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Chair

Mr. David Tilson

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• (1530)

[English]

The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)): Ladies and gentlemen, we're going to reconvene.

I understand there's probably going to be a vote, and there will be 30-minute bells.

What do we do? Do we continue on? We had a deal for the rest. Do we forget that, Mr. Dykstra?

Mr. Rick Dykstra (St. Catharines, CPC): I've had a chance to speak with Mr. Lamoureux and with Ms. Sims, and I think we have some agreement that if we continue to work as well as we have getting through this, we may potentially not have to come back after the vote this evening.

The Chair: No. I'm thinking about right now, because the bells are going to ring sometime. We're going to have a vote.

Mr. Rick Dykstra: Well, should we just get started?

Some hon. members: Yes.

The Chair: Okay, so there's no comment on that.

Mr. Rick Dykstra: One clause for the record.

The Chair: We're going to proceed. You realize you don't have enough votes. That means it's tied.

An hon. member: It's time to go.

Mr. Rick Dykstra: Well, we do actually, Chair.

The Chair: If we're going to continue for a few minutes, I need unanimous consent. Do I have unanimous consent?

Some hon. members: No.

The Chair: I guess we suspend until the vote is over.

Does anyone else have anything to say?

It's done.

• _____ (Pause) _____

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• (1855)

The Chair: We will call the meeting to order and reconvene.

Ms. Sims.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): In the media there's a fair bit about some further amendments coming from the government side. If they are in writing, can we possibly

have them? We gather from the media that they could be quite complex. It would give us a chance to take a look at them.

Mr. Rick Dykstra: They're not complex, but if she would like them, I'll be happy to—

The Chair: You assume they talk to me. That's the best you're going to get, I guess, Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you.

The Chair: We'll start with you, Ms. Sims, on amendment NDP-7. Please move it, if you're going to proceed with it.

(On clause 13)

Ms. Jinny Jogindera Sims: Yes. This amendment removes the bar on humanitarian and compassionate applications for 12 months and does not permit the minister to not examine and take a look at humanitarian and compassionate requests if the claim for refugee protection is pending before the RPD in circumstances where the claimant would be subject to risk to their life or where it is not in the best interest of a child.

The Chair: Is there further debate?

Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Thank you, Mr. Chair.

This amendment, as my colleague has said, removes the bar on the H and C application for 12 months. It does not permit the minister to not examine the H and C request if the claim for refugee protection is pending before the RPD in circumstances where that claimant would be subject to risk to their life or where it's not in the best interest of a child.

Removing the bar for consideration of H and C applications is a safeguard, as I mentioned in the previous amendment, to ensure safety in Canada for those who experience unusual or disproportionate levels of hardship. For example, this could be for a woman and her children who don't have protection in their home country and are fleeing a situation of domestic violence, or any individual fleeing discrimination, harassment, or assault in their home country.

It's already a difficult decision to make, and these applications are complex and take a long time. The difficult decision will be compounded by timelines that are far too tight. Applicants should be able to provide a full picture of their situation, and this amendment will allow risk and hardship to be considered while they're in Canada.

(Amendment negated)

The Chair: Next is amendment G-2.

Mr. Dykstra.

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

This is fairly straightforward. Perhaps I'll let Ms. Irish take us through the purpose, but it is a technical clarification that we'd like to make to subsection 25(1.2).

• (1900)

Ms. Jennifer Irish (Director, Asylum Policy and Programs, Department of Citizenship and Immigration): Thank you, Mr. Chairperson.

I believe this one was inadvertently presented along with the last technical amendment. For clarification, it makes it clear in legislation that it's the last risk decision that provokes the bar on H and C. That could be either the RPD for DCO claimants or the Refugee Appeal Division for those claimants who have access to that level.

Thank you.

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

The Chair: Next is amendment LIB-8.1.

Mr. Lamoureux.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): We're withdrawing it, Mr. Chair.

The Chair: Next is NDP-8.

Ms. Sims.

Ms. Jinny Jogindera Sims: This amendment would require the minister to issue a stay for a removal order where humanitarian and compassionate application has been submitted by a foreign national and is still pending.

The Chair: Is there any debate?

Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Mr. Chair, once again this amendment is extremely important. Many of us in our offices and in the news have heard of H and C applicants who have been issued a deportation order but with intervention have ultimately been granted permanent residency based on humanitarian and compassionate grounds because of the strong merits of their application. H and C applicants should have the opportunity to have their cases heard. This is why this category exists, Mr. Chair. The risks are just far too great to risk deportation before the application is heard.

Should this clause remain as it is currently written, we will be removing discretion for humanitarian and compassionate grounds for the first time in Canadian history. The H and C option is for those who are being left behind in our immigration system. It has always existed in our immigration legislation and is an extremely important component of it. It would be unCanadian to have this removed from our immigration legislation.

Thank you.

The Chair: Thank you.

(Amendment negated)

(Clause 13 as amended agreed to on division)

(On clause 14)

The Chair: Mr. Lamoureux, do you wish to speak to amendment LIB-9?

Mr. Kevin Lamoureux: Mr. Chair, I would move that Bill C-31 in clause 14 be amended by replacing line 8 on page 10 with the following:

or a designated foreign national, or a claimant from a designated country of origin who is inadmissible or who does not meet the

Mr. Chairperson, in essence, this allows the minister to make exemptions in individual cases. In one sense, it provides some further clarity in regard to it not being just foreign nationals. That's the purpose of the amendment.

The Chair: Is there any debate?

(Amendment negated)

The Chair: Mr. Lamoureux, would you like to speak to amendment LIB-10?

Mr. Kevin Lamoureux: We're going to withdraw that one, Mr. Chairperson.

The Chair: Ms. Sims, would you like to speak to amendment NDP-9?

Ms. Jinny Jogindera Sims: This amendment would require the minister to issue a stay for a removal order in cases where a humanitarian and compassionate application has been initiated by the minister and is still pending.

The Chair: Ms. Sitsabaiesan

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

Obviously, if the Minister of Citizenship and Immigration feels that a situation requires and warrants an application for permanent residency on the basis of humanitarian and compassionate grounds, this application should be allowed due process, and a deportation order should wait until this application has been finalized.

Additionally, we heard from Mr. Les Linklater, the assistant deputy minister at Citizenship and Immigration Canada, that his department has recently transitioned to an improved way to assess humanitarian and compassionate applications, as passed by Bill C-11 in 2011.

We need to allow these improvements to work through the system and evaluate their impact before wasting more time and money in rewriting these provisions yet again.

Thank you.

(Amendment negated)

(Clauses 14 and 15 agreed to on division)

(On clause 16)

• (1905)

The Chair: We are now on clause 16 and amendment NDP-10.

Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you, Mr. Chair.

This amendment is to ensure that DFNs can obtain travel documents by deeming a designated foreign national, whose claim for protection is accepted, to be lawfully staying in Canada. I really want to quote something that was shared with us by Donald Galloway on May 3, in which he tells us that:

Clause 16 tells us that only permanent residents should be given a travel document. I imagine this is because we are concerned about granting refugee status to individuals and then granting them a travel document and, lo and behold, they expose an affront to the system, if you like, by returning to their country of origin.

The single point I'll make at this stage is that this is not the way the system currently works. A travel document to be given to a refugee is not—I repeat, not—valid for that person to return to their country of origin. That is the law as it currently exists. I think that is being forgotten [in this clause].

The Chair: Thank you, Ms. Sims.

Further debate?

Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

As my colleague Ms. Sims has quoted, we heard from many of our witnesses that access to travel documents—not to travel to their country of origin but travel to a neutral country—is extremely important to designated foreign nationals.

I want to add more of Mr. Donald Galloway said. He is, of course, from the Canadian Association of Refugee Lawyers. He continued to say, after Ms. Sims' quote, that:

...genuine refugees who are fleeing often cannot stick together. They end up in different countries. There are families I know in Victoria who have very close family members in Sweden. They need to be able to get and see these family members to look after them. They need the travel document in order to do so. The travel document is something that we undertook to provide when we signed on to the refugee convention.

Clause 16 tells us that we're going to, from now on, give a narrow interpretation of the refugee convention and only supply this travel document to refugees. If they have come here in an irregular manner and are designated, we're only going to give this travel document to individuals after they become permanent residents, after the five-year process, or after they gain a temporary permit.

