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Chair

Mr. Dan Ruimy

Standing Committee on Industry, Science and Technology

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• (0845)

[English]

The Chair (Mr. Dan Ruimy (Pitt Meadows—Maple Ridge, Lib.)): Welcome back everybody to meeting number 58 of the Standing Committee on Industry, Science and Technology. Pursuant to the order of reference of Tuesday, February 7, 2017, we have been studying Bill C-36, an act to amend the Statistics Act.

Today we have with us, from the Department of Industry, for any questions that might be needed, Larry Shute, deputy director general, economic research and policy analysis branch, strategic policy sector.

Before we proceed, the committee was in Washington, D.C., this week, and it was an amazing time. We met with so many relevant people. I just wanted to take a moment to recognize that the success of the trip was because of the hard work of our clerk, our analysts who are with us all the time taking hundreds of pages of notes—it blew me away how fast they were writing—and our logistics person, Suzie. Everybody at the embassy was phenomenal. They kept us on track and on time. I was very impressed, and kudos to our team and to your team. Thank you.

Having said that, we are moving on. We are on clause 1. There are no amendments.

(Clause 1 agreed to on division)

(On clause 2)

The Chair: We are starting with PV-1.

Ms. May, you have the floor.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you, Mr. Chair. I'm here not as a member of this committee but due to a motion the committee passed, which requires me to be here if I should want to put forward amendments. If you had not passed that motion, committee, I would be able to put forward amendments and speak to them at report stage. I still object to the process, but I will dive in.

First of all, I'm really overall pleased that the government is moving to improve the independence of Statistics Canada. I don't think it has gone far enough, and I wish to associate myself with a number of the comments that have been made to you by Paul Thomas and Wayne Smith. You'll note that a number of my amendments are based on their testimony.

The first amendment that we put forward is in relation to ensuring the independence of the appointment process, the fundamentals of chief statistician. We believe Bill C-36 should be amended, as Dr. Thomas recommended, to have an advisory appointment panel of three distinguished people of impeccable credentials.

You can see PV amendment 1 says that should the minister establish such an advisory appointment panel, it recommends one candidate and one alternate candidate...that the advisory panel be composed of three persons with appropriate knowledge. And I just want to explain the third subsection to committee members. It's just to ensure that we don't run into any royal recommendation issues for an amendment being put forward by a member of the committee as opposed to the government putting it in the guts of the bill. That's why we're recommending they not receive any remuneration. That's not because I don't believe distinguished people don't deserve remuneration, but I wanted to avoid any issues with the admissibility of this amendment.

Thank you.

The Chair: Thank you.

Debate? Mr. Longfield.

Mr. Lloyd Longfield (Guelph, Lib.): As we were discussing through the witness process, what we're looking at is a Governor in Council appointment process being used across the board. It's something that our government is putting forward to improve transparency and accountability. Using open, transparent policy and gender parity is consistent with what we're doing in other appointments.

The remuneration of covering expenses, travel, is not paying people to be there but just making sure that regional expenses to come into Ottawa are covered off so we get good regional diversity on any panel we have. I wouldn't be supporting the amendment, then.

The Chair: Any further debate? Hearing no further debate, we shall vote.

(Amendment negated See *Minutes of Proceedings*)

The Chair: We're going to move on to NDP-1.

Mr. Masse.

• (0850)

Mr. Brian Masse (Windsor West, NDP): Thank you, Mr. Chair

I'm going to read the amendment into the record.

It states that Bill C-36, in clause 2, be amended by adding after line 4 on page 2 the following:

(4.1) The Minister shall establish a search committee to prepare a list of no more than five qualified candidates for consideration by the Governor in Council when making an appointment under subsection (1).

(4.2) The search committee shall be composed of between 8 and 12 persons, each of whom are knowledgeable about the duties of the Chief Statistician and the mandate of Statistics Canada, and may include the following:

- (a) any former Clerk of the Privy Council;
- (b) any former Governor of the Bank of Canada;
- (c) any former Chief Statistician; and
- (d) the President of the Statistical Society of Canada.

(4.3) No member of the search committee shall receive remuneration for the performance of their duties or be reimbursed for any expenses incurred in the course of performing those duties.

This amendment comes from the former chief statistician's suggestions that we heard in testimony before this committee. It is to provide the minister not only just the recipe for naming the chief statistician, but also the process. For those reasons I'm moving this amendment and I believe it would be a value-added part of the legislation. It would also take away some of the adverse issues we've had over the last number of years related to appointments.

The Chair: Thank you.

Is there any debate?

Mr. Longfield.

Mr. Lloyd Longfield: I see where Brian's heading with this, but this is similar to my previous comments. This is getting prescriptive in terms of how the Governor in Council process would work. I think they could follow some of these guidelines on their own, so as with amendment PV-1, I would say we should follow a consistent process across all government agencies that is transparent and accountable to Parliament.

The Chair: Thank you.

Seeing no further debate, we shall vote on NDP-1.

(Amendment negated)

The Chair: We're going to move to NDP-2.

Mr. Masse.

Mr. Brian Masse: Thank you, Chair.

My amendment is that Bill C-36, in clause 2, be amended by replacing line 30 on page 2 to line 12 on page 3 with the following:

4.1 The Chief Statistician shall determine the methods, procedures and operations that are implemented by Statistics Canada in carrying out its mandate.

