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Chair

Mrs. Deborah Schulte

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•(1100)

[*English*]

The Chair (Mrs. Deborah Schulte (King—Vaughan, Lib.)): Good morning, I want to welcome everybody and let you know that we're going to have four witnesses today. We have a full slate to answer questions.

There were a lot of members who asked me if we could put everybody together rather than have two separate panels. It would give us a little bit more time for questions and make it more pertinent, and so we've done that. I want to thank the departments and the commissioner for respecting that wish. It's very nice of you to do that, and I think it will make it a better meeting.

I'm going to introduce everyone here with us today. We have a very large contingent, so hold on.

We have, from the Office of the Auditor General of Canada, Julie Gelfand, the commissioner of environment and sustainable development. We also have Kimberley Leach, Andrew Ferguson, and Frank Barrett, some of whom we have seen before.

From the Department of the Environment, we Diane Campbell, director general of the meteorological service of Canada; and Eric Gagné, director general of the science and technology branch.

We have, from the National Research Council of Canada, Philip Rizcallah, the director of building regulations.

From Infrastructure Canada, we have Marc Fortin, assistant deputy minister; Bogdan Makuc, director of program operations and program integration; and Sonya Read, director of strategic policy and priorities initiatives, environmental initiatives.

From the Department of Health we have Hilary Geller, assistant deputy minister, healthy environments and consumer safety branch; and James Van Loon, acting director general, and Christine Norman, director, healthy environments and consumer safety branch.

We have, from the Department of Public Safety and Emergency Preparedness, Lori MacDonald, assistant deputy minister.

We have a full house of support here to answer all our questions.

Our procedure for those who haven't joined us before—I know Ms. Gelfand is very familiar with this—is that I will tell you when one minute is left, just to give you a chance to know where you're at.

We'll open the floor to Ms. Gelfand. Thank you.

Ms. Julie Gelfand (Commissioner of the Environment and Sustainable Development, Office of the Auditor General of

Canada): I am pleased to be here today to discuss the results of our recently completed audits. The full reports were tabled in the House of Commons last Tuesday.

I am accompanied by Andrew Ferguson, Kimberley Leach, and Frank Barrett, who were the principals responsible for our audits.

Whether it's about consumers deciding which product to buy or municipal planners determining where to build hospitals and schools, the federal government directly and indirectly provides funding, programs, and tools to many different stakeholders to support them in the decisions they must make.

In the first of our three audits that we are reporting on today, we looked at how Health Canada manages risks to human health and safety posed by chemical substances used in cosmetics and household consumer products. These products range from makeup and skin creams to baby bottles, children's jewellery, and toys.

In short, we found that Health Canada is not in a position to fully assure Canadians that its product safety program is working to protect consumers.

•(1105)

[*Translation*]

Since the Canada Consumer Product Safety Act came into force in 2011, Health Canada has improved its oversight activities, but it is still falling short on detecting and assessing health risks. For example, we found that the department did not assess the scope and magnitude of the risks associated with imported products purchased online or those related to counterfeit products and cosmetics.

It's important to understand that it is not Health Canada's role to ensure the safety of cosmetics or consumer products before they enter the market. Health Canada works primarily to detect and respond to health or safety risks after problems arise. Companies are responsible for following the regulations put in place by the government. Companies are required to report health and safety incidents involving consumer products to Health Canada, but there is no requirement to report incidents involving cosmetics.

[English]

We found that Health Canada did not regularly test cosmetics to ensure that labels were correct or to check for the presence of prohibited substances. This is a problem, because labels do not disclose what's in “*parfum*”, “*aroma*”, “*fragrance*”, or “*flavour*”. Those catch-all terms can conceal a range of potentially hazardous chemicals, and this information is not readily available to consumers.

Health Canada also told us that marketing terms such as “*preservative-free*”, “*fragrance-free*”, and “*unscented*” are outside its mandate. In our view, these terms suggest health and safety benefits and may be misleading. For example, a product labelled fragrance-free or unscented may in fact contain chemicals to mask the scent. Where consumers are expected to make informed choices and use products appropriately, reliable product information is critical. Frequently this information is not available.

[Translation]

Let me now turn from our households to our communities.

Our second audit looked at federal programs that are intended to support the sustainability of Canadian communities. Overall, it is not clear to what extent a decade of federal funding programs in excess of \$13 billion have produced the environmental benefits they were supposed to bring.

[English]

When we looked at infrastructure projects that Infrastructure Canada has funded, under the gas tax fund, for example, we found that the department did not have indicators in place to assess to what extent the money spent had resulted in cleaner air, cleaner water, and reduced greenhouse gas emissions.

When it comes to considering infrastructure projects for funding, we found that Infrastructure Canada had not adequately identified or managed environmental risks. The department expected proposals for major projects to include information on environmental risks, but it did not use this information to analyze the risks of climate change, for example.

[Translation]

When environmental risks are not considered, projects may not be designed to minimize environmental effects or withstand the impacts of future weather events. This means that municipalities could be left facing significant unexpected costs down the road. Infrastructure Canada informed us that it does not have a mandate to encourage innovative infrastructure projects through its project selection. This means that there is a risk that new, greener approaches may not be considered.

• (1110)

[English]

In our final audit, we looked at what the federal government is doing to support efforts to mitigate the effects of severe weather. Overall, the federal government has not adequately supported long-term efforts to make Canada's infrastructure more resilient to a changing climate. Severe weather is expensive. The federal government has spent more on recovering from large-scale natural disasters over the past six years than in the preceding 39 years

combined. Scientists are predicting that severe weather events will become more frequent and more intense. We found that the federal government has not been successful in its efforts to encourage provinces and territories to invest in projects designed to mitigate the impacts of severe weather.

[Translation]

None of the existing funding programs is specifically designed to improve the resilience of Canada's infrastructure. For example, the new building Canada fund supports infrastructure improvements in 14 priority areas, including disaster mitigation. The fund is not designed to encourage provinces and territories to make disaster mitigation a priority.

The federal government could also better support the planning of resilient infrastructure through the information and tools it makes available to decision-makers. We found that some data was incomplete and some tools were obsolete. For example, engineers rely on tools to predict the probability of extreme rainfall amounts and the duration of storms when planning and designing municipal water infrastructure. Yet the data used to inform these tools has not been consistently produced since 2006.

[English]

Similarly, flood-plain maps allow municipalities to better plan for future growth in areas of low flood risk and compensate for areas of high flood risk. National guidelines for flood hazard assessment and mapping have not been updated in 20 years. This has left the provinces and territories to manage and update their own maps. With no federal standards or guidelines, there is no consistency between jurisdictions.

With significant and ongoing investments in infrastructure across the country, resilience means a focus on building and rebuilding better. When resiliency is built into infrastructure, it is built into communities. Those communities are then better able to meet the needs of future generations, withstand the impacts of climate change, and recover more quickly when a disaster does strike.

Madam Chair, this concludes my opening statement. I am now ready to answer your questions.

Merci.

The Chair: Thank you very much.

I'm going to hold off on your answering of questions. We're going to hear from everyone, and then we'll get into questions, if you don't mind.

Now, we'll move over to Marc Fortin at Infrastructure Canada.

Dr. Marc Fortin (Assistant Deputy Minister, Program Operations, Infrastructure Canada): Thank you, Madam Chair.

[Translation]

Thank you for inviting me to speak before you.

I've been invited here today to speak to you about Chapter 1: Federal Support for Environmentally Sustainable Infrastructure.

[English]

This chapter of the commissioner of the environment and sustainable development's 2016 spring report examines federal and municipal infrastructure programs that are intended, among other objectives, to improve the environmental performance and sustainability of Canadian communities.

Specifically, the chapter assesses whether the environmental objectives of the gas tax fund, which is managed federally by Infrastructure Canada, were being achieved and whether Infrastructure Canada had adequately coordinated its program with its partners.

The GTF is an important program, providing over \$2 billion annually for municipalities across Canada. It is a stable source of funding that gives communities the flexibility they need to plan, build, and revitalize key infrastructure and address their priorities. A 2015 evaluation of the GTF found that it is viewed by municipalities as one of the most efficient federal programs, due to minimal administrative overhead costs, effective governance, and jurisdictional flexibility.

The commissioner's report identifies areas where we can make further improvements to the GTF. It also proposes improvements to our coordination with partners and data collection. The report also highlights the importance of investing in infrastructure that is sustainable over the long term and meets the real needs of Canadian communities.

Infrastructure Canada agrees with all the recommendations made by the commissioner and is taking action to improve our programming to demonstrate clear results of our initiatives to Canadians. With respect to the GTF, Infrastructure Canada will continue to work with partners to develop an appropriate and effective performance measurement strategy to better inform Canadians of the outcomes of these investments.

As you know, the Government of Canada committed to investing \$120 billion in infrastructure over 10 years, including \$20 billion in new funding for green infrastructure. Phase one of this long-term plan includes \$5 billion toward investments in infrastructure that protect communities and support Canada's ongoing transition to a clean growth economy. Infrastructure Canada is responsible for approximately \$2 billion, while other federal departments will manage the remaining funds.

