



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on Natural Resources

RNNR • NUMBER 005 • 2nd SESSION • 41st PARLIAMENT

EVIDENCE

Wednesday, November 20, 2013

—
Chair

Mr. Leon Benoit

Standing Committee on Natural Resources

Wednesday, November 20, 2013

•(1530)

[English]

The Chair (Mr. Leon Benoit (Vegreville—Wainwright, CPC)):
Good afternoon, everyone.

We're here today for two hours to review certain proposed appointees.

In the first hour we'll be looking at appointees to the National Energy Board. I'll read the motion and then the names of the individuals we will be reviewing in the first hour. The motion is as follows:

Pursuant to Standing Orders 110 and 111, and the motion adopted by the Committee on Wednesday, November 6, 2013, Order in Council appointment of Kenneth Bateman to the Position of Member of the National Energy Board, referred to the Committee on Tuesday, October 22, 2013.

As well as reviewing the appointment of Mr. Bateman, we will be reviewing the appointments of Shane Parrish, Dr. Ron Wallace, and Don Young as members of the board.

These are the four appointees we'll be reviewing in the first hour.

Gentlemen, you each have up to five minutes to make a statement leading up to the questions. We'll take those one after the other at the start of the meeting. Then we will open it up for questions and comments by members in the normal fashion.

We will start with the statements by the appointees being reviewed. We will start with Mr. Kenneth Bateman.

Go ahead, please, Mr. Bateman.

[Translation]

Mr. Kenneth Bateman (Member, National Energy Board):
Good afternoon, ladies and gentlemen. Let me introduce myself. My name is Kenneth Bateman and I have been a member of the National Energy Board since 2006.

I would like to begin by thanking the committee for the opportunity to talk about my qualifications and views as a member of the National Energy Board.

I will be answering your questions in English to ensure my answers are clear and precise. Thank you.

[English]

I have been fortunate to enjoy a career that has afforded me a variety of different roles, all of which I feel uniquely contribute to my participation in the independent, quasi-judicial role the board plays in Canadian energy regulation.

I began my career in law upon obtaining my bachelor of laws degree from the University of Alberta in 1984. My practice led me to increasingly specialize in financial and energy-related legal matters. My energy-related expertise included renewable power as well as biowaste remediation, and later the field of electricity.

I eventually served as senior counsel and then vice-president of legal for ENMAX Corporation, a utility. This gave me the opportunity to acquire depth and understanding of the importance of a transparent, fair, and balanced approach to regulated energy.

During the course of my practice, I was fortunate to gain exposure to and expertise in a variety of aspects of law and corporate operations. I find that these support the work I do at the National Energy Board.

Specifically, I developed a deep understanding of corporate governance, funding for large projects, environmental assessments, ethics, tribunal proceedings, energy regulations and deregulation, and of course all of the transactional work associated with these areas.

During the course of my career in the private sector, I took an educational hiatus and completed a master's degree in international business management at the American Graduate School of International Management. I was also an instructor at the University of Victoria in this period.

My focus has been on cultural fluency in international business, understanding regional contexts and international marketing in our own North American business context.

As you are aware, these experiences culminated in my appointment to the National Energy Board in 2006. I can say that my learning and professional development certainly have not ended. I have tremendously enjoyed learning about the public sector, and especially the Canadian regulatory framework, from this side of the fence.

I have been involved in many hearing days as a board member. I have sat for over 250 days. I am currently serving on the gateway pipeline application. In this context, the pipeline application has not yet been completed, nor have the reasons for decision been released. For that reason, I will not be in a position to answer any specific questions relating to the gateway decision.

What has affected me most in my board member role over these past six years is the responsibility to make decisions in the Canadian public interest. This opportunity and challenge has become the high point of my career. It has drawn upon all aspects of my legal, business, academic, and life experiences. It has required extensive travel across Canada, and has put me face to face with Canadians with diverse backgrounds and perspectives on complex issues that deeply affect their lives and their communities.

This diversity has been amplified by many different spoken languages, cultural traditions, economics, education, and social views. Through this I have gained a deeper capacity to be open-minded, neutral, and fully present through lengthy hearings, some of which span many days and weeks. It has required me to comprehend the positions of all parties and to carefully weigh all sides of an argument in order to come to a sound decision in the Canadian public interest.

In closing, on a personal note, I believe I am, and continue to strive to be, knowledgeable about the law, and particularly the Canadian regulatory process. I hold myself accountable to be fair and open-minded, to be a good listener, to ask questions that get to the heart of an issue, to write decisions that are clear and cogent, all of this leading to making decisions in the Canadian public interest that are informed and will stand up to close scrutiny.

• (1535)

Thank you.

The Chair: Thank you very much, Mr. Bateman, for your opening statement.

I want to thank all of you for being here by video conference from Calgary today. It is very much appreciated. It was a bit of a short notice, but I'm very pleased you've accommodated this.

Now we will go to Mr. Shane Parrish.

Please go ahead, sir. You have up to five minutes.

Mr. Shane Parrish (Member, National Energy Board): Thank you, honourable members. Good afternoon.

I welcome this opportunity to appear before the committee today to discuss my qualifications as a member of Canada's National Energy Board. I was recently appointed as a permanent member of the National Energy Board, on August 6, 2013.

I was honoured to be appointed to this well-respected organization, to serve this country in making decisions in the regulation of pipelines, energy development, and trade in the Canadian public interest.

As a member of the board, I bring to the table 24 years of experience in the area of community economic development in the Northwest Territories, eastern Arctic—now part of Nunavut—and northeastern British Columbia.

My experience is largely in working with first nations in the north, doing consultation, business development, and negotiations in the petroleum and mining industries. I have on-the-ground experience in all aspects of the upstream oil and gas industry. I have represented first nations clients in negotiations with major Canadian energy producers and pipeline companies, with a focus on benefits and

access and benefits agreements. I understand the importance of building positive and effective relationships as well as facilitating communications and cross-cultural understanding.

I was the CEO of the Acho Dene Koe Corporate Group, where I oversaw the growth and development of band-owned corporations and their relationships with oil and gas companies. This included ownership in pipelines. I also sat on the boards of first nation-owned companies and first nation-owned joint ventures.

In addition, I spent five years as an economic development officer with the Government of the Northwest Territories.

These varied roles and experiences eventually led me to work as a consultant for first nations, industry, and government in northeastern British Columbia, the NWT, and Yukon.

I should add that my experiences have not all been up north. I studied at the University of Calgary, where I completed my bachelor of arts in economics. My educational background also enabled me to live in Nova Scotia, where I completed a diploma in social development from the Coady International Institute at St. Francis Xavier University, a world-renowned centre of excellence in community-based development and leadership education.

As a manager, a CEO, and a negotiator, I have often been called in to work to reconcile divergent positions. My training in community-based development has provided me with a solid background throughout my career. I believe these experiences will serve me well as part of the quasi-judicial tribunal, the NEB. I understand the mandate given to us by Parliament, and I'm confident in the robust regulatory framework we have to work with.

In my short time at the board, it has become apparent that we as members are extremely well supported by over 400 knowledgeable and professional staff. The NEB's employees are, in my opinion, the jewel in the crown of the organization. In addition, I am surrounded by a wealth of knowledge and experience in my fellow board members, and I look forward to working with them and learning from them.

Thank you very much.

• (1540)

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

We go now to Dr. Ron Wallace, for up to five minutes.

Go ahead please, sir.

Mr. Ron Wallace (Member, National Energy Board): Good afternoon, Mr. Chairman, and honourable members.

My name is Ron Wallace. I would like to open by noting that I consider it a significant honour to be able to appear before you today and also to have been appointed just this very November to the National Energy Board. This board has an internationally recognized reputation as an independent and expert energy regulator, and I'm eager to serve Canada in my new capacity as a permanent member.

I'm prepared to answer any questions you may have for me, but first I would appreciate the opportunity to present a brief overview of my career.

I am proud of the fact that I am an environmental scientist with regulatory enforcement experience that has been gained across Canada, including on all three coasts of our nation.

I am originally from Saskatchewan. My education has included degrees from the University of Regina, the University of Saskatchewan, and subsequent post-graduate degrees from Queen's University and the University of Waterloo. I also have some training from Stanford University in the United States at the Stanford Graduate School of Business.

I began my career as a regulatory and enforcement biologist with Environment Canada and was based in the Northwest Territories where I carried out onshore and offshore inspections of exploratory drilling activities in the Mackenzie Delta and the Beaufort Sea. In that capacity I led precedent-setting environment prosecutions for environmental infractions, including those associated with certain northern mining entities. I was subsequently seconded as an adviser to the Berger Mackenzie Valley pipeline inquiry, and then served later with Fisheries and Oceans Canada as a research manager seconded to the Alberta oil sands environmental research program.

I also served on a secretariat for the Beaufort Sea Environmental Assessment Panel in 1985, and then subsequently led certain components of the eastern Arctic marine environmental studies program, where I was based for a significant amount of time in Pond Inlet on the northern end of Baffin Island. I subsequently managed the Alberta acid deposition research program, ADRP, and also, in association with independent medical researchers from McGill University, managed one of the world's largest and most complete environmental epidemiological studies, which was called the southwestern Alberta medical diagnostic review, which investigated possible health effects from gas plant emissions on people residing in southwestern Alberta.

I'll talk a little bit about my aboriginal corporate development and mediation experience. As a consultant where I was managing my own Alberta-based company, I led environmental mediations between aboriginal communities and their aboriginal associations and oil sands developers and the Alberta government on behalf of the Energy Resources Conservation Board, negotiations. This ultimately resulted in the successful formation of the highly competent Fort McKay Group of Companies, which also included an aboriginal-owned and operated environmental monitoring company, and extended to a buffalo ranching operation that was carried out on reclaimed mine grasslands in association with a large oil sands producer.

