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Chair: Mr. Scott Simms



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• (1245)

[English]

The Chair (Mr. Scott Simms (Coast of Bays—Central—Notre Dame, Lib.)): Welcome back, everyone, to clause-by-clause on Bill C-10 at the Standing Committee on Canadian Heritage.

To people listening to us, viewing us from afar on the web, on the Internet, you have my apologies. We had a technical problem there at the beginning. We are now overdue, obviously, but nevertheless here we are.

We're going to resume our consideration of clause-by-clause, under what we have received from the House of Commons and the procedure that we are going through.

Before I get into that, however, I want to address something that was raised by Mr. Waugh about a motion of his. I seemed to indicate on Friday that it would be okay. Unfortunately, in this case we cannot deal this since we are now under the ruling that came from the House. We're proceeding with the debate and the clause-by-clause consideration.

However, that being said, I just wanted to bring it up, because I wanted to assure you. Obviously, it fits within the confines of the 48 hours' rule. Therefore, when we finish with Bill C-10, and we have time left over, why doesn't the first order of business be your motion, once we are done?

Just to give everyone a heads-up, when we end we will go to Mr. Waugh's motion. You have received the motion. Please give it your due consideration before that meeting arrives. Following the finish of this particular bill, we'll go into Mr. Waugh's motion.

I think that's about it before we start.

I just also wanted to remind everyone about some of the rules we have here.

We cannot engage in debate. As we go through this there can be no amendments or subamendments, as directed by the majority of the House of Commons on a ruling that took place last week on time allocation.

The only time you will hear me talk more than perhaps you desire, nevertheless, is when I make a ruling on a particular amendment. All the amendments you received in your package will be discussed. If I need to make a ruling I will do so, and I will explain to the best of my ability as to why it is inadmissible.

I promise you, since there is no opportunity to talk about the particular motion by the person who moved it, I will pause—hopefully

there will not be an awkward silence—and give time for all of you to consider, because you do have the option to appeal. You can challenge the chair's ruling.

We've already done that once, but I felt at the time I was probably moving a little bit too quickly, and for that I apologize. What I will do, if I have to make a ruling on inadmissibility, is that I will take a pause and you can decide whether you want to appeal that ruling.

Let's go back to where we were.

We are now moving—

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Mr. Chair, just a point of order.

I wasn't here for the last consideration of this. I guess I'm a bit confused about one point. Normally, committees are masters of their own domain. They set their own rules. We're operating now, though, under a framework of a House order, where the committee is constrained in terms of what it can do.

In the past, when committees have operated under a House order around time allocation on amendments, they have in every case abided by the House order in terms of not allowing amendments to be moved. But we're in a situation now where the committee has overruled your ruling on that and is arguably defying a House order. I'm not sure if the committee can do that, overrule a House order.

You've just told us a number of things we have to do vis-à-vis the House order. If members of the committee have decided through a challenge to the chair that they're not going to abide by the House order, it raises lots of questions. One of them is, why does the committee have to adhere to any of the House orders? I guess that's what—

The Chair: It does, Mr. Genuis. I appreciate your argument, I really do, but at first blush I would have to say this is an argument, I think, you should probably make in front of the House, as per their order. I do have these instructions. When I get challenged, I have to rule the other way. I don't have much more scope than that, other than the debates, the amendments and the subamendments that may follow, as I said. Yes, if I make a ruling and it's overruled, I have nowhere to go but the other direction, obviously.

Mr. Garnett Genuis: That's right.

The Chair: This is no reflection on your argument whatsoever, other than the fact that you may be right on target, but I think you're wide of the mark as to where your argument may be best put.

Mr. Garnett Genuis: Okay, Mr. Chair, but—

The Chair: I can get back to you on that, by the way. If we have a three-hour meeting, we're obviously going to have a break at some point, I assume. During that break, I will confer with the legislative clerks about your point, but at first blush, I think your argument is probably well placed within the context of the House of Commons.

Mr. Garnett Genuis: I have just a follow-up point of order, then.

The Chair: Go ahead.

• (1250)

Mr. Garnett Genuis: From what I understand in terms of the ground rules you've laid out at the beginning, the committee can, by majority, at any point overrule those ground rules if they challenge the chair. If that puts us at odds with the House order—again, we're already potentially at odds with the House order—you're saying those are arguments that can be made or not made in the House, but that they can't be made here, essentially, because you have to adhere to challenges, whatever they say.

The Chair: I'll consult on that as well, Mr. Genuis.

Mr. Garnett Genuis: Yes, okay.

The Chair: I will. I promise.

In the meantime, when it comes to challenging the chair, like I said, I have two ways to go. I can either stick with my original ruling or go the opposite way, which I did the last time. Further to that, I don't know what to tell you other than the fact that we can't allow debate and we can't allow amendments, and those are pretty crystal clear from the ruling that we received from the majority of the House.

I do thank you for your point of order, and I will look into it during the first break.

(On clause 8)

The Chair: That said, we left off at and are now at G-13(N).

(Amendment agreed to: yeas 11; nays 0 [*See Minutes of Proceedings*])

(Clause 8 as amended agreed to: yeas 7; nays 4)

(On clause 9)

The Chair: This brings us to CPC-10.1, put forward by Mr. Rayes.

(Amendment agreed to: yeas 6; nays 5 [*See Minutes of Proceedings*])

(Clause 9 as amended agreed to: yeas 7; nays 4)

(On clause 10)

• (1255)

The Chair: The first one we are dealing with is PV-24. This is the first of the PV amendments. As I ruled earlier, the amendments from the Green Party are automatically deemed moved due to an order that we decided upon at the beginning of this Parliament.

I wish to discuss it.