• (1115)

[Translation]

The department is also working with other partners on various fronts to ensure evidence-based decision-making. For instance, Infrastructure Canada is providing \$50 million to the Federation of Canadian Municipalities for a new asset management fund, which is designed help communities develop infrastructure asset management practices and improve data collection.

[English]

We are working with Statistics Canada and other stakeholders to provide a baseline of information on the state and performance of the core public infrastructure. We are also working to address the issue of ensuring our public infrastructure is climate resilient. The department is also currently working with the National Research Council on the development of codes and guides for climate-resilient buildings and infrastructure, including a revised national building code by 2020 for residential, institutional, commercial, and industrial buildings. In budget 2016, \$40 million was announced to support this initiative.

As identified in budget 2016, our department is actively engaging stakeholders and Canadians regarding phase two of the federal government's infrastructure plan. This will ensure that Canadians have their say as we develop our long-term programming.

Infrastructure is the backbone of our communities, big or small, and our department is committed to implementing the Government of Canada's long-term plan to support the resilient and sustainable infrastructure that is at their core.

Thank you for your time.

My colleagues and I will be available to answer any questions later.

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

We're going to move on to Ms. MacDonald, who is with the Department of Public Safety and Emergency Preparedness.

Welcome.

Ms. Lori MacDonald (Assistant Deputy Minister, Emergency Management and Programs Branch, Department of Public Safety and Emergency Preparedness): Good morning. I'm pleased to be here to speak on behalf of Public Safety Canada and my colleagues from Environment and Climate Change Canada, Infrastructure Canada, and the National Research Council of Canada on chapter 2, on federal support to mitigate the effects of severe weather, of the spring 2016 reports of the commissioner of the environment and sustainable development.

[Translation]

Mr. Chair, we welcome the Auditor General's report, which included a number of important recommendations on how the federal government can be better positioned to support Canada's long-term mitigation efforts related to the effects of severe weather.

[English]

Canada has adopted an all-hazards approach to emergency management, based on the premise that many emergency management activities are common across all types of hazards and threats.

[Translation]

There are two elements that I want to emphasize relating to emergency management.

[English]

First is Canada's evolving risk landscape.

To illustrate this, in the past 20 years there has been a pronounced shift in Canada's risk profile, characterized by the increasing frequency and costs of disasters. Available data indicate that prior to 1995 there were only three disasters that exceeded \$500 million in losses. However, from 1996 to 2009, there has been one disaster each year exceeding \$500 million. This trend has increased since 2010, with at least a \$1-billion disaster annually. Extreme weather and climate change in particular are seen as risk multipliers and are raising concerns regarding the ability of the current EM approach to managing events of differing scale and complexity.

• (1120)

[Translation]

Addressing the escalation of disaster frequency and costs is a collective challenge that will no doubt require strengthening current practices and strategies, as well as developing new approaches, to advance emergency management in Canada.

[English]

This particular audit focused on the federal government's actions that support Canada's long-term mitigation efforts. It examined key federal organizations' data, tools, expertise, and funding that can help decision-makers mitigate the effects of severe weather.

Mr. Chair, Public Safety Canada, as the Government of Canada lead for this chapter, is in a strong position to respond to the recommendations outlined in the report. In fact, work is already under way to address them. Public Safety Canada and Natural Resources Canada are already working with provinces and territories and other key stakeholders to develop national flood-plain mapping guidelines.

The Government of Canada will also work to further align federal mitigation programming. This will include robust stakeholder outreach in all provinces and territories to review draft guidelines, strengthen relationships, enhance knowledge of federal mitigation programming, and bolster subscription. Furthermore, the Government of Canada will build on its relationships with other government departments, provinces, territories, and other stakeholders to understand changing requirements for climatological data, extreme precipitation statistics, and other tools.

We will also continue to work with partners who are engaged in the development of guidelines, codes, and standards for infrastructure, including Infrastructure Canada and the National Research Council of Canada, which have advised that they have already begun work to address report recommendations that the national building code take climate change trends into account. Forty million dollars was announced in budget 2016 to support this initiative.

Madam Chair, emergency management is a shared responsibility. The Government of Canada is committed to continue consulting and collaborating with government departments, provinces and territories, indigenous peoples, municipalities, and other stakeholders to mitigate the impacts of severe weather events.

[Translation]

Together, we can build community resilience to mitigate the impacts of natural disasters and other emergencies before they happen.

[English]

With that, I thank you for your time. I look forward to your questions.

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

We are now going to hear from Hilary Geller, from the Department of Health.

Ms. Hilary Geller (Assistant Deputy Minister, Healthy Environments and Consumer Safety Branch, Department of Health): Thank you, Madam Chair, for the opportunity to appear today.

[Translation]

I'd also like to thank Ms. Gelfand and her team for their report. Health Canada agrees with the recommendations and has already begun work to address them.

[English]

This report addresses various issues related to the consumer product safety program, but focuses on the management of chemicals of concern in consumer products and in cosmetics.

When it comes to the potential risks of chemicals in consumer products or cosmetics—what the report terms “chemicals of concern”—it is the chemicals management plan that allows Health Canada to identify precisely what a chemical of concern is. The recently renewed CMP is a world-leading approach to the risk assessment and the risk management of chemicals. It uses scientific information to identify those chemicals that may have health effects and, importantly, whether Canadians may be exposed to them at levels that may pose actual risks to their health. It is through the CMP that Health Canada has identified certain substances of concern, for example BPA, which we banned in baby bottles; or the flame retardant TCEP, which we have prohibited in foam products for children.

Health Canada thanks the commissioner for her constructive suggestions concerning improving our management of risks from chemicals of concern in consumer products and for the more general suggestions for improving the effectiveness of this now five-year-old consumer product safety program. As I've said, we have already begun to implement the recommendations, and we will continue in this work.

• (1125)

[Translation]

I plan to focus the rest of my time on our cosmetics program, where the bulk of the attention in this report is focused.

[English]

Cosmetics are regulated under the Food and Drugs Act which, like the Canada Consumer Product Safety Act, contains a general prohibition making it illegal to sell dangerous products. The same basic principles of shared responsibility apply to both the consumer product and the cosmetic regimes. Generally, industry is responsible for ensuring the safety of the products they bring to market, consumers are responsible for making informed choices about the products they purchase and for using them safely, and government has responsibility for regulatory oversight and for risk communications.

As it is for consumer products, the CMP is key to our management of chemicals in cosmetics. Through the CMP, 26 substances have been identified as problematic when used in cosmetics. These have been added to the cosmetics hotlist, meaning they are prohibited or restricted for use.

Health Canada has the ability to rapidly screen cosmetics for chemicals on the hotlist. When industry begins sale of a new product, or changes the formulation of an existing cosmetic, they must notify Health Canada within 10 days and provide the list of ingredients and their concentrations. We receive roughly 30,000 such notifications each year.

The commissioner's report noted 50 cases over a two-year period where a prohibited substance was notified in a cosmetic. The commissioner indicated—and we agree—that some of these cases were too slow in being resolved. While implementation of an online notification system in 2013 has greatly reduced our response time, we will be taking additional actions to make sure we can respond in a more timely manner.

[Translation]

The commissioner has also suggested that more needs to be done to verify that cosmetics do not contain substances that are not on the label or notified to Health Canada.

[English]

Where evidence indicates this may be an issue, as in the case of formaldehyde in hair straighteners in 2011, we do conduct sampling, but we have agreed with the suggestion that we can do more.

Supporting consumers in making wise choices is an important part of our job. Our regulations require cosmetics to disclose all ingredients on the label, thereby making it easier for consumers to make informed decisions. The one exception, as the report points out, is that in line with international standards, the sub-ingredients of fragrances or perfumes don't have to be individually listed—although it is interesting to note that some leading companies do disclose this information, either on the label or online. Beyond that, Health Canada agrees with the commissioner's recommendation to both encourage voluntary disclosure by industry to the department, which will allow us to check these ingredients against the hotlist, and to undertake to test for prohibited substances that may be included as part of a fragrance or perfume.

We will also further support consumers by communicating more about how cosmetics are regulated in Canada.

[Translation]

In conclusion, in all the areas that Health Canada regulates, we endeavour to take an approach commensurate to the risks posed by the products. This is based on a system that works to prevent problems before they occur, respond when they do, and provide the appropriate level of oversight.

[English]

We are confident that implementing the recommendations in this report will help us in our ongoing efforts to continuously improve the implementation of our program.

Thank you, Madam Chair.

The Chair: Thank you very much. I really appreciate all of your taking the time to come today and share this information with us.

We have two new MPs with us today at the committee. I just want to say that we have Fin Donnelly standing in for Nathan Cullen. Thank you and welcome.

We also have Diane Watts standing in for Jim Egliniski. Thank you for joining us today.

Okay, we're going to open the questioning with Mr. Amos.

Mr. William Amos (Pontiac, Lib.): Thank you to all of the witnesses. This was a very interesting report, so I appreciate the efforts of the commissioner's office. Well done.

Focusing first on the issue of infrastructure, my read of the report was that the emphasis was on mitigation: building better, and rebuilding better to withstand.... I didn't note any conclusions around the federal performance in terms of focusing on investing in low-emission infrastructure to get at the root of the problem, which is the actual greenhouse gas emissions. Yes, we all know we have a mitigation challenge on climate, but did the commission reach any conclusions around the root problem of infrastructural investments going to greenhouse gas emission reduction?

