufficient for the government side.

The Chair: Is there any further comment?

(Amendment negated)

The Chair: So BQ-6 has been defeated and BQ-9 as well.

We now have G-6.

Monsieur Nadeau.

[Translation]

Mr. Richard Nadeau: Why has amendment BQ-9 been dropped, Mr. Chair?

[English]

The Chair: One moment, Monsieur Nadeau.

- _____ (Pause) _____
-

The Chair: Mr. Jean.

• (1235)

Mr. Brian Jean: I was just going to say that it's totally within the prerogative of Monsieur Nadeau to challenge your ruling that they coexist and that one has to be excluded. So he certainly has the ability to challenge the chair, notwithstanding the fact the timing might be out of order.

The Chair: Monsieur Guimond.

[Translation]

Mr. Michel Guimond: Mr. Jean can say that because he has had the support of the NDP since the beginning, and he knows he is going to win. There is indeed a coalition between the NDP and the Conservative party.

Mr. Nadeau asked a valid question in an effort to understand the rationale behind the decision. If this keeps up, it will be next week before we find out what the rationale was. And we are not sitting next week. We are well within our rights.

When it comes time to study certain other bills, and all three opposition parties stick together, Mr. Jean will not be so quick to jump on the chair's ruling.

We asked a question: how is amendment BQ-9 related to amendment BQ-6? We are asking the chair to explain that to us.

• (1240)

[English]

The Chair: I'll try to give that explanation as well as I can.

I can say that what was suggested to me, and I accept it as guidance, was that if one were to be defeated or adopted, then it would apply to BQ-9. For a better understanding, I am going to move forward, and when we get to amendment BQ-9, we can have

the debate on that amendment at that time. I don't fully understand the definition I'm getting either, so I'm going to leave it in there and let the committee make that decision.

We're going to move to government amendment G-6 on page 19.

Go ahead, Mr. Jean.

Mr. Brian Jean: Thank you, Mr. Chair.

I would propose this amendment in that—

The Chair: I'm sorry. I want to again make people aware that if amendment G-6 is approved, amendments BQ-7, BQ-8, and Liberal-7 cannot be moved.

Go ahead, Mr. Jean.

Mr. Brian Jean: Thank you.

This was a discussion among the parties some time ago. This particular section was proposed as a result of the interest of most parties to consider one of its priorities to be “the maintenance or restoration of the ecological integrity of that property through the protection of natural resources and processes”. The government would simply suggest that the NCC take it as a consideration within the bill itself.

The Chair: Are there questions or comments?

Go ahead, Monsieur Nadeau.

[Translation]

Mr. Richard Nadeau: Mr. Chair, I hope my comments will strike a chord with my colleague to the left.

Gatineau Park is first and foremost a place we want to preserve, from an ecological standpoint. We do not want the park exploited in any way that would remove its natural integrity.

The amendment says “one of its priorities”. But it is not *a* priority, but *the* priority; it is the most essential priority, it is set in stone. That is why we cannot support this amendment.

I, myself, heard Mr. Dewar present briefs to the committee that had been set up. Mr. Paquette, if I remember correctly, led the public consultation process requested by the transport minister at the time, Mr. Cannon. That is the underlying principle of Gatineau Park. You need to understand that saying “one of its priorities” makes no sense. It has to be “the priority”.

That is why we are against this amendment, Mr. Chair.

[English]

The Chair: *Merci.*

Go ahead, Mr. Proulx.

Mr. Marcel Proulx: Mr. Chair, I'm somewhat surprised by amendment G-6. We're talking of “maintenance”, and that's fine, but we're also talking of “restoration of the ecological integrity”. When we had witnesses here from the National Capital Commission, one of their apprehensions, if I may call it that, was that they might end up having to restore ecological integrity, because Gatineau Park and the greenbelt are so huge in territory that it would be impossible to attain a level of restoration.

