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Thursday, June 16, 2011

—
Chair

Mr. Nathan Cullen

Standing Committee on Access to Information, Privacy and Ethics

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● (0845)

[English]

The Clerk of the Committee (Mr. Chad Mariage): Honourable members,

[Translation]

I see a quorum.

[English]

First of all, allow me to congratulate you all on your elections. Welcome back.

My name is Chad Mariage. I'm going to be the clerk of the committee until I'm not—

Some hon. members: Oh, oh!

The Clerk: —until I'm switched.

I'd also like to introduce you to the committee assistant, Cynthia Verner. Your staff will likely deal with her quite a bit, so I just wanted to make sure to introduce you all to her.

I must inform members that the clerk of the committee can only receive motions for the election of chair. The clerk cannot receive other types of motions and cannot entertain points of order or participate in debate.

[Translation]

We can move to the election of the chair.

Pursuant to Standing Order 106(2), the chair must be a member of the official opposition.

I am ready to receive motions for the position of chair.

[English]

Mr. Dean Del Mastro (Peterborough, CPC): I nominate Nathan Cullen.

The Clerk: Mr. Del Mastro moves that Mr. Cullen be named chair of the committee.

Are there any other motions?

Seeing none, all those in favour of the motion?

(Motion agreed to)

The Clerk: I declare Mr. Cullen chair of the committee.

Some hon. members: Hear, hear!

The Clerk: Before asking you to take the chair, Mr. Cullen, with the consent of the committee I will proceed to the election of the vice-chairs.

Pursuant to Standing Order 106(2) once again, the first vice-chair must be a member of the government party. I'm now prepared to receive motions for first vice-chair.

Mr. Angus.

Mr. Charlie Angus (Timmins—James Bay, NDP): I nominate Patricia Davidson.

● (0850)

The Clerk: Mr. Angus moves that Ms. Davidson be elected first vice-chair.

Are there any other motions?

Seeing none, all those in favour of the motion?

(Motion agreed to)

The Clerk: Congratulations, Ms. Davidson. You are elected first vice-chair.

Some hon. members: Hear, hear!

The Clerk: Once again pursuant to Standing Order 106(2), the second vice-chair must be a member of an opposition party other than the official opposition.

[Translation]

I am now ready to receive motions for the position of second vice-chair.

[English]

Mr. Sean Casey (Charlottetown, Lib.): I nominate Scott Andrews.

The Clerk: Mr. Casey moves that Mr. Andrews be elected second vice-chair.

Are there any other motions?

Seeing none, all those in favour of the motion?

(Motion agreed to)

The Clerk: Congratulations to Mr. Andrews *in absentia*.

I invite Mr. Cullen to take the chair.

The Chair (Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP)): Thank you very much to my nominator. I wish on May 2 it had been that easy. We have to do other things in our lives.

I welcome all committee members to the standing committee. This is one of the most critical ones that Parliament holds, of the 24.

Before we get through some routine proceedings, I'll welcome all the new members to Parliament, and, I assume, to your first committee as well. For those of us who have been here a couple of years longer, a committee is the place where we can get into a lot of substantive detail. It has a lot less partisanship in general, I find, than the House of Commons itself. We can really delve into some of the issues. I think this committee in particular has some issues in front of it that could be very interesting and engaging for us all.

I will be relying on Chad a lot in the next little bit, but we're going to get through some of the standard procedures.

Everyone received a briefing book from the clerk's office, is that correct?

You haven't yet, John?

Mr. John Carmichael (Don Valley West, CPC): No. It may have arrived late yesterday, but I hadn't received it when I...

The Chair: It's in the mail.

Mr. John Carmichael: "In the mail" works.

The Chair: There's this little strike going on right now that we're trying to deal with.

What I might suggest is that you have some notes in front of you as well on the routine motions that exist for this committee.

For those who are new to committee, these are the rules that guide us in our deliberations, in the way we conduct ourselves—the allocation of time for questioning and whatnot.

I'm wondering what's the best order to proceed, Chad, if we have some members without this.

The Clerk: My suggestion is to go through the list chronologically.

The Chair: The list in front of you says, "Routine motions, opening of a session, 40th Parliament, 3rd session". If I'm correct, these are the motions that were carried by the committee the last time. There are going to be some changes, because of course we have only three parties sitting on committee now, whereas previously there were four. So you'll see one or two changes that will be obvious to us all.

First we have to do the motion on services of analysts from the Library of Parliament. Do folks need a bit of time to read through each of these as we pass? I don't want to rush anybody. This is mostly procedural.

We'll just run through these as quickly as possible.

Does the motion on services of analysts from the Library of Parliament seem okay to everyone?

I need someone to move the motion.

Mr. Angus.