My experience with regulatory boards has included, most recently, being executive director of the Northwest Territories Water Board based in Inuvik. I have also worked with the Kitikmeot Inuit Association as the chief operations officer to help develop and incorporate the Nunavut Resources Corporation in Nunavut.

In the former role, I am proud to report that the NWT Water Board recently completed, under my leadership as the executive director, one of the NWT's largest regulatory licensing exercises in the past 20

years, with the successful completion of the licensing for the Inuvik to Tuktoyaktuk highway project, ITH, a project that is a key development in the Inuvialuit settlement region of the Northwest Territories.

The regulatory and licensing process for this significant project included the development of environmental information requests that were addressed to the proponent which led to public hearings in Inuvik and Tuktoyaktuk in early October. The regulatory and licensing process is aimed at ensuring that long-term sustainable environmental management is achieved for this project as Canada develops a road access network through this difficult permafrost deltaic region that will eventually extend north to the Beaufort Sea.

Now I'd like to touch upon my more recent roles in crafting new environmental regulatory and assessment agencies in Alberta.

• (1545)

Before my appointment to the NEB, I served as vice-chair of the Alberta Environmental Monitoring Management Board. That followed my having previously chaired the Alberta oil sands environmental working group, prior to which I served as a member of the Alberta Environmental Monitoring Panel.

The work of the Alberta Environmental Monitoring Management Board led to the successful tabling in Alberta of legislation, Bill 31, on October 28, 2013, to establish the first province-wide environmental monitoring, evaluation, and reporting agency. It is a pioneering legislative development, if not unique development for Alberta, and indeed for Canada.

I would suggest that through these and other related positions, I have gained experience in dealing with environmental management, energy regulation, and policy issues, especially related to the broader goals of achieving environmental monitoring and quality.

This professional work experience, I believe, has provided me with a strong basis to constructively work as an NEB board member to ensure that regulatory measures are designed and implemented to effectively and responsibly protect environmental and human resources that are potentially affected by energy developments in Canada. This, as you know, is a key mandate of the NEB.

In addition, I also have significant international and corporate board experience. My work has taken me to places such as Russia, Venezuela, and west Africa, where I have managed a major water resource development and environmental assessment program for the World Bank, the European Bank for Reconstruction and Development, and the Asian Development Bank. In that capacity, I managed one of the world's largest oil spill assessment and recovery programs associated with the rupture of the khoraga Pechora heavy oil pipeline near Usinsk, in the Komi republic of Russia.

I then subsequently led initial assessments and a consultation program with the Nenets reindeer herders associated with proposed Russian Bovanenkova gas field development programs on the Yamal Peninsula and the Yamalo-Nenets Autonomous Okrug of the Russian Federation.

My more recent experience also includes being appointed as a senior fellow to the Canadian Defence and Foreign Affairs Institute, where I authored numerous policy papers dealing with issues relating to Canadian Arctic security, sovereignty, and search and rescue matters.

In conclusion, I would like to repeat my genuine excitement about this new position with the NEB and my pride at being so appointed. From my prior experience working with northern regulators in association with the NEB staff through the northern board forum process, and from my short time that I have been here with the board, I have seen repeated demonstration of the professionalism of the staff and the fellow board members, all of whom have significant experience in a wide variety of disciplines of relevance to Canadian energy regulation.

My excitement also stems from a passion to ensure that the NEB continues to deliver to Canadians on its mandate as a fair and principled energy regulator that can demonstrate balanced and independent decision-making. In short, I mean science-based, transparent decision-making that weighs impartially the evidence required to find and deliver workable solutions in the public interest that ultimately benefits all Canadians.

I look forward to working with my colleagues and staff to achieve the NEB's stated goal of attempting to achieve zero incidents through the implementation of continuous improvement systems to deliver a safe, reliable, and trusted energy delivery system that works for the interest of all Canadians.

Thank you, Mr. Chairman.

• (1550)

The Chair: Thank you, Dr. Ron Wallace, member of the National Energy Board.

The final individual today whose appointment we will review is Mr. Don Young, again, a member of the National Energy Board.

Go ahead, please, for up to five minutes.

Mr. Don Young (Member, National Energy Board): Thank you, Mr. Chairman.

Good afternoon, honourable members.

I want to thank you for the invitation to appear before you today, and I look forward to answering any questions you may have. Before doing so, I would like to offer you an overview of the experience and qualifications I bring to my position as a member of the National Energy Board.

Let me begin by saying that it is indeed an honour to become a member of the NEB, effective September of this year. Although it is still early in my role, I have been consistently impressed by the professionalism, dedication, and quality of the work being undertaken by the board. In my view, this is clearly the result of a dynamic partnership between our talented and committed staff and fellow board members in pursuit of fulfilling the NEB's mandate.

To assist you in your own mandate to better understand my qualifications for fulfilling the role to which I have been appointed, I will offer you a brief overview of my background. Most fundamentally, my career has been built upon a foundation of

environmental science, coupled with a deep understanding of energy issues and affected stakeholders.

Academically, I have a bachelor of science degree in biology from the University of Regina and a master of science degree in zoology from the University of Alberta.

Upon graduation, my first job was to assess the environmental impacts of large-diameter pipelines throughout western and northern Canada. I went on to found a company called Environmental Management Associates, which was fully devoted to environmental, social, and engineering studies of energy, mining, and water projects. Importantly, this work involved extensive stakeholder consultation with aboriginal groups, environmental non-governmental organizations, landowners, and other potentially affected parties. That work also involved participation in complex regulatory hearings.

Environmental Management Associates eventually merged with a company called Golder Associates, a leading international physical and social science consulting firm. I was a principal with Golder, where I led environmental engineering and socio-economic impact assessments on an international scale, working across North America and South America, as well as in Europe, Asia, and the Middle East.

Our client base included natural resources extraction industries, but also aboriginal communities, NGOs, and federal...[*Technical difficulty—Editor*]...lines, to formulating water and sustainable agriculture policies and programs.

In 1995, I was chosen to become the executive vice-president and chief operating officer of Ducks Unlimited Canada. This role afforded me the opportunity to maintain my commitment to environmental and social science, but in this case from the perspective of a leading environmental and science-based non-governmental organization. Here I provided strategic direction for what is widely acknowledged to be Canada's most trusted and respected conservation organization. With a staff of more than 500 scientists and other professionals, and a membership base of nearly 100,000 representing every province and territory, we were able to deliver landscape-scale conservation initiatives across Canada. This is possible only through the development of strategic partnerships with federal and provincial governments, aboriginal groups, other NGOs, and various corporate supporters, including the energy industry.

In 1999, I was selected to become CEO and member of the board for Ducks Unlimited's international operations. Here I was able to continue to nurture Ducks Unlimited's reputation as a science-based, pragmatic, solutions-oriented NGO. Key initiatives here included developing continental conservation initiatives, pursuing leading-edge science research, and promoting key environmental policies within Canada, the United States, and Mexico.

The organization's culture of cultivating partnerships to magnify conservation impacts was central to our success. Here we engaged with first nations, global NGOs, governments, universities, and corporations to raise the needed dollars and to implement policies and programs to protect vital landscapes. Additionally, in my board capacity, I had significant fiduciary responsibilities in the areas of governance, ethics, safety, and reasoned and fair decision-making.

• (1555)

I might also note that during my tenure at Ducks Unlimited, my ongoing commitment towards continuous learning continued with my participation at Harvard Business School in education with respect to not-for-profit management.

In 2010, I was recruited to become the senior vice-president of corporate sustainability for Smith & Nephew, an 11,000-person, London-based international medical technology company. Here my role was to provide global sustainability leadership to improve the company's environmental, social, and economic performance in a highly regulated industry.

I developed and implemented Smith & Nephew's first comprehensive global sustainability strategy and a corporate citizenship community engagement strategy, led extensive stakeholder relations programs, and developed regulatory policies for sustainable practices. Additional responsibilities included directing day-to-day activities of the company's environmental health and safety programs worldwide.

I'm hopeful that this overview of my background will serve to affirm my career-long commitment towards science, sustainability, regulatory compliance, and reasoned decision-making. My new role with Canada's NEB is a continuation of this sustainable journey where we focus on the necessity of a strong, clear, and unbiased regulatory regime, based on protecting the public interest and balancing the economic, social, and environmental aspects of energy development.

My career, which includes an uninterrupted commitment towards environmental science, coupled with diverse perspectives and international experience, has equipped me to objectively state that Canada's energy regulatory framework is one of the strongest in the world.

I'm proud to be able to serve in my new capacity to help ensure that the National Energy Board effectively and efficiently fulfills this important mandate that we've been provided by Parliament.

Thank you very much.

The Chair: Thank you very much, Mr. Don Young, member, National Energy Board.

Before we go to questioning, there are a few things I'd like to point out to members. I want to remind you that under the Standing Orders the questions are limited to questions examining the individual's qualifications and competence to perform the duties of the office sought. Those are the limitations to questioning.

The chair can and will interrupt if there are questions that I deem to be irrelevant to the examination of credentials and qualifications.

There are certain other questions which, under the Standing Orders, are considered not to be appropriate, but rather than my trying to make a judgment on that, I'll let it go to the members, and in their good wisdom they can decide whether they'd like to answer those questions or not. I'm not in any way going to try to restrict members from asking the questions they would like to ask here today unless they're not relevant.

Any question may be permitted if it can be shown that it relates directly to the appointee's or the nominee's ability to perform his or her duties of office.

I have a reminder, of course, and the reminder was already given by one of the gentlemen today. They simply wouldn't be free to answer questions on any hearing that has not yet been made public. This is a public meeting, so I just remind you of that.

With those reminders, we will go directly to questions and comments. We'll start with the Parliamentary Secretary to the Minister of Natural Resources, Kelly Block. Go ahead, Ms. Block, for up to seven minutes.

Mrs. Kelly Block (Saskatoon—Rosetown—Biggar, CPC): Thank you very much, Mr. Chair.

