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• (1430)

[Translation]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): Hello. I'd like to welcome you all to the 19th meeting of the Standing Committee on Environment and Sustainable Development.

I should just let you know that the meeting is scheduled to end at 4:30 p.m.

Today we'll spend the first hour hearing from witnesses on Scot Davidson's Bill C-204. We'll then proceed to a clause-by-clause study of the bill.

This afternoon, we have three witnesses from Environment and Climate Change Canada: Helen Ryan, whom we know well, Dany Drouin and Nathalie Perron. We also have Richard Tarasofsky from Global Affairs Canada.

Ms. Ryan, you have five minutes. Go ahead.

Ms. Helen Ryan (Associate Assistant Deputy Minister, Environmental Protection Branch, Department of the Environment): Thank you very much.

[English]

Good afternoon. My name is Helen Ryan and I'm the associate assistant deputy minister, as we just heard, for the Department of the Environment. I'm with the environmental protection branch of Environment and Climate Change Canada.

I am accompanied today by my colleague Dany Drouin, who is the director general of the plastics and waste management directorate, and Nathalie Perron, who is the director of the waste reduction and management division.

I'm also accompanied by Richard Tarasofsky from Global Affairs Canada, who is the deputy director of oceans and environmental law.

I'm pleased to participate in your study of Bill C-204 and to inform the committee of Canada's ambitious agenda to move forward toward zero plastic waste. The past several months have been very productive, and our efforts will yield results both in Canada and internationally.

The Government of Canada has a comprehensive plan to achieve zero plastic waste and eliminate plastic pollution. Through the Canadian Council of Ministers of the Environment, we have a framework for joint action with provinces and territories with the goal of keeping plastics in the economy and out of the environment.

The Canada-wide strategy on zero plastic waste has a two-phase Canada-wide action plan on zero plastic waste that aims to support Canada's shift to a circular economy for plastics. It contains actions that contribute to reaching the ambitious plastic waste reduction targets laid out in the Ocean Plastics Charter.

Canada's plan is directly related to global actions aimed at improving plastic waste management and reducing plastic litter entering the environment. A key element of our international action is to implement controls on the transboundary movement of plastic waste and to work with the international community to ensure that our exports do not lead to pollution abroad.

Canada has a robust legislative regime in place for controlling transboundary movement of waste and ensuring that controlled shipments crossing Canada's borders reach the intended destinations and are managed so as to reduce releases of contaminants into the environment.

The regime includes the Canadian Environmental Protection Act, which is our cornerstone and provides a range of tools to manage wastes. It ensures that movement of wastes controlled under part 7, division 8 of the act cannot take place unless the minister is notified and a permit is issued for international exports.

The PCB waste export regulations, 1996, set out controls on the export of wastes containing PCBs. The interprovincial movement of hazardous waste regulations control the movement of hazardous waste and hazardous recyclable material between provinces through a tracking mechanism. The export and import of hazardous waste and hazardous recyclable material regulations implement Canada's international obligations, including those under the Basel Convention.

• (1435)

These controls are efficient only if the regulated community complies with them. Accordingly, Environment and Climate Change Canada has actively communicated with Canadian exporters, ad hoc recyclers and sorting facilities with respect to these new measures to ensure their awareness of the new controls that are in place.

These regulations control the export of any waste covered by the Basel Convention when exported to a Basel party. They also control wastes that are defined as hazardous or waste prohibited by the importing country, even if the waste is not defined as hazardous in Canada. A cornerstone of CEPA and the regulations is to seek the consent of importing and transit countries for any export of these wastes from Canada before an export permit is issued. In providing their consent, the importing and/or transit countries confirm that these wastes will be managed in an environmentally sound manner.

On December 29, 2020, Canada accepted the plastic waste amendments adopted under the convention. These amendments strengthen controls on the transboundary movement of certain non-hazardous, non-recyclable plastic wastes, such as mixed or contaminated plastic waste or certain resins—for instance, PVC—and clarify that hazardous plastic wastes are covered by the convention.

