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—
Chair

Mr. David Tilson

Standing Committee on Citizenship and Immigration

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•(0845)

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims (Newton—North Delta, NDP)): I'd like to call our meeting to order and welcome our guests.

Would you would like to start, Sharon?

[Translation]

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Madam Chair—

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): I have a guest who is ready to start.

An hon. member: [Inaudible—Editor]

The Vice-Chair (Ms. Jinny Jogindera Sims): I have a guest who can start right now.

A voice: [Inaudible—Editor]

The Vice-Chair (Ms. Jinny Jogindera Sims): Yes.

Sharon...?

Ms. Sharon Chomyn (Director General, International Region, Department of Citizenship and Immigration): Thank you.

Good morning, Madam Chair and members of the committee.

My name is Sharon Chomyn. I am the director general of the international region for Citizenship and Immigration. I am pleased to appear before you today and hope that our testimony will be helpful as you undertake your study on the temporary resident visa for visitors.

The role of the international region is to, on the one hand, deliver programs and implement policy and operational changes overseas, and on the other hand, to use the knowledge and expertise available at our visa offices abroad to inform the development of new policies and programs. In both cases, the objective remains—

Mr. Chungsen Leung (Willowdale, CPC): I'm sorry. May I interrupt?

Ms. Sharon Chomyn: —to be as facilitative as possible for genuine applicants while minimizing risks to Canadians.

The Vice-Chair (Ms. Jinny Jogindera Sims): Excuse me for just one second.

Mr. Chungsen Leung (Willowdale, CPC): Madam Chair, according to the agenda, we were supposed to start with committee business, so may I request that...?

The Vice-Chair (Ms. Jinny Jogindera Sims): Well, we've started with the guest speaker. We have started. I called the meeting to order. We will do the committee business at the end.

Mr. Chungsen Leung: At the end?

The Vice-Chair (Ms. Jinny Jogindera Sims): Yes, 15 minutes before we finish. Thank you.

[Translation]

Ms. Sharon Chomyn: While I will be concentrating on the temporary resident visa program, many of my comments, in terms of our efforts towards ensuring program integrity and modernizing our operations—

[English]

Mr. Costas Menegakis (Richmond Hill, CPC): I have a point of order.

The Vice-Chair (Ms. Jinny Jogindera Sims): My apologies.

Yes?

Mr. Costas Menegakis: Madam Chair, with all due respect, I think you need unanimous consent to change the agenda now. Perhaps the clerk can give us the ruling.

The Vice-Chair (Ms. Jinny Jogindera Sims): Well, I started the meeting—

Mr. Costas Menegakis: It doesn't matter. You need unanimous consent to change the agenda, I believe.

The Vice-Chair (Ms. Jinny Jogindera Sims): I will seek advice from the clerk.

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): On this same point, Madam Chair, if I may...?

The Vice-Chair (Ms. Jinny Jogindera Sims): Yes, please.

Ms. Rathika Sitsabaiesan: Thank you.

When you made the decision, I guess, the ruling or decision to move forward, there were no voices of dissent at that point. Our witness has started, and I believe that just out of respect for our witness, who has already commenced and is in mid-word, mid-sentence, maybe we should continue with the chair's ruling. Since there was no voice of—

Mr. Costas Menegakis: No. You need unanimous consent to change the agenda. Sorry.

Ms. Rathika Sitsabaiesan: Since there was no opposition at the time when you allowed our witness to commence—

Mr. Costas Menegakis: We had just started.

The Vice-Chair (Ms. Jinny Jogindera Sims): Excuse me.

Ms. Rathika Sitsabaesan: —there is no real case. It's truly an unfounded case for our members opposite to interrupt the witness at this point, I believe.

Thank you, Madam Chair.

The Vice-Chair (Ms. Jinny Jogindera Sims): Kevin.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): On the same point of order, Madam Chair, the concern I have is this. Typically when we have presenters come before the committee, we provide them the courtesy of dealing with the presenters.

My invitation went to the Philippines and Chandigarh. I know that they're going to be doing a telephone conference. I would like to get through the witnesses, first and foremost, as we have done in the past. If there are additional agenda items that we should be talking about, I would just as soon do that after we hear the presentations. I think it's fair. It's very costly to get our witnesses in. We want to make sure they're afforded the opportunity to have the dialogue.

I don't know what it is that the government side wants to see, but I think we should stick with what we've done in the past. Let's deal with the witnesses. After we've dealt with the witnesses, if we need to set aside a half-hour towards the end of the meeting, let's set aside a half-hour or 15 minutes. It doesn't really matter to me, as long as we deal with these witnesses. My suggestion is that we deal with them first.