• (0855)

Mr. Charlie Angus: I so move.

The Chair: It is moved by Mr. Angus.

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

The Chair: Now we have the formal invitation of the analysts to come and join us at the front here. They will be our brains.

Why don't you folks take a second to introduce yourselves so that committee members are familiar with who you are and what you do?

Mrs. Dara Lithwick (Analyst, Library of Parliament): Good morning. My name is Dara Lithwick. I've been an analyst on this committee for the past year and a half or a bit more than that. I look forward to working with you. I've worked with some of you also on copyright, so I think it's going to be a terrific session.

Thank you.

Mr. Sebastian Spano (Analyst, Library of Parliament): Good morning. My name is Sebastian Spano. I'm new on the committee. I'll be working with Dara, but I've been an analyst and have served on other committees in the House and on the Senate side—procedure and House affairs and Senate rules among others.

Thank you.

The Chair: Thank you, Dara and Sebastian.

For new committee members—and forgive me if I'm over-explaining things—these folks work for this committee, so if you need some research or you have questions about some of the testimony we hear, these are the people we rely on. On the procedural side, we're looking to Chad to see that the rules we adopt and the rules that govern the House and committees are being followed as well.

I'll be relying on them tons, and I know other committee members will use them as well. These folks are excellent. We are well served in the House of Commons by the incredible staff and knowledge that sit at this table.

Let's talk about the subcommittee.

Committees of the House of Commons often strike a subcommittee in order to do an initial stage of planning, setting out the agenda and the topics. Ultimately, it always has to come back to the committee to be adopted, so for a vote of the full committee. But the subcommittee is an easier place at which to have a conversation. You can get through topics more quickly than you can when you have as many members involved as we have here.

I recognize Mr. Del Maestro. Do you want to say a couple of things about this?

Mr. Dean Del Maestro: To be frank, I'd prefer not to have a formal subcommittee. I don't see that we need one. I think generally speaking, among members of the committee, including you, Mr. Chair, we can informally discuss items as we need to. I don't see that this committee actually requires a subcommittee. Typically speaking, we didn't have one on the heritage committee, for example, and we never really needed it. We just discussed things right at the committee of the whole.

The Chair: Mr. Angus.

Mr. Charlie Angus: Definitely we had a long-standing tradition at heritage of not having a subcommittee. But I do know that many members who came onto the committee were very uncomfortable with that. I certainly have an excellent working relationship with Mr. De Maestro, and I expect that working relationship to continue in this committee.

My only concern is that if things change and become complicated, we may need to consider this. I'm willing to go without a subcommittee if we can find a way within our business each session or maybe each month to put aside time to talk about upcoming business. I've seen how other committees get "motion sickness" and end up spending a lot of time fighting about whose motion is going to be where, and a subcommittee could handle that. My one concern is that we not end up diverting a lot of time to doing committee business, but we need to have some process to make sure this thing is steering.

The Chair: Ms. Davidson.

Mrs. Patricia Davidson (Sarnia—Lambton, CPC): Thank you, Mr. Chair.

I would concur with what Charlie just said. I've sat on both committees with and committees without a subcommittee. I think not having one works well. I think everybody then has the opportunity for input. On the committees that had a subcommittee, we ended up rehashing everything anyway. So it was rather a duplication.

I think it's best to start without the subcommittee and see how that works. I think Charlie has made a good point that we certainly don't want to take up the entire committee time with discussions that a subcommittee could be doing. I think we can all converse well together here at this table, so I would certainly support not having one.

The Chair: Sure.

Charlie.

Mr. Charlie Angus: I have not heard from our Liberal member, and I'd like to hear from him, because what I do not want to have happen is.... Being that he's one on the committee, he's swamped by other votes.

I know that he's substituting, but I'd prefer to hear from them before we make our final decision.

The Chair: Mr. Casey.

Mr. Sean Casey: You understand that I'm pinch-hitting today. Scott Andrews became a father last week—

The Chair: Yes, and we extend our congratulations.

Mr. Sean Casey: —and is otherwise detained.

Voices: Oh, oh!

The Chair: Detained? That's a perfect expression for it.

Mr. Sean Casey: I don't have any objection to what's being discussed, and I hope Scott doesn't say that I'm in trouble for saying that.

The Chair: We'll find out in short order, but I think that's fine.

Thank you for that, Charlie and Mr. Casey.

Not seeing anything else, I'll say that essentially what we can do is to proceed as a whole committee in making the agenda and priorities. If we find that there are interruptions in that process or we get bogged down or mired down and a subcommittee would serve us, we can look back to this same text, strike a subcommittee, and get on with the planning. Does that seem okay to everybody?

Some hon. members: Agreed.

The Chair: Okay.

