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—
Chair

Mr. Larry Miller

Standing Committee on Transport, Infrastructure and Communities

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• (1530)

[Translation]

The Vice-Chair (Mr. Hoang Mai (Brossard—La Prairie, NDP)): Good afternoon, colleagues. Today is the 51st meeting of our committee.

We will examine Bill C-627, An Act to amend the Railway Safety Act (safety of persons and property).

Joining us are two witnesses from the Department of Transport: Brigitte Diogo and Rachel Heft. They are here to answer any questions members may have. There will be no presentations as such.

I suggest that we proceed with the clause-by-clause consideration, as proposed on the agenda.

We will start with clause 1, which can be debated.

(Clause 1 agreed to)

(On clause 2)

The Vice-Chair (Mr. Hoang Mai): We move to the NDP-1 amendment to clause 2.

Ms. Morin, do you want to justify your amendment?

Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP): Subclause 3(1) of the bill proposes that section 32 be amended by adding the following subsection: “If the Minister is of the opinion that a railway operation poses a significant threat to the safety of persons or property or to the environment, ...”.

When I asked Ms. Bateman, the sponsor of the bill, whether she agreed, she said that she did not see a problem with adding that throughout the bill.

Can you tell us whether it would be a good idea to add that to all the clauses?

Ms. Brigitte Diogo (Director General, Rail Safety, Department of Transport): The department does not really have a position on the issue, one way or another. However, I can say that it falls under the objectives of this bill. We take no position on the addition of the word “environment”.

The Vice-Chair (Mr. Hoang Mai): Thank you, Ms. Diogo.

Mr. Watson, the floor is yours.

[English]

Mr. Jeff Watson (Essex, CPC): I have just a quick question. Obviously, we know that Bill C-52, which is the government's bill, touches on or tries to dovetail with, I would say, Bill C-627.

Would the addition of these amendments create any kind of complexity in how to deal with Bill C-52 and how the two fit together, if we were to accept an amendment like this?

• (1535)

Ms. Rachel Heft (Legal Counsel, Department of Transport): As it stands, the coordinating amendments for Bill C-52 make sure that any changes that are made to section 31 of the Railway Safety Act through Bill C-627 are dovetailed with those in Bill C-52. Any changes made with respect to this amendment would have to be later coordinated with Bill C-52 as well, so it would create some complexity there.

[Translation]

The Vice-Chair (Mr. Hoang Mai): Ms. Morin, go ahead.

Ms. Isabelle Morin: I understand, but we should not use the excuse that it would create some complexity to not do it.

At any rate, the government has already said that it was going to align things with this bill. If we think it is a good idea, we should not avoid doing it just because it will be a little more complex. We want to add the word “environment” to ensure that the environment will be a consideration in all the amendments to the bill. I am not sure whether you are seeing any problems other than the fact that we need to coordinate it with the government's bill.

The Vice-Chair (Mr. Hoang Mai): Amendment NDP-1 has been moved.

(Amendment negated—See *Minutes of Proceedings*)

The Vice-Chair (Mr. Hoang Mai): I don't see any other amendments.

We will therefore move to clause 2.

(Clause 2 agreed to)

The Vice-Chair (Mr. Hoang Mai): Amendment NDP-1 includes all the clauses.

We move to clause 3, which can be debated.

(Clause 3 agreed to)

The Vice-Chair (Mr. Hoang Mai): (On clause 4)

Let's now move to clause 4.

We have amendment G-1.

Mr. Watson, the floor is yours.

[English]

Mr. Jeff Watson: I'd like to move the government's amendment. The purpose of this amendment is that when a minister makes an order and it is challenged or reviewed by the one against whom the order is made, the order cannot be stayed; in other words, the action demanded in the order must be carried out and not stayed pending any approval. The review may proceed, but the action must be carried out. That, of course, is to ensure that maximum safety is the priority here.

[Translation]

The Vice-Chair (Mr. Hoang Mai): Ms. Morin has the floor.

Ms. Isabelle Morin: Ms. Diogo, could you tell us what you think about the changes that this will bring to the bill?

Ms. Brigitte Diogo: Usually, the minister issues a notice and order for security reasons, such as a threat to security or an immediate threat to security. The legislation allows the company to go to court and appeal. During the appeal process, it is important that the notice and order be in effect until the appeal is heard, since it is a case of threat to security.

As the bill stands right now, if there were an appeal, we would have to remove the notice and order of the minister, who is actually trying to solve a security problem.

The Vice-Chair (Mr. Hoang Mai): Are there any other questions?

(Amendment G-1 agreed to)

• (1540)

The Vice-Chair (Mr. Hoang Mai): We move to clause 4.

(Clause 4 as amended agreed to)

The Vice-Chair (Mr. Hoang Mai): Shall the title carry?

Some hon. members: Agreed.

The Vice-Chair (Mr. Hoang Mai): We move to the bill.