• (0850)

The Vice-Chair (Ms. Jinny Jogindera Sims): The chair walked into the room. The chair saw the witness already sitting in the witness seat. It was 8:46. The chair called the meeting to order and proceeded with the witnesses.

The witnesses were told to be here for 8:45. They are here. They're sitting in their seats. So the chair, when the committee business issue was brought up, said we would deal with that in the last 15 minutes. If we need half an hour, the chair is willing to say let's set half an hour aside at the end and deal with it, so that we can get on with hearing from our witnesses. I would hate to interrupt the witness at this stage.

Mr. Dykstra.

Mr. Rick Dykstra (St. Catharines, CPC): Thanks.

We did have agreement to deal with the issues as per the agenda. I would like to get a guarantee that we're going to deal with this issue today and vote on all motions, and that we don't leave until they're completed. That's what I'm asking. Otherwise, we're going to vote, and we're going to do it right now, and the witnesses can wait. Those are the two options.

Mr. Kevin Lamoureux: If there are assurances—

The Vice-Chair (Ms. Jinny Jogindera Sims): The only thing I remember from last weekend is that we did agree that we would be dealing with committee business today, but we did not agree on the order. The chair is saying the committee business will be the last 30 minutes, and I'm sure we have enough time in those 30 minutes to deal with the issues we have.

Mr. Rick Dykstra: So am I being told I have a guarantee that we're going to deal with these issues and complete them before the end of today's meeting?

The Vice-Chair (Ms. Jinny Jogindera Sims): I have to hear from other people as well.

I'm going to go to Madame Groguhé, and then I will go over to Mr. Lamoureux.

[*Translation*]

Mrs. Sadia Groguhé: Madam Chair, if you think it is important to hear from the witnesses who are already here, out of respect for them, we should perhaps proceed in this fashion. Clearly, as you said, we would have to defer our 15 minutes of committee business until either before or after the end of the meeting.

[*English*]

The Vice-Chair (Ms. Jinny Jogindera Sims): Mr. Lamoureux.

Mr. Kevin Lamoureux: Madam Chair, I think it would be highly irresponsible to expect members of the committee—

Mr. Rick Dykstra: No, I'm going to move to go in camera and we're going to deal with it now. I gave you an option.

Mr. Kevin Lamoureux: Madam Chair, I think that at the end of the day it wouldn't be responsible for committee members to in fact agree to pass motions not necessarily knowing what the motions are. It would be very irresponsible of us to do that.

If Mr. Dykstra would like to provide us the motions he's hoping to be able to pass...I too have motions. If he's trying to say that we will pass our motions too, well then I think we can have that discussion.

We have individuals on conference call from the Philippines and from Chandigarh, and I believe it's very important for us to hear all of the presenters. There's a substantial cost involved when we have these types of teleconferences. Time has been set aside here, let's deal with the witnesses first and as soon as we're done with the witnesses, then we can go on to other agenda items.

Rick, if you want us to deal with the witnesses in the first hour and fifteen minutes and then we'll go into other business, I'm open to doing that. But I think it would be a disservice for the committee to actually set aside our witnesses and deal with other agenda items when I believe there could be four, five, or six other agenda items. If we start dealing with those items, the chances are we won't even be hearing from the witnesses.

Here in Canada it's a reasonable time. In India and in the Philippines it's actually quite late, so we have staff who are from two countries around the world where it's close to midnight. I think the responsible thing to do here is, at the very least, to allow them to make their presentation. I think we have many interested individuals who are watching these proceedings, and at the end of the day, if we don't allow the witnesses to speak we're taking a chance, because we don't know when the next committee meeting will be. We assume it's going to be next Thursday. We don't know the availability of the staff in Chandigarh and in Makati. I would like to be able to hear from them.

There are some very serious issues and questions surrounding visiting visas, we all recognize that. We know that because it wasn't that long ago when we had the assurances from Mr. Dykstra saying that, yes, visiting visas are an issue and we're prepared to do a study on it. When that commitment was made I was told we would all be able to invite witnesses. The two witnesses I had chosen were representatives from the Philippines and from India. Now this morning is that window of opportunity for them to be able to make a presentation, and if we don't allow them to make the presentation I think I would be denied the witnesses, unless Mr. Dykstra is prepared to guarantee that if by chance we don't deal with them, we will get another opportunity before the study concludes. Because I think these two embassies are of critical importance for us to be able to have a discussion and have questions and answers.

