

Standing Committee on Procedure and House Affairs

Tuesday, December 9, 2014

• (1100)

[English]

The Chair (Mr. Joe Preston (Elgin—Middlesex—London, CPC)): Let's go ahead and call ourselves to order.

We have some guests online here. You may not be able to see them during some of this committee, as we're having some technical difficulties. The other side can see us, so be on your best behaviour please.

They will be able to see us; we may not always be able to see them. They will attempt to identify themselves when they're speaking.

Mr. Walker and Mr. Yardley, are you there?

Mr. Charles Walker (Chair, Procedure Committee, United Kingdom House of Commons): Yes, Chairman.

How are you?

The Chair: I'm doing great.

We're going to go right into it today. With technical difficulties, we like to get going in case we lose total control here.

Mr. Walker, will you go first? Do you have an opening statement or do we want simply to go to questions?

Mr. Charles Walker: No. Since I'm talking to a fellow select committee, and fellow select committee chairman and members, I thought we would dispense with the formal part of it, and just crack on and see if I can answer your questions.

The Chair: Okay.

Then we're going to go to questions by members and see if we can get answers. That's fantastic

I think, Mr. Lukiwski-

Mr. Charles Walker: You'll get answers, you just may not like them.

The Chair: Isn't that the case of our lives.

An hon member: Here in the opposition we're used to that.

The Chair: We don't have any fun at committee by the way, just in case you're wondering.

Mr. Lukiwski, we'll give you seven minutes to go first.

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): Thank you very much.

Thank you both, gentleman, even though I can't see you. Thank you for being here.

I have a couple of questions just about the process, and correct me if I'm wrong, but my understanding is that once a certain threshold of signatures or an e-petition has been received, then there is a committee that determines whether or not that petition is debated. Is that correct?

Mr. Charles Walker: To some extent it is. I might revert to my clerk on occasions, just to make sure that I'm giving you the correct information.

In the report we've produced, which basically takes the government's e-petition system and brings it into Parliament to a joint system so it will be shared between the House of Commons and Parliament, there is going to be a threshold of 100,000, but that won't necessarily guarantee that it gets debated.

What we are very keen to avoid is well-funded pressure groups basically hijacking the system, so that you get a lot of well-supported petitions coming in but really it's questionable whether they're actually grassroots driven.

We're going to have an e-petition select committee that will actually help to ensure that perhaps smaller petitions with many less signatures, but those that the committee feels are important, also get their chance to be debated in the House of Commons.

That was a very inarticulate response for a very straightforward question. I do apologize.

Mr. Tom Lukiwski: No, that's fine.

But I'd like to explore that just a little further. You say that there may be sometimes, on occasions, smaller petitions, or at least petitions that garner fewer signatures, that the committee determines have merit to be debated.

This committee, is it an all-party committee?

Mr. Charles Walker: Yes, the plan is that it will be a select committee. The way we run the majority of our select committees in this country is that the chairman is elected from across the House. The chairman of the committee will be elected by Labour and Conservative MPs, and in fact the franchise is every MP in the House.

At the start of Parliament, the usual channels, which are the whips' offices, decide how many committees will have a Labour chairman or a Conservative chairman. Once that's decided, for those committees that are going to be chaired by a Conservative, it will be an open competition amongst Conservatives to put their names forward, and the whole House, from across the political parties, will vote on that individual.

Firstly, we will have an elected chairman, and it's not sure whether it will be from the main party or the main party of opposition, that is still to be decided. The members will be drawn again from across the House. The balance will probably be slightly in favour of the party of government. They will be elected by their own parties.

• (1105)

Mr. Tom Lukiwski: All right, there are some similarities, some commonalities, to how we form committees here, but there are also some distinctions that I find interesting.

Let me go back to the threshold of 100,000 signatures. Can you tell me in the last 12 months, the last year, how many petitions received at least 100,000 signatures, and of those, how many were debated and by default how many were not?