4.2 The Minister may provide written recommendations for the consideration of the Chief Statistician on the statistical programs that aim to collect, compile, analyse, abstract and publish statistics on all or any of the matters referred to in section 22.

The Chair: Is there any debate?

Mr. Jowhari.

Mr. Majid Jowhari (Richmond Hill, Lib.): From the point of view that the chief statistician has control over methods and the procedures and operation, I think that's quite clear from the bill. However, since this individual is a non-elected individual, there is a need for oversight, and that oversight should come from the minister.

If a case raises a concern over conflict, I think the procedure is very clear and transparent. The minister will prepare a report, present it within a timely manner to the Parliament, and seek approval.

At the end of the day, I believe there is a need for oversight for non-elected officials, and I don't think there's any conflict of interest with the mandates given to the chief statistician to ensure that the methods, procedures, and operations are kept independent. I think that independence has been clearly indicated.

The Chair: Thank you.

Mr. Masse.

Mr. Brian Masse: Thank you, Mr. Chair.

I can see that this process is quickly becoming a farce with regard to the serious nature of this. This is an amendment that deals with the deconstruction on a political basis of the long-form census to that of a short-form census, which is the genesis of many Liberal bills that were presented in the previous Parliament and in this House of Commons, and which led to the minister's tabling of this legislation in its current context. This is to create the science behind the actual census as the imperative measure and also the necessary strength of legislation to ensure the chief statistician is not intimidated and is not prevented from using science as a basis of a census information system to make decisions.

We saw in the previous Parliament a number of different attempts by political means to undermine the census, which is critical for our statistics, not only for agriculture, but for manufacturing, social development, transit, and the environment. One of the more iconic attempts was made by the minister at that time, Tony Clement, in using the insinuation that people would go to jail if they did not fill out the long-form census. Technically, that was correct. That was the case. However, it led to months of exchanges in the House of Commons about the fact that nobody actually had gone to jail related to this. This was one of the obscure elements that was left over from the census process.

When this was moved in the House of Commons, after a long debate and long attempt to stop this from happening, it was instituted as a short-form census. We lost the mandatory long-form census. That's why we're even here today. Again, what this does is completely open the door for political interference with regard to the decision-making and the capabilities of the chief statistician with regard to Stats Canada. It intentionally undermines the whole matter that we're here for today and, more important, I think it sends a message internationally that political interference on our census, our questions, and our capabilities is the status quo and now the norm in Canadian law.

Proposed subsection 4(1) is clear about that. Proposed subsection 4(2) is of a prescriptive manner, so that the minister can provide accountability. Proposed section 4(2) is particularly important for public issues, because then they can actually get a public record. The minister has to go on record by providing a written form of the explanations as to why he or she feels that there should be interference on the census itself. That accountability would be there not only for the general public and those people who actually fill out the census themselves, but for scientists as well.

I think every Canadian should be seriously interested in proposed subsection 4(2), because as you sit down at the table with your family and decide which information you will forever disclose to the government, you at least will know that the minister, if you are uncomfortable with that, had the opportunity to express himself or herself on that, or that there was at least some type of an evaluation that went to the chief statistician at some point in time to reject that, if there was a possibility to do so. It would actually be vetted at that point in time. Political interference would be very much accountable through the process, and the minister would also have to provide the necessary information to publicly sell this.

Let's say, for example, that there are privacy issues with a question that Canadians are having to answer. There would then have to be that process in place where the minister would go to the chief statistician and ask for that type of a privacy question, and there would be a public process and an inclusion all the way to that point in time when you actually sit down later on and have to divulge information that later on is going to be provided to the public. Also, the fact of the matter is that when we're discussing census information later on, it will be disclosed in its entirety.

If this amendment at this particular point is not passed, it is clear that this government has no intent to deal adequately with this issue. It will completely undermine all the efforts of the former chief statisticians who have tried to publicly advocate for a more reasonable approach, and unfortunately we will again have wasted taxpayers' time with regard to trying to compile a proper census that returns Canada to being a leader with regard to census-taking, as opposed to a passive vessel that we will have in legislation at the end of the day.

• (0855)

The Chair: Thank you.

Mr. Lobb.

Mr. Ben Lobb (Huron—Bruce, CPC): I'd like to add to what Mr. Masse said. This is now the second bill that we've had at this committee, and we probably had four or five meetings with witnesses, and there were many experts who provided many opportunities or options for amendments. I see amendments here. I don't see any amendments from the Liberals. That's a little disappointing because there were some really fine, highly qualified experts who did appear at this committee, and not one amendment has been brought forward.

Again, it's another thick-headed approach to the whole committee process. I don't mean from my colleagues across the way. I mean from the minister and his officials, because the whole process of having witnesses here is to not waste government's time, and the time of members of Parliament and staff. The idea is to have these experts come, hear their suggestions to make the bill better, and make the bill better.

Again, this minister is "Minister knows best". I've known that for a long time, and I think my colleagues on this side know that as well. He is absolutely unwilling to ever accept a suggestion, and that will be to his own peril. On this process with the last bill, try as we might, we didn't get anywhere. This is going to be the same way, so I wish my colleagues all the best.

• (0900)

The Chair: Mr. Jowhari.