PV-24 attempts to remove the discretionary power of the CRTC to make regulations when needed, to force the CRTC to make them in all cases referred to in proposed subsection 11.1(1) of the act. As a result, this power was not originally envisioned in Bill C-10 itself.

That being said, according to page 770 of [*Technical difficulty—Editor*] goes beyond the principle and scope of the bill.

I'll repeat how that works. This bill has been accepted at second reading, which means we accept the principle and the scope that the bill puts out there. This particular amendment goes beyond the principle and scope of the bill, which we've already voted on. Therefore, it exceeds the will of the House in this particular case.

I have to make a ruling that PV-24 is inadmissible.

I'll give you a moment to reflect. I hope everybody's well.

Now, if you go back to your hymn books, we'll move on to LIB-8, moved by Mr. Housefather.

(Amendment agreed to: yeas 7; nays 4 [*See Minutes of Proceedings*])

• (1300)

The Chair: Now we go to BQ-28, which was put forward by Mr. Champoux.

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

The Chair: This brings us to LIB-9.

I forgot to mention off the top, for anyone just joining us that when I say LIB and these titles, similar to what you would hear at bingo, essentially what this is.... LIB is an amendment put forward by the Liberal party. CPC would be one put forward by the Conservative members of the committee. BQ would be one put forward by the Bloc Québécois members. "NDP" followed by a number would be one from the New Democrat on the committee, and PV—*Parti Vert*—would be for amendments put forward and deemed moved by the Green Party, primarily Mr. Manly. Finally, G means that it's an amendment put forward by the government.

That being said, as I mentioned, we're on LIB-9, which was put forward by Mr. Housefather.

I have a note before you start [*Technical difficulty—Editor*]. I'll say this slowly. If LIB-9 is adopted, BQ-29 becomes moot, as they both contain the same provisions. They are similar enough that you are voting on both LIB-9 and BQ-29.

Officially, it's LIB-9 that we're voting on.

(Amendment agreed to: yeas 10; nays 1 [*See Minutes of Proceedings*])

The Chair: That brings us to BQ-30, which was put forward by Mr. Champoux.

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

(Clause 10 as amended agreed to: yeas 7; nays 4)

(Clause 11 agreed to: yeas 7; nays 4)

(On clause 12)

• (1305)

The Chair: We have some amendments for clause 12. We have BQ-31 put forward by Mr. Champoux, but there is a note. Before you vote, I want everyone to be aware that, if BQ-31 is adopted, then PV-25 becomes moot, as it contains the same provisions as BQ-31. That's PV-25, which would normally fall later, but it's similar to BQ-31, so essentially you're voting on both.

(Amendment negated: nays 9; yeas 2 [*See Minutes of Proceedings*])

The Chair: I declare the amendment negated, and I declare the same for PV-25.

Those were the only amendments for clause 12. Therefore, we go directly to the clause vote.

(Clause 12 agreed to: yeas 7; nays 4)

The Chair: Next we have new clause 12.1, in amendment G-14, which was put forward by Ms. Dabrusin.

(Amendment agreed to: yeas 7; nays 4 [*See Minutes of Proceedings*])

• (1310)

The Chair: Thank you very much for the clarification. That brings us to the end.

Shall clause 13 carry as amended?

Mr. Philippe Méla (Legislative Clerk): Mr. Chair, clause 13 was not amended. It was just—

The Chair: I apologize. It was a straight-up clause.

The amendment was in the last one we carried, which was considered new clause 12.1.

(Clause 13 agreed to: yeas 7; nays 4)

The Chair: Mr. Méla, thank you for pointing that out. Thank goodness for smart people.

With clause 13 carried, we now move on to the next amendment, which brings us to CPC-11.

[*Translation*]

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Mr. Chair, on a point of order.

The Chair: You have the floor, Mr. Rayes.

Mr. Alain Rayes: I would like to know if it is possible to withdraw amendment CPC-11, so that it will not be voted on. It is an amendment that I had tabled. I do not want to move a subamendment; I just want to know if I can withdraw it. I may need unanimous consent to do that.

[*English*]

The Chair: Yes. I just declared what it was, so it is now deemed moved. Therefore, you'll have to have unanimous consent to withdraw it.

Does Mr. Rayes have unanimous consent to withdraw CPC-11? I don't hear any noes.

(Amendment withdrawn)

• (1315)

[*Translation*]

Mr. Alain Rayes: Thank you.

The Chair: You're welcome.

[*English*]

I forgot to mention this at the beginning, but I want to remind everyone that if there are amendments later on in the package of amendments that you wish to withdraw, you can do that at any time. If you've put them forward, just let the clerk know that you wish to withdraw a particular amendment.

I say that because they haven't been deemed moved yet. Once I move it, it then it requires unanimous consent. In that particular example, I had declared that we were on CPC-11, so it was deemed moved. That's why we needed unanimous consent. However, if there is an amendment further along that you don't want to put forward, I suggest that you contact the clerk to have it withdrawn. You don't need unanimous consent.

That brings us to CPC-11.1.

Mr. Méla, I'm assuming we're going ahead to CPC-11.1.

Mr. Philippe Méla: Yes, sir.

The Chair: Thank you.

We are now going to CPC-11.1.

In CPC-11.1, we had a great deal of conversation about it. It does amend the Broadcasting Act in many ways. The amendment proposes to amend part of the act related to licences. In this particular case they were talking about amendments to licences [*Technical difficulty—Editor*] they rendered necessary by other adopted amendments. I just want to read you something that is on page 771 of House of Commons Procedure and Practice. It says:

...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.

What we're doing here is talking about the parent act in the case of the Broadcasting Act, but in C-10 it doesn't discuss this particular way of amending. Therefore, I have to rule it inadmissible as it goes beyond the principle and scope of the bill that we agreed to on Bill C-10, which was accepted in the House at second reading.