Mr. Charles Walker: Yes. Let's bring my clerk in, Mr. Yardley, who is probably more up to date on the immediate statistics.

Mr. Tom Lukiwski: Okay. Thank you.

Mr. Huw Yardley (Clerk, Procedure Committee, United Kingdom House of Commons): Good afternoon to you.

Perhaps I might start just by clarifying that the system that my chair has just outlined to you is the system that is proposed by the committee in the report that was published last week. It's not the system that actually happens at the moment.

At the moment the House of Commons itself has no e-petition system. The government runs an e-petition system, and when an e-petition reaches 100,000 signatures, it will send a letter to the backbench business committee inviting it to consider allocating time for a debate.

So there's no automaticity there. It's at the discretion of the backbench business committee, and the threshold is set by the government. It's the government's decision when an e-petition reaches 100,000 signatures that it will then ask the backbench business committee to allocate time for a debate.

Mr. Tom Lukiwski: Thank you for the clarification.

What I'm more interested in is of all of those e-petitions that received a minimum 100,000 signatures, how many were actually debated, and how many were determined by the backbench committee not to merit debate?

Mr. Huw Yardley: The backbench business committee requires an e-petition to be taken up by a member of Parliament before it will allocate time for a debate.

I believe one or two e-petitions have hung around for a little bit before a member has been found to take them up, but I think I'm right in saying that all the petitions that have been referred to it have been debated, or at least there are a couple that have been scheduled for debate. The debate hasn't actually taken place yet. In the current parliamentary session there have been three debates, with the two further debates scheduled. In the previous session there were five debates, and in the session before that, which is pretty much the start of this system, there were four debates. So it's about five on average a year.

Mr. Tom Lukiwski: Okay. Thank you for that.

The last question, then, just for clarification. Of those, say, roughly five debates held each session, were all of them e-petitions that had received the minimum 100,000 signatures, or were there some smaller petitions that the backbench committee determined would still be worthy of debate?

Mr. Charles Walker: No, they were all 100,000 plus. The new system we're coming up with, with a specialist petitions committee, will inject more flexibility into the process.

Mr. Tom Lukiwski: Thank you.

The Chair: Thank you, Mr. Lukiwski.

We'll go to Mr. Scott for seven minutes.

Mr. Craig Scott (Toronto—Danforth, NDP): I'll cede my time to....

The Chair: Sorry. We'll go to Madame Latendresse for seven minutes.

[Translation]

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Thank you, Mr. Chair.

I would like to thank the witnesses for their participation and for speaking to us about these issues. We are pleased to know that Canada will probably also be able to use online petitions soon.

My question concerns your report. There are a lot of problems with the system you are currently using, and they are related to the fact that you worked from an existing system.

If you had the opportunity to start again and choose the rules that suit you with regard to online petitions, are there things you would change? Are there things you would have preferred to develop?

• (1110)

[English]

Mr. Charles Walker: Look, I'll be perfectly honest with you. I have never been an enormous fan of e-petitioning. I think there is a danger that it could dumb down political engagement, but one must set aside one's own opinions as chairman of a committee.

This is a serious bit of work we've done. To be honest, I can put my name to and stand behind the report we have produced. Of course, it isn't perfect, but I think it's pretty good.

Now, the government was determined to have a joint petitioning system with the House of Commons. As someone who in my own private political life favours, perhaps, the separation of powers, I could understand and have great sympathy for a petition system that is wholly owned by the House of Commons, but I'm afraid we're not at that stage. We draw our executive from the legislature. So I think it's a good report and I think the proposals we came up with are strong proposals, but absolutely key to this working is a House of Commons petitions committee chaired by a member of Parliament with its members drawn from Parliament. I think with that in place we get a much better deal out of this than actually the government does, and I think our constituents get a better deal.

[Translation]

Ms. Alexandrine Latendresse: That's very interesting.

As I understand it, there is a big difference between the system we are implementing and the one in the United Kingdom. The one we are creating would be a simple online petitions system controlled by the House of Commons. Based on what you said, the system that we are implementing would probably be more effective and work better than the United Kingdom's, where the petitions system is linked to both the government and the House of Commons.