Once again, that's a five-year process.

He continued:

When it signed up to the convention, Canada attached a reservation. The reservation that it attached said that for two articles we would like to give a narrow interpretation of the phrase "lawfully staying". These two articles relate to the provision of welfare services. Canada did not exercise its right to attach that reservation in relation to eight other articles, one of which is article 28. In other words, with full knowledge of what we were doing, we signed up to this international regime of granting families who had been split up the chance to go to other neutral countries in order to meet up with their family. That is what's at stake here in clause 16.

It looks like a very odd interpretative clause. I think it's essentially important, that it is really vital to understanding what we're doing. I fear that it may have been attached there because of a mistake. I fear that it is actually there because the government, or the drafters, were actually concerned about people returning, using this document in a way that they are currently not entitled to do. If you go to the passport office, if you go to their website, you will see that these documents are not valid for return to the country of origin.

Many other witnesses have described the ways they have seen their clients using these travel documents, highlighting that under current, existing legislation, these documents cannot be used to travel to their country of origin. They described how, for many

refugees who arrive in Canada, this is the only way they can see their family members—for years.

These are people who are in limbo. Canada has not decided to deport them, but it also will not land them. Some are in limbo for 10, 20, or 30 years. To these people, having access to travel documents that allow them to visit a neutral country is the only means they have to see their families. By removing access to these documents, we are asking people who we have pledged to protect to endure enormous personal hardship.

For these reasons, Mr. Chair, I believe this clause should be amended. Thank you.

● (1910)

The Chair: Thank you.

Mr. Lamoureux has the floor.

Mr. Kevin Lamoureux: Thank you, Mr. Chair.

This particular clause isn't that far off, even though it is different from the one we're proposing.

What I would suggest to the government is that they should give serious consideration to the consequences of what this particular bill is doing. It's a fairly simple, straightforward proposal. We believe that if you have a refugee here in Canada, he or she should have the ability to go to a third-party country to meet with family members.

Many would argue that it's cruel to try to intentionally keep families apart. Again, in my opening remarks I talked about how important it is for families to be kept together and about the additional cost of forcing them to be apart. At this point, I want to emphasize that this particular amendment deserves to have the government hopefully responding favourably, because it is all about families.

If you support the idea of families at least having the opportunity to get together, this is an amendment worth supporting.

Thank you.

The Chair: Okay.

Is there further debate?

(Amendment negated)

The Chair: We'll have Mr. Lamoureux on LIB-11.

Mr. Kevin Lamoureux: Mr. Chairperson, I would move that Bill C-31 in clause 16 be amended by replacing lines 41 to 43 on page 10 with the following:

staying in Canada when they are conferred protection or refugee protection status.

Again, from my understanding, this allows refugees to have access to having a travel document, something that we believe is critically important in terms of the foundation of a family. We believe that all refugees should be treated equally, whether they are deemed irregular or not irregular. They should be allowed to visit family members in third-party countries where they are able to reconvene. I don't think we should be doing anything to discourage it.

Again, we would appeal to the government to recognize the value of families and allow this particular amendment to pass.

Ms. Rathika Sitsabaesan: A point of order, Chair.

I'm just wondering if it's possible for you to actually ask who is in favour of and who opposes the motions. I believe that some of our votes are not being recorded, because you're asking, "Shall it carry?"

The Chair: They're only recorded when someone asks to have them recorded.

Ms. Rathika Sitsabaesan: I was advised by the clerk that every vote is recorded. The numbers are recorded, and the vote counts are not accurate, based on...

Is that possible so that we can get it right?

The Chair: Where were we?

Is there further debate on LIB-11?

(Amendment negated)

(Clauses 16 and 17 agreed to on division)

(On clause 18)

•(1915)

The Chair: There is a government amendment, G-3.

Go ahead, Mr. Dykstra.

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

This is one of two very substantive changes we are offering up as an amendment to the bill. First—and I think it's important to do this every once in a while—on this issue I compliment both opposition parties for providing some clarification, from their perspective, on their feelings on the cessation issue. In particular, Mr. Lamoureux's amendment, which follows ours in clause 18, is very similar to the amendment we are suggesting here. I want to thank him and obviously those who put the amendment together. It's very close to the resolution we think will satisfy the issue of cessation.