Thank you for the opportunity to have heard the details of all of the individuals who are before us today by hearing about their experience. I want to welcome you here via video conference. I appreciate the fact that you've taken time to join us.

What is extremely obvious from all of you sharing your CVs and the experience you have is that there is a very diverse set of expertise and experience around the table. It's almost overwhelming to try to pick out what things to focus on when asking about your credentials.

A couple of things were mentioned. I do note that there are both full-time and part-time members on the National Energy Board. At least two of you said that you were pleased to have been appointed as a permanent member. Would you describe for me what that means, to have been appointed as a permanent member?

• (1600)

The Chair: Ms. Block, is that directed at any particular member?

Mrs. Kelly Block: Maybe it's for one or the other who mentioned they had either just been appointed as a permanent member or are a permanent member.

The Chair: It looks to me as though Mr. Bateman would like to answer that question.

Go ahead, please.

Mr. Kenneth Bateman: Good afternoon. Thank you for that question.

A permanent member is an individual who has been appointed for a term of seven years. Their day-to-day responsibilities are dedicated solely to the work of the board. In accepting that position, they are also required to surrender certain interests and activities that would otherwise be acceptable or appropriate. This is to ensure that at all times there are no conflicts of interest, that they are neutral, and that they are non-partisan.

Those who are part-time have assignments of a shorter duration, typically for a period of two or possibly three years. They are involved in particular hearings to which they are suited, and they are needed to assist the board in hearing work. They are not precluded from other work and activities that are appropriate, such as consulting and other work they might be involved in.

Thank you.

Mrs. Kelly Block: To follow up on that, typically do part-time members become permanent members? Can they become permanent members?

Mr. Kenneth Bateman: While that is possible, there would be a separate process in which they would apply or might be approached, but it would require a complete vetting process. Typically, though, those individuals who are part-time are able to participate from any area in Canada. We have part-time members whose homes and livelihoods are centred anywhere from the maritime provinces to the west coast. A full-time member, however, is required to reside in or near the National Energy Board office here in Calgary.

Mrs. Kelly Block: Okay. Thank you.

How many members are there all together on the board?

Mr. Kenneth Bateman: There are 16 members, permanent and temporary.

Mrs. Kelly Block: Thank you.

I'm going to drill down a little bit more. I'm not sure if I'll take up the full seven minutes I have. I'm going to direct some of my questions now to Ron Wallace.

I've chosen to direct my questions to you because I note that you graduated from the University of Saskatchewan. Since I am from Saskatchewan, that caught my eye right away. Nonetheless, I appreciated what you shared about your experience.

First of all, I want to note that your various appointments include vice-chairman of the Alberta Environmental Monitoring Management Board, to which you were appointed by the Alberta Minister of Environment and Sustainable Resource Development. You are also widely published on a wide range of scientific and national policy issues, and you have prepared presentations for standing committees at the Senate and the House of Commons. I'm wondering if you would like to pull from those things how they qualify you for the position that you are being appointed to.

The Chair: Go ahead, please, sir.

Mr. Ron Wallace: Mr. Chairman and honourable member, thank you very much for that question.

I may perhaps after this moment be known as the member from Moose Jaw, but so be it. I'm very proud of that.

I thank you for the acknowledgement of my university background. I think that the mandate of a board member, a permanent board member, is to be able to act as an independent decision-maker, one who makes decisions that are based on the facts of particular cases that are brought before the National Energy Board.

That whole focus as an independent decision-maker extends, in my view, beyond the issue of qualifications, either technical qualification or even a university qualification basis. In my view,

the nation's best interests are best served by decision-makers who can demonstrate balance, fairness, and at the same time capability to review the facts of the cases or the applications that are brought before it and look broadly down the field to try to craft decisions that are in the broader public interest of all Canadians, not just applicants or others who may be affected by it, but all Canadians.

Having done some of the things you touched on, I believe I have the capacity and capability not only to take that balanced view and bring technical qualifications to the table, but also to author reasons for decision and to understand that broader public interest.

I don't want to go too much further into it, but part of that background has been in working with a broad range of aboriginal and northern communities in the last 30 years, as you've seen on my CV. The privilege of working not only east-west but north-south across those cultural dimensions, I think, has given me a humility in the face of the interests of all Canadians, all Canadians meaning all Canadians from east to west and north to south.

I don't know if I've answered your question adequately, but my view is that I hope I've demonstrated that capacity for balance and fairness.

Thank you.

• (1605)

Mrs. Kelly Block: Thank you very much, Dr. Wallace, and I'll just make one closing comment.

It's my understanding that permanent members reside in Calgary, Alberta. Is that correct?

Mr. Ron Wallace: Mr. Chairman, yes that is correct. All of the current permanent members are based in Calgary, and as member Bateman mentioned, we have a large number of temporary members who are spread across the country. That's correct.

Mrs. Kelly Block: While you may have been conflicted last Sunday while watching the football game, perhaps this upcoming Sunday you'll be cheering for the Roughriders.

The Chair: That question is out of order. I don't think it's appropriate to ask the member which football team he's rooting for, nor is it necessary—he's from Saskatchewan.

Voices: Oh, oh!

The Chair: Thank you very much, Ms. Block.

Mr. Julian, you have a bit more than eight minutes. Go ahead, please.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Thank you very much, Mr. Chair.

I'm glad that all of you are joining us from Calgary. I will say that we're very sorry the Stampeders lost last week. I was cheering for the Stampeders after the Lions went out. Now I'll have to cheer for the Roughriders.

Welcome and thank you for being with us.

I want to start off by asking all four of you something, because the board posting is very clear:

The principal role of Board Members is to make independent decisions in the Canadian public interest in the area of energy regulation.

That's from the actual posting from the NEB.

As you know, we have had in last year's budget a major shift in how the NEB operates. Now there is a cabinet override. That cabinet override allows the federal government to override the NEB decisions.

I want to ask each one of you, do you not feel that having that cabinet override impacts on the independent decisions that are supposed to be taken by the NEB in the area of energy regulation?

The Chair: Mr. Julian, I'm going to rule that question out of order, and here is the reason. As I stated at the start, we're here to look at the qualifications and the competence of the members. You're asking about a government policy, and it is not the role of the members of the committee to determine or to even comment on government policy as such.

Please focus your questions on their qualifications and competence. I don't know whether you can reword that question so that it would work, but I can't think of a way.

• (1610)

Mr. Peter Julian: Mr. Chair, it does say that the principal role is to make independent decisions, so the question is very simple. Given the very good panel that we have in front of us, do these members, who have good qualifications in terms of energy policy, feel that this has been impacted by the budget bill that allows cabinet override?

That certainly is a very valid question. I don't see any difficulty at all in asking competent individuals a question that's directly related to their primary role on the NEB.

The Chair: It would be an appropriate question if they were here as witnesses dealing with an issue that this applied to, but we're here today just to ask questions about the individuals' qualifications and competence, and that question does not, Mr. Julian.

Perhaps you could ask a question that really does drill down and ask for information on qualifications and competence. That's the purpose of the meeting today.

Mr. Peter Julian: Well, Mr. Chair, again I will say, and I'll rephrase it so that you can't cut me off, that it's—

The Chair: Ms. Block, on a point of order.

Mrs. Kelly Block: On a point of order, Mr. Chair, according to page 1049 of O'Brien and Bosc, a decision made by the chair is not debatable.

I believe the chair has made a decision, ruled your line of questioning out of order, and indicated that he'd like you to choose a different one.

The Chair: Thank you very much, Ms. Block. I do appreciate that.

I just thought I'd again point out to Mr. Julian that the question isn't within the scope of the questioning we have here at this committee meeting today, which deals with qualifications and competence.

You're certainly welcome to ask members of the government, ministers or whoever, that question if they are witnesses before this committee sometime in the future, but it does not apply to this meeting today. It is not in order for this meeting today because it doesn't deal with the qualifications or competence of the appointees.

Mr. Peter Julian: I'm sorry, Mr. Chair, but this is absurd. When we're talking about the principal role of board members, then their being questioned on that principal role and how they feel it's impacted is absolutely in order, and you're well aware of that, sir.

Mr. Bob Zimmer (Prince George—Peace River, CPC): A point of order, Mr. Chair.

Mr. Peter Julian: I will ask again, Mr. Chair, to these appointees—

The Chair: Mr. Zimmer, on a point of order.

Mr. Bob Zimmer: I don't know how it can be made any clearer, Mr. Julian. We're dealing with the qualifications of the board members. That's why they're here today, and you know that.

The Chair: A point of order comes through the chair.

Mr. Bob Zimmer: Yes. Sorry, Mr. Chair.

The Chair: If you want to make a point of order, please direct it to me. Then I will ask Mr. Julian to carry on within the parameters of this meeting.

Mr. Bob Zimmer: Mr. Chair, I would like to reiterate what was already said about the purpose of this meeting today, which is to talk about the qualifications of the board members specifically and exclusively. That, I think, is fairly clear, and I think you have made that clear as well. I would appreciate that it be taken into effect.

Thanks.

The Chair: Thank you, Mr. Zimmer. That is correct, and I think Mr. Julian knows that.

Go ahead, please, Mr. Julian, with questioning dealing with the qualifications and competence of these members.

Mr. Peter Julian: According to their skills and competence, how do the changes to the NEB structure, in the budget bill of last year, impact on the independence of the NEB?

I'm asking all four members.

The Chair: It's getting closer, Mr. Julian, but—

Mr. Peter Julian: It's close enough, Mr. Chair.

The Chair: Just ask your question again, Mr. Julian. I want to hear it again.

Mr. Peter Julian: How do the changes brought about in the budget bill last year impact on the independence—

Sorry. I apologize to our members. This is a little comical, but this is how Ottawa functions sometimes.

How does that have an impact on the independence of the National Energy Board?

The Chair: That does not, Mr. Julian, deal with the qualifications or competence of the board members.

Mr. Peter Julian: Of course it does.

The Chair: It's not an appropriate question for them to answer in this meeting today.