The concrete result of this acceptance is that, since January 1, 2021, an export permit is required for the export of plastic waste subject to the convention from Canada to a Basel party. This is a concrete and effective mechanism to ensure that exports of plastic waste covered by the convention take place only if the consent of the importing country has been obtained.

The Chair: Thank you.

Is there anyone else from Environment Canada who will be speaking or will it just be you?

Ms. Helen Ryan: It's just me that's speaking.

The Chair: Okay, but everyone will be available for questions.

Ms. Helen Ryan: That's correct.

The Chair: Perfect.

We'll go to Mr. Tarasofsky from the Department of Foreign Affairs, Trade and Development.

Go ahead. You have five minutes.

Mr. Richard Tarasofsky (Deputy Director, Oceans and Environmental Law Division, Department of Foreign Affairs, Trade and Development): Thank you. In fact, I have no opening statement.

Ms. Helen Ryan: I'm doing the only opening statement.

The Chair: Okay. That's fine. We'll go straight to questions.

We're starting the six-minute round with Mr. Jeneroux.

Mr. Matt Jeneroux (Edmonton Riverbend, CPC): Thank you, Mr. Chair.

That was the most efficient opening statement on this that we've heard here for a while.

Ms. Ryan, if I may, you talked a lot in your opening statement about what your department is doing to ensure proper waste management and about the regulations to control the export of any waste covered under the Basel Convention when exported to a Basel party, but as we know, the U.S. is not a member of the Basel Convention. They haven't ratified.

The purpose, then, of the regulation is obviously to control waste management. You stated, "In providing their consent"—and you

said "their", which I assume means the members of the Basel Convention—"the importing and/or transit countries confirm that these wastes will be managed in an environmentally sound manner."

Being that the U.S.—and I'm sure other countries to which we export—do not have to follow the regulations, meaning that the waste can be managed or mismanaged however they see fit, I'd like to know from your perspective how much of Canada's plastic waste we have exported to the United States in, let's say, the last year.

• (1440)

Ms. Helen Ryan: Thank you for that question.

I should just note that while the United States is not subject to the Basel Convention, in order for Canada to ratify the Basel Convention, we had to enter into an arrangement with the U.S. to ensure the environmentally sound management of non-hazardous waste and scrap subject to transboundary movement.

I will turn to Nathalie Perron to give you the specifics with respect to the amount going to the United States, but it is a significant portion of our material.

Ms. Nathalie Perron (Director, Waste Reduction and Management Division, Department of the Environment): Thank you. Between 2019 and 2020, we exported to the United States about 135,000 tonnes of all plastic waste.

Mr. Matt Jeneroux: Okay. Let's take it one step further.

I was reading a quote from the 10,000 Changes website, which is funded by your department. It says, "Canada exported 101,131 tonnes of plastic waste [just] in 2018". Your numbers are little bit larger, Ms. Perron, only because obviously the scope is 2020. It says, "much of it [is] to American recycling brokers, who then resell it to overseas companies. Once Canadian waste enters the U.S., it is not tracked, so where it ends up is a mystery."

Even though they are not part of the Basel Convention, there is this signed agreement, but there still seems to be that mystery in terms of where the waste ends up. I'm hoping that maybe Ms. Perron or Ms. Ryan could give us a sense of how we would go about tracking that. How could we get the accurate number of how much of that waste is Canada's in particular?

It sounds like it ends up in the Asian markets as well.

Ms. Helen Ryan: Thank you for the question.

I would just like to point out that waste that is not disposed of in the United States and that is just in transit is subject to our regulation and does require an export permit. We track and monitor the material that is transited through the United States, and when it's destined for a party that is a member of the Basel Convention it's also excluded from our arrangements with the United States. The company wanting to do so would require an export permit prior to the export, and this requirement is, again, one of the elements of our being able to and having accepted the Basel amendments.

I'll turn to Nathalie Perron to see if she has further information to add.

[*Translation*]

Ms. Nathalie Perron: Thank you, Ms. Ryan.

[*English*]

No, that's very good.

In fact, out of that number a lot of it may actually be covered under our regulations and as such would require a permit. Through the regulations there's a tracking of the movement of the waste. For all the waste that is exported through a permit, we do have information and we can track where it goes.