Mr. Garnett Genuis: Mr. Chair, I would like to challenge your ruling.

If I correctly understand the rules, they don't allow me to make arguments for that challenge.

The Chair: I'm afraid not, and it's no reflection on your ability, sir.

Mr. Garnett Genuis: My challenge is no reflection on yours, Mr. Chair.

The Chair: Thank you very much, sir.

I just want everyone to understand how this vote goes. The clerk actually has a better way of explaining it than I do. She's very good at it.

Go ahead, Madam Clerk. No pressure.

The Clerk of the Committee (Ms. Aimée Belmore): The question is this: Shall the ruling of the chair be sustained?

If you vote yea, you agree with the chair and the ruling will be sustained. The amendment would be, I believe, outside the scope or inadmissible. It would sustain the chair's ruling.

If you vote nay, then you'll be able to vote on this amendment.

Mr. Tim Louis (Kitchener—Conestoga, Lib.): I have a point of order.

Madam Clerk, can you just elaborate on that explanation? I just want to understand fully, because it's important.

Thank you.

The Clerk: Of course.

Shall the chair's decision be sustained? If you agree, you say yes, and there will be no vote on this amendment. If the question is "Shall the chair's decision be sustained?" and you vote nay, then we'll proceed with a vote on this amendment.

The Chair: Remember what I said earlier. If the decision is mostly nays and my decision is not sustained, we just go straight in the opposite direction, which is that we will consider the amendment.

The question again is whether my decision should be sustained.

Go ahead, Madam Clerk.

The Clerk: Is the question clearly understood?

[Translation]

Mr. Alain Rayes: No. Yes, in fact, we did understand well, but I want to vote against it.

[English]

The Clerk: Thank you, sir.

Sir, did you want me to proceed with the vote?

The Chair: Yes, please.

(Ruling of the chair overturned: nays 7; yeas 4)

The Chair: The ruling is not sustained, and off we go to CPC-11.1.

Does everybody understand where we are now? I don't want to move on with anybody misunderstanding what's happening. These things happen fast. We're charting new territory. Do not be afraid to jump in if you have a quick question.

Okay. We are now going to CPC-11.1, as the ruling was not sustained. Therefore, we go to a vote.

(Amendment negatived: nays 7; yeas 4 [See Minutes of Proceedings])

• (1320)

The Chair: With the advice of the legislative clerk, I am moving to CPC-11.2. Is that correct, sir?

Mr. Philippe Méla: Yes, it is.

The Chair: Thank you very much.

We are on amendment CPC-11.2. This may sound eerily familiar. It proposes to amend the part of the act related to licences yet again. In the *House of Commons Procedure and Practice*—it's the third edition I'm speaking of, from page 771—it says:

...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 in the bill.

I mentioned this was eerily familiar because it is the same as before. However, since it is before us, I am compelled to do it.

Since the part is related to licences, we're talking about section 22 of the Broadcasting Act, which is not being amended by C-10. As I mentioned earlier with the same genuine understanding, it was not touched upon in C-10. We voted that on principle. Therefore, the committee would be exceeding the scope of the bill if we amended something in the act that was not addressed by C-10, and here we are doing an amendment that wasn't.

I really hope that was clear enough for everybody. I'm not sure it was but nevertheless—

Mr. Garnett Genuis: It was clear, but not convincing. I'm challenging the chair.

The Chair: All right. I accept that. That's fine.

Without even pausing, apparently there's a challenge to the ruling.

(Ruling of the chair overturned: nays 11; yeas 0)

The Chair: We have 11 nays against the ruling. Okay. Table for one for this chair—I'm kidding.

We will move on shall we. Shall CPC-11.2 carry?

(Amendment negatived: nays 7; yeas 4 [See Minutes of Proceedings])

• (1325)

The Chair: We are on LIB-9.1.

Brace yourselves. This may shock you all, but I have something to say.

Mr. Garnett Genuis: I challenge the chair.

The Chair: I appreciate the eagerness. Don't get me wrong, but I feel for this particular democratic function that I should provide an explanation.

Mr. Garnett Genuis: But you're not reading the amendments, Mr. Chair, with all due respect. If you're reading a ruling but not reading the amendment, I mean—

The Chair: I understand, Mr. Genuis. I understand that. I know. These are strange times indeed. Sometimes I feel the same way you do. However, I feel like I must....

I'll make this brief, if that helps:

...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.

Again, this pertains to changes in the Broadcasting Act in section 22. Therefore, I cannot allow this to be admissible. I deem it to be inadmissible.

What say you?

Mr. Garnett Genuis: I challenge you, Mr. Chair.

The Chair: I'm shocked.

(Ruling of the chair overturned: nays 11; yeas 0)

The Chair: Okay. It's overturned. I'm sitting alone at the head of the [*Technical difficulty—Editor*].

[*Translation*]

Mr. Alain Rayes: I have a point of order, Mr. Chair.

[*English*]

The Chair: I was starting to feel like I was in a North Korean cabinet meeting.

Nevertheless, Mr. Rayes, go ahead.

[*Translation*]

Mr. Alain Rayes: Mr. Chair, you are by far the best chair I have seen managing a group like ours.

After three extremely difficult decisions for your morale, I want to know if there is anything I can offer you to help you keep smiling until the end of the meeting. If so, you can email me your address, and I'll have something delivered immediately, whether it's flowers or a small glass of something strong.

I just wanted to say that I felt for you.

Mr. Martin Champoux (Drummond, BQ): The chair is in Newfoundland-and-Labrador; the delivery would cost you, Mr. Rayes.

[*English*]

The Chair: I'm [*Technical difficulty—Editor*]. That's a valid point. Yes, here we are in the North Atlantic.