● (1130)

Ms. Julie Gelfand: That's an awesome question and it makes me think it might be an awesome audit to do. We did not look at the issue of whether or not we were investing in low-emission infrastructure. We had two audits that dealt with infrastructure. One was on the gas tax fund.

The reason I got interested in the gas tax fund was that round one had clear objectives related to cleaner air, cleaner water, and reduced greenhouse gas emissions, \$13 billion. I wanted to go and find out, did we get that or not? What happened with all that funding? So that was one area we looked at.

Furthermore, we then looked at mitigating against severe weather. We looked at the tools the federal government provides, and then the mitigation funding. In terms of mitigation funding, what we found was that a lot of it is actually left on the table.

To answer your specific question, we didn't look at low-emission infrastructure. We can tell you that at the time of our audit, Infrastructure Canada did not have a mandate to consider climate change or innovation. Low-emission infrastructure would be both climate-related and innovation-related. At the time they didn't have that mandate. Perhaps they have it now, but at the time they didn't have it.

Mr. William Amos: I'll follow up with a question for Infrastructure Canada. Thank you for your presentations and for your response to the audit, which I found constructive.

Can you let our committee know now what Infrastructure Canada is doing to address not just resilience, but also the broader objective of that core issue of emissions reduction? I recognize this may not have been the focus of it, but going forward what is the plan?

Dr. Marc Fortin: Thank you for the question, because it allows me to mention that the way the majority of our programs are designed at Infrastructure Canada is that they're done in partnership with the provinces and territories, who are prioritizing their core objectives in terms of the projects they want to move forward.

To come back to emissions, after the recent budget, the government announced a \$3.4-billion investment in the first stage of public transit investment. I want to underline that this program has not yet received any projects, but that we will be expecting it to look at some transit innovations, and that some municipalities and entities running transit systems will be able to update some of their fleets and to invest in some technology in that regard.

Mr. William Amos: I'd like to follow up very quickly on that point before going to one last question for Mrs. Geller.

I note that Infrastructure Canada didn't receive outcome reports from Quebec. As I represent a riding in Quebec, that's a matter of concern to me because I can be fairly certain we're going to want to come back at some point and ask Infrastructure Canada what has been the performance to ensure that we get emissions reductions out of our infrastructure investments. If we don't have outcome reports coming from the provinces, that's going to be very difficult. Is that something you're going to look to address?

Dr. Marc Fortin: This is something that we are going to address. I just want to underline that under the gas tax and the agreement with each of the provinces and the entities, they are reporting every year in an annual report the projects that have been implemented. If they don't provide that report, they don't receive a letter in which we announce they will be receiving on the gas tax. In the case of Quebec, for example, that never happened.

Mr. William Amos: Thank you.

Chair, how much time do I have left?

The Chair: You have just a bit over one minute.

Mr. William Amos: This is for Ms. Geller. I apologize in advance. I know what it's like to be put on the spot on a topic that you weren't preparing for.

On May 19, Health Canada came out with a statement regarding genetically modified salmon. I think this specifically to the area that you cover at Health Canada. Was there a strategic environmental assessment conducted on this new product?

Hon. Ed Fast (Abbotsford, CPC): On a point of order, Madam Chair, the focus of this discussion is the commissioner's reports. My understanding is that when we bring witnesses in, we focus on the matter that's on the agenda. For example, if it were estimates, I think we would all agree that it would be a wide-ranging discussion. I think we should focus our discussion on the reports themselves.

• (1135)

The Chair: Just to follow up with that, we do have to focus on the study that was brought forward to us. We're going to have to hold that question for another opportunity. We'll have that another time.

Mr. William Amos: That's fine. I understand. A written response would be acceptable. Thank you.

The Chair: No, I think this is going to have to come up in some of our other work. It's not really applicable to the study that's brought forward today. We're going to have to let that one go. We'll bring it forward at another time, I think.

Okay? Thank you.

The next one is Mr. Fast.

Hon. Ed Fast: Thank you very much.

The Chair: He did actually have a few more seconds.

Mr. William Amos: That's fine.

The Chair: Is there anything else you'd like to add? You have 40 seconds.

Mr. William Amos: No, I'm good.

The Chair: Okay, I'm sorry about that.

All right, Mr. Fast.

Hon. Ed Fast: Thank you, Madam Chair.

Other than making one other comment, I'm going to focus my comments and questions solely on the gas tax fund. First, I appreciate Ms. Geller's comments on the product safety report. I did find that this part of your report really under-valued the role that the chemical management plan plays in protecting Canadians. I'll leave it at that, as my focus is on the gas tax fund.

The original gas tax agreement with the municipalities, of course, included a very clear statement about environmental sustainability objectives. However, I believe that Ms. Gelfand as well as our officials from Infrastructure Canada will acknowledge that the 2014 gas tax agreement did three things that were different.

One, there was the elimination of principle number 6 on reporting. I understand that would have been driven at least in part by the fact that reporting already does take place at the provincial and municipal level.

Second, there was the elimination of the purpose that focused these projects exclusively on environmentally sustainable projects.

Third, it expanded the eligibility criteria significantly beyond simply environmentally focused projects, for example, short-line rail, short sea shipping, regional and local airports, broadband connectivity, brownfield redevelopments, sports infrastructure, recreational infrastructure, and culture infrastructure. My understanding of the context here is that the original agreement was causing significant grief at the provincial level, and even more so at the municipal level.

I was a municipal councillor at the time, as was my colleague Ms. Watts. There was incredible frustration because this was to be a program, the gas tax fund, where the federal government simply supported municipalities in building their critical infrastructure, some of which was environmentally focused, but some of which didn't have explicit environmental objectives. The 2014 agreement reflected that, reflected the frustration, and as a new agreement was broadly accepted and welcomed by the municipal community across Canada.

When I look at the report, I see that it is almost exclusively focused on reporting on whether the gas tax fund transfers were delivering on environmental objectives. As a former municipal councillor, I always understood that projects are focused firstly upon the priorities of the municipalities themselves. The more the federal government sought to interfere in the setting of those priorities by manipulating things in one direction or another, the more frustration there was at the municipal level.

Our Conservative government understood that. We revised the agreement. It was embraced by municipalities, and from what I understand, is working very well. We obviously also doubled the amount to about \$2 billion a year. We actually put an inflation factor into it, and we made the program permanent, all of which responded

The Chair: You're at three minutes.

Hon. Ed Fast: That's fine. I'm setting the context.

• (1140)

The Chair: I'm just trying to get to the question.

Hon. Ed Fast: Please, don't interfere with me. I know what I'm doing.

The Chair: Sorry, carry on.

Hon. Ed Fast: My question, first of all, to Infrastructure Canada is, as you review the projects that come in from municipalities, do you place a broader lens on them than their simply being environmentally sustainable projects? Let me be even more explicit. Do you consider projects that may not have an environmental focus, as the gas tax fund projects are being vetted and approved?

Mr. Bogdan Makuc (Director, Program Operations, Program Integration, Infrastructure Canada): Just to clarify, I know that with the gas tax fund, the federal government does not approve projects. As you say, this is a program to support municipalities' core investments and infrastructure. The funding is transferred from the federal government to the provinces, territories, or municipal associations in certain cases, and then transferred to municipalities, and they decide on projects. You're correct that, as of 2014, there are

broader objectives in place, and the gas tax fund is there primarily to support municipalities address their core municipal infrastructure needs.

Dr. Marc Fortin: Your question is also about whether we are monitoring the categories of projects the investment are going to. Yes, we are as a department?

Hon. Ed Fast: You have to, yes.

Dr. Marc Fortin: However, the provinces and the territories are responsible for collecting the data. They feed that into a report on an annual basis, but they also [*Inaudible—Editor*] the agreement in the program. They have to publish an outcome report by March 31, 2018, and then again by March 31, 2023. Therefore, there are checkpoints for the evolution of the gas tax.

Hon. Ed Fast: Who is doing that?

Dr. Marc Fortin: The provinces and the territories.

Hon. Ed Fast: There's already a public reporting mechanism in place, correct?

Dr. Marc Fortin: That's correct.

Hon. Ed Fast: Ms. Gelfand, your focus was almost exclusively on the environmental accountability for these projects, even though the understanding of municipalities, and my understanding, was that the purpose was to respect the fact that local communities make their own decisions on priorities. I believe your suggestion is still that you would carry on...that you want to see the federal government do a full analysis of each project to determine what those environmental outcomes are that you hope you're going to realize. How do you square that?

The Chair: Mr. Fast, I'm sorry, but this is why I butted in before, because I was concerned that you wouldn't get enough time to get where you were going, and we're out of time.

Hon. Ed Fast: I totally understand that.

The Chair: I apologize for that.

Thank you.

Hon. Ed Fast: We'll follow up on that.

The Chair: Yes, okay.

Next up is Mr. Donnelly.

Mr. Fin Donnelly (Port Moody—Coquitlam, NDP): Thank you, Madam Commissioner, and your team, for all the good work you've been doing, and thank you, Mr. Ferguson, for being here. Thanks to all the departmental officials for coming and providing your testimony to the committee.