Our amendment specifically states that a permanent resident who acquired that status through a favourable refugee determination cannot lose that status or be made inadmissible based on an IRB cessation determination. That includes changed country of origin circumstances.

In other words, it's the whole issue of retroactivity, as it were, and as it was put by a number of the witnesses who came forward, especially from a legal perspective, identifying this concern. It was never the government's intent, from the beginnings of the bill in itself, to suggest or in any way have it be interpreted that refugees who came to this country who were successful in their applications would actually potentially have those applications or the identified refugee status removed because of what may transpire in their country three, four, or five years down the road.

We are convinced, and I'll perhaps ask those ministry folks who are here to confirm, that this change will indeed end and eliminate that concern.

The Chair: I guess they're looking at you, Ms. Irish.

Ms. Jennifer Irish: Thank you, Chairperson.

Yes, I confirm that the effect of this amendment is to ensure that if you have lost your protected person status as a PR as a result of changed country circumstances, then you would not be made inadmissible after your PR status has been revoked.

Thank you.

The Chair: I have Ms. Sims on the floor.

Mr. Lamoureux and Ms. Sims, just so you're aware, if government amendment 3 is adopted, NDP-11 and LIB-11.1 can't be moved because they're amending the same line, and you can only amend a line once.

Ms. Sims has the floor.

Ms. Jinny Jogindera Sims: Mr. Chair, I have a document here. We would like to try to amend the amendment that is before you.

The Chair: An amendment to the amendment.

Ms. Jinny Jogindera Sims: Yes, an amendment to the amendment.

The Chair: Okay.

Ms. Jinny Jogindera Sims: I'm waiting until everyone has it in front of them. Sorry, we do not have the French.

I will read it and it will get translated in that process.

•(1920)

The Chair: The amendment to the amendment is in order, if you could read it, please.

Ms. Jinny Jogindera Sims: Thank you. I will.

The amendment would read, adding after line 10 on page 11 the following:

A permanent resident is inadmissible on a final determination that their refugee protection has ceased for any of the reasons described in paragraphs 108(1)(a) or (d), when the final determination is made within one year after the date on which refugee protection is conferred.

The Chair: Is there debate on the amendment to the amendment?

Ms. Sims.

Ms. Jinny Jogindera Sims: I really want to put on record that we appreciate that the minister realized that his bill did have an unintended consequence and that a move has been made to correct one part of that bill. It points to the fact that when we do things in such a hurry, there are times when there are these unintended consequences. That's why I will still urge my colleagues to take the time and do this in a more thorough way.

In this amendment we have also removed (b) and (c), and I want to point to what (b) says specifically. It says “the person has voluntarily reacquired their nationality”. That can happen for a number of reasons after a great number of years. You could have somebody come from India, let's say, and they left India—I'm just using that as an example, by the way, because I know the country—and were granted refugee status under the irregular arrivals. However, a number of years go by, let's say five, ten, and circumstances change, and by this time he has his permanent residency; that person, because he has property and other things back in India, in order to inherit that would need to have nationality back, and in this case what that person would be doing...plus it's safe now. The circumstances in the country have changed for one reason or another and that person reclaims that nationality—and there could be myriad reasons why a person does that.

I'm begging the indulgence of my colleagues across the way. Let's not close the door on this. We're not saying that this is going to happen immediately. We've already put a 12-month bar in there, so it is within a reasonable amount of time, but we shouldn't close the door. As Canadians, we have many people sitting in very highly respected positions on both sides of the House who hold nationalities from more than one country, and we accept that as part of our great Canadian heritage, because many of us have roots and connections with other nations.

I'm really hoping that my colleagues will see fit to grant this, because after all, once somebody has become a permanent resident, they should have that option open to them.

Referring to paragraph (c), currently the wording is “the person has acquired a new nationality and enjoys the protection of the country of that new nationality”. ,

In many ways, it goes with that first one, our granting them permanent residency and then eventually, citizenship. I don't think the fact that they have a nationality or protection from another country should play into this. These are very similar arguments to the ones I made in (b).

Then, of course, we have put down that final sentence “when the final determination is made within one year after the date on which the refugee protection is conferred”. So we have put a check and balance into the amendment.