Do I have that right?

[English]

Mr. Charles Walker: The concern I have about a joint petitioning system is that it doesn't make the distinction between the executive and the legislature. Now, more power to your elbow—and that's an English turn of phrase that I'm not sure will translate—so good for you in Canada for taking a different approach. I would have great sympathy for the approach you're taking.

Again, in the imperfect world that we must all inhabit, the proposals we have put forward are given credibility by the fact that although it is a joint system, the committee in charge of basically the whole process will be drawn from the House of Commons. I think we have the better end of the deal.

[Translation]

Ms. Alexandrine Latendresse: I also have a question about your threshold of five signatures for a petition to be authorized.

We have instead chosen a system where an MP should sponsor a petition. So at least one MP would have to be willing to sponsor it, but there would be no five-signature threshold.

Could you please explain the difference between the two?

Also, why did you choose that threshold?

[English]

Mr. Charles Walker: The threshold now is the lead signature plus five, so we've gone to six. We reckon that by having six, that will reduce the petition load from, on average now, about 15,000 to around 7,500. About 7,500, give or take, of the petitions currently get less than six signatures.

As far as your other question is concerned, we did debate whether a member of Parliament should add their name. We took the view that this may not be desirable in the sense that there would be many petitions possibly from my constituency put forward by my constituents, the lead signature would be a constituent of mine, but actually I would fundamentally disagree with the content of the petition and be unwilling to add my own name to it. Again, we're a representative democracy, aren't we? We're not delegates, so I do think the system is better for what we've put forward.

Now, my clerk is putting forward the report to me with a sentence underlined, which I shall let him explain to you because I'm struggling slightly at the minute to get my head around what he's showing me.

• (1115)

Mr. Huw Yardley: I thought I would draw your attention to paragraph 41 of the committee's report. It noted:

The essence of the system which has already been set up, [the government's system] and on which our proposed system is therefore based, is one of direct access to the institution to which the petition is directed....

The system, which the public is already familiar with, is able to petition directly, without the intervention of a member of Parliament. The committee, as the chair said, did discuss this issue, but decided that it would be wrong to retreat from that direct access to the institution, which is already in place.

Mr. Charles Walker: To be fair, there was a diversity of views, and the minority on our committee, but a significant minority, felt that by not having a lead member of Parliament, it undermined the involvement of Parliament and members of Parliament. So it was a finely balanced judgement.

[Translation]

Ms. Alexandrine Latendresse: Thank you very much.

[English]

The Chair: Mr. Lamoureux, you have seven minutes.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Thank you, Mr. Chair. I do have a few specific questions.

One is in regard to opinions or thoughts, even as you're reflecting on what you currently have through the government petition system. What do you believe is the bare minimum of information required in order to legitimize a signature or a name on a petition?

Mr. Charles Walker: That's a very good question. All communications, as you well know, are open to abuse. I don't know if you have postcard lobbying campaigns in Canada, but we get them here and you get people signing postcards and you send them a letter and they write back saying, "Mr. Walker, I have no idea why you wrote to me about experiments on mice. I've never contacted you on that subject before." So you're right, there is always the possibility of abuse.

We have been assured by our IT people that there will be safeguards and checks in place. I'm completely IT illiterate and would not be able to describe to you what those will be, but I'm happy for them to put a note together for your committee more specifically in answer to your questions. We're hoping in the main that engagement will be honest and up front, but we do not live in a perfect world.

Mr. Kevin Lamoureux: What I'm thinking is, for example, if someone affixes a name, like I say I'm Kevin Lamoureux and now you have my email address because it's an e-petition. Does that suffice to count as a signature or would you suggest that a postal code or something else should be added to it?

Mr. Charles Walker: We won't be requiring a postal code from people signing it. I believe the petitioner will be contacted and have his details checked.

Sorry, we're having our own little conference here. I'm going to let Huw answer that.