Madam Commissioner, in your report on severe weather, you note that Public Safety and Environment Canada are not giving decision-makers the information tools they need to mitigate the effects of severe weather conditions. With these tools, like flood-plain maps, climate data, and intensity duration frequency data, were you able to identify the barriers to this information sharing?

Ms. Julie Gelfand: In each of these cases it's slightly different.

In the case of flood-plain maps, Environment and Climate Change Canada has not been producing them since 1996. The national guidelines are obsolete, and we've made a recommendation that Public Safety Canada develop guidelines and standards for flood-plain maps. Public Safety Canada did a study and indicated that it would take about five to 10 years to update the current maps, costing about \$365 million.

It's important for people to know that about 35% of Canadian residences are not flood-plain mapped. Of the 65% that are mapped, 50% of those maps are out of date. These maps are important, particularly if you want to try to get flood-plain insurance.

In the case of the intensity duration of frequency curves, Environment and Climate Change Canada produces a few. They're not done consistently and systematically, but they do provide some methodology. Because it's such an important tool, what we've suggested is that they figure out, with the provinces and territories, and any other partner, how to get that information produced.

The bottom line is that we did not see an overall strategy. Have they gone out and asked decision-makers what information they need, and then tried to figure out how to meet those needs? What we found instead was that departments did what their mandate was and decided "yes" or "no", we'll provide it, but there was no overall strategy to find out what decision-makers needed at the municipal level, what we can produce, and how we can provide that.

Mr. Fin Donnelly: Do you know why they weren't doing that, and what were the barriers?

• (1145)

Ms. Julie Gelfand: You'd have to ask the department that.

Mr. Fin Donnelly: In terms of Health Canada, do they perform pre-market testing on cosmetics and consumer products? Perhaps you can provide your input, as well as Health Canada. Does Health Canada know or verify what is in products before they reach the marketplace?

As a second question, why did you not attach timelines for the agencies to come into line with your recommendations? It seems that it's easy to agree with something if there's no deadline to comply.

Ms. Julie Gelfand: That's a great question.

Cosmetics and most consumer products are not tested prior to being put on the shelves. Consumers need to understand that. That's the important part. I am not aware of any government that can or does test potentially 30,000 new products ahead of time, so what Health Canada operates is a post-market system. What is important to Health Canada, or what kicks their product safety system into gear, is safety incidents. I had one myself, and the more people I talk to, particularly women, the more I find out they've had a problem with their mascara, or their foundation, or their lipstick. Nobody realizes that Health Canada never gets that information.

We've been encouraging consumers to please call Health Canada if they do have a reaction to their shampoo or their mascara. Call Health Canada because it's with those safety incident reports that their system kicks into gear and they start looking at the risk. It would be virtually impossible, I think, for any government to pretest these products before they are put on the market.

Mr. Fin Donnelly: It's not practical. It has to be reactive.

Ms. Julie Gelfand: It's pretty much reactive.

On your question of timelines, it is not my understanding that we normally put timelines into our recommendations. I should tell you that Health Canada has already provided to us their action plan for this chapter, and that's a good thing. It does have timelines. I haven't had a chance to look at it, because I've been too busy releasing the report, but it's a great thing to see a department come up with an action plan so quickly.

Mr. Fin Donnelly: As a last question, Public Safety Canada estimates that every dollar invested in mitigation saves \$3 to \$5 in future recovery costs. Can you provide a little more detail on this?

Ms. Julie Gelfand: We can give you one example that we put in our report, which is the Red River Floodway in Manitoba, where they spent \$50-odd million in the 1960s, and have probably saved over \$8 billion in flood risks. Yes, absolutely, that information is correct. There are more examples of that, but that's the one we put in our report.

Mr. Fin Donnelly: Great, thank you very much.

I want to reiterate that I appreciate the work the commission is doing in these two studies and past ones, so thank you. It's helpful, not only I'm sure for the government, but also for the opposition to get this information and, obviously, for all Canadians.

The Chair: Mr. Gerretsen.

Mr. Mark Gerretsen (Kingston and the Islands, Lib.): I'm going to start with Mr. Fortin. You talked about your work with municipalities, and asset management plans, and developing those plans. I think it's extremely important that we do those, because all municipalities need to be prepared. Having been a municipal politician as well, I think that one of the problems we might be running into with the federal gas tax fund, or various different municipal infrastructure funding that comes from other levels of government, is that municipalities start to become dependent on it, and they're not planning their own asset management.

In the City of Kingston, in 1997, we introduced a 1% tax increase annually to build a pool of money for the purpose of infrastructure renewal. We, in Kingston, had started to develop an asset management plan well in advance of needing the particular assets. One of the concerns we always had about doing that was that being responsible and not having this dire-straits need at the last minute meant that we might not be taken as seriously when applying for infrastructure funding. I'm curious if you could comment on that and what the department's position would be on how you approach municipalities that do have these plans versus municipalities that don't.

Dr. Marc Fortin: That's a very good question.

Considering that we are a fairly young department, we have realized from working with the various partners, municipalities, and provinces that not everybody is at the same level from an asset management point of view. Some have very sophisticated plans, and some others don't have the same capacity in place.

Building on that, coming out of the recent budget, we have decided to partner with the FCM so they will have the capacity to go on the ground and to connect with municipalities that need some help with—

• (1150)

Mr. Mark Gerretsen: I'm sorry for interrupting, but I have limited time here.

That's in order to help them create the plans, correct?

Dr. Marc Fortin: Yes.

Mr. Mark Gerretsen: What about the implementation of the plans? How will you view municipalities who have the plans versus municipalities who haven't chosen to go down that route?

Dr. Marc Fortin: The problem is that in some cases it creates a gap. When investing in infrastructure, it can become a burden in the future because it still needs to be maintained. This is also part of the asset management plan itself. It's not just to build capacity on the asset management plan, but it's also to maintain that. That's why we are right in the middle of negotiations with the FCM right now, so that we can cover both aspects of that.

Mr. Mark Gerretsen: Ms. MacDonald, it's nice to see you again after your time with Corrections Canada in Kingston.

You talked about the change in the number of disasters occurring that are over \$500 million. Prior to 1995 it was only three, and since 1996 to 2009 there was one per year. Can you qualify how you determine what a disaster is? Is what we're calling a disaster today the same thing we were calling a disaster back in 1995? I just want to make sure we're comparing apples to apples here.

Ms. Lori MacDonald: What we do, Mark, is we take a look at the request that comes from the province or territory with respect to a disaster financial assistance arrangement. If any province or territory puts in a request for what would be counted as a disaster, under a very specific definition that I don't have with me today—

Mr. Mark Gerretsen: Who defines that definition?

Ms. Lori MacDonald: In our department we have a definition, but it's triggered by a request from the province or territory. Fort McMurray would be an example of that. The province or territory would put forward a request for assistance, and then we would count that in our category of statistics in terms of looking at that.

Mr. Mark Gerretsen: I don't want to phrase this in a way that implies I'm not believing that the disasters are legitimate, but I do know that an emergency preparedness plan by a municipality, for example, is quite vague—at least in Ontario in my experience—in terms of when you can activate it. I'm curious to know whether we're just seeing more activations of those declarations now than we were in the past. I want to get a sense of whether it is the case that this is really a change as a result of severe weather patterns that we're seeing now.

Ms. Lori MacDonald: We work very closely with Environment and Climate Change Canada as well as NRCan in terms of

determining those with respect to how we define a disaster. It is very clear in terms of the science and in terms of the data that we are seeing an increase with respect to disasters. We are seeing that through the requests as well from the provinces and territories for disaster relief funding through the disaster financial assistance arrangement program.

Mr. Mark Gerretsen: Okay.

I saved you for the end, Ms. Gelfand, because you're a bit of a regular around here.

Voices: Oh, oh!

Mr. Mark Gerretsen: You made a comment about product coming in via Internet purchases. I understand the criticism of Health Canada for that, but realistically, if you're ordering something, quite often you don't even know if you're ordering it from China or from wherever it's being shipped.

What's the realistic expectation that we can get some kind of handle on that with the globalization of individual retail purchases now?

Ms. Julie Gelfand: You need to know that Health Canada is working with other OECD partners on a project to try to figure that out, because it's not just Canada that's dealing with this risk, it's around the world. Luckily Health Canada is working with other partners in the OECD to try to figure out how to get a handle on the risks.

Mr. Mark Gerretsen: Thank you.

The Chair: Thank you very much.

Ms. Watts.

Ms. Dianne L. Watts (South Surrey—White Rock, CPC): I appreciate being here today. The reason I am here is that I took great interest in the gas tax. I've been a former mayor and city councillor and worked with the FCM on the mayors' caucus for the implementation of this tax. In 2005 it was brought in under Paul Martin.

I want to put some context to this. I was at the table when we were developing this and advocating for it. In 2007, it was doubled and we worked with the FCM and all of the municipal organizations across the country. It was stimulus funding. We were in a global recession. We wanted to make sure there were shovel-ready projects.