The Chair: Mr. Lamoureux

• (1925)

Mr. Kevin Lamoureux: I'll wait for the main motion, when we're on the motion itself.

The Chair: Mr. Dykstra.

Mr. Rick Dykstra: Just to speak quickly to the amendments, I understand where Ms. Sims is coming from on this, but I think at this point we want to ensure that we clarify but do not water down the importance of this specific section within the bill. I think clause 108, subject to the change to (c), is the right way to go, and it solves the issue we had determined to be one.

I disagree with Ms. Sims in terms of the amount of time that has been spent on reviewing this bill and having witnesses here. Aside from the budget bill, if you can find another piece of legislation that has passed through this Parliament after second reading that has had

as many hours of witnesses attend, I'd be happy to hear which committee it is. I don't think you'll be able to find one. Part of the reason we've been able to come to this conclusion that a significant amendment needed to be made was just because of all of the time we've spent working on this document and the bill. So I think we're in good shape.

Thank you, Mr. Chair.

The Chair: We will vote on the amendment to the amendment.

(Subamendment negated)

The Chair: On the amendment, all those in favour...?

Mr. Lamoureux, do you want to speak to that?

Mr. Kevin Lamoureux: I just wanted to acknowledge the change the government has recognized. I don't necessarily want to say that any one group or individual is responsible for the change. It's just encouraging to see that the change from the original bill has occurred. Therefore, we would actually support the change that's been made here.

Thank you.

The Chair: Ms. Sims.

Ms. Jinny Jogindera Sims: Mr. Chair, even though my colleagues across the way did not support our amendment to the amendment, in recognition of the realization the minister has had about the “unintended consequence”, as he put it, we will be supporting the amendment.

The Chair: All those in favour of the amendment?

Mr. Rick Dykstra: Perhaps we could get a recorded vote. I think it's pretty good that we have everyone here together on this clause.

(Amendment agreed to: yeas 10; nays 0)

(Clause 18 as amended agreed to)

(On clause 19)

The Chair: We're on the New Democratic Party amendment number 12. It is on page 36.

Ms. Sims.

Ms. Jinny Jogindera Sims: Mr. Chair, this amendment would in fact limit the minister's power under subsection 108(2) to apply for the cessation of refugee protection for the purpose of revoking permanent residency to those in circumstances set out in paragraph 108(1)(a):

the person has voluntarily reavailed themselves of the protection of their country of nationality;

—and paragraph 108(1)(d)—

the person has voluntarily become re-established in the country that the person left

—thereby excluding the possibility that a change in country circumstances can lead to automatic revocation of permanent residency.

• (1930)

The Chair: Before we proceed, just so you are all aware, if amendment NDP-12 is adopted, then amendments G-4 and LIB-11.2 cannot be moved.

Ms. Sims, do you have further debate?

(Amendment negatived)

The Chair: We're on amendment G-4.

Again, Mr. Lamoureux, if amendment G-4 is adopted, amendment LIB-11.2 cannot be moved.

Mr. Dykstra.

Mr. Rick Dykstra: Chair, the amendment clarifies that automatic loss of permanent resident status may only result from a final determination of cessation made pursuant to—and we just went through these—paragraphs 108(1)(a) to (d), such as in the cases of individuals who re-avail themselves to their country of origin for a lengthy period of residence.

Again, this really does clarify the issue of cessation.

The Chair: Ms. Sims.

Ms. Jinny Jogindera Sims: Once again, we realize that clauses 18 and 19 go together. I want to reiterate that we do appreciate that the minister did realize there were unintended consequences that would have caused great pain to a great number of people, and that has been addressed.

However, we feel that the government's amendment does not go far enough, so we are moving a subamendment to the amendment, which is being handed out right now. Because it's not in French, I would beg the indulgence of the committee so I can read it into the minutes.

The Chair: Thank you, Ms. Sims. You may proceed.

Ms. Jinny Jogindera Sims: It is moved that Bill C-31 in clause 19 be amended by replacing line 17, on page 11, with the following:

ceased for any of the reasons described in paragraphs 108(1)(a) or (d),—

[*Translation*]

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Chair, there is no translation.

[*English*]

The Chair: Thank you, Monsieur Giguère.