(Bill as amended agreed to)

The Vice-Chair (Mr. Hoang Mai): Shall the chair report the bill (as amended) to the House?

Some hon. members: Agreed.

The Vice-Chair (Mr. Hoang Mai): Shall the committee order a reprint for the use of the House at report stage?

Some hon. members: Agreed.

Ms. Morin, the floor is yours.

Ms. Isabelle Morin: We all know that, last Friday, Mr. Mai submitted a notice of motion. It reads:

That, pursuant to Standing Order 108(2), the Committee undertake a study on the recent ministerial order pertaining to air transportation, to study the impacts on the safety of passengers and the mental health of crew members; that the Minister of Transport, officials from Transport Canada, industry as well as labour representatives be invited to appear during the course of the study; and that every effort be made to ensure that the meetings in relation to the study be televised.

So, given that Mr. Mai is chairing the committee today, could I have the consent—

The Vice-Chair (Mr. Hoang Mai): Excuse me a moment, Ms. Morin.

Mr. Watson would like to raise a point of order.

[English]

Mr. Jeff Watson: On a point of order, Mr. Chair, the interpreter is raising the question that because she doesn't have a copy of the motion, it is posing some difficulties in the translation with members at the table.

Ms. Isabelle Morin: I'm sorry.

Mr. Jeff Watson: If we can resolve that, perhaps she could reread the motion for the interpreter.

[Translation]

The Vice-Chair (Mr. Hoang Mai): Ms. Morin, let's wait until the interpreters have the motion in their hands.

Ms. Isabelle Morin: That, pursuant to Standing Order 108(2), the Committee undertake a study on the recent ministerial order pertaining to air transportation, to study the impacts on the safety of passengers and the mental health of crew members; that the Minister of Transport, officials from Transport Canada, industry as well as labour representatives be invited to appear during the course of the study; and that every effort be made to ensure that the meetings in relation to the study be televised.

So, given that Mr. Mai submitted the notice of motion last Friday and that he is chairing the committee today, I am asking for unanimous consent to bring forward the motion.

The Vice-Chair (Mr. Hoang Mai): Do committee members give unanimous consent to debate the motion?

[English]

Mr. Jeff Watson: Yes.

[Translation]

The Vice-Chair (Mr. Hoang Mai): Everyone is in agreement.

Ms. Morin, the floor is yours.

Ms. Isabelle Morin: Do I have to read it again?

The Vice-Chair (Mr. Hoang Mai): No. We are starting debate on the motion.

Ms. Isabelle Morin: Great.

We all know what has happened. There was an accident involving an Airbus 320 flown by Germanwings; it crashed in the French Alps and the black boxes have been analyzed. French justice officials have declared that the co-pilot deliberately caused the crash by flying the aircraft into a mountain. There has been an opinion—

The Vice-Chair (Mr. Hoang Mai): Mr. Watson wants to raise a point of order.

[English]

Mr. Jeff Watson: Chair, as this relates to a matter of committee business, I move that we go in camera.

The Vice-Chair (Mr. Hoang Mai): I am told, Mr. Watson, that you cannot move that on a point of order.

[*Translation*]

Ms. Isabelle Morin: The black box has revealed a number of facts. During a flight from Barcelona to Düsseldorf, the pilot left the flight deck and was not able to return to it. The prosecutor in Marseille then confirmed that the recordings showed that the co-pilot, Andreas Lubitz, locked the door to the flight deck after the captain briefly left and began the aircraft's descent.

According to the German newspaper *Bild am Sonntag*, the first 20 minutes of the flight contained routine, technical exchanges between the pilots. The captain told his co-pilot that he had not had time to go to the toilet. At the start, that is what is heard on the black boxes. Then, at 10:27 a.m., the pilot asks Mr. Lubitz to prepare for the landing in Düsseldorf. The co-pilot said something like "I hope so; we will see". The captain left to go to the toilet and, shortly afterwards, the descent towards the mountains began.

For us, it is important that air safety be taken very seriously. People can have mental health problems and that has to be taken seriously. That is what we would like to study at this committee. The minister, Transport Canada officials and the unions could come and explain the challenges they face with pilots and co-pilots with mental health issues. We feel that it is important to take this issue seriously.

A study of the matter by this committee would be perfectly appropriate.

Thank you.

•(1545)

The Vice-Chair (Mr. Hoang Mai): Thank you, Ms. Morin.

Mr. Watson, you have the floor.

[*English*]

Mr. Jeff Watson: Chair, as this relates to, as I said earlier, a matter of scheduling and business of the committee, I move that we go in camera.

[*Translation*]

The Vice-Chair (Mr. Hoang Mai): I call the question on whether the meeting shall move in camera.

(Motion agreed to)

The Vice-Chair (Mr. Hoang Mai): We will suspend the meeting for a few minutes.

[*Proceedings continue in camera*]

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