The environment was part of it, but looking at it from a climate change perspective was not. Of course, we wanted to make sure that it was good for the environment. There were communities, however, especially in the north, that had to build roads. With the permafrost, the roads were sinking. Looking at what happened in 2014, especially to the northern communities, I can tell you that we broadened the possibilities .

I have seen some comments that Canadians don't know what results have been achieved for the money spent. With respect, the Minister of Infrastructure was out in B.C. announcing 57 projects under the gas tax. Let's look at what came out of that. Halifax was able to improve public transit and buses. In B.C., we had a wastewater supply upgrade, a new water treatment facility, a bioenergy district heating system, a recycling plant, improved asset management, sanitary sewer, environmental flow, stormwater management, and closing a landfill. I don't know how these things aren't seen as positive.

I don't know that we're looking at this through the proper lens. There were significant environmental elements in these projects. It was never supposed to be the role of the federal government to oversee every single project. That's why we had the provincial organizations. That's why we worked very closely with the FCM, which was monitoring all of these things. All projects went through an environmental assessment by the province, the city, and the region. So there's every single layer. These are the facts—this is how it happened.

I'm wondering why none of this was included in your audit.

• (1155)

Ms. Julie Gelfand: I'll try to answer your question as well as Mr. Fast's. In the infrastructure audit, we looked at the objectives and whether or not you could report them to Canadians and to Parliament.

In the first round of the gas tax fund, it was said that there would be cleaner air, cleaner water, and reduced greenhouse gas emissions. Do we have cleaner air? Do we have cleaner water? We don't really know, because there was no set of performance indicators. For 2014, yes, the objectives were broader, but there were still no performance indicators that could be used to wrap up the outcomes coming in from the provinces and report back to Parliament, to Canadians, on the impacts of this money.

Ms. Dianne L. Watts: I think closing a landfill is pretty significant.

Ms. Julie Gelfand: We know that the Federation of Canadian Municipalities provides funding to municipalities and can trace the environmental benefits, reduced greenhouse gases. We're suggesting that if you set out an objective for your fund, set out criteria so that you can report on your performance. That's all we were looking for.

Ms. Dianne L. Watts: Yes, and I think that as municipalities and mayors and councils, we didn't want the federal government.... That's why it was set up the way it was, as I stated earlier, through the FCM, and all of those things were undertaken.

With regard to the waste water and sewage treatment and all of those things, it's not rocket science that it's environmentally better for where we're going.

I want to make one more comment in terms of flood-plain mapping. I'm curious about this, because I know that in every city it's mandated under the official community plan, the OCP, that you have a flood-plain management plan. I wonder if you are connecting or would connect with all of the cities that have that, because everybody has an OCP; all the flood plains are identified, and

usually there's flood-plain mitigation and you can't build on the flood plain.

• (1200)

The Chair: Okay, but we don't have time for the answer.

Thank you very much.

The next round goes to Mr. Bossio.

Mr. Mike Bossio (Hastings—Lennox and Addington, Lib.):

The whole issue around cosmetics and consumer products really gets to the heart of the multiple discussions we've been having around CEPA with regard to the chemicals management plan and the virtual elimination of toxic chemicals, these bioaccumulative chemicals. One of the key aspects of that is this whole notion we have today that everything is based on risk-based analysis rather than hazard-based analysis.

I couldn't agree more that as a government we can't afford to test every single product out there that comes onto the market, but if we took a hazard-based approach, then we would put it on the industry to do that, whether it was the chemical industry that is creating these chemicals that the consumer products companies are then utilizing or the consumer products companies did it themselves or ensured that it was being done.

The federal government's duty includes protection of the environment and human health through the application of the precautionary principle. Ms. Gelfand once again is highlighting that this is not being done today. From a Health Canada standpoint, what tools do you need to ensure that we are following the precautionary principle?

I'll use the example of 1,4-dioxane. This is a chemical that exists in cosmetics and that has been shown to be a toxic carcinogen. Not only is it on the consumer products side but these products also end up in landfills and contaminate surrounding water that ends up contaminating residential wells.

Many people have heard me talk about this many times, but I've spent the last 20 years fighting the expansion of a landfill, because the old landfill was leaking 1,4-dioxane into the environment. There's no drinking water standard for 1,4-dioxane, and therefore, the company has no need to report that this is actually contaminating people's wells.

What tools do you need to make sure this kind of stuff doesn't happen and so that we can virtually eliminate these chemicals not just from drinking water but also from consumer products?

Ms. Hilary Geller: I will give a brief reply and then turn it over to my colleague Christine Norman, who's the director of risk assessment for the chemical standards program.

Mr. Mike Bossio: Could you give me a quick response to the question?

Ms. Hilary Geller: I will be very quick.

I would just say, from the perspective of Health Canada, that the chemicals management plan does, in essence, take a risk-based approach that is by definition precautionary. We do look at not only the health effects of substances but the environmental effects as well, which would capture issues like potential effects on fish, etc.

Because we build in a level of precaution between the level of a substance we allow in a product and the level of effects, there is always a wide protective factor that is built in just by definition, and that's the way the program operates.

Mr. Mike Bossio: In reality, it's actually not working that way, because these chemicals still end up in our cosmetics and we don't find out until after the fact that it's happened, and then only because consumers have reported that they have huge problems. Then we rely on the companies to report that back to us.

I would argue that taking the risk-based approach is not solving the problem. Should we be taking a hazard-based approach?

Ms. Hilary Geller: If they ended up in a cosmetic, legally they would end up only at a level that would not cause concern regarding health effects.

With regard to your more general principle, if you don't mind, I'm going to turn it over to my colleague Christine Norman.

Ms. Christine Norman (Director, Healthy Environments and Consumer Safety Branch, Department of Health): Thank you, Hilary.

Under the chemicals management plan, 1,4-dioxane is a substance we assessed between 2011 and 2016. It is an example of a substance that is high hazard, but the exposure to Canadians is extremely low. So from a risk-based approach, there is not a concern there for Canadians from a health perspective.

• (1205)

Mr. Mike Bossio: Is that even though it's been shown that it can actually cause sinus-based cancers? Of course, if women are applying that makeup to their faces on a daily basis, then how do you explain that they have found it is causing one of the cancers?

Also, the concern I have is that these chemicals end up in much greater quantities in our landfills because they're used in solvents, they're used in cosmetics, they're used.... So we're not looking at the bioaccumulative effect that these chemicals can be having.

For example, in other jurisdictions there are drinking water standards that are between 1 and 3 ug per litre, and here in Canada, from a drinking water standard, we don't have one.

Ms. Christine Norman: Limiting my comments to the CEPA assessment of 1,4-dioxane, I think there are backstops. I think we have demonstrated that there—

Mr. Mike Bossio: Okay, I apologize. I hate to cut you off.

But Ms. Gelfand, would you agree that a hazard-based approach versus a risk-based approach would help to alleviate these chemicals coming into our environment? Is that something you can comment on?

Mr. Andrew Ferguson: I think we have to defer to the department on that.

Mr. Mike Bossio: Okay, no problem. I get that.

I'd also like to add that I would invite industry, which is going to be reading this, to comment as to why it shouldn't be doing this kind of testing beforehand, taking a hazard-based approach rather than the risk-based approach that it takes today. The government can't afford to do it but there is no reason that industry can't be called upon, just as we do with our pharmaceutical industry. Once again, it's that kind of exposure that we're all concerned with.

The Chair: Okay, you're right on the button.

Go ahead, Mr. Shields.

Mr. Martin Shields (Bow River, CPC): Mr. Gerretsen, I appreciate your comment because I well know there are communities that don't do it, and when everything goes to pieces, guess who gets the billions of dollars? It's not those who have done it, so you're absolutely right and I would advise somebody probably in that same mechanism: you were elected and you have a mess, yes, you bet; let it go and somebody will fix it and give you billions.

On your definition for 500 as a base, has that been changed over the 20 years, or was it the same number 20 years ago?

Ms. Lori MacDonald: No, that's a relatively new number from approximately 1996. What we do is take the requests from the provinces and territories for disaster—

Mr. Martin Shields: Yes, but has that number changed in 20 years?

Ms. Lori MacDonald: Yes, it has changed in terms of where we were with respect to.... In 1995 we had only three disasters that exceeded—

Mr. Martin Shields: No, has the 500 number changed? Was it 200, has it gone up, or has it changed?

Ms. Lori MacDonald: Yes, it's a trend going up, so as an example, we're at 1 billion at this time.

Mr. Martin Shields: Okay, I get it. Thank you.

Going to Ms. Gelfand, we're glad to have you here.

Having been an executive of the Alberta Urban Municipalities Association, representing cities, our mantra was, "That's our money; it's not yours. It comes from our taxpayers; give it back".

So when we look at this, we look at it as our money, not yours. We established the priorities and we know what they are. When you say that Canadians don't know, I really object to that because the people in my community are Canadians and they know, so I have a problem when you say that because we do know. You say that gas tax is very flexible; we know the priorities and our residents know, and we do all those environmental studies. When you say that Canadians don't know, do you want to justify that to me because I know Canadians who do?

Ms. Julie Gelfand: I think you're absolutely right that, at the local level, Canadians probably are very aware of the infrastructure that's being built in their communities.

Our job is to audit only the federal government. That's it.

Mr. Martin Shields: I've got that; I understand it.