What happened?

Ms. Jinny Jogindera Sims: Will I do it all again?

The Chair: I'm afraid so.

Ms. Jinny Jogindera Sims: I move that Bill C-31 in clause 19 be amended by replacing line 17, on page 11, with the following:

ceased for any of the reasons described in paragraphs 108(1)(a) or (d); or when the final determination is made within one year after the date on which refugee protection is conferred;

The Chair: On the subamendment to the amendment, is there any further debate?

Ms. Sims.

Ms. Jinny Jogindera Sims: As you know, we feel very, very strongly that the amendment put forward by the government, even though it's a step in the right direction—I would call it a good step—does not go far enough.

We are very concerned that paragraphs (b) and (c), which I articulated earlier—and I'm not going to go over that again—are compelling reasons for many Canadians, and we should not be using those to revoke somebody's permanent residency.

On Wednesday, May 2, Ms. Carole Dahan said the following:

That's a good question. I know there has been, or will be, other groups speaking specifically about clause 19 and the changes to clause 19, but as it stands right now, I think it would put fear in almost every single refugee and immigrant community throughout Canada.

Even though the government amendment mitigates that somewhat, we believe it does not go far enough. It will not jeopardize Canadians for us to delete paragraphs (b) and (c) as well.

• (1935)

The Chair: Mr. Dykstra.

Mr. Rick Dykstra: I do understand that it's difficult to say that the government has gone far enough if you're in opposition. I understand that needs to get on the record from an opposition perspective.

But when you look at the text we have put forward in terms of dealing with the cessation issue, we have eliminated the concern that was brought forward. It specifically eliminates the broad and huge concern that organizations, the legal community, families, and refugees who have been successful already or will be successful in terms of their hearings and their claims being heard, and being positive....

Any step further than that does cause us concern, because there are times when paragraphs (a), (b), and (d) are going to be absolutely necessary for officials and the IRB to utilize.

We won't be supporting the subamendment, but we appreciate the acknowledgement that the government has taken steps in the right direction.

The Chair: Do you have a further comment?

Ms. Jinny Jogindera Sims: I do.

When I look at (b) and (c) and read the wording, I don't believe that deleting those actually gives the government any more ammunition to protect Canadians. It's quite accepted in Canada that many of us have nationalities from more than one country. We're Canadian, but we still carry nationalities from other countries. I think to deny people, 10 or 15 years after they have gained permanent residency, the ability to regain their nationality is a little over the top.

Mr. Rick Dykstra: Rather than responding directly, I'd be happy to have Ms. Irish respond to the importance of keeping these two points in the bill.

Ms. Jennifer Irish: As cessation criteria, it's recognized that if you have acquired your permanent residency through the refugee determination system, and you have since acquired another nationality, that is a recognized ground for cessation under UN conventions. That's reflected in Canadian legislation as well. This just means that if you meet the grounds for cessation as a permanent resident, then you would have your permanent residency revoked at the same time.

Ms. Jinny Jogindera Sims: Thank you very much. That clarifies what it says, but my arguments were more about the reasons for removing it.

I understand what it says right now. Thank you.

The Chair: We are going to vote on the subamendment to the amendment.

(Subamendment negated)

The Chair: Is there debate on the amendment?

We'll go to Mr. Lamoureux.

Mr. Kevin Lamoureux: Mr. Chair, as in the previous government motion, I will vote in favour of the amendment. Having said that, I must qualify it, in the sense that the reason we support the amendment is that we ultimately believe it will improve the bill. The issue of the bill itself is something we still do not support. But we recognize that the government has recognized that the point we suggested needs to be amended to at least improve it. Our first preference, of course, is to see the bill go back to the drawing board.

I just wanted to qualify that, in anticipation of there being a very good chance that this amendment will pass and I will not be able to comment on the Liberal Party amendment we were going to propose, had the government not proposed this one.

Thank you, Mr. Chair.

The Chair: Ms. Sims.

Ms. Jinny Jogindera Sims: We will be supporting this amendment, because, as I said earlier, it is a step in the right direction and an acknowledgement by the minister. However, we continue to have concerns about this particular section. We would have been much happier if our amendment to the amendment had been accepted. We continue to have some very serious concerns about the way this legislation is playing out.