Mr. Huw Yardley: My understanding of the system is that a petitioner will be asked for their name, post code, and email address. They will need to supply that information. They then receive by email a message, including a link, which they need to click on to confirm their signature and—

Mr. Kevin Lamoureux: I'm glad you're moving over from a system where the government...and making it more apolitical by bringing it into the parliamentary website by the sounds of it. I think that's a good thing.

To what degree do you provide information that is collected to others, whether it's the local member of Parliament or it's the minister that's most impacted by it? Do you provide anything to them in regard to a name and an email address or is that kept in confidence?

Mr. Charles Walker: Again, that would be kept in confidence. We had long discussions about this. What we have recommended is that if I were to sign a petition....

Let's say one of my constituents was to sign a petition. They will be given the option of alerting their local member of Parliament that they've added their name to said petition and this would be done through a link where they would first put their post code in. A lot of people actually don't know who their member of Parliament is, to be honest, I'm ashamed to say, and that could be my fault and not theirs in the constituency of Broxbourne.

The post code will say your MP is Charles Walker, click here, and we will alert him that you have signed the petition in case you also want to communicate with him or get him to communicate with you directly. But it will have to be a decision taken by the person signing the petition whether they want their information forwarded to their member of Parliament. We do not see that information going more widely than the member of Parliament.

• (1120)

Mr. Kevin Lamoureux: Well, I'm glad to hear it's an opt-in as opposed to the other way around, which is good from my perspective anyway.

In terms of the maintaining of the records, what do you anticipate? Say, after a year, is all that information wiped clear out of whatever computer system you have? Do you have any sort of security measures in place to protect the integrity of the data bank and ultimately the disposal of the data itself?

Mr. Charles Walker: That is an extraordinarily interesting question and that suggests I haven't got a very good answer to it. You're probably well ahead of us on this. The case of paper petitions...for example, I did a paper petition a few years ago and got 16,000 signatures. We put that in the bag behind the Speaker's chair and that paper petition is kept indefinitely in some vault for hundreds and hundreds of years.

Obviously, computer systems are governed by data protection, but I think you've asked a very good question and I'm embarrassed to say we haven't thought that far ahead. My assumption was and is that these signatures would be retained in the same way that paper petitions are kept, so as a source of potential historical interest.

But Huw may want to come in on this.

Mr. Huw Yardley: My understanding is that under the legal framework in the U.K., the personal data, such as names of people who have signed petitions, can be kept only as long as is necessary, and then has to be destroyed. So any petition will remain open for six months, and then the text of the petition and the number of signatories will be recorded in the House's official papers. But I think soon after that, the names of the signatories would likely be destroyed, because they are no longer necessary, so there is no legal basis to keep them.

Mr. Charles Walker: That actually puts the electronic petition system out of step with the paper petition system, which I think is something we might have to have a look at.

Mr. Kevin Lamoureux: I have a last quick question. If you put a petition online today, how long will it stay online before it's taken off or closed?

Mr. Huw Yardley: Under the current situation it stays open for a year. In fact, the government has said that its existing system is going to stop at the election, so it goes on only until the dissolution of Parliament. But under the system proposed by the committee, it will be open for six months.

The Chair: Thank you.

Mr. Reid, please, you have four minutes.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): I just wanted to follow up on the six-month number. Does that effectively mean that any action that is likely to come out of a petition, such as bringing an issue forward for debate in the House of Commons, is held up by six months? That is, do you have to wait until the six-month period is expended, even if it goes over the number, or at some point, when you've hit the trigger number of 100,000, does something magic happen?

Mr. Charles Walker: That's a very interesting question. What our IT people and those who are involved with the current petition system have told us is that you know within 48 hours whether the petition is going to fly or not, whether it's going to get anywhere near the 100,000. So I think any petition that's dropped off after six months has in essence probably failed to attract the requited number of signatures to pique the interest of the petitions committee. So no, after six months it will fall off.