So I look across the way and I ask members to be reasonable. We've already started the meeting, and given that we've started the meeting and we've had Sharon already and she was 30% into her presentation, she should be allowed to conclude her remarks. Let's do at least one round in terms of questions and answers. Then we can go onto the other two witnesses.

Really, what we're talking about is maybe an hour and fifteen minutes, then we can deal with the different types of motions that are there, Madam Chair. That would be my suggestion for the committee.

● (0855)

The Vice-Chair (Ms. Jinny Jogindera Sims): The chair would like to deal with the point of order that's there, and I think we have gone into quite a bit of discussion on this.

I do have Ms. Sitsabaiesan on the agenda.

Did you have anything you wanted to add?

Ms. Rathika Sitsabaiesan: Yes. I was just confused, Madam Chair, because Mr. Dykstra was proposing that we deal with motions that are before us, but as far as I've been advised by the clerk, we don't have any motions in front of us.

Mr. Rick Dykstra: That's not correct.

Ms. Rathika Sitsabaiesan: I'm not sure what it is that we want to actually look at. As I said earlier as well—I don't want to be repeating myself over and over. I know that last week, Madam Chair, you had given notice of a motion and we got an e-mail from the clerk for notice of other motions from Mr. Lamoureux. But we don't really have any motions on the table before us that are moved and so we are not dealing with any motions currently. We are dealing with witnesses who are present, mid-sentence and at midnight, waiting for us. I just find it utterly disrespectful to our witnesses who are here that we're sitting here bickering about who gets to talk first. I don't know what it is exactly we're bickering about at this point.

What I'm saying once again, Madam Chair, is that we don't have a motion that has been moved and in front of us on the table right now. We have witnesses who are here for us at our request. We invited them to come to provide their expert testimony for us and now we're being disrespectful to them. I request to you, Madam Chair, that we do continue to hear from our witnesses because that is why we're here today. Thank you.

The Vice-Chair (Ms. Jinny Jogindera Sims): As the chair, I'm going to actually say something here myself. Our meeting begins at 8:45. I walked into the meeting room at 8:45, a little bit late, so I do apologize. We already had the witness sitting in the chair, and two of them sitting on the screen—hello, Lillian; hi, Kent. What I did then was I proceeded with the business. I had already started with this agenda item.

Now, in the interest of compromise I have a suggestion here. I'm hoping every side will listen. We hear from this set of witnesses. We deal with the questions and answers for this set of witnesses. Then we move on to the committee business before we go on to the next set of witnesses, in respect of the fact that we do have witnesses here from different time zones and we have one witness who definitely had finished her introduction. I think that would give us more than enough time, more time than we ever allocate for committee business. That would be the chair's ruling in this case.

● (0900)

Mr. Rick Dykstra: To be clear, we had agreed at our last meeting that the first thing we would do was deal with the motion that we had tabled and had spoke about. We were going to be dealing with it at the beginning of the meeting. There's one motion. All the motion is.... We could finish this in two seconds. All we're doing—

The Vice-Chair (Ms. Jinny Jogindera Sims): Mr. Dykstra, I think what we agreed to at the last meeting was that I gave notice of a motion as well. Well, I wanted it discussed last week, but I was told it needed notice. I didn't have the 48 hours, so we would be discussing those at this meeting. No timing was determined, whether it would be first or last.

Mr. Rick Dykstra: That's not true.

The Vice-Chair (Ms. Jinny Jogindera Sims): As I've said, I've put forward a compromise. All I'm saying is let us hear from this first set of witnesses and then we can move on. You know that we will have more than an hour.

Mr. Rick Dykstra: No, I know, but we had agreed to deal with these things at the beginning of the meeting.

I can move a motion to go in camera and we can deal with both of these. It's not midnight, actually, at any one of these places, so that's actually not true.

I'm sure the witnesses understand that committee business does from time to time arise, and we did have agreement to deal with this issue at the beginning of the meeting, both the motions. I'm only asking to deal with one. I'm happy to deal with the second in the manner that you've suggested.

But the request for a 30-day extension on Bill C-425 is a very simple procedure. It's not complicated. We're not dealing with the essence or the guts of the bill. All we're saying is that the bill hasn't been dealt with and it needs a 30-day extension to be able to deal with it sometime in the fall. That's like a two-minute, not even, vote to determine whether or not we're going to give a 30-day extension. That's all I'm asking for at the beginning of this meeting. We can do that, or I can move a motion to go in camera and we'll deal with both the motions there.