Mr. Majid Jowhari: I just want to add to the record that I feel this is a great balance between the independents, which is the spirit of the bill, and the best ministerial parliamentary system that we live in, so this presents a balance between those two. That's the framework: we really have to look into this bill.

The Chair: Mr. Masse.

Mr. Brian Masse: Thank you, Mr. Chair.

I would respond to that. The fact is, this restores the current problem that we have. The unilateral movement of a minister for political or personal reasons at the expense of Canadian privacy and Canadian science is the actual end result of this.

The Chair: Thank you.

Hearing no further debate, we shall vote on NDP-2.

(Amendment negated)

The Chair: Shall clause 2 carry?

Mr. Brian Masse: On division.

(Clause 2 agreed to on division)

(On clause 3)

The Chair: We'll move to clause 3, and NDP-3. Mr. Masse, you have the floor.

Mr. Brian Masse: Thank you, Mr. Chair.

I move that Bill C-36 in clause 3 be amended by replacing lines 18 to 21 on page 3 with the following:

Statistics Canada the statistics and information that he or she considers useful and in the public interest relating to the commercial, industrial, financial, social, economic and other activities that he or she may deter-

It's an amendment that may create more inclusiveness for the chief statistician, and I'll leave it at that.

The Chair: Any debate?

(Amendment negated)

The Chair: Shall clause 3 carry?

Mr. Brian Masse: On division.

(Clause 3 agreed to on division)

The Chair: Shall clause 4 carry?

Mr. Brian Masse: On division.

(Clause 4 agreed to on division)

The Chair: We will move to clause 5. We are at PV-2.

(On clause 5)

The Chair: Ms. May, you have the floor.

Ms. Elizabeth May: Thank you, Mr. Chair.

This amendment again was one recommended from the evidence that the committee has heard. As much as one would like to think that Bill C-36 made it impossible for the political interference and the collection of statistics that we saw in the 41st Parliament from ever happening again, from the decision that was made by Tony Clement, one must pause for a moment and say that Munir Sheikh is probably one of the bravest, most dedicated civil servants this country has ever seen. He lost his job rather than see Statistics Canada fail to do a mandatory long-form census while the minister pretended that nobody had told him that it would be a bad decision. I would urge the government to consider bringing back Munir Sheikh, because there you have a person of such impeccable integrity that we would know that our Statistics Canada division was run by someone who is independent.

However, the law at this point, as drafted, won't ensure that we won't see that happen again, so my amendment goes to the issue of the potential for interpretations by the court, that the questions that go to a particular segment of the population, and not to every Canadian, are somehow not mandatory. As you see, after line 36, on page 4, I would insert PV-2:

The census of population and census of agriculture are mandatory even if not all the questions are addressed to all respondents and regardless of the method used to obtain the information.

Thank you, Mr. Chair.

• (0905)

The Chair: Thank you.

Is there any debate?

Mr. Masse.

Mr. Brian Masse: To the mover, this would make the agricultural census a mandatory census. Is that correct?

Ms. Elizabeth May: It would make it mandatory to answer the questions in every part of the census that was sent out, including. This is to avoid a misinterpretation by the court, and this is based on evidence that Wayne Smith gave to this committee. So, yes, it would make all questions in the census addressed to all households mandatory.

The Chair: Mr. Longfield.

Mr. Lloyd Longfield: Thanks for clarifying that. I'm looking at this as something that we already have in paragraph 22(b). Agriculture is on the list of census, and our census procedures are outlined in paragraph 22(b). It looks to me as though this is something we're already doing.

Ms. Elizabeth May: The evidence of Mr. Smith was that there were still some loopholes in terms of specific questions that were not asked to every household, and it goes to an interpretation by the court that could be made. So I agree with you that on the reading of that section, one would think that every question goes to households and that all questions are mandatory, but the court had, in the 2011 case, said that questions are mandatory if they're part of the census, but to be part of the census they have to go to all households. The issue was that if you are asking specific questions that don't go to all households, are the sections with those particular questions not considered under the rubric of the general statement that you have to answer all questions on the census. It's not whether answering

questions on the census is mandatory; it's whether questions that go to only some households are considered part of the general census.

Mr. Lloyd Longfield: Could I ask Mr. Shute to clarify that?

The Chair: Yes.

Mr. Larry Shute (Deputy Director General, Economic Research and Policy Analysis Branch, Strategic Policy Sector, Department of Industry): Under the existing act, both the census of population and the census of agriculture are mandatory. There is a long-established tradition of the long form being part of the census, so therefore it's mandatory. Under Bill C-36 we actually assign to the chief statistician the ability to make mandatory any request for information. He makes the long-form census mandatory. For example, he could make the national household survey, if it was continued, mandatory. It's his decision. It's part of the methodology for collecting that is assigned to him under Bill C-36.

For example, if you look at the long-form census from this year, which was mandatory after the government reinstated it, the title of it was "2016 Census of Population questions, long form (National Household Survey)".

That power is now with the chief statistician.

Ms. Elizabeth May: On the potential for an interpretation remaining open for a court or government to claim that if it is only to certain households it's not part of the general census because it's not found in the law as opposed to it being at the discretion of the chief statistician, we're attempting to close off something for potential future court challenges around the mandatory nature of the survey of households and the long-form census.