Mr. Peter Julian: Mr. Chair, in the way that we would ask about any other aspect of energy policy, of course it's directly related to their job. In fact it's their principal role.

It is impossible, and anyone listening in would see it as impossible, to subtract that from the work they do on a daily basis. It's related directly to their competence and skills. It's their principal role.

I'm simply asking a question about how they feel the changes that were brought in the budget bill last year impact on the independence of the NEB.

• (1615)

The Chair: We can have a long discussion on this, Mr. Julian, but your time is going to run out.

Mr. Peter Julian: Mr. Chair, none of this.... No, I'm sorry, you cannot steal away an opposition member's time in the way that you're doing.

The Chair: I've made a ruling, Mr. Julian, and I asked you to word a question—

Mr. Peter Julian: And I have—

The Chair: —dealing with qualifications and competence. Again, whether there is a way you can word that to—

Mr. Peter Julian: —in simply asking them how it is that—

The Chair: —deal with qualifications and competence, I'm not sure—

Mr. Peter Julian: Would you prefer that I said, does it impact on the independence?

The Chair: Order, Mr. Julian. Please wait until I'm finished saying what I want to say. Then you can go ahead, but you're going to run out of time if you keep arguing.

Mr. Peter Julian: Does this impact?

The Chair: Just ask the question.

Mr. Peter Julian: Does this impact?

Mr. Bob Zimmer: Point of order, Mr. Chair.

Mr. Peter Julian: Does the budget bill have an impact on the independence of the NEB?

The Chair: On a point of order, Mr. Zimmer.

Mr. Bob Zimmer: On a point of order, I would ask the chair if it would be appropriate to ask a question about a particular project before us, and I think the answer clearly is no, because this meeting is about the qualifications of the board, and I will not ask a question because it's not relevant to this conversation today.

Mr. Chair, I would request that if the member opposite cannot change his question, we move on.

Thank you, Mr. Chair.

The Chair: Mr. Julian, you have about.... The clock should be moving.

A voice: No.

The Chair: Oh yes, that was a point of order and it's appropriate to stop the clock.

You have about two and a half minutes left, Mr. Julian.

Again, focus on the qualifications and competence of these members whom we are asking questions of today.

Mr. Peter Julian: Well, actually, I have about six minutes, Mr. Chair, but—

The Chair: Go ahead.

Mr. Peter Julian: It's pretty outrageous, and I think it's fair to say that anyone listening would see it as such.

I'll move on because there are a whole bunch of questions we want to ask these candidates. They are very qualified.

We appreciate your being available.

One question that is traditionally asked in these kinds of situations is the question you alluded to, Mr. Bateman, when you talked about partisan and non-partisan in terms of approaches.

I'd simply like to ask you, since we have no record of political involvement, if any of you have made contributions to the Conservative Party at the provincial or federal levels over the last few years.

The Chair: Before you answer that question, Mr. Bateman, that's an area of questioning.... The party that you might support or the political party or parties that you might contribute to is stated to be outside the scope of questions that should be asked at this committee, but that's one of those questions I will put to you and your good wisdom. You can choose not to answer it, and I can't imagine that it would reflect badly upon you, or you can choose to go ahead and answer it. It's up to you entirely, sir.

Mr. Kenneth Bateman: I will answer that question, thank you.

I have never belonged to any federal government party. I have never raised money nor have I ever made a contribution to any political party at a provincial or federal level.

Mr. Shane Parrish: I have never been a member of any political party, federal, provincial, or territorial. I have made contributions to all three of the parties represented today.

Mr. Don Young: I similarly have not been a member of a federal political party, nor have I made donations.

Thank you.

Mr. Ron Wallace: I have a similar answer.

I would go further to say that since my short time at the NEB, there are requirements for board members to maintain their independence and demonstrate that not only with their business, but also their political and social dealings. I'd like to report that in the short time, the 20 days, that I've been here since my appointment, I'm moving ahead to put in place the requirements that will meet or exceed the requirements I expect out of all permanent board members.

Thank you.

The Chair: Thank you very much, gentlemen.

Mr. Julian, you have time for one more short question, if you like.

Mr. Peter Julian: Thank you. There is public concern. I thank each of you for responding to that question.

There's a concern about the increase in pipeline leaks and spills in this country. There have been questions in Parliament.

I'm wondering if you think there's a role for the NEB to address—

Mr. Bob Zimmer: Point of order, Mr. Chair.

Mr. Peter Julian: —what has been a significant increase in the number of leaks and spills over the last few years.

Mr. Bob Zimmer: Point of order, Mr. Chair.

The Chair: Again, Mr. Zimmer, on a point of order.

Mr. Bob Zimmer: Yes, again, I know that Mr. Julian is—sorry, Mr. Chair. I think the honourable member is quite qualified as a lawyer, but I don't think he fully understands the purpose of this meeting today, which is to talk about the qualifications of the board members of the NEB, because he keeps straying from that particular line of questioning. I don't think that's relevant to today's discussion.

• (1620)

The Chair: Thank you, Mr. Zimmer. I was going to point that out.

Mr. Julian, your time is up.

Go ahead please, Mr. Regan, for up to eight minutes.

Hon. Geoff Regan (Halifax West, Lib.): Thank you very much, Mr. Chairman.

Thank you to our witnesses today. It's great to have you with us. You do have impressive qualifications. I'll do my best and I hope you'll be okay with my questions, Mr. Chairman.

Could each of you tell us how you feel your qualifications assist you in increasing confidence in the NEB regulatory process that you are to be involved in? Considering that across the country you have protests and concerns, and reactions of course to things like seismic testing, fracking, pipelines, etc., it's obviously a very contentious area, how do your qualifications help increase confidence in the process?

The Chair: Go ahead please, gentlemen, whoever would like to answer that.

Mr. Kenneth Bateman: It's Kenneth Bateman, first.

In response to that particular question, my background as shown in my resumé is from the corporate sector. I have extensive experience and years involved in the mechanics of corporations, the financial aspects of them, the compliance with regulatory requirements, the safety, etc. I bring to the board that depth of understanding and experience that assists me as a panel member to correctly analyze and to consider applications to ensure that they're thorough and complete. It would assist me to identify where an application is approved what types of conditions would be required and where companies would be held accountable and how they can be held accountable.

Thank you.

The Chair: Would anyone else like to answer that question?

Go ahead, please, sir.

Mr. Shane Parrish: It's Shane Parrish.

Thank you, honourable member, for the question. I think I'll go back to my time in Antigonish at the Coady International Institute and the cross-cultural education and training that I received there. It was very beneficial

Hon. Geoff Regan: That's a good start.

Mr. Shane Parrish: After graduating I went to the eastern Arctic and later on to the Northwest Territories. There's my work in education in various locations throughout Canada and varying cross-cultural conditions. These are experiences I've enjoyed very much, living, working, and being with people all over the north and south of Canada. I believe my understanding of the north and indigenous peoples, as well as other educational backgrounds that I have had and continue to have, allow me to help in this understanding of the decisions that we have to make.

Thank you for the question.

The Chair: Mr. Regan, do you want answers from all four?

Okay, go ahead, please. Who would like to answer the question next?

Mr. Don Young: This is Don Young. I'm delighted to be able to respond, and thank you, honourable members, for the question.

First, with respect to the subject of confidence, I would simply reflect back on some earlier comments that are background based. I'm grounded in good science. That allows me to form objective evaluations of matters brought before me and to use those reasonings to analyze data and form a constructive opinion.

Second, a significant subject in the mandate of the National Energy Board and indeed the area of highest concern to the board, is the subject of health and safety for Canadians. In my previous professional roles, I've had direct global responsibility for dealing with matters related to the health and safety of employees in a highly regulated environment and consider that to be a significant asset.

Third would be in the area of extensive stakeholder consultation. As we know, for projects under the mandate of the National Energy Board, we are dealing with Canadians with interests in these projects from all walks of life, with a variety of different perspectives, various cultural considerations. My experience has allowed me to work with Canadians in every territory and province of the country with significant cross-cultural considerations as well.

Last, in a board capacity, my substantial board experience has equipped me to address matters that require deep fiduciary responsibility experience. I believe that should be of some assistance to the board.

Thank you.

• (1625)

Mr. Ron Wallace: Mr. Chairman and honourable members, I'm delighted to respond to that.

My training as an environmental scientist allows me to bring to the table the discipline and objectivity that's required to look at technical matters and make decisions. My regulatory enforcement experience has given me a broad range of experience in dealing with due diligence matters and matters that have been brought before the courts. Last, my experience with corporate and regulatory boards has allowed me to experience the kind of discipline and balance that's required, I think, at the National Energy Board to assess information brought before us as a panel, to make decisions based on the evidence, and to communicate decisions made in the broader public interest.

I think those three corners of my background contribute not only to answering your question, but also to the strengths of the National Energy Board.

Thank you.

The Chair: Thank you very much, gentlemen.

Mr. Regan.

Hon. Geoff Regan: My second question has been answered. I was going to ask Mr. Parrish about the great benefits of his time at St. Francis Xavier, but he's answered that part already.

This is not a job interview, but when I'm interviewing people to work for me, one of the questions I often ask is: Can you give me an example during your past career of having stood up to someone in authority?

The Chair: That would be in order. It's to do with qualifications and competence.

Go ahead, gentlemen.

Mr. Kenneth Bateman: As you can appreciate, the board is composed of a group of individuals who are independent, who are skilled and knowledgeable in their areas. We don't always agree. We meet and we listen carefully, and we draw on the expertise that our staff provides to us, but at the end of the day, we must make decisions that we believe are correct.

In board settings I have dissented in certain circumstances and it has not always been comfortable, but I have done so because I have weighed carefully all of the facts and information before me. On some of those occasions, I have stood alone but confident that I have honoured my conscience and made a decision that I believe is correct.

Thank you.

The Chair: I don't know who would like to go next. Go ahead, please, gentlemen, in the order you choose.