That's not a point of order, I'm afraid. However, the generosity is well appreciated. It really is.

• (1330)

The Chair: Do you have a point of order, Mr. Genuis?

Mr. Garnett Genuis: Yes. I would like to move a subamendment to the amendment from Mr. Housefather.

The Chair: I'm afraid we don't allow subamendments, sir. Orders from the House dictate that I cannot do that.

Mr. Garnett Genuis: I'd like to challenge your ruling that I can't submit a subamendment.

The Chair: I'm afraid you can't do that, sir. We have strict orders from the House. Again, I mentioned to you earlier about dealing with the House.

Right now I have to go to the vote, as the challenge was done. Once I make a ruling like that and it's been challenged and overturned, I have to go straight to a vote.

Mr. Garnett Genuis: Mr. Chair, on the point of order, though, the challenge was whether the amendment was admissible. The challenge has been overruled, which means the amendment is admissible.

The Chair: I'm now—

Mr. Garnett Genuis: Just let me finish the point of order.

The amendment has now been submitted. I would like to submit a subamendment to the amendment before it goes to a vote.

In the past we have had cases where you made a ruling, based on your view of the House order, that was overruled by the committee. You have again made a ruling, based on your understanding of the House order, that a subamendment is not admissible. I am challenging your ruling that a subamendment is not admissible.

Let's vote on the challenge. If the challenge is sustained, then I can't submit this subamendment. If it's not, then I can.

The Chair: I understand, Mr. Genuis.

What I'm going to do is consult with the legislative clerk. I said I would do it earlier, but I'll do it now.

I'm afraid that I have to go to this vote, because that's part of the rules as well. Obviously, you can't challenge on that particular.... Once the ruling takes place, and it's challenged and voted on, I have to go directly to that.

I will say this: Once that's completed, I will consult with the legislative clerk to discuss that.

What has happened here is that when a ruling is challenged on my admissibility, that's not discussed in the directions from the House. However, it's quite clear as to where we can go with amendments or any other subamendments to that.

What I'm going to do is this: We have to go to a vote, as was expected for LIB-9.1—

Mr. Garnett Genuis: But—

The Chair: Mr. Genuis, no. I'm going to do this right now—

Mr. Garnett Genuis: It's a subamendment to LIB-9.1.

The Chair: I'm already overdue on this vote, so I have to have LIB-9.1 voted on right now.

Mr. Garnett Genuis: Mr. Chair, it is a subamendment to this amendment, so you can't have a vote on the amendment when I'm seeking to make a subamendment to that amendment.

The Chair: Mr. Genuis, to satisfy your concerns, how about I go to the legislative clerk right now?

Mr. Garnett Genuis: Prior to the vote...yes.

The Chair: Yes, only because you asked.

Mr. Garnett Genuis: Thank you.

The Chair: I'll be just one second. Can we suspend for just a few minutes, and I'll keep everyone on screen? You can go off screen, but listen for my voice when we come back, because I don't think it will be too long.

Thank you.

• (1330) _____ (Pause) _____

• (1335)

The Chair: Welcome back, everybody.

Mr. Genuis, thank you for your intervention. As I suspected, yes, but I'll just further explain why it is we're doing this in the case of overturning a challenge on a ruling and not in the case of an subamendment that you're putting forward.

When it comes to the motion itself, the first part talks about the five-hour debate that has expired. That's fine. That's been satisfied. In the second part of the motion that came from the House, we have to go by the strict orders that were given to us, and I bring your attention, if you have it in front of you, to the last part of the sentence, "in turn, every question necessary for the disposal of the said stage of the bill shall be put forthwith and successively, without further debate or further amendment."

What I did earlier is I ruled, a challenge was made and it was overturned, but these are regarding amendments that already exist. Either they were deemed moved by the Green Party or they were put forward when a challenge was made, but these are all amendments that were previously placed with us. Therefore, that applies, because there is nothing in this motion that considers options of motions that were already handed in to us.

What it does say, quite explicitly, is this at the end, again, "forthwith and successively, without further debate or amendment", which is what you are proposing, which I have to rule as out of order. In which case, I now have to go—

Mr. Garnett Genuis: Mr. Chair, I challenge the ruling you just made.

The Chair: Mr. Genuis...

Mr. Garnett Genuis: Mr. Chair, you can't refuse a challenge to the chair.

The Chair: Hold on one second. I'm just providing clarification, which I think is what you wanted.

Mr. Garnett Genuis: No, I—

The Chair: Here's what I'm going to do. Rather than engage in this further, how about I bring someone else in? Mr. Méla, perhaps you would like to shed some light on this.

What he's going to explain to you is the situation. You have a problem, obviously, with the motion that was dealt with in the House.

Mr. Méla, if you please—

Mr. Garnett Genuis: Can I just clarify my position?

The Chair: Do so very quickly.

Mr. Garnett Genuis: My position is that this committee has already defied the House order, because the House order said "without further amendment" and the amendments were not moved at committee. Notice had been given of those amendments, but those amendments had not been moved at committee. My position is that, if the committee is able to defy a House order, then it is able to defy a House order. You can't say that there's a challenge from a Liberal member seeking to overturn a ruling, and allow it, defying the House order, but that's going to be—

• (1340)

The Chair: I understand what you're saying. I think we get the gist of your argument.

Mr. Méla.

Mr. Philippe Méla: Thank you, Mr. Chair and Mr. Genuis.

I think there are two things to consider. There is the five-hour mark, before and after. What the chair did at the arrival of the five-hour mark was basically to interpret what the motion of the House was saying in terms of how to consider the amendments present in the package, where they were either deemed moved or were just in the package, staying there, and what to do with them.