The Vice-Chair (Ms. Jinny Jogindera Sims): The chair is going to make a ruling that we proceed with our witnesses until we've dealt with the first set. As soon as we've finished dealing with the first set of witnesses, we will deal with the business of the committee.

Mr. Rick Dykstra: Okay, I challenge the chair.

The Vice-Chair (Ms. Jinny Jogindera Sims): State your challenge.

Mr. Rick Dykstra: I just did.

The Vice-Chair (Ms. Jinny Jogindera Sims): I think I've given my reasonable compromise in a very difficult situation. There is no willingness to look for a compromise and to make something work for our witnesses.

Those who sustain the chair, I ask them to vote in favour of the chair. Those who are opposed?

(Ruling of the chair overturned)

The Vice-Chair (Ms. Jinny Jogindera Sims): *Quelle surprise.* The chair is not sustained so the chair will go back to committee business and we'll proceed with the two notices of motion that were given. Then we'll proceed with any other motions that come forward.

Mr. Kevin Lamoureux: I have a point of order, Chair.

If we're going to be going back, I must remind you that I did give due notice. I too have a couple of motions that I would like to see on the order paper. Having said that, I'm very much concerned. Here we are 20 minutes after the committee began. The presentation would have been completed by all parties that are sitting at the table. I think it is a mistake. If there is an attempt—

• (0905)

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay.

Mr. Kevin Lamoureux: If there is a mistake—

The Vice-Chair (Ms. Jinny Jogindera Sims): Mr. Lamoureux, I think the chair has ruled that we will go back to committee business as we set it out last week. We have notices of motion. We will be starting with those notices of motion.

I will be recognizing speakers. I have Mme Groguhé, and then I have Mr. Dykstra.

[*Translation*]

Mrs. Sadia Groguhé: Madam Chair, I would like to stress the importance of the notice of motion that you presented last week. For the same reasons, I would like to be able to introduce that notice of motion again today, if you will allow me.

I am talking about the motion that you introduced on June 5, 2013. I would also like to be able to introduce that notice of motion.

[*English*]

The Vice-Chair (Ms. Jinny Jogindera Sims): I'll ask Mr. Lamoureux to take my seat while I move the motion. Technically, I have to move it.

I thought this was going to be at the end of the meeting. My apologies.

The motion—

The Vice-Chair (Mr. Kevin Lamoureux): Starting off, Ms. Jinny—

Mr. Rick Dykstra: I actually had the floor. You recognized me and then decided to move forward with a couple of other speakers. I would like to move in camera, so I move we move in camera right now.

The Vice-Chair (Mr. Kevin Lamoureux): Before we go in camera, I'd like to consult with the clerk to make sure that we're doing this right. Give me a moment to feel comfortable.

Ms. Jinny Jogindera Sims: I was here to move my motion.

Mr. Rick Dykstra: I'm just moving in camera. I don't want to start dealing with....

Do mine first, then we can do whatever you want. Seriously, I've said that six times. Just deal with my motion and then we can do whatever you want. We can go to witnesses or we can deal with motions.

Ms. Jinny Jogindera Sims: This is reminding me of a school playground, and I want to treat it like a committee.

Mr. Rick Dykstra: So do I, actually.

The Vice-Chair (Mr. Kevin Lamoureux): Recognize that I only have about 20 years of experience as a parliamentarian, observing what chairs would normally do. In assuming the chair, Ms. Sims had recognized a speaking order. The next person on her speaking order was Ms. Groguhé, and then, Mr. Dykstra, you were going to be following.

For you to interrupt, it would have to be in the form of a point of order. My suggestion would be to let Sadia provide her comments, and then we would go to you and you would be able to move your motion, if you're comfortable with that.

Ms. James, do you have a point of order?

Ms. Roxanne James (Scarborough Centre, CPC): I had raised my hand while Mr. Dykstra was speaking, and the chair interrupted him and put forward her own compromise. I had raised my hand at that point to be recognized. The reason I raised it was that I wanted to do a point of order, because he had the floor and was interrupted by the chair. The chair then presented her own compromise and we voted on it. In reality, Mr. Dykstra still has the floor, because he was cut off. I would ask you to reconsider what you just said and give the floor back to Mr. Dykstra.

The Vice-Chair (Mr. Kevin Lamoureux): Ms. James, I truly appreciate what you're saying. I'm asking that you understand the position I'm in as the chair.