I don't need a motion to not adopt that. Okay.

The next point is on the reduced quorum. Do we want to take a second for that?

A voice: Yes.

The Chair: Dean, do you have something on that?

Mr. Dean Del Mastro: I do. I'm always concerned when we get into talking about reduced quorum whenever there's a potential for a vote.

I note that the routine motions of this particular committee indicate that you only need one member of the opposition present and only three members of the committee in total. We would amend that to say "provided that there are at least four members present and one member from each recognized party" for reduced quorum.

I think Charlie can probably understand this, but I wouldn't want to see the committee proceeding without representation from the Liberal Party here. I think that would be disrespectful. The way it's written would allow the committee to proceed without them being present.

The Chair: Yes, but just for our process here, this motion hasn't been moved yet, so you're moving an entirely new motion rather than an amendment.

● (0900)

Mr. Dean Del Mastro: No. I'm amending the motion.

The Chair: All right. So essentially we're going to move this motion and then have it amended.

Mr. Dean Del Mastro: That's right.

The Chair: We're procedurally out of line, but that's all right. We can find our way.

Go ahead, Charlie.

Mr. Charlie Angus: So you're saying that quorum would be four. And that would include...?

Mr. Dean Del Mastro: One member from each recognized party.

Mr. Charlie Angus: Okay. So that's basically two, one, one.

Mr. Dean Del Mastro: Yes.

Mr. Charlie Angus: Okay.

A voice: The chair counts in quorum.

Mr. Charlie Angus: The chair counts. Okay.

The Chair: Chad, do you mind reading out how you see that motion?

The Clerk: The motion would read that the chair be authorized to hold meetings to receive evidence and to have that evidence printed when a quorum is not present provided that at least four members are present, including one member from each recognized party.

The Chair: Go ahead, Charlie.

Mr. Charlie Angus: I think our agreement on this is that as long as we have one member from the opposition, it would be fine, as opposed to “from each recognized party”.

The Chair: You're proposing one member?

We had better reread this.

Mr. Del Mastro.

Mr. Dean Del Mastro: That's fine. I was only doing it out of respect for the Liberal member, but if... That's fine.

The Chair: So Charlie...? We're moving it as originally proposed, but having “four” as the inclusion?

A voice: Four.

The Chair: Okay.

The Clerk: Sorry, Mr. Chair, but just so I'm clear on the wording, it would be “provided that at least four members are present, including one member of the official opposition”. Is that it?

A voice: Of the opposition.

The Clerk: One member of the opposition? Okay. Great.

The Chair: Okay. Does everybody understand what's in front of us?

Mr. Casey, are you okay with that?

Mr. Sean Casey: Yes. My concern would be that not having Scott here would hold up your business, so I think that makes perfect sense.

The Chair: Right.

Mr. Hiebert, did you want to throw something in?

Mr. Russ Hiebert (South Surrey—White Rock—Cloverdale, CPC): Would that not allow one party to be present and have quorum?

The Chair: Not as I read this, no.

A voice: One party and the chair.

Mr. Russ Hiebert: One party plus the chair...?

Oh, there are just three. So you and three of your colleagues could form quorum. Is that not the case?

The Chair: Well, we're talking about reduced quorum; I suppose, but I'm not sure.

A voice: In theory.

The Chair: In theory....

Mr. Russ Hiebert: I would suggest we keep it to each recognized party so that we do not have one party taking control of the committee, or keep it to at least one member of the government and one member of the opposition.

The Chair: What is being suggested is four members, including a minimum of one member of the opposition and one member of the government.

Could someone move that motion? Mrs. Davidson.

All in favour?

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

The Chair: Next is distribution of documents. It authorizes the clerk of the committee to distribute documents.

To the folks who are new to the committee, this sometimes can be a sticky point. Sometimes witnesses, on the day they appear, will bring documents in one language. Unless there is unanimous consent of the committee, we do not distribute them. They have to be submitted prior. All witnesses are given that information.

That goes for committee members as well. If there is something that you want the committee to read, you have to get it to us in sufficient time that we can get it translated. Otherwise, you have to get unanimous consent in order to distribute it.

Mrs. Davidson.

Mrs. Patricia Davidson: Mr. Chair, just for clarification, that includes motions that may come from a member.

The Chair: Absolutely. It is particularly important for motions, so that all members can understand what it is they're voting on.

Could someone move this motion on the distribution of documents? Mr. Dreeshen.

All in favour?

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

The Chair: Next is working meals. This allows the clerk to order in food.

Mr. Charlie Angus: I'll move that motion.

The Chair: Charlie wants to get on that one quickly. The motion is enthusiastically moved by Mr. Angus.