Since the motion of the House is silent on these amendments, the chair made two rulings. The first one was on the amendments from the Green Party. Those ones are, generally speaking, deemed moved. They were considered by the chair and there was no overturning of that ruling.

Then the chair made a second ruling considering the rest of the amendments. He proposed that they would be not proposed by the committee, and the committee overturned that decision. That's why we are now voting on all the rest of the amendments, plus the Green Party amendments.

Now, to your question on adding subamendments at the present time, that is clearly specified in the motion of the House. In the last part of the paragraph, it says:

...and, in turn, every question necessary for the disposal of the said stage of the bill shall be put forthwith and successively, without further debate or amendment.

There is before the five-hour mark, and after. Clearly, we are past the five-hour mark. Therefore, no other amendment can be proposed—or subamendment, for that matter.

In this case, I would simply suggest that you bring it to the floor of the House, because basically you can't appeal an order of the House.

Mr. Garnett Genuis: Mr. Méla—

The Chair: Mr. Genuis, wait one moment, please.

This is a clarification about the fact that your challenge lies with the House of Commons. It doesn't lie with this particular committee. That's what Mr. Méla is trying to say.

I cannot spend more time on this, as we have to get moving. I have explicit orders from the House to do this.

I'm sorry. I appreciate your argument, and I appreciate—

Mr. Garnett Genuis: The amendments were not moved, though.

The Chair: First of all, we can't raise our voices. I need to move on. We've just addressed now, three times, the particular problems that you have about this. We have to move on.

Folks, I'm asking the question—

Mr. Garnett Genuis: Mr. Chair, I have a point of order and I would like to be heard on my point of order.

The Chair: Mr. Genuis, is there something new to bring to this?

Mr. Garnett Genuis: Yes, Mr. Chair, insofar as it responds to what Mr. Méla has said.

What happened at the last meeting was that you made a ruling that the amendments had not been moved. Therefore, the House order obliged you not to allow them to be moved after the fact. That was your ruling. That ruling was challenged and overturned.

Now you are making a ruling again that is substantively the same as your last ruling, which is that the House order does not allow further amendment. Those earlier amendments had not been moved, and it's clear in the way you're talking about this. Every time an amendment is moved, you're saying, "This amendment has now been moved."

In fact, you said earlier in the meeting to Mr. Rayes that an amendment can be withdrawn before it is moved, but it is deemed moved once you read it.

The Chair: Okay. I get your new argument.

Mr. Garnett Genuis: You can't not allow a challenge when you allowed a challenge before on this same point.

The Chair: Okay, Mr. Genuis. I'm going to allow Mr. Méla to deal with your point.

Mr. Méla, go ahead.

Mr. Philippe Méla: Thank you, Mr. Chair.

I'm not sure I can add more than what I explained earlier. The motion of the House, as I indicated earlier, is silent when it comes to the amendments that were in the package. At the end of the day, the committee decided to be able to consider all the amendments that were in the package before the committee at that point, because the motion of the House was silent on that particular point.

When it comes to amendments and subamendments, at this point now, the motion of the House is clear and indicates that there cannot be any further debate, amendments or subamendments. I think there is a slight difference between the two rulings that were made by the chair: one for precision on something that was maybe missing in the House order, and one now that is clear from the House order.

• (1345)

Mr. Garnett Genuis: Mr. Méla, I have one question for you.

You've said that they were—

The Chair: Mr. Genuis, hold on. You can't talk unless I recognize you, please.

I'm assuming that you want a point of clarification on what was just said.

Mr. Garnett Genuis: Yes.

The Chair: Then may I humbly ask that you be very quick about it?

Mr. Garnett Genuis: Mr. Méla, you said that in your view there is a difference between those two rulings. Is there any basis on which a ruling of the chair cannot be challenged?

You called his second ruling a ruling, which it is, and if it's a ruling, then it might be the correct ruling and it might not be, but my understanding of the powers of members of committees is that they have the power to challenge any ruling of the chair. Is that correct?

Mr. Philippe Méla: Generally speaking, I would say yes to that, but here—

Mr. Garnett Genuis: Great.

Mr. Philippe Méla: —we are under the purview of a House order and that's where we're at. I don't think that... When you say the chair made a ruling, the chair is following what the House order is, which basically tells us no further amendments or no further debate.

The Chair: Mr. Genuis, I appreciate your comments, I truly do. I think maybe you want to bring it up with the House—you're certainly entitled to do that—but this is our interpretation of how we have to proceed based on the motion we have received from the House on this time allocation motion. I thank you for that.

We now go on to LIB-9.1.

Shall LIB-9.1 carry? Seeing no push-back, I declare LIB-9.1 carried.

(Amendment agreed to [*See Minutes of Proceedings*])

The Chair: Now we're moving on to clauses 14 to 17. There are no amendments, so I will call for the votes.

(Clauses 14 to 17 inclusive agreed to: yeas 7; nays 4)

• (1350)

[*Translation*]

Mr. Alain Rayes: Sorry, Mr. Chair.

The Chair: Yes, Mr. Rayes?

Mr. Alain Rayes: I don't know if I need to raise a point of order for this, but my body needs a few minutes' break.

[*English*]

The Chair: I understand.

[Translation]

Mr. Alain Rayes: I don't know if this is the proper way to ask, but I'm asking for a five-minute break, if possible.

[English]

The Chair: Everyone, you have up to a five-minute break. I'll look for everyone's face to be back on screen for the reconvening. I ask that you please keep it within five minutes.

Therefore, we are now suspended.

• (1350) _____ (Pause) _____

• (1405)

The Chair: Welcome back, everybody.

(On clause 18)

The Chair: We left off at clause 18, so we're starting with PV-26.

I need to say this about PV-26 before we proceed any further.