Ms. Julie Gelfand: So the federal government gives money to the provinces and territories, and we looked at that relationship. Are they getting the reports back from the provinces and territories; how well are they issuing the cheques in a timely way; and are they getting all those reports?

Mr. Martin Shields: I get that, but that's not what you said. You said that Canadians didn't know, so—

Ms. Julie Gelfand: Just one second, I'm not finished. Let me finish.

So we looked at whether or not—

Mr. Martin Shields: —I know what you're saying. The federal government bubble doesn't know. You, the auditor, don't know.

Ms. Julie Gelfand: What we looked at was whether or not the federal government was able to do a wrap-up of all the different funding. Over 10 years, \$13 billion went out.

Mr. Martin Shields: Gotcha.

Ms. Julie Gelfand: The objectives were to clean the air, clean the water, and reduce greenhouse gases. All that I was looking to find out was how many greenhouse gases were reduced overall in Canada.

Parliamentarians don't know that. Generally, Canadians overall don't know. Objectives were set. All we were looking at was whether or not it met the objectives. That was our job. That is our job as auditors.

•(1210)

Mr. Martin Shields: When you say that, did you do a survey of Canadians to check that?

Ms. Julie Gelfand: We looked at whether or not there was an overall report on the results of the objectives that were set.

Let's give one objective. We're flying to the moon. I want to know how well we're doing getting to the moon, and you need to report back to Parliament.

Mr. Martin Shields: I understand that.

Ms. Julie Gelfand: In this case, it was reducing greenhouse gases and cleaning our air and cleaning our water. I looked for the overall report to tell us whether we were achieving those results and by how much.

Mr. Martin Shields: Gotcha and I accept that and I understand what you're doing.

I'm objecting to when you say Canadians do not...you have no mechanism in there to verify that. None.

Ms. Julie Gelfand: I apologize if I took it in a different way. I was thinking about the report back to Parliament, and therefore the report back to Canadians.

Mr. Martin Shields: Thank you. I appreciate that because, as you say, it's a flexible one. The local people have an understanding. They see it. They see us in our meetings. They see us approving those budgets. They see us building those prioritized projects whether it's regional water...we get the environmental things done, we do all those pieces with it. Local people know.

I think it's a great program. The FCM has worked hard to get it back to the local level. It's their money, their dollars, and we promote it that way. We're getting your money back for you for the projects in our communities. That's how we promote it, and I think it's an excellent program.

So when I continue to see the bureaucracy and read a statement in your document, "provide a long-term vision outlining federal infrastructure priorities", I go bananas. I said you should get out of the way of our money. We know the priorities. I don't like that statement, and I oppose it.

The Chair: You have one more minute. Then I'll put my oar in the water, even though I shouldn't.

Ms. Dianne L. Watts: I'll jump in. I want to get back to flood-plain mapping because we've gone through the gas tax, and we know there are some significant environmental mitigation pieces in there. They will be identified along the way in a document you need.

Getting back to the flood-plain mapping. It hasn't been done for quite some time. Is it the goal to get the mapping that's been done by cities and communities and overlay that, and to look at the gaps in terms of what you don't have and then have a complete picture?

Ms. Julie Gelfand: We found that 50% of the maps that exist are over 20 years old. Public Safety Canada itself came up with an estimate that it would take five to ten years to update those maps at a cost of about \$365 million.

Ms. Dianne L. Watts: So this is federally? You don't have those maps.

Ms. Julie Gelfand: Sixty-five percent of residences are flood plain mapped; 35% are not.

The Chair: We're going to have to stop there. We're over six minutes.

Before I turn to the next person, I am also a past regional councillor, and I think it would be great if it were just about giving the money back to that community, but it isn't. It's taking money from other communities and other Canadians and other places and putting it to that project. It isn't set that you put this much money in through your gas tax, and that this is how much you get back. It's a broad program, and I think we need to be accountable to all Canadians.

Hon. Ed Fast: That's not correct. That's not the case. The money comes back based on population.

Ms. Dianne L. Watts: It's based on population. We regionalize some of it, but it's all per capita.

The Chair: It's totally per capita? There isn't any additional money? Then I'm mistaken, and I will retract. Sorry I put my oar in the water.

Mr. Fisher.

Mr. Darren Fisher (Dartmouth—Cole Harbour, Lib.): I had to scratch an awful lot of my stuff because a lot of the people around the table have asked some of the great questions I wanted to ask—albeit probably provided to me by Mr. Gerretsen, who is the king of great questions.

Mr. Bossio was talking about the risk-based approach. Julie, you note in your report:

The department's reactive approach to addressing reported product safety incidents did not provide an acceptable substitute for a more strategic assessment of risk to determine whether further attention to this issue may be warranted.

If Health Canada were to move away from a risk-based approach in favour of something more strategic, what would that look like? What would you suggest? What do you think might be a better approach?

We've talked a lot about the risk-based approach. We talked about it in our CEPA review. It has come up numerous times. Some people felt it worked pretty well. I'm not certain. I would be interested in your comments on that.

• (1215)

Ms. Julie Gelfand: I'm going to pass this over to Andrew, and perhaps it will go over to the department.

Mr. Andrew Ferguson (Principal, Sustainable Development Strategies, Audits and Studies, Office of the Auditor General of Canada): We're not suggesting that a risk-based approach is not appropriate. What we were suggesting is that the number of incident reports related to counterfeit products is not a reasonable proxy for a more thorough risk assessment.

As the commissioner pointed out, many people aren't even aware that they should report these incidents to Health Canada when such an incident occurs or when they become aware of something, yet we've found—or it's our understanding, at least—that this is what the department uses to determine the risks of counterfeit in e-commerce in the Canadian marketplace. We don't believe that the number of incident reports is a reasonable proxy for a thorough risk assessment.

Ms. Julie Gelfand: I was going to add that in 2007 and 2008 the department got some funding to try to improve the cosmetic regulations. We note in our report three things that the department could have done, but in 2012 they decided not to proceed. Those three things would have been requiring mandatory incident reporting—because right now it's not mandatory—notifying Health Canada of ingredients prior to sale, and disclosure of these fragrance allergens, as happens in the European Union. They decided not to proceed with that. You could ask the department why and whether or not they're thinking of reinvigorating those potential regulations to strengthen the cosmetic regulations.

Mr. Darren Fisher: I have one further question. I guess this one would be for Ms. MacDonald, as it pertains to severe weather and natural disasters. I'm interested in action versus reaction. Right now to mitigate we spend pennies, compared to what we spend on restorative efforts after a natural disaster or a severe weather incident.

Is it realistic? How do you spend money properly across a huge country to mitigate for a natural disaster or severe weather instances? Do you feel that there's a way we could find to spread money out to

be prepared for something that you would have virtually no ability to predict, such as Fort Mac, for instance?

Ms. Lori MacDonald: I think that going forward there are many ways in which we can prepare in terms of mitigating against natural disasters. We know that in Canada right now we spend the most money on flooding. With respect to flood-related disasters, there are many mitigative measures we can put in place in local communities to reduce that and to actually build into that a return on investment in terms of savings.

The example of Manitoba is a very good one in terms of that. Mitigation measures, prevention, and public awareness are all important pieces in order to become a more resilient and sustainable community. That's one example.

Another example would be what we call “building back better”. You can look at Fort McMurray as an example. As they go through this process of rebuilding we're already having conversations with them with respect to how to become more resilient. Things like fire-retardant asphalt in the community and fire-retardant shingles on roofs are community-resilient things that are mitigative in scope and also have an impact in terms of return on investment. There are many things that we can be doing to become more resilient.

Mr. Darren Fisher: You speak of scope. To me, it sounds like that would be a huge cost across a huge country like Canada. To put that into scope for mitigation for the entire country to predict for a possible natural disaster within a certain area is I think a huge challenge.

Do I still have a minute left?

The Chair: You have one minute.

Mr. Darren Fisher: I'd like to give it to Mr. Amos for a question that he was trying to get out.

Thank you, Madam Chair.

The Chair: You have one minute, Mr. Amos.

Mr. William Amos: My question is going to be a bit of a riff on member Watts' point around the “facts” on how gas-tax funding happened. I think she states the record quite clearly. Climate and environment weren't the specific focus of gas-tax funding. It happened that there were projects that were funded in the environmental realm; however, the federal government did not, over the past decade, make greenhouse gas emissions reductions the primary focus. I think that's to the discredit of the previous government's decision-making.

An hon. member: Oh, oh!

Mr. William Amos: Excuse me, but I think that's a direction that we need to be moving in.

My question would go to Infrastructure Canada. How will we enable municipal governments to do the greenhouse gas emission reduction analysis so they can come forward with projects that can enable that kind of policy objective?

•(1220)

Dr. Marc Fortin: As I mentioned earlier, we are going to be partnering with a few partners, such as the FCM, to push the envelope even a little bit longer in terms of planning and asset management. Coming back to more sustainability and clean water, we are going to invest a fair amount of dollars in terms of making sure that municipalities can do long-term planning, providing whatever requirements they have in terms of priorities.

The Chair: Okay, we're out of time, I'm sorry.

We have one last questioner. Back to Mr. Donnelly, for three minutes.