• (1940)

The Chair: We're going to vote on the amendment.

(Amendment agreed to)

(Clause 19 as amended agreed to on division)

The Chair: Ladies and gentlemen, the chairman's clock indicates that it is 7:40. My understanding is that the consent to extend the time beyond 7:30 has been withdrawn. Therefore, I am going to adjourn the meeting.

Ms. Jinny Jogindera Sims: Chair, a point of order or clarification. Call it what you will, but please indulge me.

Mr. Rick Dykstra: Sure. No problem. Fair enough.

We had agreed to continue for one reason alone, and that was that there was going to be a vote at 6 o'clock, and we were going to have four votes. We were going to be gone for approximately 40 or 45 minutes.

A lot of activity happened prior to that, which took away much more time than I had hoped. Those were issues that had nothing to do with this committee but had a lot to do with politics in the House of Commons.

Quite honestly, I think we've made a lot of progress today. In fact, if we want to carry the four other clauses, because there are no amendments, I'd be happy to do that before we rise. Clauses 19, 20,

21, and 22 have no amendments, so from that perspective, I'd be happy to carry those. But I think we've had enough for today.

The Chair: Ms. Sims.

Ms. Jinny Jogindera Sims: Chair, I was actually going to be speaking up soon and asking for an extension, because originally when we added an hour to go to 7:30, it was with the understanding that we could lose about an hour, but as a matter of fact, we lost three and a half hours.

We have very little time to go through this clause-by-clause, because as you all know, there is a guillotine that is going to drop at 11:59 tomorrow night. Because of that, I have to say that I am objecting very strongly, for one thing because we had what I think was a gentlemen's and ladies' agreement to have that extra hour, which we should honour. I was actually going to be asking for more time, which I won't be now, obviously.

But I also want to say that it took unanimous agreement for us to come to that decision this morning. The new adjournment time became an hour later—7:30 became 8:30—so surely, Mr. Chair, procedurally it should now require unanimous agreement to change what we agreed to before we broke.

The Chair: My position is that the government has withdrawn its consent.

However, I'm going to suspend for a few moments so that the two of you can have a little chat, and if you can't agree, then we will be adjourning.

We are suspending.

• _____ (Pause) _____

•

• (1945)

The Chair: Okay, we have now started the meeting again.

Ms. Sims, do you have news?

Ms. Jinny Jogindera Sims: The chair will do what the chair will do, but I really want to put on record that the agreement we had at this meeting—and it needed unanimous agreement—was that we would extend adjournment time by one hour. It doesn't matter to me what has transpired in the meantime; that's the agreement we had.

As far as I know the rules, that means it now takes unanimous agreement to alter that time, and we are not giving that unanimous agreement.

The Chair: Mr. Dykstra, do you have anything to add?

Mr. Rick Dykstra: I don't, except to say that Jinny and I had a very good conversation.

The Chair: I heard you laughing. I thought we were all going to be friends.

Mr. Rick Dykstra: We've agreed to disagree. I think that while she doesn't agree with the lack of an extension, she does agree that I do have a perspective on this in terms of what happened in the House, and that's the reason for our decision.

The Chair: Mr. Lamoureux.

Mr. Kevin Lamoureux: Thank you, Mr. Chair.

The Chair: You're not going to filibuster this, are you?

Mr. Kevin Lamoureux: I wouldn't even think about something like that.

The Chair: I'm not going to give you the floor if you do that.

Mr. Kevin Lamoureux: How much time do I have?

Voices: Oh, oh!

Mr. Kevin Lamoureux: Mr. Chair, I can appreciate it, and I understand, because of what was taking place in the afternoon. The government knows how we voted on what was taking place inside the House. We, too, share concerns in relation to that.

I do have one question for the clerk. When we did come up with the agreement earlier today, was it determined that there was no obligation whatsoever?

I just want to make sure that we're clear on that.

● (1950)

The Chair: The chairman takes the position that consent was given to extend the time by whatever it was the House was voting... the time the voting was on.

Mr. Dykstra has advised me—and I'm not going to have anymore, because I'm going to bang this gavel—he is withdrawing that consent.

The meeting is adjourned until tomorrow morning.

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