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

The Chair: Next is witnesses' expenses. This is to enable us to spend money to bring in witnesses. Does this provide for telecommunications as well?

The Clerk: We have delegation on that; it's part of the budget.

The Chair: This essentially is part of our budget. Could someone move this motion? Mr. Del Mastro.

All in favour?

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

The Chair: Next is staff at in camera meetings. We go in camera from time to time, especially as we do our planning. We need to have a certain amount of staff. This also allows members to have a staff member with them at those in camera meetings.

Could someone move this motion? Mr. Angus.

Mr. Russ Hiebert: Mr. Chair, I want to amend that to make sure that one staff member from our House office also be allowed to attend in camera meetings.

The Chair: Mr. Hiebert, I'm trying to understand how that is different from the last sentence "shall be permitted to have one party staff member in attendance".

Mr. Russ Hiebert: I see; "one party" being not one of our staff members but—

• (0905)

The Chair: That's right.

Mr. Russ Hiebert: Okay. That's fine.

The Clerk: In addition?

The Chair: Yes. It's an additional one for House staff. The motion was moved. All in favour?

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

The Chair: Next is in camera meetings transcripts. When we go in camera and the meeting is recorded, only the clerk keeps a recording of it. It never gets released.

Could someone move that motion? Mrs. Davidson.

All in favour?

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

The Chair: I have a comment on this for some of the newer members. Sometimes, maybe by intention but often by accident, committee members will be at an in camera planning meeting and then later in the House or in front of the media or with friends will mention what happened. It's a very bad mistake to make around this place. It's an easy mistake to make sometimes. You think it may be something innocent. One party blocks a certain witness, isn't in favour of a witness, or one party doesn't like a certain topic.

In camera is in camera. Until we break that in camera, you can't talk about it. That goes for everybody else and the staff who support us. I just mention that as a little warning. It's a very easy thing to make a mistake on, especially if you're new to this place. I have done it and it's embarrassing. You get embarrassed in the House of Commons and are made to look rather silly.

Next is notice of motions. This is the 48-hour notice of motion.

Mr. Angus.

Mr. Charlie Angus: Mr. Chair, this happens at every committee. What does 48 hours mean?

In fairness to the staff who are going to be dealing with the motions, I think the rule is two sleeps, as opposed to "I got it in at 8 o'clock on Tuesday night and I expect it at the Thursday morning meeting." I think it should be two full days. Then at least we have a standard.

The Chair: Mr. Del Mastro.

Mr. Dean Del Mastro: I agree it is always contentious as to what 48 hours means. To me it means 48 hours.

I would prefer that the committee move such that if for a motion to be debated on, say, a Thursday, it would need to be submitted prior to committee on Tuesday. That way there is a full 48 hours' notice.

Otherwise, what often happens is a motion is moved late on a Tuesday afternoon or evening and then it is brought up for debate on Thursday, which is not even close to 48 hours' notice. Often the other parties don't learn about the motion until the day before the committee meeting.

I would prefer that we stick to 48 hours' notice. We all understand what that means. It's 48 hours.

The Chair: Are there any other comments on this before I put something in?

This is language that does come out of the House of Commons, similar to proposing a motion or a bill in the House. In the House it doesn't technically mean 48 hours, because often reality and the House of Commons aren't the same thing, but it means two physical sleeps before the motion can be addressed.

It's very similar to what's happening with the back-to-work legislation. When Minister Raitt puts it in, it's a certain number of sleeps, actually, just before.

I hear your point very well, Dean. There are other committees that are saying this. Let's take the Thursday morning example. If you want a motion to be heard and debated Thursday morning, there has been a suggestion and adoption at other committees that by 4 p.m. on the Tuesday, that working day, if it's submitted by then, it gives the clerk and the translators enough time to get it out to everybody so you can hear it Thursday morning.

So I hear your point very well, Dean, but I'm wondering if the suggestion....

This is what I've seen happen quite a bit. You're engaged in something. You hear witnesses on a Tuesday morning. Your interest in something or other gets piqued, and it seems like the committee could go in another direction. You work that day on a motion. You submit it by that afternoon. The next Thursday you have the option of debating it at the committee rather than having to have it in before 9 a.m. on the Tuesday, which is essentially what is being suggested.

I don't know if that's acceptable. I've just seen it at other committees. If you want to be hard and fast on the 9 a.m. Tuesday morning, which is what we're suggesting right now, for a Thursday....

The Tuesday mornings won't matter, because it will have to be before the weekend, essentially, will it not? You're not going to get things at 9 a.m. on Sunday?

The Clerk: No.

The Chair: No.

So it's going to be before the weekend for our Tuesday meetings. We're mostly talking about Thursday right now.

But it's at the will of the committee. If you prefer the hard 48, then we can....