Bill C-10 amends the Broadcasting Act to provide for the Governor in Council to be able to review a decision made by the CRTC under section 9 of the act. The amendment expands this power to the orders that the CRTC may make under proposed section 9.1 of the act, which is not envisioned in the bill. Again, we go back to page 770 of *House of Commons Procedure and Practice*, regarding an amendment being beyond the scope of a bill.

PV-26 expands the power of the Governor in Council to cabinet and that is beyond the scope of the bill. Therefore, I have to rule that PV-26 is inadmissible.

[Translation]

Mr. Martin Champoux: Mr. Chair, I'm challenging your decision.

The Chair: Okay.

[English]

Madam Clerk, please explain about the vote to sustain the decision of the chair. I think everybody now knows how to do this, but I think it bears repeating.

Thank you.

Ms. Danielle Widmer (Committee Clerk): If a member agrees with the ruling, the vote should be yes. If a member disagrees with the ruling, the vote should be no.

(Ruling of the chair overturned: nays 8; yeas 3)

The Chair: We now go to PV-26.

If PV-26 is adopted, NDP-13 cannot be moved as it is identical. If PV-26 is negatived, so is NDP-13 for the same reason.

If PV-26 is adopted, BQ-32 cannot be moved due to a line conflict. Essentially, if PV-26 is adopted, BQ-32 becomes problematic to adopt because it's based on older wording.

• (1410)

[Translation]

Mr. Martin Champoux: Mr. Chair, I'd like a clarification.

The Chair: You have the floor, Mr. Champoux.

Mr. Martin Champoux: Perhaps I misunderstood. If amendment PV-26 is defeated, will amendment BQ-32 still hold so that we can vote on it subsequently? Perhaps your explanations weren't quite clear.

[English]

The Chair: Yes, that is correct.

[Translation]

Mr. Martin Champoux: So if amendment PV-26 is defeated, amendment BQ-32 will be voted on. Correct?

[English]

The Chair: That is correct, yes. If PV-26 is negatived, we will vote on BQ-32.

[Translation]

Mr. Martin Champoux: Thank you, Mr. Chair.

[English]

The Chair: Shall PV-26 carry?

(Amendment negatived: nays 10; yeas 1 [*See Minutes of Proceedings*])

The Chair: As a result of that, I also have to negative NDP-13.

Now this may surprise you, Mr. Champoux, but we now vote on BQ-32.

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

(Clause 18 agreed to: yeas 9; nays 2)

(Clause 19 agreed to: yeas 7; nays 4)

(On clause 20)

The Chair: We're going to start with BQ-33, which was put forward by Monsieur Champoux.

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

• (1415)

The Chair: That brings us to BQ-34, which was moved by Mr. Champoux.

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

(Clause 20 agreed to: yeas 7, nays 4)

(On clause 21)

The Chair: We're starting with G-15, which was brought forward by Madam Dabrusin.

(Amendment agreed to: yeas 7; nays 4 [*See Minutes of Proceedings*])

(Clause 21 as amended agreed to: yeas 7; nays 4)

• (1420)

The Chair: Shall clause 22 carry?

Ms. Julie Dabrusin: Yes.

[*Translation*]

Mr. Martin Champoux: Yes.

Mr. Alain Rayes: No...Sorry, I meant yes.

[*English*]

The Chair: Madam Clerk, go ahead—

Ms. Julie Dabrusin: It sounds like they were all a yes, Mr. Chair.

The Chair: I'm sorry. They were all yes. I'm so used to someone opposing, I just can't get over the fact that everyone is unanimous. That's no reflection on you. That's just my abilities.

(Clause 22 agreed to)

The Chair: I was alone at the head of the table for so long.

[*Translation*]

Mr. Alain Rayes: On a point of order, Mr. Chair.

The Chair: Mr. Rayes, you have the floor.

Mr. Alain Rayes: Mr. Chair, I don't want to contradict you again, but this is not the first time that there is unanimity in the committee, even since the beginning of this clause-by-clause study of the bill. I would just like to reassure everyone of that.

[*English*]

The Chair: I just hadn't seen it in a while.

Mr. Rayes, your point is taken.

(On clause 23)

The Chair: If you'll look at your hymn book, you'll see that G-16 is listed, but that was already carried. It was consequential to G-9. Therefore, we're going to just move on from there, because we're [*Technical difficulty—Editor*] the consequences of the G-9 vote to G-16, so you can take that one out.

That brings us to BQ-35(N). This amends the Broadcasting Act. It provides for a specific regime for the commission to impose a penalty to the corporation, CBC, under the proposed section 34.99. The circumstances cannot be done without holding a public hearing. That's basically what the amendment's saying.

The amendment aims at applying the same unique regime to a person carrying on a broadcasting undertaking, even though it's a different regime, and it does not contemplate a public hearing as proposed in the bill under proposed section 34.92, and I'm afraid that this goes beyond the principle and scope of the bill.

We are applying one to one, and you want to expand it to apply to the other. It's not envisioned within C-10. Therefore, I have to rule that it is, according to page 770 of the *House of Commons Procedure and Practice*, inadmissible for the purposes of the principle and scope of Bill C-10.

• (1425)

Mr. Martin Champoux: Ouch.

The Chair: I'm not sure if “ouch” comprises a challenge or not.

It's just a declaration of your pain. Is that right, Mr. Champoux?

Mr. Martin Champoux: Exactly. Yes, Mr. Chair.

The Chair: It's duly noted in Hansard forever.

Let's move along.

We now go to NDP-14, put forward by Ms. McPherson. There is just one thing to note about this: If NDP-14 is adopted, BQ-36 cannot be moved, simply because they're identical, as two great minds think alike. If NDP-14 is negatived, so is BQ-36, of course, which follows the same logic that I just stated. Those two amendments, NDP-14 and BQ-36, are linked, but technically, officially, we are now voting on NDP-14.