Mr. Matt Jeneroux: On 10,000 Changes, when it says it's a mystery, that's just not correct. Is that your opinion?

Ms. Nathalie Perron: It's not correct for all the waste that is exported to the United States.

Mr. Matt Jeneroux: How much money then has Canada had to spend for waste management for having to ship the waste back? I recall the incident—I believe it was with the Philippines—a while back where a large part of it was Canada's waste.

Do you have an accurate dollar figure on what that would be?

• (1445)

Ms. Helen Ryan: Thanks for the question.

We made changes to our regulations to require that, should a waste not be accepted in the receiving country, it's the responsibility of the waste exporter to manage the return of the waste to Canada.

With respect to the specifics on the waste containers that were exported to the Philippines, between 2013 and 2014 a Canadian company exported containers labelled as recycled plastics to the Philippines. While the export of the material at issue was not at the time regulated under Canadian law, it was exported. Then it was subsequently refused entry.

The Chair: We're way over time, but I think Mr. Jeneroux was looking for a dollar figure so if there isn't one, we can move on. If you have the dollar figure, you can share it.

Ms. Helen Ryan: I don't have the dollar figure at hand, but I can get the dollar figure for you and provide it to the committee.

The Chair: Perfect. Thank you.

Mr. Longfield.

Mr. Lloyd Longfield (Guelph, Lib.): Thanks, Mr. Chair.

Thanks to the witnesses for being here.

We've been sorting through.... I guess in this study when you talk about "sorting" it can be taken a lot of different ways, but in this case we're looking at Bill C-204 as well as the amendments that Canada approved recently on the Basel Convention on plastics, and then we have the Canada-U.S. agreement.

As a member of Parliament, I'm trying to see what's missing in what we've been doing as a government with the Basel Convention and the U.S. agreement, and what would be added by Bill C-204.

Is there anything in Bill C-204 that we're not already addressing through the regulations and the agreements we're currently working on?

Ms. Helen Ryan: Thanks for that question.

I would say that our current regime controls the wastes in question in an adequate fashion and provides for the measures with respect to the authorities under the Canadian Environmental Protection Act and subsequently under our existing regulations.

I will turn to Nathalie Perron to see if there's anything further she would like to add.

Ms. Nathalie Perron: I would say that based on our understanding of the bill, which covers only the final disposal, our legislation and legislative framework covers both final disposal and also recycling.

Mr. Lloyd Longfield: It seems to me there might be a timing issue here that, at the time the private member's bill was being worked on, these other items had been in process for a while and finally came through.

What was the timing on our coming to the current arrangements we have, and what's still outstanding for us to be able to get on to our agreements internationally?

Ms. Helen Ryan: Thank you for that question.

With respect to the Basel Convention, the Basel amendments on plastic waste, Canada accepted those amendments on December 29 of last year, so it's a very recent acceptance. In order for Canada to have accepted that, we needed to enter into an arrangement with the United States.

There had been discussions at the OECD to seek to find a solution for all OECD countries. That solution did not come forth, so Canada subsequently negotiated an arrangement with the United States to ensure that we had the proper management of our wastes that were destined to the United States so that we could accept the Basel plastic amendments. Those amendments, as I mentioned in my opening statement, took effect on January 1.

Mr. Lloyd Longfield: Thank you.

My constituents are quite concerned about plastic bottles that are used for water as a beverage. Nestlé Waters has a plant just south of Guelph.

How would those plastic bottles transferring between Canada and the United States, or within Canada, be handled under this regime? Would we be able to trap them in terms of recycling?

I know that our percentage hasn't been high on being able to capture the PET bottles. Could you comment on that?

• (1450)

Ms. Helen Ryan: I'll turn that question over to Nathalie Perron and Dany Drouin.

Ms. Nathalie Perron: Under the new arrangement with the United States, in order to fulfill our requirements under the Basel Convention, the plastic would move between the two borders freely, based on the understanding and arrangement that we both sign an attestation affirming that we both manage the waste in an environmentally sound manner.

Dany, would you like to add something to this?

Mr. Dany Drouin (Director General, Plastics and Waste Management Directorate, Department of the Environment): Yes. Thank you for the invitation.