Yes? I'm seeing a lot of nods on the hard 48.

Okay. That's essentially what we'll adopt.

I'm not sure if the motion actually needs to be amended at all or if it's good as is.

The Clerk: So I can add a sentence about it being calculated based on a real 48 hours?

The Chair: Yes.

It's funny, but we will have to add some language to this to describe the full, proper, normal human 48 hours.

The Clerk: And do we want to add "9 a.m."?

The Chair: Would folks like to have 9 a.m. in there? I mean, it prescribes us to these committee times, but....

Charlie.

• (0910)

Mr. Charlie Angus: I don't think it's necessary. I think we have a working understanding and we've agreed on it. Someone's going to come later on and say we never said that, but this is an understanding. I don't think we have to write it into the regulations. We have an understanding of how the motions will be done, and that's how they'll be done.

Mr. Russ Hiebert: The chronological 48 hours.

The Chair: Yes, the chronological 48 hours: the real 48 hours.

Yes, we'll do all these things, and we'll be hard on this. It's going to happen to committee members that you'll be late and you'll want to bend this, but this is the direction you're giving me today. It's the hard 48, and that's fine.

Could I have someone move that motion?

Mr. John Carmichael: I so move.

The Chair: Thank you very much, Mr. Carmichael.

All in favour?

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

The Chair: Next is rounds of questioning. This is one we're going to have to change a little bit, particularly because the Bloc are no longer officially recognized. It's going to change in a couple of different ways, actually.

Mr. Del Mastro.

Mr. Dean Del Mastro: I would propose to amend...or first I'd move this one and then I would amend it as follows: that the witnesses from any one organization shall be allowed 10 minutes to make their opening statement. During the questioning of witnesses there shall be allocated seven minutes for the first round of questioning, and thereafter five minutes shall be allocated to each questioner in the second and subsequent rounds of questioning.

The Chair: I think you're just moving this, right, Dean, rather than—

Mr. Dean Del Mastro: Yes.

The Chair: Okay. That's the motion as moved; that's preferred.

Are there any comments on this in terms of rounds of questioning?

Mr. Angus.

Mr. Charlie Angus: I certainly support seven minutes and five, but I'm seeing that time allotted to witnesses is the subsequent motion.

The Chair: Fair enough; essentially he's combined two motions.

Mr. Charlie Angus: In terms of the rounds of questioning, if we go seven minutes and five, then in what order will that seven and five be?

The Chair: Yes, we're going to have to be a bit explicit on the pattern that's going to be established.

We do have, in our previous rules, the time allocation for witnesses, but I don't see a problem necessarily in combining the two. It's up to the committee.

So it's ten and seven and five: ten minutes for witnesses to describe their case, seven minutes for the first round, and five minutes for the second round.

Is that all right with everyone, before we move to the actual demarcation of the order?

Some hon. members: Agreed.

The Chair: Okay.

Can someone move an amendment to actually...?

Oh, Dean, I see you've also brought a speaking order.

Mr. Dean Del Mastro: Yes.

The Chair: Can someone move that first motion, and then we'll see to the second?

It is moved by Mr. Del Mastro. All in favour?

(Motion agreed to)

The Chair: Great.

Let's talk about a speaking order now.

Dean, do you want this back?

Mr. Dean Del Mastro: Thank you.

The Chair: Is it something inspired?

Mr. Dean Del Mastro: No, it wasn't inspired, nothing that good.

We propose that the order of questions for the first round should be as follows: Conservative, NDP, Conservative, and Liberal. During the second round, we would alternate between the government and the opposition members in the following fashion: Conservative, NDP, Conservative, NDP, Conservative, NDP, and Conservative. That allows every member of the committee to ask questions.

The Chair: Okay. Chad is just describing this on the board for us.

While he's doing that, we'll hear from Mr. Angus.

Mr. Charlie Angus: I have a couple of concerns with that, thinking back to the previous Parliament. I know that we don't have the Bloc here and the Liberals have changed to where the NDP was, but in the previous Parliament, when I was the one person, in each hour the New Democrats had one guaranteed spot, a seven-minute spot and a five-minute spot. I'm looking at this proposal and it looks like the Liberals get erased.

I'm looking at the government operations committee, which is a very similar committee, and I think government ops has a New Democrat chair. On government ops, it's like this: New Democrat, Conservative, New Democrat, Conservative, Liberal, and Conservative. Then it's New Democrat, Conservative, New Democrat, Conservative, Liberal, and Conservative. So in that first group of seven minutes, the Liberals get their spot, and then they have one at the end. We, as the opposition, lead off for the first round of questioning.

The Chair: Mr. Hiebert.