I know that in practice, the statistician can say this is mandatory. In practice, some sections can be seen as being part of the general survey even though they go only to certain households. The reality of the threat is that there could be a future interpretation by the court to say that the act doesn't specifically say that questions that go to only some people by a different method are somehow still part of the general survey.

• (0910)

Mr. Larry Shute: Right, but in general the chief statistician would now have the authority.

In the current system, all business surveys are mandatory. On the household side, the census is mandatory, and the labour force survey is the only other mandatory household survey at this point. If the chief statistician decided for technical or methodological reasons that a mandatory survey for something such as health was required to elicit the information that the government wants, he could make it mandatory. The long-form census is a survey. He has the authority for the methodology, the survey methods, including it being mandatory versus voluntary.

Ms. Elizabeth May: I accept that this is your interpretation. I remain concerned. The benefit of the amendment that I am proposing is that there not be any room for a court to say that there is a difference between the survey methods, which then makes one set of questions different from another set of questions, and avoiding potentially political interference with the census process in the future.

Again, it's based on evidence that we have from our former chief statistician that such an amendment would be valuable.

Mr. Larry Shute: In my recollection, there were some court cases in the early 1980s of people refusing to fill out the census—the long-form portion—because it was a sample. Under the old act, there was potential for that to be contentious. Under the proposed amendments, that would no longer be the case. It would be clear that any survey—and that includes the long-form census, which doesn't go to the whole population—can be designated as mandatory by the chief statistician.

Ms. Elizabeth May: In a future court action, should there ever be one, the conversation we've just had will be on the record, and it is the legislative intent of Parliament that this be mandatory, affecting all questions as the chief statistician determines. Even though my concern remains, it is somewhat allayed by knowing that this committee, your evidence, and the legislative process around this bill confirm that the legislative intent is that questions be mandatory as the chief statistician sets them out, regardless of the method used and regardless of whether it goes only to a portion of the households. I hope it won't ever go to court again, but at least this conversation is part of the record of why we want to make sure that this census is mandatory.

Thank you.

The Chair: I see no further debate on PV-2.

(Amendment negated)

The Chair: We're going to move to CPC-1. Mr. Nuttall, you have the floor.

Mr. Alexander Nuttall (Barrie—Springwater—Oro-Medonte, CPC): Thank you, Mr. Chair.

Do I need to actually move the amendment?

The Chair: Yes, you have to move the amendment.

Go ahead, Mr. Masse.

Mr. Brian Masse: Sorry. We have a series of competing amendments that are similar. Is there anything consequential with this one, with regard to the following motions?

The Chair: It's similar to NDP-4.

Mr. Brian Masse: There is a procedural issue to find out whether it makes NDP-4 either inadmissible or inconsequential, or whether NDP-4 is still different enough to carry on its own. Anyway, I'll let the clerk...

The Chair: The first step is that he has to move it and put it in.

They are very similar, so the ruling would apply to both.

Mr. Brian Masse: Okay.

The Chair: Mr. Nuttall, you're up.

Mr. Alexander Nuttall: The amendment is:

That Bill C-36, in Clause 5, be amended by replacing line 19 on page 5 with the following:

Statistician, not more than 20 other members appointed

● (0915)

Throughout this process, one of the things that our team on this side of the aisle has been asking about has been the number of members for the committee, the reduction of the number of members, and the effects this would have on the job that's getting done. You can look at some of the witnesses and some of the information that was brought forward in terms of what was being recommended, and compare it with that of some other countries around the world. New Zealand was one that came up repeatedly. This is a country that is very small compared to Canada, and it has 20 members on its advisory committee. Obviously, we're going to a much smaller place with less diversity and fewer persons around the table. The thought on this was essentially to allow us to at least match what New Zealand has and go from there, and also to be in line with other OECD countries on this subject.

The Chair: Thank you.

I have a ruling from the chair. Bill C-36 seeks to amend the Statistics Act by creating the Canadian statistics advisory council, composed of not more than 10 members. The amendment attempts to increase the number of members on the council. As *House of Commons Procedure and Practice*, Second Edition, states on pages 767 and 768:

Since an amendment may not infringe upon the financial initiative of the Crown, it is inadmissible if it imposes a charge on the public treasury, or if it extends the objects or purposes or relaxes the conditions and qualifications specified in the royal recommendation.

In the opinion of the chair, since the amendment proposes to increase the number of members on the council, it imposes a charge on the public treasury; therefore, I rule the amendment inadmissible. That would apply to amendment NDP-4 as well.

For the record, Mr. Masse, did you want to move yours or not?

Mr. Brian Masse: For the record, I am going to move it, yes, because there is a difference.

I won't ask you to read your decision, but our amendment is that Bill C-36 in clause 5 be amended by replacing line 19 on page 5 with the following:

Statistician, at least 19 other members

This is the difference.

who represent a broad range of disciplines, skill sets and regions of Canada who are appointed

The Chair: Thank you.

Again, for the reasons stated prior, that is ruled inadmissible.

We're going to move to amendment PV-3.

Ms. May, you have the floor again.

Ms. Elizabeth May: Mr. Chair, we have a theme on the question of the numbers of people on the advisory panel. To refresh your memories as to evidence from experts and from former chief statisticians, Wayne Smith recommended a 24-member council; Professor Thomas recommended 20; and, Munir Sheikh confirmed that he thought 10, as is currently in the act, was too few, and 40 was too many, and that somewhere in there we could have something else. The expert evidence before this committee was unanimous that 10 committee members were not enough.