Mr. Shane Parrish: When you work with first nations, I think that happens pretty much every day. I can't think of a specific example at this moment. It seems as if you're always fighting for something. I hope that's adequate for your question.

The Chair: Thank you.

Go ahead.

Mr. Don Young: Mr. Chairman, providing there's adequate time, I'll be happy to respond.

I would offer this observation as a scientist, academically and professionally. Science by its very nature requires and in fact encourages vigorous debate over often complex, controversial subjects. This has been a cornerstone of my career.

In the spirit of the way the board operates, we expect vigorous debate, but we also strive towards consensus, considering that is often the best way to get to conclusions in complex situations.

• (1630)

The Chair: Thank you.

We have very little time, so please give us a very short answer.

Mr. Ron Wallace: Thank you, Mr. Chairman. I'll be very brief.

Yes, I have encountered that. I could give you a list of items.

In my opening remarks I discussed my time as a regulatory enforcement officer. In the early part of my career there were many times when, in order to make a decision, I had to look objectively at the law of environmental enforcement as well as the data that we were receiving as enforcement personnel. On numerous occasions I came to a decision, even though things may have been embarrassing and difficult, that an enforcement action was necessary.

I'd like to conclude by saying that in every one of the numerous actions I took in those days, including some major prosecutions in the north that received national attention, we were successful in getting to court and in getting a conviction for the offences. It doesn't sound like it at times, but when you're a young regulatory enforcement officer working for the first time on a new career, these decisions can be life changing. I was pleased to be able to go through that tunnel and come out the other side for the betterment of all Canadians.

Thank you, sir.

The Chair: Thank you.

The time listed on the agenda for this part of the meeting is up. When we discussed this, we had talked about a little bit of flexibility. Does the committee want to go another five or ten minutes with these particular witnesses? It could be done.

Some hon. members: Agreed.

The Chair: Okay, I see agreement so let's not waste any more time.

We'll go directly to Mr. Zimmer. If we're going to go ten minutes, we'll take five each. Go ahead, please.

Mr. Bob Zimmer: Again, thank you for appearing before committee today.

I don't know if you know where I'm from, but I'm from northeastern British Columbia. Gas and oil and forestry are what we do in my constituency. I'll bring the relevance to your qualifications right away.

Some of these big projects either originate in my riding or they go through my riding. On behalf of my constituents, I want to ask what gives you the qualification, and back it up with some background, possibly, to make the decision on the gravity of the importance of those particular projects to the region? I say that with the understanding that I know you're limited by qualifications. I'm just asking you, based on your qualifications, what gives you the ability to make such grave decisions that affect so many people in the riding?

Perhaps you could all answer that question, please.

The Chair: Perhaps each of you could limit yourself to one minute. That's the way it works sometimes at committee. Go ahead, please, in the same order as the last question, if you would like to do it that way.

Mr. Kenneth Bateman: It's member Bateman. Thank you for that question.

In response, I have conducted National Energy Board hearings for the past six-plus years.

I have sat on the gateway hearing. In that regard, I have been required to be a thoughtful and a careful listener and to take significant amounts of evidence and information and to weigh it with my colleagues in a manner that is appropriate, that is lawful, and is reflective of the public interest. That experience cumulatively has given me the depth and the experience to identify the correct issues, to be able to gather the correct and needed information and evidence in order to go through the process of making a decision. It has required me to acquire a level of technical knowledge and expertise in the design, construction, and operation of a pipeline, to have the environmental expertise and the support, where needed, in order to make a proper analysis and ultimately, to take that information and to weigh it.

I believe my prior experience and my training as a lawyer allows me to objectively and neutrally weigh all of those factors, balance them in a way that will come to a conclusion, simply stated, to then ask the question: would Canada and Canadians be better off with this particular project or without it?

Thank you.

The Chair: Yes, go ahead, please, sir.

Mr. Shane Parrish: Thank you for the question, honourable member.

I lived for seven years in Fort Liard, which is just down the road from Fort Nelson, although it is in the Northwest Territories. I spent a lot of time in Fort Nelson. I spent a lot of time in Fort St. John. Some of my clients included Treaty 8 Tribal Association, Fort Nelson First Nation, Fort Liard first nation. I've gone all over the Horn River Basin. I've gone all over the Liard Basin. I have your dirt under my nails. How is that? I'm pretty familiar with your area, your region, and I always will be.

Thank you.

• (1635)

The Chair: Okay, go ahead.

Mr. Don Young: This is Mr. Young responding to the question. Thank you, honourable member.

I would say simply that I understand the geography, the people, and the environment based upon a variety of work experiences over the years. They include two not necessarily competing, but different, perspectives. One is that of understanding the implications of energy development in northern British Columbia, and evaluating that from an environmental and social impact assessment perspective with industry, particularly related to pipelines. Two, in my environmental non-government organization leadership capacity, a significant part of our work during my tenure with Ducks Unlimited was focused on understanding the importance of that environment, the people who depend upon it, and how to effect long-term protection of those important landscapes for Canadians. I think it's a companion set of perspectives that provide the kind of balance that is required for forming reasoned decisions to benefit Canadians.

Thank you.

The Chair: Thank you.

Doctor.

Mr. Ron Wallace: Mr. Chairman, and honourable member, thank you for the opportunity to respond.

I think it's important for us to acknowledge that we, as board members of the National Energy Board, are looking at case-specific information that is brought to us on project-specific materials put before us. In that kind of setting, while testimony and evidence brought forward to the board may be passionate, is it well-based, is it science-based, and does it persuade?

What I would like to say is by example, since I don't have direct experience in your specific region, honourable member.

In my opening statement I talked about my recent work with the Inuvialuit settlement region of the Inuvik to Tuktoyaktuk highway. I had a significant role in assisting board members in setting out the approvals and requirements for that licensing process. This project was announced by the Prime Minister this summer. There is tremendous support for this in the Inuvialuit settlement region. Nonetheless, the board was required to set out terms and conditions of the licence for the construction and operation of that highway that met much broader concerns of all Canadians that they be informed and that this project be built, managed, constructed, and operated in a way that would be to the long-term benefit of not only the immediate people in the region, but all Canadians.

I'm very pleased to say that if that experience I've had this year is reflected in the work I'll do with the National Energy Board, I'm very confident I'll be able to deliver on the promise that has been made to you.

Thank you.

The Chair: Thank you very much.

Finally, Ms. Duncan, for about six minutes. Go ahead, please.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Thank you very much.

I want to thank all four gentlemen for appearing, I wish you could have been here in person. Some of you may recall being at energy hearings with me during my 10 years as an environmental lawyer in Alberta.

I have to say right off the bat that I'm very impressed with the increasing appointments of people with scientific background. Kudos go to the government for appointing people with these credentials.

The questions I'll put to you deal with the potential for conflict and bias because of your credentials, and I'll try to make them specific to make it easier for you to answer.

A specific question would be for Mr. Parrish. I'm delighted to see all of your northern and aboriginal experience. It looks like most of it is with first nation corporations, as opposed to communities. I'm wondering if you anticipate any potential bias or conflict during hearings that might involve the same first nations or Inuit corporations.

• (1640)

The Chair: Go ahead, please, sir.

Mr. Shane Parrish: Thank you, honourable member, for the question.

Yes, I have worked a lot with first nations, mostly, as I say, in northeast B.C., NWT, and Inuit and eastern Arctic. I also have an education. I went to the Coady International Institute at St. Francis Xavier. I also have a B.A. in economics from the University of Calgary. I have worked extensively with first nations. I've also worked with industry and I've worked with government. I think that's it, industry and government. I was manager of business development for Canadian Petroleum Engineering.

We all bring to the table different areas of expertise. We rely on each other to a certain extent when we're appointed to a panel or a board, and we draw from each other's expertise. We also—what's the word I'm looking for here? Success is based on being able to see different perspectives and it has to be beneficial to everyone, not only to one party.

That's what I have to say. I base my success on my previous work environment.

I hope that answers your question.

Ms. Linda Duncan: Okay, thank you. I'm not sure that answers my question.

My second question is for Mr. Bateman.

I note that you served as the vice-president of legal for ENMAX. Do you foresee any conflict or potential for allegations of conflict or bias if you sit on any electricity export applications?

Mr. Kenneth Bateman: I don't. I believe I have a clear understanding of the requirements to be neutral and to be impartial. The training that all board members receive, both by experience and by practical direction, stipulates that the board is quasi-judicial. That means we are independent and we must at all times ensure we are free from bias. As that is ingrained into us, we have the capacity and the discipline to ensure that when we're required to make decisions, we separate ourselves from those potential inclinations or risks. I

believe when we are serving the public interest in particular, we must do so, and I believe that practice will carry forward into any other responsibility in the future.

Ms. Linda Duncan: Mr. Bateman, I also note, and I am encouraged by this, that you state in your CV that you have a sound understanding of aboriginal law as well as related constitutional principles. Given that knowledge, do you view that part of your mandate in the NEB would be to make determinations on aboriginal rights and title, and do you feel you have the qualifications to do that?

Mr. Kenneth Bateman: Thank you for that question.

I do have an expertise on the legal dimension of that. It is important, though, that the board does not make a determination, nor does it have jurisdiction to make determinations with respect to questions of title. That's a constitutional matter. It, at times, creates confusion and frustration in the hearing process, a scenario in which I believe the board strives to ensure that there is appropriate engagement, which is different from crown consultation. While I believe that my expertise covers the breadth of that, it also provides me with the clear capacity to understand the distinction, and to bring that knowledge and skill to decisions, into the hearing room, and also to assist board members as they make decisions as a panel.

Ms. Linda Duncan: I'd like to go back to Mr. Parrish.

You have extensive experience in working with northern aboriginal communities. Do you see your experience and credentials as equivalent to the appointment of an aboriginal representative?