Mr. Russ Hiebert: I like the point that my colleague Mr. Del Maestro made: everybody at the committee should have a chance to speak before we go to subsequent rounds for anybody else. It's an element of equality or fairness so that nobody gets left out.

The Chair: You're speaking in favour of the first proposal as it is written here?

Mr. Russ Hiebert: Yes.

The Chair: Okay.

Mr. Angus.

Mr. Charlie Angus: Well, I don't think that's fair at all. I haven't sat here for seven years to fall for something like that. The fact is that the Conservatives have the majority on this committee. They can vote down what they want to vote down. To say that every single person is going to get to speak before we go back to it by party I think is going to distort this committee dramatically.

Again I'll go back to government operations, where you have a balance. There are going to be enough members speaking, but there is going to be some parity: it's New Democrat, Conservative, New Democrat, Conservative, Liberal, and Conservative, and then New Democrat, Conservative, New Democrat, Conservative, Liberal, and Conservative.

I'd be surprised if every member on the government side did speak. On certain issues, you're going to have your lead, and they're going to be focused, so I think we need to maintain.... Remember that this is also by party, not by individual members.

• (0915)

The Chair: Mrs. Davidson.

Mrs. Patricia Davidson: Yes. I'm wondering if Chad could put up Charlie's rotation. I'm having difficulty following it.

The Chair: What do you mean? It's just Liberal, Liberal, Conservative, then....

Voices: Oh, oh!

Mr. Charlie Angus: That's what they're doing at government operations.

The Chair: Just give us one second. We'll put this up on the board so everyone can see the options that are being proposed.

Mr. Charlie Angus: There are two identical rounds, one for seven minutes and one for five.

The Chair: Okay. For those who can't read the board, I'll note that the two rounds are identical: first round, New Democrat, Conservative, New Democrat, Conservative, Liberal, and Conservative. The second round is essentially the same: New Democrat, Conservative, New Democrat, Conservative, Liberal, and Conservative.

Mr. Dreeshen.

Mr. Earl Dreeshen (Red Deer, CPC): Actually, now that we've put in the seven minutes and the five minutes, I think that's part of what we had been discussing previously. But I really see us as having each one of the parties, and the government party, with seven minutes in that first round, so I think we're giving an ample amount of time for the parties to get their main points and positions out in that first round.

When you're looking at six seven-minute questions for the first round, as Mr. Angus has, and as we have down on the board, I think that's a bit of overkill. I really think we're looking at that first round being a party-focused round, and after that we're starting to look at comments coming out of discussions that have taken place with the witnesses. So still, I think I prefer the first combination.

The Chair: We essentially have two proposals in front of us.

Mr. Casey.

Mr. Sean Casey: As I am new to committees, I don't have the opportunity to rely on any precedent, but I'm getting whispers in my ear that there is some precedent for a party in our situation to get a shot in each round. Certainly the second proposal would be preferable to me, that we would get a turn in the seven-minute round and the five-minute round. I would favour the second proposal.

Mrs. Patricia Davidson: Charlie, in the committee that you patterned this on, were both rounds five minutes, or was one seven minutes and one five minutes?

Mr. Charlie Angus: It is government operations. Sorry, someone was just telling me the first round is actually the four at seven minutes?

The Chair: I'm trying to understand what you're saying. Is it the first four speakers for seven minutes, and then after that it is less?

Mr. Charlie Angus: That's based on the government operations committee. If we accepted the first seven-minute round of the Conservatives, it would be Conservative, New Democrat, Conservative, Liberal at seven minutes each. That would allow more time for people to speak. I would take your first position.

I think in the second round at five minutes we have to ensure there is a chance for the Liberals. My Liberal colleague is new here. I don't think it's fair to push the Liberals off for their second round, because there is follow-up. I would support the Conservative first if we went with the New Democrat option for number two.

• (0920)

The Chair: Chad has made a helpful suggestion. Charlie is suggesting a hybrid by taking Dean's proposal and slipping a Liberal position into the second round at some point. That would accomplish what you're saying, Charlie.

Mr. Charlie Angus: Yes, but we would have balance in the second round. It would be Conservative, New Democrat, Conservative, Liberal. The second round at five minutes would be New Democrat, Conservative, New Democrat, Conservative, Liberal, Conservative.

The Chair: For the folks following this, it's the first one, number one, and then number two of the second one is what Charlie is proposing now.

Russ, go ahead.

Mr. Russ Hiebert: I just did a quick calculation in terms of the time. The proposal Mr. Del Mastro put forward has 63 minutes in it. Conservatives get 54% of that time, the NDP gets 35%, and the Liberals get 11%. It just so happens that's exactly the percentage as represented in the House of Commons, if you look at the seats out of the 308. It's perfectly fair.