My third amendment again attempts—in the same section as the Conservative and NDP amendments have attempted to do it—to replace the number of people. I'm suggesting, at line 19 on page 5, replacing that with “not more than 20” other members appointed. The same issue occurs in terms of the royal recommendation issue, then, but I'm happy, if anyone wanted to amend this from the government side to adopt the different number of members, to remove my subsection related to remuneration. That's the purpose of my amendment: to be reflecting the expert evidence that the committee has heard. I think it would be a shame to see the bill going through the committee without a single additional reflection of the evidence you heard, as it appears to be doing.

Thank you very much, Mr. Chair.

The Chair: Thank you.

Debate on PV-3, please.

Mr. Arya.

Mr. Chandra Arya (Nepean, Lib.): Thank you, Mr. Chair.

The number of advisers available to the chief statistician is quite huge. We have seven federal-provincial committees and 13 advisory committees. We have about 200 members in these committees who are available to advise the chief statistician.

We have this council of 10 to provide strategic advice. None of the witnesses had any reason for why it has to be 15, say, why it has to be 20, or why it can be as low as 10. There is no hard and fast rule. In my experience at a board level, especially when strategic advice is the main factor, a smaller board is always good. I would have preferred six to eight, but 10 seems to be reasonable. That allows the chief statistician to have one-to-one conversations and keep that personal relationship with every member of the council. I feel that we should stick to 10.

• (0920)

The Chair: Thank you.

Is there any further debate?

Mr. Masse.

Mr. Brian Masse: On hearing that from Mr. Arya, would he be interested, then, in making an amendment that he prefers the number to be from six to eight?

Mr. Chandra Arya: I think I'll stick to 10. Thank you.

Mr. Brian Masse: I'm just shocked, Mr. Chair.

Thanks.

The Chair: Is there further debate on PV-3? Seeing no further debate, shall PV-3 carry?

(Amendment negated [See *Minutes of Proceedings*])

(Clauses 5 to 9 inclusive agreed to on division)

(On clause 10)

The Chair: Thank you.

We're going to move to clause 10, and we're at CPC-2.

Mr. Nuttall.

Mr. Alexander Nuttall: Mr. Chair, the amendment reads:

That Bill C-36, in Clause 10, be amended by replacing line 7 on page 8 with the following:

taken, but only if the person to whom the information relates consents, at the time of the census, to the release of the information ninety-two years later.

This is an amendment that was put forward by Mr. Dreeshen, which I'm proposing on his behalf. I'd like to read some of his notes that he passed on to me.

“Bill C-36 proposes that starting with 2021, census records be automatically made available with no provision or consent if they want their information public or not. This amendment will change the original text of the bill to include a provision that will respect privacy by default. Canadians expect us to respect their right to have their information kept private should they choose to do so.”

“We can't compromise on privacy, and for an average Canadian to hear about this bill and this provision on census data will create questions about how secure the information really is in the hands of the government.”

The general message that Mr. Dreeshen is trying to get across, and certainly I share it as well, is that as we're going through this process, first of all, Canadians need to know what the changes are going to be. We need to ensure that it's properly communicated to them, but also that we get feedback from them through the process so that they understand their personal information could eventually end up out there. Certainly the general statement is to protect privacy at all costs.

I will leave that on the floor and certainly welcome any questions or debate.

The Chair: On debate, Mr. Baylis.

Mr. Frank Baylis (Pierrefonds—Dollard, Lib.): I think it's commendable to try to find the right balance between the need for information and protecting the privacy of Canadians.

The challenge here is that it also becomes a cost analysis, and it becomes extremely onerous if every single person has to be contacted. We end up really digging into the treasury. For this reason, I oppose this.

The Chair: Thank you.

Seeing no further debate, we will vote on CPC-2.

(Amendment negated)

The Chair: Shall clause 10 carry?

Mr. Brian Masse: On division.

(Clause 10 agreed to on division)

The Chair: We're going to a proposed new clause, 10.1, per NDP-5.

Mr. Masse.

• (0925)

Mr. Brian Masse: Thank you, Mr. Chair.

The amendment is as follows:

That Bill C-36 be amended by adding after line 15 on page 8 the following new clause:

10.1 (1) Subsection 21(1) of the Act is replaced by the following:

21 (1) The Chief Statistician shall, by order, determine the questions to be asked in any census taken by Statistics Canada under section 19 or 20.

(2) Subsection 21(2) of the French version of the Act is replaced by the following:

I won't read the French because I do not want to offend the French language. I take lessons, but I have not mastered French in many years here in the House of Commons. I have the deepest respect for the francophone language—

The Chair: I could attempt to say this in French, but that's why we have translators.

Mr. Brian Masse: —and there are witnesses here who would actually attest to that.

The Chair: This amendment seeks to amend section 21 of the Statistics Act. Again, *House of Commons Procedure and Practice*, Second Edition, states on pages 766 and 767, “an amendment is inadmissible if it proposes to amend a statute that is not before the committee or a section of the parent Act, unless the latter is specifically amended by a clause of the bill.”

Since section 21 of the Stats Act is not being amended by Bill C-36, it is therefore the opinion of the Chair that the amendment is inadmissible.