• (1645)

Mr. Shane Parrish: Oh, boy. I'm not sure how to comment on that. I will say that there have been aboriginal members appointed to the board. Is that equivalent to appointing an aboriginal representative? I don't see things that way, I guess. I'm who I am, and I'm quite happy with who I am.

Ms. Linda Duncan: I'm not questioning you. You obviously have a lot of high credentials. I guess my question is that it is very clear from your resumé that you've had a lot of experience in the north and with aboriginal communities, and I presume that's part of the reason for the appointment. I'm just wondering if you feel comfortable with that, and if those are the credentials upon which you've been appointed.

Mr. Shane Parrish: I think the question of my appointment is better asked of the people who hired me. Why they chose me or didn't choose me is a question better posed to them.

Ms. Linda Duncan: That's a very fair response, and we wish we could.

Thank you.

The Chair: Thank you very much for that response.

Thank you all, gentlemen, very much for being here today, for your short presentations, for giving background on yourselves, and for the answers to the questions. We do appreciate all of that very much. Your participation in the meeting is now over.

The committee, however, has some business to conduct.

Before we suspend to go to the second session, you've all received a copy of the motion that we can pass today. Would it be agreeable to all members of the committee that we just put all four names into the motion and deem them to have been dealt with separately, for the sake of time? Is there agreement on that?

Some hon. members: Agreed.

(Motion agreed to)

The Chair: Thank you all very much. Those appointments will be reported to the House.

Were there some questions?

A voice: Was the motion carried?

Ms. Kelly Block: Do we have to make a motion?

The Chair: I just deemed it to be carried. I asked if everybody had read the motion, and I asked if it was agreed that all four names would be dealt with together. We could deal with it separately if you'd like, but it does the same thing and that's why I asked for consent.

Thank you very much.

We will suspend this meeting until we get our next witnesses in place. Then we will have roughly three-quarters of an hour to have them make their presentations and ask them questions.

• _____ (Pause) _____

•

• (1650)

The Chair: Okay, let's reconvene the meeting. We will start the second half of our meeting.

Rounds will be five minutes, but the same order as if we're starting a meeting. Is that agreed?

A voice: Yes.

The Chair: Okay, what we will do then is have five minutes of questioning, no seven-minute rounds, but we will proceed in the same order as though we were starting a new meeting. Very good, and Mr. Regan gets an opportunity to ask questions, too.

Today by video conference we have from Waterloo, Ontario, Mr. James Laurence Balsillie, who has been appointed chairperson of the Canada Foundation for Sustainable Development Technology. Welcome to you, sir.

Mr. James Balsillie (Chairperson, Canada Foundation for Sustainable Development Technology): Thank you very much.

The Chair: We also have with us today by video conference from Toronto, from Atomic Energy of Canada Limited, Mr. James Hall, who has been appointed director.

We are going to examine these two appointments together, so I will ask each of you gentlemen to give a roughly five-minute opening statement laying out your backgrounds, your qualifications, that type of thing, and we'll start with Mr. James Balsillie.

Go ahead with your presentation, please, sir, for up to five minutes.

Mr. James Balsillie: Thank you, Mr. Chairman.

Thank you to the members of the committee for giving me the opportunity to appear today. It's an honour to appear with such a distinguished group, and with another distinguished appointee like Jim Hall.

As you likely know, I have a deep interest and experience in taking concept technologies to global markets. What you may not be aware of is my profound interest in energy and sustainability both here in Canada and globally. Having represented both Canada and the global private sector on the United Nations Secretary-General's High-level Panel on Sustainability and founding and chairing the Centre for International Governance Innovation, I've contributed to leading discussions on striking the right balance between immediate economic pressures fuelling global growth and ensuring that our planet remains sustainable for generations to come.

Sustainable Development Technology Canada, or SDTC, is a natural crossroad for my various interests, experiences and skills, from the commercialization of clean technologies to the broader public policy surrounding competitiveness. The fact that SDTC exists and was recapitalized in Canada's economic action plan in 2013 to the tune of \$325 million over the next eight years was, in my eyes, a clear signal from the Government of Canada. It was an indication that they're serious about ensuring that we, Canada, have a balanced energy portfolio and that we are committed to investing in economically viable clean technologies to power our country and the world in a sustainable fashion for generations to come.

When the opportunity arose to serve as chairperson of SDTC, I felt a deep sense of pride. It was pride not only to serve Canadians, but also to assist the entrepreneurs SDTC works with every day for trail-blazing in technologies that have the potential to create high-skill, high-paying jobs in communities across Canada.

Since the Government of Canada announced my appointment as chairperson of SDTC earlier this year, I have immersed myself in the organization. It has become clear to me over the past few months that the projects SDTC invests in are helping to commercialize innovative technologies, capitalizing private sector investment, delivering a quantifiable environmental impact, and employing more and more Canadians in the clean-tech sector.

There are many parallels between the work I'll be doing with SDTC and my previous professional experience. Technological innovations can transform whole industries. They often encounter competition, and are faced with many potential pitfalls along the way. SDTC gives small and medium-sized enterprises opportunities that would otherwise be lost in the innovation gap. The organization is playing a vital role in helping to bridge the gap for innovative technologies that need a boost to get from the laboratory bench to commercial viability.

SDTC is adding value to the clean-tech sector in Canada and is much more than solely the investments they make in early stage technologies. For leading academics, financiers, entrepreneurs, and government officials, it serves as a hub to incubate ideas and technologies. The organization's experts follow these projects from their first application right through to completion. After investing in their project, SDTC helps companies raise the necessary financing and secure that important first customer. With one of the largest portfolios of clean-tech companies in the world valued at over \$2 billion, SDTC is helping Canada maintain its global leadership position in the field, and the organization is delivering tangible results. Twenty-two SDTC-supported companies currently in the market are projected to have \$5 billion in revenue and create 24,000 jobs by 2015.

I must take this opportunity to say that from what I've observed, SDTC is doing all of this in a frugal fashion. The management team is committed to ensuring that they are a pan-Canadian organization accountable to Parliament and to Canadians. They've also demonstrated to me that they are committed to strong oversight of the companies they fund, while limiting excessive overhead expenditures so that the dollars they have can be maximized. From my experience, these are all vital components of successful organizations.

Let me conclude my remarks by saying that risk-taking contributions to Canada's competitiveness and global sustainability are recurring themes throughout my career. I have an affinity for SDTC, its mandate and its people, because I believe we share these traits.

- (1655)

The entrepreneurs that SDTC invests in have taken a major risk personally and professionally to bring their innovations to market to the benefit of all Canadians. SDTC has a strong track record for delivering economic and environmental benefits for the Government of Canada and Canadians.

My hope is that I can play a part in helping the clean-tech industry in Canada in a way that contributes to sustainable economic growth for generations to come.

Thank you again for the opportunity to speak with all of you today. I'm certainly pleased to answer any questions you may have.

Thank you, Mr. Chairman.

The Chair: Thank you very much for your presentation, and indeed for being before the committee by video conference today.

Now we go to our second witness in this second hour, Mr. James Hall, appointee as director of Atomic Energy of Canada Limited. He is with us from Toronto by video conference.

Go ahead please, sir, with your presentation for up to five minutes.

Mr. James Hall (Director, Atomic Energy of Canada Limited): Thank you, Mr. Chair.

I would like to repeat Mr. Balsillie's remarks regarding what an honour it is to appear before you. Because my background is not quite as public as the former witness, I think I'll go through my professional and board background as a beginning to this interview.

I graduated from the University of Western Ontario, from the Richard Ivey School of Business HBA program, in 1971. I went off to Arthur Andersen to get my CA. After working in audit for a number of years, I was invited to transfer into the insolvency division. While there, I worked on a number of restructurings, special investigations, and receiverships until 1984 when I had an opportunity to go off to Citicorp and work for Citibank Canada, which was just setting up a leveraged buyout unit in Canada.

I went there because they needed someone who knew something about doing a liquidation analysis in Canada, and my insolvency background fit that, and also I was somebody who could do deals. I was a transactor at Citi in the beginning and then became a team leader and did a number of transactions. The two that are still around that you would recognize are VersaCold, which was Versatile Cold Storage back when I did it, out in B.C., and Héroux-Devtek now in Longueuil. I also did a lot of Citicorp's workout work, special bad loan work, non-real-estate related, as part of my duties there.

In 1989 I got an offer I couldn't refuse from Lloyd's Canada. It had been in business here for a couple of years and was having problems with its bad loan area. I was asked to see if I could go in and straighten it out. I did that on a special contract. It took about six months. Things were in pretty good shape, and then they announced they were trying to sell the bank. They asked me to go off and run the Toronto main branch, which was perfect for me because I knew absolutely nothing about running a branch, and I have to say I wasn't that interested in learning, but I did that until the bank was sold.

Then I went off to a start-up, Working Ventures Canadian Fund. Only three people were there when we got going. There was no money. There was no staff. There was no deal flow. It was basically a blank page on an idea that we could run a retail venture capital operation in Canada, similar to but not exactly the same as the Solidarity Fund in Quebec.

We started off, and the first year was a complete capital raising disaster. We hardly raised any money at all, I think about \$1.6 million, but the next year, in 1992, we did a little better with \$33 million, and by 1996 we were just short of \$900 million. During my 12.5 years there until December 2002, I was responsible for investing a little over \$700 million in 217 deals and probably 300 or 400 follow-ons to those deals, which is the way it works, and the management company was sold to a competitor in 2002. I had a non-compete, so I could go off and work on boards, and then I began to do some more of that work. I had a lot of board experience at that point, but this was an opportunity to focus on that.

I think you've got my CV, so I won't go through the boards I was on and then off. One of them, Journal Register Company, which is in Philadelphia, that I got on because I was recruited through a hiring agency in New York, was in the newspaper business. They had somewhere around 350 publications in eight states. It seemed interesting, and that's where I went.

• (1700)

In 2007, the CEO had medical issues and had to go into clinical trials, so the board said, "Jim, maybe it would be a great idea if you would become the acting CEO until we can find a new one."