Mr. Fin Donnelly: Madam Commissioner, I want to go back to talking about incentives for a second. In your audit on severe weather you mentioned that in order "to successfully promote mitigation, programs should include incentives for provinces and territories to take proactive measures." Are there specific incentives you propose in these programs?

Ms. Julie Gelfand: My understanding is that we did not promote any specific incentives. When we looked at these, there were three funds that would help communities mitigate against severe weather events. We found very little funding was actually applied for. There was about \$253 million available, and the provinces and territories applied for less than half of that. We suggest to the government that there's something there, albeit we're not sure what. We recommend to Infrastructure Canada that they look at the design of that and figure out what is stopping provinces and territories from applying for that money, essentially leaving money on the table.

Mr. Fin Donnelly: Can I ask Infrastructure Canada if they have suggestions for incentives, or if they are working on or looking at ideas for incentives?

Dr. Marc Fortin: That's a core question. We're getting into the world of categories here, of eligibility in terms of projects. The federal government's approach, under the gas tax in particular, was to have a wider range of categories so that the municipalities and the provinces could choose in line with their top priorities. But we do set some categories in order to frame the area of eligibility a little bit.

Mr. Fin Donnelly: You're broadening the scope, but are there other specific incentives that are going to help them achieve these?

Dr. Marc Fortin: Under the gas tax?

Oh, you're talking about the other program itself. In terms of incentives, we are partnering in providing the funding. If you look at the small community funds and provincial funds or the national fund itself, these are usually done one third, one third, one third.

Mr. Fin Donnelly: Right, yes.

If I have time, it's probably going to be a short one—

The Chair: You have one minute.

Mr. Fin Donnelly: —but in 2007, Health Canada proposed three main improvements to its oversight of cosmetic safety. In 2012, Health Canada decided it was no longer pursuing these improvements and that it was looking for other ways to achieve the goal of improving the oversight of cosmetics.

Do you have any more information on the other improvements that Health Canada wanted to explore? If so, do we know if these improvements would be more or less effective than proposed in 2007?

Ms. Julie Gelfand: Is that for me or for the department?

Mr. Fin Donnelly: Well, I'd appreciate a comment from you first, and if there's—

The Chair: You have a very short time. I'm going to do a quick second round.

Ms. Julie Gelfand: Yes.

What we have in our report is what we know, so you'd really have to ask the department.

Mr. Fin Donnelly: Okay, over to the department, then.

Ms. Hilary Geller: One of the major improvements that was made was the implementation of a streamlined electronic system for notification. That allowed us, among other things, to clear a backlog. We had a backlog of approximately 10,000 notifications before implementation of this system, and that's really allowed us to become much more efficient. It's one of the major changes.

Mr. Fin Donnelly: Great. Thank you.

The Chair: I'm looking at the time and I think there are still a lot of questions that people would like to ask. If you're willing to stay with us, I'm willing to extend it for another quick round of questioning, but I wanted to have us think about something while we're doing that. We didn't do this last time.

We now have these reports in front of us, and we're listening and asking questions, and then you leave. What do we do with this? Last time we kind of embedded some of it in our work. There's a thought here that maybe we might make a motion that these departments come back, and the commissioner comes back, to give us an update in a year. I want you to consider whether that's something we want to do. We have heard from all the departments. Everybody says, "Yes, we're going to implement these recommendations". Maybe we can ask you guys to come back in a year and give us an update on where we are with this.

Secondly, I know we are the committee on sustainable development, and I know the gas tax was changed a bit of change over time, and maybe we do want to focus it back on sustainable development. I'm not sure. This is something that the committee can consider. Maybe we need to make a motion, then table that in the House. That's something we could consider.

We'll move on for another round. I'm looking at the time. We do need some committee time for some work that we have to do at the end, so I'll give us three minutes each on a round, and we'll start with the Liberals, if that's okay with you.

Mr. Bossio, you have three minutes.

•(1225)

Mr. Mike Bossio: We've had a lot of discussion around infrastructure and whether it's meeting the GHG emissions targets, etc., that we're planning on moving forward with. The question that I have, in my particular case, is about very small rural communities, which don't have the financial resources or the tools and resources to determine whether the projects they are actually targeting are going to meet that requirement.

Just as we're doing in the asset management plan, should there be a fund there for small municipalities to be able to tap into through the FCM to be able to measure whether these projects are going to meet those targets? Should the government be funding that?

Dr. Marc Fortin: You have two questions. First, ne, should there be funding for small communities? There is an existing program right now under the small communities fund for populations under 100,000.

Mr. Mike Bossio: Yes, I know that.

Dr. Marc Fortin: That funding is available for small communities.

Now I'll address your second question about measuring. We are going into the new bilateral agreement with the new programs with the provinces. Infrastructure Canada is going to embed in those agreements a performance measurement on the outcomes and incomes.

Mr. Mike Bossio: Okay. Thank you.

Finally, I'll go back to the cosmetics issue. As we know, there are other jurisdictions that are developing standards at a quicker rate than Health Canada is, in certain areas—I'm not saying overall. Would Health Canada think that it would be good to have as part of their mandate the ability to tap into these other standards that are being developed and utilize those moving forward as far as determining the health risks associated with some of these chemicals is concerned?

Ms. Hilary Geller: Using standards is a critical way that we try to work as efficiently and effectively as possible. It's much more efficient to be able to reference a standard and be part of a standard development committee than it is to come up with our own regulations. Indeed, it's something that we're looking at doing increasingly, especially under our new legislation, which significantly expanded the scope of products for which we're responsible.

Mr. Mike Bossio: Christina, once again, I apologize for cutting you off there. I would invite you to make written submissions, if you like, afterwards in reply to some of the questions. It's just impossible in this setting to really get full-hearted questions and answers to them.

Thank you.

The Chair: Over to Mr. Fast.

Hon. Ed Fast: Again, I want to go Ms. Gelfand on the gas tax. I think you know that we're not being combative, but that we're just trying to get to the root of some of these issues.

In 2005, that agreement was exclusively focused on environmentally oriented projects. The Conservative government in 2014 decided to expand the projects to reflect additional priorities that

the municipalities had. It's not to the discredit of the Conservative government that this was done. In fact, it's a credit to that government that indeed it listened to 4,000 municipalities across this country and said, you've got priorities that may not fall into that very narrow group of projects.

The 2014 agreement doesn't carry the reporting requirement and doesn't carry a singular focus on environmentally sustainable projects, yet your report still suggests that reporting and collection of data should continue going forward. You do understand that when you collect data and try to determine greenhouse gas emissions, whether at the municipal, federal, or provincial level, that's an expensive undertaking, especially if you're talking about upstream and downstream impacts?

Are you suggesting that the federal government carry on based on the report that you've issued?

Ms. Julie Gelfand: My suggestion, quickly, is that if you set out objectives—that we want to have more community centres, we want to fly to the moon, we want to reduce greenhouse gas emissions—you need to figure out what performance indicators you're going to have, and you wrap it up and you report back to Parliament, because you're spending a lot of money.

I'll pass it over to Kim, if she has anything else to add.

•(1230)

Ms. Kimberley Leach (Principal, Sustainable Development Strategies, Audits and Studies, Office of the Auditor General of Canada): Thanks, Julie.

I just wanted to point out that was a requirement at the first round of the gas tax to produce outcomes reports. Each province had to report on the outcomes. Those were required to go to Infrastructure Canada. Infrastructure Canada was going to report on that to Parliament. That overall report didn't happen.

In 2009, all of the provinces did submit outcomes reports, but those were the only outcomes reports submitted. In 2012, that was supposed to happen again, but they didn't all come in from the provinces.

Hon. Ed Fast: Did the provinces actually report, or did they just fail to report altogether?

Ms. Kimberley Leach: As we mentioned in the audit, there are a couple of signatories that did not report on outcomes to Infrastructure Canada.

Hon. Ed Fast: In some provinces that information was actually available.

Ms. Kimberley Leach: Yes, in some, but not all.

Hon. Ed Fast: My big concern here is that municipalities are incredibly sensitive to intrusion in their area of competence when it comes to infrastructure. The fact that there are federal monies involved shouldn't change that. These are still local priorities. To establish a system of reporting and accountability all the way up to the federal government that imposes significant additional cost on the municipalities will be rebuffed quite strongly.

The Chair: I am so sorry, but we are out of time. Thank you.

Mr. Donnelly.

Mr. Fin Donnelly: Infrastructure Canada decided not to proceed with detailed assessments regarding the environmental implications of certain projects, which caused them to miss environmental risks.

Commissioner Gelfand, although you felt that a more detailed assessment was necessary based on evidence from the preliminary scan, Infrastructure Canada did not. Is this a matter of opinion?

Ms. Julie Gelfand: Are you talking about the strategic environmental assessments, and the funds? I believe that's what you're talking about.

Mr. Fin Donnelly: Yes, the detailed assessments.

Ms. Julie Gelfand: It's the detailed assessments on the strategic environmental assessment?

Mr. Fin Donnelly: Yes.

Ms. Julie Gelfand: I haven't had that question so I haven't studied that as hard.