(Amendment agreed to: yeas 7; nays 4 [*See Minutes of Proceedings*])

The Chair: Congratulations to both of you.

This brings us to the end of clause 23.

(Clause 23 as amended agreed to: yeas 7; nays 4)

(Clause 24 agreed to: yeas 7; nays 4)

(On clause 25)

• (1430)

The Chair: We're on amendment PV-26.1.

For those watching us at home, PV is *Parti vert*, the Green Party. This has been submitted by the Green Party, by Mr. Manly.

Shall PV 26.1 carry?

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

The Chair: That brings me to amendment CPC-12.

In Bill C-10, it amends section 46 of the Broadcasting—

Mr. Philippe Méla: Mr. Chair, I'm sorry to interrupt.

The Chair: Did I miss something?

Mr. Philippe Méla: CPC-12 was already ruled out.

It was consequential to amendments CPC-9 and CPC-10.

The Chair: Based on the ruling that was deemed earlier that rules out CPC-12.

Thank you very much for that.

That brings me to the end of clause 25.

(Clause 25 agreed to: yeas 7; nays 4)

(Clause 26 agreed to: yeas 7; nays 4)

The Chair: Next is the proposal for new clause 26.1, in amendment CPC-13.

The amendment amends subsection 71(3) of the act, which is not amended by the bill. In particular, we're talking about the corporation, CBC/Radio-Canada, and whether or not it is compelled to provide new information to its report to Parliament.

House of Commons Procedure and Practice, third edition, on page 771, states, "an amendment is inadmissible if it proposes to amend a statute that is not before the committee or a section of the parent Act"—the Broadcasting Act—"unless the latter is specifically amended by a clause of the bill".

The bill goes slightly beyond its reach, meaning that by saying yes at second reading to Bill C-10, we've accepted its principle, but we've also accepted the scope of the bill. This particular measure does go beyond the scope of the bill. Therefore, I have to rule that CPC-13 is inadmissible.

That brings us to clause 27.

(Clauses 27 and 28 agreed to: yeas 7; nays 4)

• (1435)

The Chair: Folks, could I just get everyone's attention for a moment? One of the things we tend to do in clause-by-clause, similar to this, is that if we have several clauses in a row, we can lump them together into one vote.

Right now, I have clause 29, 30, 31 and 32 with no proposed amendments from our amendment package or from PV either. We can lump them together into one vote, but to do that I would need unanimous consent. This will also come up again later on in the bill. I have not done it yet, but it just occurred to me that it can be done. I will put it in front of the committee. Clauses 29 to 32 would be voted on at once.

Do I have unanimous consent to proceed that way?

Some hon. members: Agreed.

Some hon. members: No.

(Clauses 29 to 32 inclusive agreed to: yeas 7, nays 4)

• (1440)

(On clause 33)

• (1445)

The Chair: That brings us to clause 33. Within the package that you have, we have G-17, as put forward by Mr. Louis.

[*Translation*]

Mr. Alain Rayes: Mr. Chair, I just want to warn you that we are going to vote in favour.

[*English*]

The Chair: Yes, that's good. Don't get me wrong. Sometimes we go on autopilot a little too long and then, all of a sudden, something like this happens.

(Amendment agreed to [*See Minutes of Proceedings*])

(Clause 33 as amended agreed to: yeas 7; nays 4)

The Chair: That brings us to the new clause 33.1. We now go to G-18, as put forward by Mr. Louis. Shall G-18 carry?

(Amendment agreed to [*See Minutes of Proceedings*])

(Clauses 34 to 46 inclusive agreed to: yeas 7; nays 4)

• (1500)

The Chair: That brings us to a proposal for new clause 46.1. For clause 46.1, just to break a little bit of the monotony of the straight clauses, we have before us, from Mr. Manley, amendment PV-27(N).

(Amendment negated: nays 9; yeas 2 [*See Minutes of Proceedings*])

The Chair: Okay, folks, that brings us to BQ-37.

Mr. Champoux, you will be honoured to know that yours will be the last amendment.

(Amendment agreed to: yeas 6; nays 5 [*See Minutes of Proceedings*])

• (1505)

[*Translation*]

Mr. Martin Champoux: That's a very nice way to finish off, Mr. Chair.

[*English*]

The Chair: That brings us to the end of that.

That's quite a dismount, Mr. Champoux.

Shall clause 47 as amended carry?

Mr. Philippe Méla: Excuse me, Mr. Chair.

Clause 47 was not amended. BQ-37 was just creating a new clause 46.1.

The Chair: That's right. You have my apologies. I was just so enthusiastic for Mr. Champoux. I can't even begin to describe how disorienting it was. I forgot where I was in the place.

Mr. Martin Champoux: You were doing so great.

The Chair: I know. I get that a lot.

Nevertheless, let me rephrase that. I'll back up for just a moment, everyone.

Shall clause 47 carry?

(Clause 47 agreed to: yeas 7; nays 4)

The Chair: Here's a big question.

Shall the title carry?

[*Translation*]

Mr. Alain Rayes: No.

[*English*]

The Chair: Did I hear no?

[*Translation*]

Mr. Martin Champoux: No...

[*English*]

The Chair: The title is carried—

[*Translation*]

Mr. Martin Champoux: To be perfectly honest, Mr. Chair, I must say that we did in fact hear a “no”.

[*English*]

The Chair: I asked, “Did I hear a no?”, and someone said, “No”. I took that as the double negative. I apologize.

Let me just back up for a moment. Would we like a recorded vote? I can see a thumbs-up for a recorded vote.

[*Translation*]

Mr. Alain Rayes: Yes.

[*English*]

Mr. Scott Aitchison (Parry Sound—Muskoka, CPC): Absolutely. It would be wrong not to, now.