(Clauses 11 to 18 agreed to on division)

The Chair: Shall the title carry?

Mr. Masse.

Mr. Brian Masse: I have an amendment here for the preamble. I want to do this because it's very important. It was testimony from Mr. Smith. It was testimony from Munir Sheikh. The testimony we received was that Canada's international reputation was damaged under the previous census, and it has the opportunity to restore that. One of the things is the United Nations preamble. This would set Canada as a leader.

It's interesting to note that in the many pieces of legislation that I've been a part of here in the House of Commons, often you come with amendments and motions, but mostly amendments. You compete with the government of the day to get those amendments accomplished. Very rarely is there a piece of legislation that passes here that did not require some type of change from its original provision, which was prior to hearing the testimony of witnesses in front of committee.

In a sense, that's the whole purpose and foundation of parliamentary committees' oversight and review—for committees to be the agents of making legislation better. Even if you disagreed with the legislation at the end of the day, you were the responsible bodies to make sure it would live up, through the court of law, and

actually achieve the goals that the government talked about. In fact, I have many amendments that were passed under both the Liberals and Conservatives, some even under the NDP banner depending upon the committee, on legislation, which sometimes ended up with different voting in the House of Commons and sometimes didn't.

It's rather unfortunate in this committee, because we've become a know-it-all committee. We've had two pieces of legislation here. We've had countless witnesses. We've chosen to ignore them, time and time again, because we know better. It is ironic for a new government, with many new members, that prior to even stepping in here, they could not learn a single thing from either of the chief statisticians, who are internationally respected.

That in itself is remarkable, given the fact that we had a chief statistician who resigned his position to basically become a whistleblower on personal privacy and scientific information gathering that was necessary for the disbursement of Canadian taxpayer funds in terms of economic and social policy—namely, the census.

We gave up basically any type of value that we chose to have from those individuals who decided to put their careers at risk, to their detriment, and who followed it up by coming back to this committee. They didn't even have to come back here, but as true Canadians they decided to come back before this committee and go on the record again, after extensive public scrutiny of themselves personally and professionally. They're people who put their scientific careers on hold to come and be public servants. They came back here and gave testimony, despite all the criticism, all the hacking on them, having to prove the value of the census to the Canadian public. But we couldn't find a single word of worth from Munir Sheikh or Mr. Smith. We couldn't find a single word, anything at all, that they could contribute as the former chief statisticians to this process. The value was zero, non-existent, because we know better. The minister, all his staff, his current chief statistician, and all the members of the Liberal Party, all of them, know entirely and utterly better about all things related to that than those individuals and the other witnesses who gave up time, energy, and their own personal lives to come and sit in front of us.

Who will want to come before this committee in the future, as they know it is now a completely empty vessel for ideas that will be passed on to the House of Commons? If we don't do it here, we have to rely on amendments in the Senate—the Senate that is constantly navel-gazing at its own internal problems, including personal and private scandals, that affect the work there. That doesn't take away from the mere fact that they're appointed, in one form or the other, be it by a prime minister or by a cabal of appointments, in a dark process. The Senate is now the stopgap for Canadian legislation, as opposed to a House of Commons committee.

● (0930)

That is the end result of what's taking place today here for this bill. We have to rely upon the Senate and all its distractions. It's extremely serious, to get anything changed in this bill. That's a congratulatory exclamation mark on the minister and the way he runs and operates, and the way this Prime Minister has inclusion for Canada. They know better—not the witnesses, not the expert testimony, and not any other member from their own side of Parliament. God knows why they even came here. They can't even offer a single suggestion on the bill.

One of the key elements about this bill is the fact that it is an international stamp on Canada's scientific community. It is measured in terms of a democracy and its relationship of data gathering, accountability of that data, and the use of that data for the determination of social and economic policy. That is what is measured with regard to your proper census coming out. It's one of the reasons I fought so hard, nearly a decade ago, to stop Lockheed Martin from having access to Canada's personal privacies, unabated by the Patriot Act, under the previous census outsourcing—something that Canadians had a lot to say about, got involved in, and were able to stop from taking place.

We're left today, after a series of mishaps in the House of Commons, where the Liberals pounded away at different times from the high ground, arguing incessantly over the census being basically a non-starter for Canadians to the Conservatives at that time, and here at committee we have not a single one who can provide any type of value-added input.

One of the key elements...and I am going to conclude, Mr. Chair. This is not going to last much longer in terms of what I have to add, other than an official submission that has been garnered from the efforts of others and suggestions in this House of Commons. At least it will be on the record that somebody gave a damn, somebody cared, and somebody believed that Canada needs to step up. This relates to our international reputation.