At that time, all newspaper companies in the U.S., and a lot of them in Canada, had declining revenues. By the fall of 2007, you could not sell a newspaper property if you had too much debt, and you could not hire anybody to come in and straighten things around, so the board asked me if I would be the permanent CEO. I said I would, but on the condition that I would not be moving to Philadelphia, because sooner or later, we were going to blow our leverage covenant with our 38 banks, against our \$700 million in debt, and we were probably headed for chapter 11.

To make a long story short, we filed under chapter 11 in February 2009. *The Philadelphia Inquirer*, the big newspaper in Philadelphia, filed the next day. I think the *Chicago Sun Times* went a month later. The *Chicago Tribune* had gone the December before. Newspaper business was pretty hard, and still is right now.

I was done working in the office in March of that year, although I was paid until September and was on standby in case things came up with the bankruptcy court.

I came back to Toronto and went back to working for myself. I had done a lot of M and As work, and as you can see from my resumé, some special investigations work as well along the way. I've done a lot of board work, and continue to do a lot of board work.

I'm very happy to be on the Atomic Energy Board, because this restructuring they're doing is probably one of the largest, most complicated, most interesting restructurings ever done in Canada.

Thank you.

• (1705)

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

We go now directly to questions and comments, starting on the government side with Ms. Crockatt. Go ahead, please.

Ms. Joan Crockatt (Calgary Centre, CPC): Thank you very much.

I appreciate both of you being here. You bring a range of very interesting experience to these jobs, and I appreciate the fact that gentlemen like you will come and consider working on behalf of all of us, so thank you very much.

Mr. Balsillie, I enjoyed the passion in your presentation today. One of the things that I believe we need a competency in is people who can communicate that passion for our high-tech sectors to the public out there so they can, as you said, get that boost to get from the lab out to the public.

I wonder if you can talk about your competency in communication, and how you feel this will directly benefit this position.

The Chair: Mr. Balsillie, go ahead.

Mr. James Balsillie: Thank you very much, and thank you for that question, Ms. Crockatt.

I think SDTC is actually a very well-run ship, and it's a real privilege for me to come into such an organization. I think particular credit goes to the CEO, Vicky Sharpe. It's very fortunate how these organizations want to come forward. I think they are facing principally a commercialization challenge. Communication is also important, and there are a number of stakeholders to whom we have to communicate the benefits of SDTC.

I think the clear target of communication is the stakeholders like yourself, the various government funding agencies, the bureaucracy, and the different partners. We need to communicate the benefits of the organization to what they do. That's something which I'm certainly trying to do. I have experience in how these kinds of organizations helped RIM, for example, in the early part of its development.

From what I understand, the mandate is for Canada to grow its share of the global sustainability market from 1% to 2%, and there's something to the tune of 125,000 jobs on the line. That means these companies have to scale globally and commercially. It's a very complex and predatory world, but that's something I have some experience in. I also have a sensitivity in these matters, and I try to help in ways that the stakeholders find constructive.

Thank you.

Ms. Joan Crockatt: Thank you.

Mr. Hall, I appreciate your newspaper experience, by the way, having come through newspapers to my current career.

You're a bit of a salvager. You've done a lot of different things in your career, but underlying it all, you're a CA. How will your experience at Indigo, where you were on the board for 14 years, and perhaps you still are...? I don't see quite the connection, but perhaps you can make it for me, between selling CANDUs and selling CanLit.

The Chair: Go ahead, Mr. Hall.

Mr. James Hall: Thank you.

Let me approach the answer this way.

Indigo is one of my boards. I've done a lot of board work, so let me just talk about a couple of things, including my experience, knowledge, and expertise because of being on boards.

You're right, in that the foundation for everything is the fact that I'm a CA, so I do know about financial accounting. I'm not a practising accountant, but I do know financial accounting. I know corporate financing, including capital structuring, and I'm a kind of soup-to-nuts guy on things like process policy and procedures. I respect process. You can't work for a company like Arthur Andersen, or particularly Citicorp, unless you do that. When I started up Working Ventures all that stuff had to come out of my head. All investment process, policy, procedure I had to write up before we hired our first person.

I've done a lot of restructuring in one form or another. Almost all non-IPO financings and insolvencies are restructuring of one form or another. I know the venture capital and private equity world, cradle to grave, right from investment criteria and generating deal flow, finding deals, selecting which deals to work on, doing the due diligence, getting the approvals, dealing with the legals, closing the deal, and managing the deal after you've booked it, and finally exiting—cradle-to-grave matters. I know a lot about risk and reward.

I've dealt with managing people at all levels. At Working Ventures, for example, at the height we had 37 professionals working for us, CAs, chartered business evaluators, and people with a lot of education and a lot of good track records in their business careers to that point.

On corporate governance, I'm a committee worker. I'm a worker bee on almost all of the boards I've served on, including at Indigo, where I'm a member of all the committees, and the chair of the HR committee.

That brings—

•(1710)

The Chair: I'm sorry, Mr. Hall, but Ms. Crockatt is out of time. Thank you.

We will go now to Monsieur Gravelle for about six minutes.

Mr. Claude Gravelle (Nickel Belt, NDP): Thank you.

Congratulations to Mr. Hall.

My questions, sir, are going to be for you. I want to raise the Fukushima nuclear disaster connected to a tsunami and earthquake in 2011. It was a catastrophe for Japan, for the neighbouring countries, for all, including Canada and the United States, that share the Pacific Ocean.

We talk about Fukushima as a past event in 2011, as if it were over, when it is not. There are very clear and present dangers threatening Japan and many other countries. There are 1,500-plus spent nuclear fuel rods to be rescued and dealt with. There is contamination in the Pacific Ocean without significant inspection checks. There is damage to the ocean and to fish such as tuna where contamination is showing up. There is debris washing up along the west coast, with much more to come. There are potential real disasters still with water in Japan and other countries.

What qualifies you to assure Canadians that Canada is safe from a Fukushima?

The Chair: Go ahead, please, Mr. Hall.

Mr. James Hall: Thank you very much. That's a very interesting question.

I should start off by saying I've been on the Atomic Energy Board for three months, so at this point in time I cannot say that I know everything I need to know and that I will know after I've gone through a full cycle. You can't possibly go on a board and know everything in three months.

However, my understanding, because I've seen some reporting on this as a board member and committee member, is that through the health, security, safety and environment centres of excellence at Chalk River, they have gone through and worked to try to understand what would happen if something like a Fukushima happened in Chalk River. They have made their assessments as to how they would react to it. They also have determined that exactly what happened at Fukushima would not happen at Chalk River.

I do not have a degree in nuclear physics so I'm probably not the right guy to talk to about this. I bring a different set of skills to the board. I think that particular question would be best taken up with senior management and you'd get a better answer than you can out of me.

Mr. Claude Gravelle: Thank you.

I appreciate Canada and much of the world has learned many lessons. It was the multiple effects of Fukushima that were beyond even the brilliance of the Japanese to contend with: tsunamis, earthquakes, water supply, roads, and more. I confess to being a little anxious listening to Canadian government reassurances when the Japanese did the same thing each new day of the disaster, and even now they continue to try to stay ahead of this disaster with reassurances.

What qualifies—

•(1715)

The Chair: On a point of order, Ms. Crockatt.

Ms. Joan Crockatt: Sorry, you may wish to provide lots of latitude, but I don't hear a question relating to the competency or experience of our witness here.

The Chair: Ms. Crockatt, I was giving him a little time. Last time he did relate it directly to the appointee's ability to perform his duties. I think he's headed there, and there seems to be enough connection, so perhaps we could just allow him to continue.

Thank you.

Mr. Claude Gravelle: I am certainly headed there, and I'd like Mrs. Crockatt to be patient.

The Chair: Go ahead, please.

Mr. Claude Gravelle: I'm not sure where I was with the question, but what qualifies you to assure us that all the possible multiple secondary catastrophes that are likely to happen from Fukushima would not happen in Canada at one of the AECL labs?

Mr. James Hall: Okay, well, let me answer it this way.

Again, I'm not a physicist, but I do bring some strengths to the board. I'm one member of the board. Again, I bring a number of strengths. I'm usually reasonably calm under pressure. I do have a background in problem recognition and remedial management. I have an instinct for dealing with trouble. I have organizational ability in my background, that is, making sure that the right people are in the right jobs to get the things done that need to be done. I'm a big-picture guy now at this point in my business career, but I am willing to, and do, wade into the detail when it is needed. I'm comfortable with ambiguity, that is to say, in a lot of the things I've done in the past, I've dealt with having to make decisions when you don't have all the facts that you wish you had, but you have to make the call anyway. I'm comfortable working with professionals, including lawyers. I'm comfortable with legal documentation. I'm intellectually curious—at least I'm told this—and I'm certainly intellectually independent. I say what I think. I'm a pretty hard worker. I'm reasonably smart, and with me, people get what they see.

I think I bring a certain perspective to the board. There are other board members. Chalk River by itself, with senior management and in the other labs, has more nuclear experience and expertise and knowledge than almost any other place in North America. We do leave it to those people to run the site.

Our job as board members is oversight, guidance, and advice, and that's what we provide.

If I can say one last thing on this, the management team does report to the board, and fulsomely. We don't just sit down and have people come in and just talk to us. There are reports. There are studies. The meetings go for a couple of days, full days. I think the board's pretty well informed as to what's going on. We rely on that, and I think you also should be able to rely on that.

Thank you.

The Chair: Thank you very much, Mr. Hall, and Mr. Gravelle.

Mr. Regan, you have about six minutes. Go ahead.

Hon. Geoff Regan: Thank you very much, Mr. Chairman, and thank you to our witnesses.

Mr. Balsillie, it's good to see you again.

Mr. James Balsillie: It's good to see you, Geoff.