You may know that one of the things that I keep reporting on every year is how well each department is doing something that a cabinet directive has asked it to do, which is to do a strategic environmental assessment of all the decisions that are made that go to ministers or that go to cabinet. When we were looking at the infrastructure funding and the funds they set up, we wanted to find out whether or not they followed that cabinet directive on strategic environmental assessment.

The results are...? I can't remember.

I think they did in three of them, but not in one.

Is that correct?

Ms. Kimberley Leach: Yes, they had proceeded to the preliminary strategic environmental assessment, but had not proceeded to a more detailed strategic environmental assessment.

Ms. Julie Gelfand: And we do make that call as we go department by department. We've been doing that for the last three or four years, and we will continue to do that until we've finished all 26 departments.

Mr. Fin Donnelly: Of the three reports—in the very few seconds I have—what was the most eye-opening?

Ms. Julie Gelfand: The most eye-opening?

Mr. Fin Donnelly: Yes, which did you find was a striking conclusion? You have numerous recommendations. You have a lot of observations. What stood out for you and your findings in these three reports that you think Canadians would be surprised about or that government would be most happy to hear that Canadians didn't realize?

Ms. Julie Gelfand: I don't think that Canadians realize that cosmetics are not tested before they're put on the marketplace, and I don't think Canadians know that if they have a safety incident, they should call Health Canada. I had one in my twenties. Every female I talk to has had a problem with a mascara. Call Health Canada. That's number one.

Number two is that we need to consider the changing climate. When we're building new infrastructure, we need to build back better. Once we have had a disaster, we need to build back better. Severe weather is costing Canadians a lot of money. That's

taxpayers; that's all of us. When we build climate-resilient infrastructure, we build climate-resilient communities. They can get back in gear faster. Their economies can come back. We need to be thinking about that.

Those are some of the main messages that I wanted to pass on as a result of the audits that we did: build back better, build climate-resilient infrastructure because we are going to have more severe weather, and we need to be able to bounce back quicker. How do we do that?

The Chair: That's it. We're good.

I think we could go at this all day. I think there's lots of real meat in the report. Unfortunately, I can't. I do have a liaison committee meeting at 1 o'clock, so I can't stay, and we have some committee business to do.

Before I let you go, I did put on the table a thought that we should consider having you come back. We need to make a motion to do that. I don't know if you've given some thought to that, whether you think that's something the committee could or should do.

Mr. Fast, what do you think?

•(1235)

Hon. Ed Fast: I would be pleased to support that. I'll tell you why. In reading through the reports, they are comprehensive, they contain so much information. We're only able to deal with one aspect of the report. I think most of us around this table have just been able to....

The Chair: —scratch the surface.

Hon. Ed Fast: Exactly. I would love to see us dedicate at least one more full meeting to this so that we can delve into some of the other areas that we didn't get a chance to.

The Chair: That's actually not what I was thinking, but it's something we could consider. We'll have all the departments here. We could suggest that they implement the recommendations and that they have some plans. There was some recognition of a plan that's already been presented. I would like to have us come back to look at where we've gotten after the departments have had a chance to get into the meat of the matter and maybe try to bring forward some changes.

Go ahead, Ms. Gelfand.

Ms. Julie Gelfand: My recommendation is to think about what the public accounts committee does. The public accounts committee requires that the departments provide it with an action plan. They don't have to give me an action plan; they have to give Parliament an action plan. From that action plan, you could ask for follow-up.

The Chair: Okay. If we put on the agenda now that we would like that to come back, then everybody involved would know that we're going to be looking for it to come back here. Is that fair? You'll have to clear your schedules.

So there are two aspects. One is that we will formally put on the record that we want to have them come back to committee—not just that they're going to be coming back. We want to carve out some time to dig a bit deeper into that.

You've also brought another suggestion, which is that we go into another session and dig deeper. That's what I thought I heard.

Hon. Ed Fast: Yes. I did understand you were talking about a one-year report back to us. I obviously support that.

This report was comprehensive. It covered three main subject areas. We didn't have a lot of time. We've not given a lot of time. Even this meeting is basically a half-hour short. Since my community and region of the Fraser Valley have significant flood risks, and given the fact that this deals with flood mitigation, I would love to delve into it.

We didn't get into the consumer products aspect or much into the chemicals management plan, which we discussed earlier, but this has a different twist to it.

It might be worthwhile for us, when we have an opportunity, perhaps in the fall, to carve out one meeting to do that.

The Chair: As in the early days when we had the first fall report, we used it somewhat to inform the direction we decided to go with the committee on some aspects. I think you're saying that we should probably consider that again. We know that we have a full agenda for this period until the fall, and we still have two elements on our agenda. We have to wrap up our study on protected areas. We're well under way with CEPA. We have some climate change technologies that we need to look at.

As we start to assess those, we could maybe start to open up the rest of our plan for the fall and bring this back.

Hon. Ed Fast: I also note that from time to time, there are meetings at which witnesses for some reason or other can't make it, or they have to bail out.

The Chair: We've been having the opposite problem, actually, but that's okay.

Hon. Ed Fast: It would be nice if where we required a filler, we could plug this in.

The Chair: Sure.

Hon. Ed Fast: Ms. Gelfand has been quite available on numerous occasions. Since we're dealing with our civil servants from the different departments, it might work.

The Chair: She's been very accommodating, for sure. I'm hearing you.

Mr. Bossio.

Mr. Mike Bossio: I very much appreciate where it's coming from, but at the same time, we are looking at CEPA, which will cover the chemicals management plan. We are looking at climate change, which will cover the climate resiliency and the flood mitigation aspect of it.

As much as I love to have Ms. Gelfand here, I'm sure we will have her here again to talk about these things when we get to climate change and further to see whether there will be requirements to do that. Also I think this would be better discussed at subcommittee.

We have committee business we have to get to, and you have to get out of here. This is a discussion that doesn't have to happen right now, I think.

•(1240)

The Chair: That's fair enough. It wouldn't be bad to have a motion, if somebody's prepared to move it, to have that report back here at committee in one year so we can see where all the departments have gotten to on these very important topics, and so that we can take under advisement whether or not to fit in some more time for these topics in our committee work.

Ms. Dianne L. Watts: On a point of order, my comments here were mis-characterized by Mr. Amos, because that's not what I said. I just want to be clear that in the context of the gas tax, there were criteria around clean water, reduction of greenhouse gases, and clean air. I said that the words "climate change" were not overarching in that, but that these elements, under that umbrella, were definitely there, and there were a significant number of projects that fell under each one of those categories.

The Chair: Thank you very much for that clarification.

Mr. William Amos: That wasn't a point of order.

The Chair: That wasn't a point of order, for sure, but the clarification was welcome.

Okay, Mr. Amos, keep it really short because we really do have to move to committee business.

Mr. William Amos: I'd just like to clarify. What I said was that the fact that climate change was not an overarching factor of the program was a discredit to the previous government.

The Chair: Okay, guys, this is not the way we really like to move forward in this committee.

An hon. member: It was merely a description of the program.

The Chair: That was it, yes. Let's end that. We're going to move on. I'm sorry that we've gotten to that.

Go ahead, Ms. Gelfand.

Ms. Julie Gelfand: I would like to make one last comment just to let you know that in the past—and I don't know how long ago—we used to have one hearing per chapter. So for Mr. Fast, who is saying we don't have enough time, that is how it happened in the past: one chapter, one department, and then one after another—not for this time, but next time.

The Chair: Okay, that's excellent advice.

Moving forward, unfortunately for us, we only booked one session. As we're learning the value of these sessions, I think we'll carve out some more time for them, and that would be helpful.

There's a motion that needs to be made.

An hon. member: How do we set the motion? Do we invite them back?

The Chair: In one year we're requesting a report back to the committee on the program to just kind of tune it up.

Mr. Mark Gerretsen: I so move.

The Chair: We're asking the departments to report back to the committee.

Go ahead, Mr. Donnelly.

Mr. Fin Donnelly: Madam Chair, what we heard from the commissioner is, once they've been through public accounts, to have those reports come to this committee. I think that's just—

The Chair: That's probably the most productive—

Mr. William Amos: Are you—

Ms. Julie Gelfand: I am suggesting that you might want to think about how the public accounts committee deals with the Auditor General reports and deal with ours in the same way. At public accounts, the Auditor General reports to the public accounts committee and the departments must provide an action plan. You could do the same thing in this committee.

Mr. Fin Donnelly: Okay, then I'll withdraw my—

The Chair: Okay, I think we all know what we're looking for. Is there any confusion on what we're looking to have happen?

Yes, Mr. Amos.

Mr. William Amos: I'd like to speak to that.

Are we in consensus that we're going to spend additional time on this and make that determination now: I'm not in agreement/I am in agreement?

The Chair: No, that's not what we're discussing. That one is for future discussions at a subcommittee meeting. This is specifically to request that those who have come forward to us, come back and update us on progress made on the recommendations in the report. It was agreed by everyone who spoke that they were going to draw up plans in response and would address these issues. We would have them come back in a year and report back on progress. That's it.

Are we all in favour?

Some hon. members: Agreed.

The Chair: Is anyone opposed?

Great, we have that set.

I'm going to have to ask everyone to clear the room. I have a really short time.

[Proceedings continue in camera]

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