I assumed the chair and a list of speakers was provided to me. The chair has an obligation to follow that list. Mr. Dykstra is the next speaker. I'm sure he'll be able to move his motion. The only way I can change that order is if, as you have done, someone makes a point of order. If there's no point of order, I have to follow the list that has been provided to me. If we allow her to—

• (0910)

Ms. Jinny Jogindera Sims: I have a point of order.

Ms. Roxanne James: Mr. Chair, the point of order I am putting forward is that Mr. Dykstra actually had the floor.

Ms. Jinny Jogindera Sims: He didn't.

Ms. Roxanne James: He never passed the floor back to anyone else around this table. He had the floor. He was speaking. He was interrupted by the chair, but he still had the floor. He was not finished what he was saying. That's my point of order, whether you respect that point of order or not.

The Vice-Chair (Mr. Kevin Lamoureux): I know. Yes.

Ms. Sims, is this to deal with the same point of order?

Ms. Jinny Jogindera Sims: I think so.

The Vice-Chair (Mr. Kevin Lamoureux): Okay. Let's try.

Ms. Jinny Jogindera Sims: I was in the chair. I made a ruling. I got challenged. The challenge was that we should really be going back to committee business. The challenge was defeated and so we went back to committee business. That part of Mr. Dykstra being in the order was over, because we were now back to the beginning of the agenda.

We went back to the beginning of the agenda, which was committee business. I recognized a speaker. She started to speak. The only reason I gave up my seat was so that I could come here and move that motion. It was not with the understanding that I would just be sitting here. So I would go back to the chair. I came here specifically at that time to move that motion, because somebody was speaking to a motion that was not moved, even though everybody has it in front of them.

I am basically seeking guidance from the chair at this stage. I gave up my seat to come here and put it on the floor—not to speak to it—and then to go back to my seat. I only stepped out for that moment and that was, I think, what I said.

The Vice-Chair (Mr. Kevin Lamoureux): I want to bring it back to its simplest form. That is, the moment I assumed the chair, I was provided a list of speakers. My ruling would be that we follow the list of speakers. Unless there's a point of order or a challenge of the chair, I would say that we should go back to Ms. Groguhé to finish her comments. Then Rick can immediately follow her and move in camera or do whatever he wants, but I have to go by the list.

There was some acknowledgment in the list in the sense that she had already started. The point of order should have been raised prior to Sadia even starting her comments.

If we can allow her to finish her comments, I suspect she's not going to be long or someone will raise a point of order right away. Let's let her finish the comments, and then we'll go to you, Rick.

Sadia.

[Translation]

Mrs. Sadia Groguhé: In terms of the notice of motion that was introduced on June 5, 2013, we feel that it is very important to be

able to deal with the legislation that says that those born outside Canada after 1947 can obtain their Canadian citizenship whereas those born before 1947 cannot. With this notice of motion, we hope to correct that situation. Moreover, the current situation limits the transfer of citizenship to children who are born outside the country, meaning the second generation.

Under those circumstances, people do not know what their status is. People wish to obtain Canadian citizenship but, with this piece of legislation, we are clearly preventing them from doing so. Naturally, various MPs' offices have had to deal with those types of applications and people are perplexed by the situation they are in. In addition, that also creates a great deal of damage. Those people want to belong to Canada but they are being rejected.

It is really crucial that we think about what amendments to make to the legislation. Mr. Chair, we want to see those shortcomings addressed because they are putting those people into a very problematic situation.

Thank you, Mr. Chair.

[English]

The Vice-Chair (Mr. Kevin Lamoureux): Mr. Dykstra.

Mr. Rick Dykstra: Thank you, Chair.

I move that we go in camera.

Ms. Jinny Jogindera Sims: Mr. Chair, is that debatable?

The Vice-Chair (Mr. Kevin Lamoureux): No, it's not debatable. I would call the question.

• (0915)

Ms. Jinny Jogindera Sims: I would like a recorded vote.

(Motion agreed to: yeas 6; nays 4)

The Vice-Chair (Mr. Kevin Lamoureux): We will be going in camera.

Kent, Lillian, Sharon, our apologies for what we have to go through. You will have to leave the room, and I'm not sure how—

Mrs. Isabelle Dumas (Procedural Clerk, Committees Directorate, House of Commons): No, they can stay. We're going to turn it off.

The Vice-Chair (Mr. Kevin Lamoureux): We're going to mute, so please don't hang up. We're going to hit the mute button apparently, so we'll let the technicians take care of that.

We'll suspend.

[Proceedings continue in camera]

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