The Chair: You may be on the right path, Mr. Aitchison.

Let me just ask the question again.

Shall the title carry?

(Title agreed to: yeas 7; nays 4)

The Chair: Shall the bill, as amended, carry?

(Bill C-10 as amended agreed to: yeas 7; nays 4)

• (1510)

The Chair: Shall the chair report the bill, as amended, to the House?

(Reporting of the bill as amended to the House agreed to: yeas 7; nays 4)

The Chair: Shall the committee order a reprint of the bill, as amended, for the use of the House at report stage?

(Reprint of the bill agreed to: yeas 7; nays 4)

The Chair: Colleagues, that brings us to an end.

I said at the beginning that this might be so exciting that we could sell the rights to Netflix. I was kidding at the time, but I'm not sure I'm kidding anymore. This has been quite an adventure.

[*Translation*]

Mr. Martin Champoux: There would also have to be original content in French, Mr. Chair.

The Chair: Yes, that's true. I accept.

[*English*]

I just want to thank everyone for your patience. I want to thank, in particular, our table staff, our legislative clerk, our clerks here in the House and our committee clerks, in particular, Aimée and Philippe. Thank you so much.

Émilie, I think you're there somewhere as well as our analysts from the Library of Parliament. Thank you so much as well.

Finally, I'd like to say hello and thank you to everybody who has been watching. I know sometimes going through this can be frustrating if you're trying to keep track of this.

I have some suggestions as to how this could be done in the future to provide a clear view as to what's going on, and I hope my colleagues will support me on that. If I may be so biased for a moment, perhaps it would be doing something like showing amendments on the screen or something of that nature. Nevertheless, I'll leave it at that. There are a lot of things to learn from this.

Thank you for your patience, everybody.

Monsieur Champoux, go ahead.

• (1515)

[*Translation*]

Mr. Martin Champoux: Mr. Chair, I will leave the last word to you, of course, but I would just like to know if it is possible to find out when you plan to table this valuable document in the House. I suspect that some of my colleagues here will want to adjust their schedules to be here as well. I would like to have some clarification, if you have any to provide, of course.

[*English*]

The Chair: Thank you for that, Mr. Champoux.

As mentioned before, it is going to be in short order, once we get a reprint done and back to the House. At that point, it's going to be up to the government House leader. I'll just leave it at that for now, because I can give you an approximate time, but I don't think I'd be.... It might get pushed beyond that, so I'd rather not give you a time right now.

Perhaps the legislative clerk can walk us through the reprint from here.

Go ahead, Mr. Méla.

Mr. Philippe Méla: Thank you, Mr. Chair.

[*Translation*]

As you know, Mr. Champoux, there are a number of committees working on bills right now, and many of them are at the reprint stage. So all these bills end up in the same place for reprinting. That's why the process takes a little longer than usual.

In the case of Bill C-10, a lot of amendments and subamendments have been passed, so it's going to take a little bit longer still. However, we will try to produce the report by Monday or Tuesday at the latest. We will do our best at the end of the week.

[*English*]

The Chair: That's, of course, what I meant by short order. They should have that done by then, and then it goes back to the order of the House.

By the way, we have a meeting on Monday. I'll update you at the very beginning of the meeting as to the progress of the reprint and report of Bill C-10 back to the House for report stage.

Go ahead, Ms. McPherson.

Ms. Heather McPherson (Edmonton Strathcona, NDP): Thank you, Mr. Chair.

I just wanted to very quickly confirm that we are going to be meeting on Monday, because I will be bringing forward my motion that I think has been shared with the committee.

I also want to thank you very much. I know this hasn't been a very easy process to chair over the past few weeks and months, so thank you for all of your efforts on that.

The Chair: Thank you, Ms. McPherson. I appreciate the compliment. Thank you so much.

There's one final bit of business, though. I did give word to Mr. Waugh that I would talk about his motion, if he desires to move it. We have about 12 minutes left in this meeting.

Mr. Waugh, go ahead. You have the floor.

Mr. Kevin Waugh (Saskatoon—Grasswood, CPC): Thank you.

We did send out the notice of motion on Wednesday, June 9, and I will read it into the record:

That the Committee invite officials from the Department of Canadian Heritage to testify about the funding for the discovery of the remains of two hundred and fifteen Indigenous children on the grounds of a former residential school in Kamloops, and what would be required to extend these efforts to all residential schools where unmarked graves may exist; and that Chief Rosanne Casimir of the Tk'emlúps te Secwépemc First Nation be invited to discuss the process of obtaining funding, how sufficient it was relative to the task, and what remains to be done.

I move my motion. Thank you, Mr. Chair.

The Chair: Thank you, Mr. Waugh.

I think we've all heard quite clearly what the motion involves, what it entails and what it is about. Do I see any discussion on the motion?

Ms. Dabrusin.

Ms. Julie Dabrusin: Mr. Chair, just quickly, I think this is a good study. It talks a bit about the funding from Canadian Heritage that was given in the past towards healing on this and what we can learn from it. I thank him for the study.

• (1520)

The Chair: Thank you, Ms. Dabrusin.

Seeing no further comments on that, we now go to a vote on the motion by Mr. Waugh.

Wait one second. The work on the reprint has begun already. There you go. That's a nice little update.

Let's go to the vote on the motion by Mr. Waugh. You have all heard it.

(Motion agreed to)

The Chair: Congratulations, Mr. Waugh.

Mr. Kevin Waugh: Thank you.

The Chair: It was well said.

Without any further business to attend to, it is Friday and it is late in the day. Everyone, thanks again for your patience, and to the thousands of you listening to our webcast, thank you so much.

We shall see everyone on Monday. Thank you.

The meeting is adjourned.

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