PET is a very high value material with a very high recycle rate. My understanding is that it would be under the Basel amendments and would not be subject to the controls because it's a single pellet, is very well sorted together and has value. This is essentially what the China ban has been looking at, to make sure that very clean plastics can be exported.

Mr. Lloyd Longfield: Thank you.

There is one line in Bill C-204 dealing with the definition around final waste being landfill or final waste being recycled.

Is there a common definition that's being used internationally that we could refer to in this bill?

The Chair: Be very brief, please.

Ms. Helen Ryan: I will turn to Nathalie Perron.

Ms. Nathalie Perron: The operations are listed in the domestic regulations. They are not listed under CEPA.

Mr. Lloyd Longfield: It's a regulatory issue.

Thank you very much for your answers.

[*Translation*]

The Chair: We'll go to Ms. Pauzé next.

Ms. Monique Pauzé (Repentigny, BQ): Good afternoon, everyone.

Thank you for being here.

Ms. Ryan, at the beginning of your remarks, you talked about a meeting with the Canadian Council of Ministers of the Environment, and you said you have a framework for joint action. The framework includes investment in infrastructure and innovation. Apparently, the needs assessment work to facilitate partnerships and funding was completed in 2020.

Can you tell us if it's actually complete?

Ms. Helen Ryan: Thank you for your question, Ms. Pauzé.

I'll ask Mr. Drouin to speak to that.

Mr. Dany Drouin: I'm sorry, Ms. Pauzé, but would you mind repeating the question?

There was some interference, and I didn't understand the whole question.

Ms. Monique Pauzé: Sure, as long as it doesn't count toward my time.

The Chair: No, it won't count.

Ms. Monique Pauzé: You said you have a framework for joint action through the Canadian Council of Ministers of the Environment. You said one measure has to do with investment and innovation and that, for 2020, the needs assessment to facilitate partnerships and financing is complete.

Is it complete?

Where are we at with that framework?

Mr. Dany Drouin: It is being finalized.

Canada initiated the study, which will be shared with our provincial and territorial colleagues.

The study is looking at financial needs related to infrastructure within the context of an extended producer responsibility program.

Ms. Monique Pauzé: Yes, that's right.

Are there programs coming on line for extended producer responsibility?

Mr. Dany Drouin: There are pilot projects. There are also some fairly robust programs in some parts of the country. For example, Quebec is drafting a bill, and the B.C. model is mentioned frequently.

• (1455)

Ms. Monique Pauzé: I have lots of questions, but I won't have enough time to ask them all, so can I ask you to provide a detailed answer in writing?

I think everyone would be interested in seeing where we're at with that plan.

On another topic, commitments were made during the election campaign, in the throne speech and in the Minister of Environment's mandate letter about modernizing the Canadian Environmental Protection Act. The bill amends that act. It is about plastic production and our inability to recycle what should be recycled. If the act is being modernized, I think it's crucial to produce fewer things that can't be recycled.

Is Environment and Climate Change Canada currently taking any steps toward reforming the Canadian Environmental Protection Act?

How much of your work focuses on plastics?

Ms. Helen Ryan: I thank the member for her question.

I believe that, when our minister last appeared here, he mentioned that he was working on a bill. So yes, the bill to amend the Canadian Environmental Protection Act is being worked on.

Ms. Monique Pauzé: Okay.

From a broader perspective, the zero plastic waste by 2030 strategy was released in 2020. You mentioned that in your speech. If we look at the data in the study Ottawa commissioned, Greenpeace claims we will need 160 new facilities and investments in excess of \$8 billion to achieve that goal. We currently recycle barely 10% of the plastic produced in Canada.

Don't you think the policy is kind of unrealistic in light of the numbers Greenpeace gave us?

Ms. Helen Ryan: I thank the member for her question.

I want to make the point that we have a multifaceted proposal for plastic waste management and reduction so that we can make sure we reach our targets. I think we have to work on all these measures to achieve that, and that includes taking a close look at how we manufacture products, at how packaging is made and recycled, and at standards. We have to make sure we have the necessary infrastructure, but we also have to reduce the amount of waste produced.