As a concession, I propose that we switch the first order from Conservative, New Democrat, Conservative, Liberal, and start with New Democrat, and then Conservative, Liberal, Conservative. You guys would get to go first on seven minutes.

Mr. Charlie Angus: What about round two?

Mr. Russ Hiebert: Round two would stay as it is.

Mr. Charlie Angus: I like round one.

Mr. Russ Hiebert: Round two would alternate. It would go New Democrat, Conservative, Liberal, Conservative, and then it would start with another opposition member, New Democrat, Conservative, New Democrat, Conservative, New Democrat, Conservative, New Democrat.

The Chair: Essentially flip it.

Mr. Russ Hiebert: Flip it until everybody has had a chance to have one round.

The Chair: You may have thrown Dean off there.

Mr. Dean Del Mastro: You've given more rounds to the NDP than you have given to the Conservatives.

Mr. Charlie Angus: Dean, this guy is smart. Keep going.

Mr. Russ Hiebert: The only thing I want to rectify is that we don't have two Conservatives going in subsequent order. We could switch that.

The Chair: That's to maintain the balance and not throw another one to the New Democrats.

Mr. Russ Hiebert: It's to give everyone a chance to speak.

The Chair: Does everyone understand that proposal?

Mr. Dean Del Mastro: I would suggest in the second round, if we're going to change the order and it starts with a New Democrat, which I don't mind, it could go New Democrat, Conservative, New Democrat, Conservative, New Democrat, Conservative, Conservative.

The Chair: There will be a doubling at the very end of the questioning.

Mr. Russ Hiebert: Beginning or end, it doesn't matter.

The Chair: There are some committees where you don't get all the way through.

Mr. Dean Del Mastro: You're not getting through that.

The Chair: You're not likely getting through that, no.

So we'll get Chad to write this new configuration on the board.

Mr. Dean Del Mastro: Sorry, Chad.

The Chair: We're making him earn his money today, boy, I'll tell you.

Ms. Leslie.

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

As folks are aware, I'm not a regular member of this committee, but I really do think, for fairness, there should be a second round by the Liberals in the five-minute round. There are, as Charlie pointed out, so many occasions where you need to do a follow-up question, and I think that's only fair.

The Chair: Thank you for that.

Are there any other comments?

Charlie, and then we're going to get to a vote on this.

Mr. Charlie Angus: I would go back to our offer on the second: New Democrat, Conservative, New Democrat, Conservative, Liberal, Conservative. The idea of having two Conservative members at the end...

I just think it's fair to give the Liberals a spot.

Mr. Dean Del Mastro: That's fine. We'll throw a Liberal spot in between the last two Conservative spots.

Mr. Charlie Angus: Okay.

I just think in the long term, it's better that people feel that they're heard at the table. Otherwise, if someone doesn't feel they're heard, if they're frustrated, we're going to get to filibustering, and someone can cause problems on this committee. I think if people have that extra spot in which to speak, then we can carry on our business.

The Chair: Does everyone understand the proposal in front of us? It's essentially everything on the top half there.

An hon. member: Can someone do it from memory?

The Chair: That's unlikely. We're going to write this one down.

Could I have someone move that motion, whatever that motion says?

Thank you, Mr. Del Mastro.

We'll work out the language, but that's essentially what it will look like.

All in favour?

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

The Chair: Great.

So that takes us through to the end. We've done the time allotted to witnesses.

I'm just wondering if we have anything else, Chad, that we have to move through today.

• (0925)

The Clerk: No, unless there are other motions.

The Chair: Right.

Are there any other motions that folks need to put up today?

Russ is giving me the yank.

Some hon. members: Oh, oh!

The Chair: I'm going to bang the gavel in a second, but I'm going to ask committee members, and only committee members, to stay for 10 minutes at the end of this. We have a couple of quick things to do. We're going to do them in camera, though, with no record. The only staff I will ask to stay are the translators.

Could I have the committee's privilege to do this?

Mr. Charlie Angus: How about five minutes?

The Chair: Give me ten, Charlie, come on; negotiate. Or do you have somewhere to be?

Oh, before we do this, then, the question of potentially talking about future business, does the committee wish to gather...? We have the room allocated for Tuesday morning next to talk about what we might want to get to into the fall.

The committee has done a series of studies and some work—Ms. Davidson, you would know this better than any of us—and there is the perspective that we gather for a short amount of time next week to be able to say what we want to begin getting into, and to have some description from the analysts as to what this committee has been up to over the last little while.

One of the worst things when you get on a new committee is that you start to reinvent the wheel, right? You start to rehash things that have already just been studied. You waste taxpayer money, frankly, by calling similar witnesses, etc.

Does it seem profitable for folks if we gather for, I'm suggesting, an hour on Tuesday?