[*Translation*]

I am shocked that the government would propose this sort of amendment. I am not sure whether there was a breakdown of communication between the Department of Transport and the National Capital Commission.

To alleviate the problem, or rather to solve the problem, I want to suggest using the wording from our amendment, LIB-7, as a subamendment to amendment G-6. Furthermore, that kind of subamendment to amendment G-6 would be in line with the decisions we have made to date, especially the decision to include the Greenbelt in these discussions. Amendment G-6 refers to the management of any property of the National Capital Commission located in Gatineau Park, but not to the management of such property located in the Greenbelt.

If we could propose amendment LIB-7 as a subamendment to amendment G-6, I think that would make it a lot more acceptable.

•(1245)

[*English*]

The Chair: What I'm hearing on amendment G-6 is basically that it would read, in proposed subclause 10.4(2), "In the management of any property of the Commission that is an immovable located in Gatineau Park or real property located in the Greenbelt, the Commission shall".

Mr. Marcel Proulx: Yes, except that, if I may—

[*Translation*]

The Chair: Yes.

[*English*]

Mr. Marcel Proulx: —it would still leave the English wording different from the French wording. In the French wording of amendment Liberal-7, we are talking of maintaining the ecological integrity—maintaining, not restoring. In the French of amendment G-6, we're talking of preserving and re-establishing or restoring the ecological....

Ideally we would reject amendment G-6 and then accept amendment Liberal-7, so maybe that's what we should do.

The Chair: Mr. Jean.

Mr. Brian Jean: I'm not going to tell him how to vote.

The Chair: Mr. Bevington.

Mr. Dennis Bevington: I wanted to make it clear to my colleagues here that our critic for this bill has gone through, as I believe everyone here had the opportunity to go through, extensive consultation with the government on what would be an acceptable degree of understanding on this particular bill so that it could move forward and this could be completed. Now, I respect what my critic has done, and I am supporting what he has done here.

I have my point of view on some of these things. I use Gatineau Park regularly. I cycle there. I recognize that there is a multiplicity of uses there, because I've been through that park many, many times.

I see that to say you can separate human use from ecological integrity is not possible; you must include a variety of uses in the park. That's clear. The other day when I was cycling there, I came around a corner and I just about ran over a black bear. The only way I would not have run over that black bear and maintained its ecological integrity was if they refused to have me in the park.

So I say there are priorities. I don't want to give up the priority of having a bicycle path through the park so that I can protect the ecological integrity of the bear. I want to coexist. I yelled at the bear and it got out of my way, so I was pleased about that.

The park is a multiple-use area, and you have to be sensitive to that as well.

The Chair: Thank you.

Monsieur Proulx, are you making that as a subamendment?

Mr. Marcel Proulx: Well, there are differences in the wording. For example, the original wording said, "The Commission shall give due regard to the maintenance of the ecological integrity". The reason we wanted to have an amendment is that the French version was talking of a different action by saying "preserving".

Originally it said "maintenance". We had witnesses from the NCC saying that was fine. Now they're saying "maintenance or restoration". This is a bit of nonsense here.

Before I go too far, on a point of order, the notice of this meeting said 11 to 12:30. It is now 12:50.

•(1250)

The Chair: It said 12:45, but I just thought since we had fairly delved into the....

I'm at the call of the committee.

Mr. Marcel Proulx: I beg to differ, but this read 11 a.m. to 12:30 p.m. That's fine. We can continue.

We're going to have to vote against amendment G-6, Mr. Chair.

The Chair: Okay.

(Amendment agreed to)

Mr. Marcel Proulx: Are amendments BQ-7, BQ-8, and Liberal-7 gone?

The Chair: They're gone.

(Clause 10 as amended agreed to)

The Chair: With that, I'm going to suspend the meeting and have a brief subcommittee meeting immediately following. Because we are going in camera, I would ask everybody to please leave as quickly as possible.

Thank you.

[*Proceedings continue in camera*]

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