Ms. Monique Pauzé: I was getting to that.

Ms. Helen Ryan: That is part of a more comprehensive approach. We have to reduce the amount of waste by reusing and transforming products.

Ms. Monique Pauzé: You talked about production. We know there are biosourced products now. These are products that can be made from wood fibre, for example, and that can replace plastic. However, in Canada, subsidies for plastic production are five times higher than for recycling. That strategy needs to change.

Can you square those numbers with plastic waste reduction targets?

On the one hand, we want to reduce waste, but on the other hand, we subsidize the cost of producing it.

The Chair: A quick answer, please.

Ms. Helen Ryan: I thank the member for her question.

I would say that part of our approach is innovation. We need that innovation.

I'll ask my colleague, Mr. Drouin, to speak to that.

The Chair: I'm sorry, but we have to move on to the next round.

Ms. Monique Pauzé: Mr. Chair, I'd like to ask the witnesses to send us more information about subsidies for the plastics production and recycling.

The Chair: Okay.

I would ask the witnesses to send us that information.

Ms. Collins, you have the floor.

[English]

Ms. Laurel Collins (Victoria, NDP): Thank you, Mr. Chair.

You mentioned that the new rules, the current rules, now cover final disposal. Those were accepted December 29. Those are the

plastic waste amendments that came into force. I just want to get really clear about the other amendment, which Canada hasn't signed, the Basel ban amendment covering hazardous waste and waste for special consideration.

Could Bill C-204 address the problems in that ban amendment, which we haven't signed on to, and address some of those aims?

• (1500)

Ms. Helen Ryan: I would point out that Canada has not ratified the ban amendment because it prohibits the export of hazardous waste for recycling. It is important to point out that Canada's domestic regulations have provisions in place that have outcomes similar to a ban. If an importing country has an import prohibition in place for a certain waste, then the export to that country cannot take place. Therefore, if a party has ratified the ban, our regulation prohibits the export of hazardous waste to these parties. That's already in place.

The environmentally sound recycling of hazardous waste is important for the environment and supports a circular economy. As an example, car batteries are exported for metal recovery purposes. This can lead to environmental and economic benefits.

Ms. Laurel Collins: That provision you're talking about, that safeguard for countries who haven't signed on to the Basel Convention.... We've heard a lot about the agreement that was signed with the United States. It sounds like, from what you're saying, there are mechanisms in place to prevent them from exporting to countries who don't have the infrastructure to deal with it.

We just had a legal analysis, published by the Center for International Environmental Law, that highlighted major inconsistencies between Canada's legal obligations under the Basel Convention and the agreement the U.S. and Canada signed. Also referenced a few times at this committee was The New York Times article talking about how new trade data for January shows that American exports of plastic scrap to poorer countries have actually stayed the same, and scrap plastic exports overall have risen.

Environmental watchdogs are saying that this is evidence that they're ignoring the rules, and that American companies are actually interpreting the law and these new rules in ways that still allow them to ship overseas. I am just curious to know how Environment Canada is dealing with some of that information.

Ms. Helen Ryan: I'm not clear on what the question is. I apologize.

Ms. Laurel Collins: It sounds to me like the United States-Canada deal isn't actually addressing the concern that exports are going to poorer countries without the infrastructure to deal with it, and that there is this loophole. Our environmental stakeholders and this new report from the Center for International Environmental Law are saying the same thing.

I'm just curious to hear a response on some of those concerns.

Ms. Helen Ryan: As I mentioned, under our arrangement we've confirmed that the United States has an environmentally sound management of non-hazardous waste and scrap that are subject to transboundary movement. A company that is wanting to transit through the United States and export to another country is required to obtain an export permit.

However, having said that, no environmental regime is bullet-proof. Should someone choose to contravene the regulations and take actions that are not permitted, our regulations and legislation don't prevent that. That's when our enforcement regime comes into play. We need to follow up and make sure we're taking corrective action. The the same holds true for the United States, or any other country for that matter.

On that note, I might just say that Canada has taken action recently with respect to the illegal export of waste and has put in place an operation with a number of other countries to look at whether we are effectively managing these wastes. This exercise was undertaken with Canadian border services as well.