Hon. Geoff Regan: One of the questions that I asked our last group of witnesses was to give me an example of how they stood up to authority in some way in their careers. I'm actually not going to ask you that because I think right away, perhaps, about a guy named Gary Bettman, and also of your public comments about the Nortel patents possibly going outside Canada. I think you have already displayed that in the past.

You talked about your interest in environmental issues and sustainable development internationally. Give me examples from your background that will help you when you are on the board of STDC and making decisions about competing early-stage technologies, which ones to pursue.

• (1720)

The Chair: Go ahead please, sir.

Mr. James Balsillie: Thank you.

The good thing about STDC is that they have a very rigorous process and they have a very good investment board and they have advisers. I'm allowed, *ex officio*, to sit in on the investment board. There are two, the biofuels board and the sustainable technologies board. I've spent days with each one of them to see how they process.

I have to say that it's a very good board they have, beyond the STDC board, and we as Canadians are fortunate to have them do what they do. I've seen the quality of the team that Vicky Sharpe has built. I'm impressed with them and their commitment and dedication. I think if they went into the private sector, they could probably make more. They have their processes and they evaluate them carefully.

The other thing I'm particularly impressed with by STDC is that they have metrics on what they do, capital they've levered, jobs they've created, sales they've created, and they've been audited many times. I'm impressed by what I've seen in terms of the rigour of the process.

As to what do I bring particularly, I would say my strengths particularly. I have a unique strategic eye, so when somebody has an emerging company, I mentor a lot of people in terms of the strategic navigation, the tactics that go with it. You may have one good bullet in your gun and you can shoot it at a moose or you can shoot it at a rabbit. How you navigate that is something I try to bring to that discussion with them, wishing them well.

I'll feel very good in five years when this term is up if STDC has stayed on its track of bringing more jobs and bringing more sales. Scaling these companies is the really big challenge I see with them. I try to focus on the nexus of hitting a commercially scaling arc. That's something I've done throughout my career.

Hon. Geoff Regan: Thanks very much, Mr. Balsillie.

I'll turn now to Mr. Hall, if I may.

Mr. Hall, one of the things you said was, "I say what I think". That is actually important in terms of the question I was raising a minute ago, because one of the concerns I have is about the question of medical isotopes. I'd like to ask about experiences you've had that you feel will help you in dealing with issues around medical isotopes. The reason I ask that—I want to give it a bit of a context—is that I was recently talking to a nuclear medicine specialist who is very concerned about what's happening with medical isotopes in Canada and the fact that we're likely to have an international problem in a few years when the NRU at Chalk River shuts down.

Can you give us examples of things that would help me feel that you would be able to advocate aggressively to government on AECL's behalf on various matters?

Mr. James Hall: Thank you for the question.

That question goes around the edge of a bigger question. That question is what happens to the NRU, the national research universal reactor, that helps create those isotopes.

As you know, the decision has been made that the moly-99 isotopes will be phased out in 2016. At that time the reactor will need to be recommissioned to keep producing non-moly isotopes.

I think it would be great to continue to produce isotopes for all the reasons that you would know, but the decision to get out of moly was made before my time on the board. I wasn't around for the discussion pro and con on that. It's not a question that I am in a position to bring up. The decision has been made. If the reactor is not commissioned past 2016, it'll be a bit of a moot point anyway.

• (1725)

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

Thank you, Mr. Regan.

We go now to Mr. Trost for about five minutes and then we'll have to look at the motions very quickly. Go ahead, please, Mr. Trost.

Mr. Brad Trost (Saskatoon—Humboldt, CPC): Thank you, Mr. Chair.

Since it appears I will be the last questioner because of the time here, let me start, gentlemen, by complimenting both of you. As we knew coming in and looking at your resumé's, you're both very highly qualified. I'm sure you have a considerable number of things you can choose to do. We thank you for choosing to engage in this line of public service.

One of the things I'm sure you're aware of, and if you weren't, this meeting will probably have made you aware, is that dealing with boards and government entities can be somewhat different from dealing with private entities. I'm sure you never were questioned for any position in the private sector in quite the same way as you are being questioned today.

I'll start with Mr. Hall and then go to Mr. Balsillie.

In your background what skill sets and experiences do you have that will assist you in dealing with the public entities you're now a part of? As I noted, there's going to be a nuance, a little difference. You're both very qualified in the private sector, but what skill sets, what experiences have you had that will allow you to deal with some of the unique complexities that naturally result when dealing with entities that are related to government?

The Chair: Mr. Hall, could you give a short answer? We have very limited time now. Go ahead, please, sir.

Mr. James Hall: Sure. I'll mention a couple of things very quickly.

One, as I said before, I tend to say what I think and I am intellectually independent. The other is I have served on a lot of boards. I have served with some absolutely magnificent individuals of the stature of Mr. Balsillie and I've never felt shy about expressing my opinion.

I agree it is a little different from your average TSX listed company, but in three months I've had no problem dealing with the deputy minister on the board. I think he's a very good asset.

I can't conjure up having any problems. No one has told me to back off and not say what I want. I think the other board members

like it when I poke management on various issues that I have questions about or maybe disagree on.

Certainly, and this is the last thing I'll say, any ideas that I've had, any suggestions, any recommendations, I get full understanding, including from the representative from NRC on the board. That's all you can ask for in the position of a board member.

Thank you.

The Chair: Thank you, Mr. Hall.

Mr. Balsillie.

Mr. James Balsillie: Thank you for the question, Mr. Trost.

I do agree with you that the government board is a different animal than a private sector board. The nexus between the government policy and the private sector imperative of commercialization is what uniquely intrigued me about the mandate of SDTC.

In response I would just say that I've served on a number of panels and boards that are public policy oriented, both at CIGI and the Canadian International Council, as well as the UN Secretary-General's High-level Panel on Global Sustainability. There is a different kind of conversation that happens in public policy. Its nature is different from that of a private sector conversation.

Candidly, it took me a few years to understand the language. The two languages are very different. What intrigues me most about this is that it's an opportunity, which I think is a unique treat for me, in which these two elements of my background and interests intersect. I think the background and interest in public policy and public policy boards, particularly sustainability boards in the UN—I'm also on a board in the Stockholm Resilience Centre—give me an opportunity to try to bring the public and private sector board experience together.

I have found the first few months on the board, as Mr. Hall also said, have gone quite well for me. I'm enjoying it and trying my best to contribute.

• (1730)

The Chair: Thank you very much.

On behalf of the committee, I want to thank both of you very much for being here today. The committee still has a little bit of business to do. I wish you the best in the roles you will play in the months and years ahead.

Mr. James Hall: Thank you.

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): On a point of order, Mr. Chair, I would like if at our next meeting you could manage the time the way you are supposed to do. Before, on the break, we dealt with the timeframe and because you did not manage the time as you were supposed to—I did the calculations—I was unable to speak to the witnesses. I'm a little disappointed by that.

I made calculations to make sure we would be able to talk, and because you allowed more than five minutes to people to speak when we said it would be five, I was unable to ask my questions to Mr. Balsillie. I'm a little upset with that.

The Chair: I understand. It's very difficult sometimes to cut off an answer partway through. I watch and see how it's going and make a judgment call. I made a judgment call and it meant an extra minute for each person who questioned. That's the best I can do.

We have to move two motions.

Mr. Bob Zimmer: Should we let these people go?

The Chair: The meeting is over for the witnesses who were on video conference. This is just committee business.

Does somebody want to move the motion? We need separate motions, because these are for two separate bodies.

Mr. Leef.

Mr. Ryan Leef (Yukon, CPC): Mr. Chair, I move:

That the Chair report to the House that the Committee has examined the qualifications and competence of James Laurence Balsillie to the position of Chairperson of the Canada Foundation for Sustainable Development Technology and finds him competent to perform the duties of the position.

The Chair: Thank you very much.

You've heard the motion. Is it agreed?

[Translation]

Ms. Christine Moore: No.

[English]

The Chair: It's not agreed?

[Translation]

Ms. Christine Moore: The second motion is on division.

[English]

The Chair: It's just for the first one, for Mr. Balsillie.

Is it agreed for Mr. Balsillie's appointment?

A voice: For Mr. Balsillie, it's on division.

(Motion agreed to on division)

The Chair: Would someone like to move the second motion?

Ms. Crockatt.

Ms. Joan Crockatt: I move:

That the Chair report to the House that the Committee has examined the qualifications and competence of James Hall to the position of Director of Atomic Energy of Canada Limited and finds him competent to perform the duties of the position.

The Chair: You've heard the motion. Is it agreed that the motion be passed? On division?

(Motion agreed to on division)

The Chair: Very quickly, for next week, on Monday we are asking departmental officials to come in order to start our study on the rare earths industry. That will be on Monday, assuming they can come, and I believe they will be able to. On Wednesday, we have the minister coming regarding the estimates.

That's the agenda for next week.

• (1735)

Hon. Geoff Regan: Will the minister be here for two hours?

The Chair: The minister will be here for an hour and the officials for the second hour, but good try.

Ms. Block, go ahead, please.

Mrs. Kelly Block: Before you adjourn, can you confirm that the first appointment....

In your question you were asking us to include all of the individuals in the motion and that you sought unanimous consent to pass that motion, so will that be reflected in the minutes?

The Chair: Yes.

Whether they are reported to the House individually or as a group, we're going to see how that's best done, but it will be done one way or the other. It was agreed to clearly, so there's no problem.

Thank you all very much.

Mr. Claude Gravelle: Mr. Chair, before you adjourn the meeting, could I get unanimous consent to support the Saskatchewan Roughriders on Sunday?

Some hon. members: Oh, oh!

The Chair: I see unanimous consent for that.

Mr. Peter Julian: Very quickly, will our time with the minister be televised?

The Chair: If you ask, the clerk will do his best.

Mr. Peter Julian: We would like it to be televised.

The Chair: Yes.

Apparently the clerk is saying that there's no room available, so I guess it won't be televised, but certainly you can discuss it with the clerk.

Thank you all very much.

The meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>