Mrs. Patricia Davidson: An hour? Sure.

The Chair: One hour on Tuesday?

Mr. Russ Hiebert: How about 9:45?

The Chair: Would you like a little later start there, Mr. Hiebert?

Mrs. Patricia Davidson: No, I have House duty, so starting at 8:45 is great.

The Chair: You just got overruled, my friend.

Some hon. members: Oh, oh!

The Chair: Mr. Angus.

Mr. Charlie Angus: I'm not averse to it. I would suggest that our first order of business is to get up to speed on and to hear from the

commissioners. We need to know what the four commissioners have done, what they're thinking.

I'm a little wary of planning out the fall now. I'd like us to hear the commissioners; I'd like us to talk. If there are going to be issues coming out of that, then we're going to be in a much better position at that point to make a plan.

We'll probably want to get an update as well in September on what was done. I know the open government study is hanging. Whether or not we want to follow up, we'll get our analysts to just give it to us then.

Then I'd feel comfortable about plotting out the fall. I'm just really wary about—

An hon. member: [*Inaudible—Editor*]

The Chair: Okay.

So you folks are okay with that?

Mr. Charlie Angus: Russ and I are starting to agree on way too much.

The Chair: I'm finding this shocking.

Mr. Charlie Angus: He *looks* like a Boston fan.

The Chair: I'm getting a sense from committee members that we'd rather have all of that conversation beginning in the fall and hit the ground running.

Just for our own preparation, I'm also seeing some agreement to hear from a number of officers of Parliament who report to this committee—the lobbyists registrar, the ethics commissioner, freedom of information. I'm getting a sense that we're going to want to hear from some of those folks to get an update on their work. They're mandated to appear before us.

And just before we break, here's another good point, Pat, that perhaps I can look to you on. The committee was essentially finished the open government study, is that correct?

Mrs. Patricia Davidson: Yes.

The Chair: There was one more witness to hear. The only advantage in signing off on that is it allows the analyst to write a report over the summer and then come back to it—

Mrs. Dara Lithwick: At least a summary of evidence.

The Chair: At least a summary of evidence. We could give permission to begin that work right now, but there is the question of whether or not we need to hear from the last witness, the Commissioner of Official Languages.

Pat, do you have an opinion on this? Maybe we could hear from the analyst with regard to where we are on this. It's about efficiency of time, folks. If you get together in the fall and say, "Okay, write the report" and then slap on a lot of other work for the analyst to do, everything is going to take a lot longer.

Dara, do you want to comment?

Mrs. Dara Lithwick: I was thinking more along the lines that since there is no direction for a report, if we import the evidence from last session, I could prepare a summary of the evidence and what happened at each meeting. That way in the fall you could decide if you want to go ahead with a report, how you want to go ahead with it, if you want to hear from any other witnesses and that sort of thing. I could at least prepare a summary that you could use.

The Chair: I'm going to make a suggestion. We need a motion from committee to allow the analyst to do that.

Dean, do you want to—

Mr. Dean Del Mastro: I personally would have a hard time with the committee producing a report based on witnesses that I never heard, especially if that report had recommendations in it that would bear the name of every person on this committee who never heard those witnesses.

If the analyst wants to prepare a chronology of what occurred and why the study was undertaken, the committee could determine if it wants to pick up on that and do some work to produce a report. I wouldn't want to have a report produced, even if we heard from the Commissioner of Official Languages, the final witness, and then tried to put a report together. I wouldn't want a report coming out with my name on it.

• (0930)

The Chair: Fair enough. That is a fair comment.

Charlie, do you want to comment?

Mr. Charlie Angus: Whether or not we call it a report, I would like the work to be done over the summer so we have time to reflect on it. In the fall we can decide if we're going to shelve this and not follow up on it, or decide that a lot of good work was done and it's up to us to bring it home.

I'd like the analyst to have this period to prepare the information so we can study it when we come back, and we'll decide whether or not it is sufficient and we can sign off or if we're going to tear up the whole thing and start over.

The Chair: We need to move a motion. Chad has the language for it. I'll have him read it out. It will allow the analysts to prepare at least a summary of what we've heard so far so people can look at it in the fall.

The Clerk: Mr. Chair, the motion would read that the evidence and documentation received by the Standing Committee on Access to Information, Privacy and Ethics during the third session of the 40th Parliament in relation to its study on open government be taken into consideration by the committee in this session.

The Chair: Could someone move that motion, please?

Mr. Dean Del Mastro: I so move.

The Chair: All in favour? Wonderful.

(Motion agreed to)

The Chair: Thank you, everybody. There is no meeting on Tuesday. Have a fantastic summer.

The committee is adjourned.

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