But we envisage that really well-supported petitions will reach the 100,000 well before that date and may well have a date set for debate before that six-month period ends. Obviously, there will be scheduling issues.

• (1125)

Mr. Scott Reid: That answers the question. It doesn't effectively stall an issue for six months. The committee can look at it prior to the six-month period if there appears to be a large enough interest.

Mr. Charles Walker: Absolutely.

If a petition went on and secured under 50,000 signatures in a week, I envisage the petitions committee getting involved at a very early stage.

Mr. Scott Reid: Right.

One of the problems that arises in Canada...and this must be true in your country as well. Although the U.K. is not a large country geographically, it's certainly a very varied country with a number of areas that were originally independent countries. We get regional issues, as you must as well. They would tend to attract a smaller number of petitioners.

Mr. Charles Walker: Exactly.

Mr. Scott Reid: To give an obvious example from our country, if we set a bar at 100,000, and there's an issue that is of desperate importance to people in Prince Edward Island, a population of 140,000, but it is of no interest to anyone else—we can imagine an issue like this without too much difficulty—it would be hard for it to surface.

Have you discussed dealing with this, and if so, what thoughts have you had?

Mr. Charles Walker: That's exactly why we want the petitions committee to be able to bring forward petitions for debate that fall well short of 100,000 signatures. Let's give an example. We are a much more populated country than you, obviously, and a tiny geographical region, but we still have parts of the country that not a lot of people live in. So let's say in Cumberland, in the north of England, there's an issue around fracking in a community of 30,000. If 15,000 or 20,000 of the 30,000 sign a petition expressing concern on this, I would sincerely hope the petitions committee would look at it very sympathetically.

Now, the chances are, to be honest, that the local member of Parliament would arrange debates on the floor of the House of Commons anyway, because obviously we all take an interest in what's going on in our constituencies. But that is why you do need that flexibility within the petitions committee to make sure that all voices are heard, not just the organizations that are best at marshalling those voices in the most densely populated areas, say London or Manchester or one of the big cities.

Mr. Scott Reid: Right.

A potential advantage of what you're proposing that occurs to me is that there's a tendency in our country—I suspect in all parliamentary democracies—that the issues that get most thoroughly discussed in Parliament are those that happen to be of interest to people who live in swing ridings, but they aren't necessarily the issues that are top of mind for Canadians or British subjects if one were to look at them through a metric other than that of electoral politics.

By extension from the system you've had so far, and therefore with your new system, do you anticipate a different cross-section of issues? Can you cite any different issues that simply would not have arisen under the incentive system that exists for MPs operating in the purely representative portion?

Mr. Charles Walker: Members of Parliament are very good at bringing forward issues relevant to their constituencies. We have adjournment debates for half an hour in the evening after the end of business. I brought things forward from my own constituency around, for example, mental health.

I think this is another tool. It's not owned by members of Parliament. Of course, the current adjournment and backbench debates are promoted by members of Parliament. This gives our constituents a chance to come together to get something on the agenda.

Would it be helpful if I just quickly gave you a few examples of what we've had debates on in the House—four or five headings?

Mr. Scott Reid: Yes.

Mr. Charles Walker: Here are some: holiday companies charging extra during school holidays; effects of welfare reform on sick and disabled people; stopping female genital mutilation in the U.K.; cervical cancer screening tests and the case of Sophie Jones; making Eid and Diwali public holidays; research funding and awareness of pancreatic cancer; ending the conflict in Palestine.

Many of those things, if not all of them, are extremely important. Without e-petitions, would they have gone unnoticed by the House of Commons? I'm fairly sure that at some stage in our parliamentary life they would have received a debate. Did e-petitions make sure that the debate happened earlier? Possibly they did.

Mr. Scott Reid: Thank you.

The Chair: I have Mr. Richards left on my speaking list.

Mr. Blake Richards (Wild Rose, CPC): This question follows up on the list of topics you've had debates on. I'm curious about the format of the debates. Is there a certain length to the debate, when they take place? What follows from the debate that happens on these issues that you've had petitions on?