I'm proposing that:

The *Statistics Act* is amended by adding the following before the enacting clause:

Whereas resolutions of the United Nations General Assembly and Economic and Social Council have highlighted the fundamental importance of official statistics for the national and global development agenda;

Whereas the Government of Canada is mindful of the critical role of high-quality official statistical information in analysis and informed policy decision-making in support of sustainable development, peace and security, created from reliable data regarding the range of social and economic factors that citizens require to understand Canadian society in an increasingly connected world that demands openness and transparency;

Whereas the Government of Canada understands that the essential trust of the public in the integrity of official statistical systems and the public's confidence in statistics depend to a large extent on respect for the fundamental values and principles that are the basis of any society seeking to understand itself and to respect the rights of its members and, in this context, that the professional independence and accountability of statistical agencies are crucial;

Whereas the Government of Canada seeks to emphasize that, in order to be effective, the fundamental values and principles that govern statistical work have to be guaranteed by legal and institutional frameworks and respected at all political levels and by all stakeholders in Canada's national statistical systems;

● (0935)

Whereas the Government of Canada endorses the fundamental principles of the official statistics set out below, which are largely consistent with the United Nations Fundamental Principles of Official Statistics adopted by the United

Nations Statistical Commission in 1994 and reaffirmed in 2013, and endorsed by resolution of the General Assembly in 2014;

Whereas the first of the endorsed fundamental principles is that official statistics provide an indispensable element in the information system of a democratic society, serving the government, the economy and the public with data about the economic, demographic, social and environmental situation, and that, to this end, official statistics that meet the test of practical utility are to be compiled and made available of an impartial basis by official statistical agencies to honour Canadians' entitlement to public information;

Whereas the second of the endorsed fundamental principles is that, in order to retain trust in official statistics, Statistics Canada needs to decide according to strictly professional considerations, including scientific principles and professional ethics, on the methods and procedures for the collection, processing, storage and presentation of statistical data;

Whereas the third of the endorsed fundamental principles is that, in order to facilitate a correct interpretation of the data, Statistics Canada must present information according to scientific standards on the sources, methods and procedures of the statistics;

Whereas the fourth of the endorsed fundamental principles is that Statistics Canada is entitled to comment on erroneous interpretation and misuse of statistics;

Whereas the fifth of the endorsed fundamental principles is that data for all statistical purposes may be drawn from all types of sources, including statistical surveys or administrative records, and that Statistics Canada must choose the source with regard to quality, timeliness, costs and the burden on respondents;

Whereas the sixth of the endorsed fundamental principles is that individual data collected by Statistics Canada for statistical compilation, whether they refer to natural or legal persons, must be strictly confidential and used exclusively for statistical purposes;

Whereas the seventh of the endorsed fundamental principles is that the laws, regulations and measures under which the statistical system operates must be made public;

Whereas the eighth of the endorsed fundamental principles is that Statistics Canada should coordinate with statistical agencies from other countries, recognizing that this coordination is essential to achieve consistency and efficiency among statistical systems;

Whereas the ninth of the endorsed fundamental principles is that the use by Statistics Canada of international concepts, classifications and methods promotes the consistency and efficiency of statistical systems at all official levels;

And whereas the tenth of the endorsed fundamental principles is that bilateral and multilateral cooperation in statistics contributes to the improvement of systems of official statistics in all countries;

1.1 Section 2 of the Act is amended by

And that's it.

● (0940)

The Chair: Thank you.

As per *House of Commons Procedure and Practice*, on page 770, "If the bill is without a preamble, the committee may not introduce one." Therefore, the ruling of the chair is that it is inadmissible.

Shall the title carry?

Some hon. members: Agreed.

The Chair: Shall the bill carry?

Some hon. members: Agreed.

An hon. member: On division.

The Chair: Shall the chair report the bill to the House?

Some hon. members: Agreed.

The Chair: Bill C-36 is carried.

I would just like to correct the record. We've heard a couple of comments that two legislative amendments were not heard. For the record—and I checked—in the last bill there were eight amendments. I just want to keep the record clean. There were in fact eight amendments in the last bill.

We're going to take a look at the upcoming schedule. Originally, today was clause-by-clause. The next meeting, May 9, we left open to continue Bill C-36. We don't have to do that anymore. We also scheduled an informal meeting for 10:00 to 10:45 with the European Free Trade Association.

On May 11 we have the main estimates for the first hour, and in the second hour we have the manufacturing sector, going back to our manufacturing report.

Seeing as how we have time for that on May 9, can I suggest we move that to May 9?

Mr. Masse.

Mr. Brian Masse: Why don't we do the informal meeting outside of committee time?

The Chair: It's already been agreed to.

Mr. Brian Masse: If we're going to have it, at least permit some written information as to.... Is it going to be on the public record?

The Chair: It's an informal meeting. The committee agreed to this the last time we met, so the plans have been made.

Mr. Brian Masse: Yes. That was then and this is now. We're trying to figure out... We have a full day extra.

The Chair: That's why I'm suggesting, perhaps, going back to manufacturing and moving that to the first hour, then having the second hour as we had discussed, but it's the will of the committee.

• (0945)

Mr. Brian Masse: I would say we do business and if we want to have an informal meeting, informal time as opposed to committee time, I would go on the record as saying that adding that to our schedule would be the more appropriate thing for an informal meeting as opposed to compromising committee time for an informal meeting.

Why don't we just add that? What I'm suggesting is we can still do the meeting, but why give up committee time when we have business that's not done?

The Chair: Again, this was agreed upon. If the members of the committee want to change that—

Mr. Brian Masse: I would move that we do that.

The Chair: To be clear, we have from 10 a.m. to 10:45 a.m. an informal meeting with the European Free Trade Association, which we had all agreed to. Because we have some time, Mr. Masse is moving that we—

Mr. Brian Masse: I would move that we do not give up any committee time for an informal meeting, that we keep that time consistent or we find additional hours, so we're not giving up

committee time that could be committee business versus that of an informal meeting.