• (1130)

Mr. Charles Walker: The debates take place in our secondary chamber, which is called Westminster Hall. I'm sure your clerks can get videos of it off the parliamentary website to give you an indication and flavour of how it works. The debates are for up to three hours. They don't have to last for three hours, but they're for up to three hours. Interested members of Parliament, obviously, will take part.

Do ministers open up these debate?

Mr. Huw Yardley: They reply.

Mr. Charles Walker: Ministers reply.

In a debate on the main floor of the House you will get ministerial statements from the front benches. You have the government and the opposition at the start, and then with these three-hour debates around petitions, the front benches wind up at the end, normally with about 10 to 15 minutes for each side.

Really, these debates are very much an opportunity for backbenchers to express themselves and for the government to listen and respond in a concise way.

Mr. Blake Richards: Okay.

So the debate takes place.... Outside the debate itself, is there any kind of response from the government, or does the debate and minister's speech in the debate constitute the government's response?

Mr. Charles Walker: I'll let Huw answer that.

Mr. Huw Yardley: Under the system that exists at the moment, the government gives a written response to any e-petition that reaches 10,000 signatures. The system the committee has proposed, with the petitions committee, proposes that the petitions committee might be able to take up any petition, whether a paper petition or an e-petition, that it thinks merits further action.

There are a number of things that it could propose happen, not just a debate. It might think that a petition that has not received a response from the government ought to get one and it can ask the government for one; or it might consider that the petitioners should come in and have the opportunity to give oral evidence to the committee, for example. So there is a range of possible actions that the petitions committee could take.

Mr. Blake Richards: And that's the current system you're speaking of now?

Mr. Huw Yardley: That's the system proposed by the committee. It's not the current system.

Mr. Blake Richards: What's the current system?

Mr. Huw Yardley: The current system is simply a governmentrun system, so the government has decided that at 10,000 signatures it will make a written response and at 100,000 signatures it will refer it to the backbench business committee that determines things for debate.

Mr. Blake Richards: Okay. Thank you.

Mr. Huw Yardley: There's one more point, which is that a time is set aside, Monday afternoons, for debates on the petitions in Westminster Hall, which is a parallel debating chamber, as the chair has said.

That's when most e-petitions get debated, but in the last session there were two e-petitions that the backbench business committee decided were important enough to be debated in the main chamber on a substantive motion. So there is that option as well and there will continue to be that option of debating an e-petition in the main chamber on the floor of the House in the system the committee has proposed. Mr. Blake Richards: Thank you. I appreciate that.

The Chair: Mr. Scott, please.

Mr. Craig Scott: Thank you, Mr. Chair.

I'd like to thank our guests for their very informative answers. I have no other questions. We're now at the stage of wanting to get into detail on this—and you've helped us an awful lot—and also, if we have time, to talk about Thursday's scheduling for the reform bill.

I have no further questions, but we're quite happy if anybody else has individual questions.

The Chair: It must be getting close to the holiday season. You're all getting along so well today. You've been very cooperative.

Thank you, Mr. Walker and Mr. Yardley.

• (1135)

Mr. Charles Walker: Not at all.

The Chair: It has been very special to meet another procedures chair who's as good as you are. That's fantastic. We should start a club of some sort.

Mr. Charles Walker: I think we should.

The Chair: We thank you for your help today. It will help us in looking at this motion. If you are fine with it we're going to let you go for the day.

Sorry, Mr. Scott, did you have something?

Mr. Charles Walker: Thank you.

Mr. Craig Scott: Yes, one quick comment. We've experienced this, Mr. Walker, as if we're listening to radio, and I have to tell you that you have a great radio voice. You could probably run a show on BBC, so consider that at some point.

Mr. Charles Walker: You are very generous. Thank you.

The Chair: Many of our constituents would probably rather see us do business this way, the audio only and not having to look at us.

We thank you for joining us today.

The committee will suspend for a couple of minutes while we go in camera.

[Proceedings continue in camera]

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