I would move that, regardless of time or day, the committee does not suspend any meeting time for an informal meeting and that we either find scheduled time or additional time outside of our regular time for a meeting.

The Chair: Okay.

Mr. Arya.

Mr. Chandra Arya: I agree with Mr. Masse. I don't think we should give up committee time for informal meetings.

The Chair: Okay.

Mr. Baylis.

Mr. Frank Baylis: Are these people coming at a certain time that we are set to meet?

The Chair: It was set to meet from 10 a.m. to 10:45 a.m.

Mr. Frank Baylis: These are specific people coming from overseas. Is that right?

The Chair: Yes, that is correct.

Mr. Frank Baylis: Though I do agree with Brian and Chandra's point in a general sense, we've specifically already said yes to these people. They are guests coming from overseas, and the likelihood of them being able to change I would imagine would be limited because normally you're quite booked up. In this case, I would disagree with moving this particular one.

The Chair: Mr. Masse.

Mr. Brian Masse: On that point, though, we should find an additional two hours within the week to do our regular committee business.

Mr. Frank Baylis: I have no problem with that.

The Chair: They are here for 45 minutes. What I'm trying to do is fill in the extra time we have there. That's where we stand.

Mr. Brian Masse: I'll leave it in your capable hands. My point in all of this is that if we're going to increase informal meetings, given the scheduling we have, I would prefer that we extend our current sitting days so it doesn't cut into committee time.

It's fine if we're going to do those things, but it shouldn't be at the expense of all the efforts we've put into other legislation. Even with my criticism of the government not bringing legislative improvements to their legislation, I would rather spend time on committee business to at least finish that, then if we are going to have guests, that doesn't eat into that time.

The Chair: In moving forward, I think that is up to the committee. Again, I'll stress that we did have this conversation and we did agree to this time.

I'm fine if we want to cancel it. Moving forward, I think that's a discussion we should continue to have on the protocols.

Mr. Frank Baylis: I disagree with cancelling, and I would like to have a vote if we're going to cancel now, because I disagree.

The Chair: That's the motion that's on the floor.

Mr. Brian Masse: I'll rescind the motion, given the discussion. The point has been made.

The Chair: Fair enough.

Are we okay as a committee to revert back to the manufacturing for the first hour and 15 minutes or so?

That also leaves us with an extra hour on the 11th. Mr. Dreeshen will be back by then.

We learned a lot from our trip to Washington. Perhaps in that second hour we can have a conversation about our two motions on broadband and IP and see how that reflects on what we learned. Do we modify them? Are we okay? I think we should involve everybody who wasn't on that trip so they understand what we learned and how it can apply to our two studies. Let's make it productive.

The first hour would be the main estimates. We have Minister Bains coming in for the first hour, and the second hour we're clear. I'm going to jump ahead so you understand where we're going. On the 16th we have main estimates for the hour with Minister Duncan, and on the 18th, main estimates with Minister Chagger. We move the manufacturing to the next meeting, so that gives us an hour. We were going to have briefings on intellectual property and broadband to balance out the hours.

The analysts are scheduled to do a briefing on IP and broadband for the 16th and the 18th. We'll have experts coming in for that.

• (0950)

Mr. Majid Jowhari: Yes, and also include the reports from the trip.

The Chair: I don't think the report will be ready by then, will it?
[Translation]

Mr. Francis Lord (Committee Researcher): If the discussion about the trip is on May 8, we will prepare a briefing note. It will not be the committee's official report, but rather a document to inform those who were not there about the substance of what we saw during the trip.

As to the briefing notes on broadband and intellectual property, these will be technical briefings by the witnesses. I am in the process of drafting reports related to the preparation of the two studies. Considering the time required for translation in particular, I am not

sure this will be ready for the two meetings, but there will at least be the witness briefings.

[English]

Mr. Lloyd Longfield: The technical briefings would be good.

The Chair: The technical briefings are scheduled.

I'm saying, we can have an extra hour—

Mr. Lloyd Longfield: We can put those into the context of what we've heard from the Americans and maybe where we go with the study and what types of witnesses we want to get.

The Chair: I think there's value in that, but that's why I'm bringing it on the floor.

Mr. Majid Jowhari: Just to be clear, the notes for the trip will not be available by the 11th, will they?

[Translation]

Mr. Francis Lord: By May 11, you will receive a briefing note on the content of the trip, but it will not be the report, which for its part has to be approved by the committee itself.

[English]

Mr. Majid Jowhari: That sounds great, thank you.

The Chair: I guess the question I'm asking is, is there value for this committee to spend that one hour sharing what we learned and applying that to potential directions in our two studies?

Mr. Baylis.

Mr. Frank Baylis: I didn't get to attend and I see good value in hearing feedback from everybody. I would appreciate it.

The Chair: Anything else on that?

We have 45 or 50 minutes right now. Do you want to do any committee business? Is there anything you want to present or do you want to adjourn?

Mr. Brian Masse: I appreciate that, Mr. Chair; it's just that we wouldn't have some members here who....

The Chair: That's why I'm putting it on the floor.

Mr. Brian Masse: Okay. Thank you for that.

The Chair: Mr. Dreeshen is the architect of that motion.

Thank you all very much.

The meeting is adjourned.

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