Ms. Laurel Collins: Great. That's a good segue into my next question, which is about the report published in 2016 showing these huge gaps in controlling exports at the border. The report found the CBSA doesn't have the capacity to inspect up to a third of the shipments that are designated as high risk. There have been lots of high-profile cases. We've talked about the Philippines, etc.

Can you describe how ECCC works with the Canada Border Services Agency and Global Affairs Canada to prevent some of these shipments of waste overseas?

• (1505)

Ms. Helen Ryan: Yes, thank you for the question. I might just note that—

The Chair: Be very brief, please.

Ms. Helen Ryan: —we do take action to deal with alleged violations under the Canadian Environmental Protection Act, including, first, doing awareness sessions and making sure that our regulatees understand what their legal obligations are. We also take follow-up actions, including having authorities like ministerial orders, detention orders for shipments, injunctions, etc.

We have undertaken recently, as I mentioned, a specific operation with a number of other countries, targeting movements at the border. We did so in conjunction with the Canada Border Services Agency. We used behavioural intelligence to help target the shipments.

The Chair: We have time for a second round.

Mr. Albas, you have five minutes.

Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC): Thank you, Mr. Chair.

I'd like to thank all of our witnesses for the work they do for Canadians. It's quite good to have you here.

Ms. Ryan, in your remarks you said:

...an export permit is required for the export of plastic waste subject to the convention from Canada to a Basel party. This is a concrete and effective mechanism to ensure that exports of plastic waste covered by the convention take place only if the consent of the importing country has been obtained.

A huge issue is that the United States is obviously not a Basel party, and thus the U.S. could be used as an export loophole to avoid the rules.

Many members have raised questions. We talked about The New York Times piece. Are you not worried?

Ms. Helen Ryan: As I mentioned, Canada recently entered into an arrangement with the United States, with respect to the management of wastes that are destined to the United States for final disposal. With respect to waste that's transiting on, that material requires an export permit and it requires an export permit in Canada.

I think we will need to continue to make sure that we're diligent in terms of making sure our industry complies with its obligations and that we continue to work internationally with partners with respect to these issues.

Mr. Dan Albas: With respect to these issues, in the minister's response to Question No. 299 to Scot Davidson, it actually said that the ECCC is not issuing permits regarding exports of plastic waste. Since 2016, you issued no permits. Now that the Basel Convention has taken hold, you will track some information and some permits.

Will you be tracking permits to the United States under this agreement?

Ms. Helen Ryan: I'll turn to Nathalie Perron to speak to the specifics of what's required under our regulation and what's required under the arrangement. There are different requirements with respect to the different types of waste.

Mr. Dan Albas: I would only like to hear about whether or not there will be permits to the United States in regard to this agreement we have.

Ms. Nathalie Perron: There will be permits to the United States for waste that is not covered under the Basel Convention, that is not subject to the scope of the Basel Convention on which—

Mr. Dan Albas: Will plastic waste for final disposal be permitted, yes or no?

Ms. Nathalie Perron: For hazardous waste we'll need a permit, and all the waste that will transit through the United States will also need a permit, whether it's non-hazardous or not.

Mr. Dan Albas: MP Collins had mentioned earlier that the Center for International Environmental Law said that the arrangement the Canadian government has, which contains 11 operative paragraphs, does not meet article 11 of the Basel Convention requirements and, therefore, must be considered invalid.

It says further in the report that they do not believe the United States is equivalent to a Basel-abiding country. Do you believe it is an equivalent?

Ms. Helen Ryan: I will turn to my colleague Richard Tarasofsky to answer with respect to trade issues.

Mr. Richard Tarasofsky: Thank you very much.

I have also read the report from the Center for International Environmental Law. They make a number of allegations in that report. I would say that Canada has based the arrangement on an assessment that the United States carries out environmentally sound management of its wastes. That is what the arrangement is based upon.

The arrangement affirms that it carries out this environmentally sound management of non-hazardous waste and scrap. It also contains a commitment to further manage those wastes and scrap in its environmental—

• (1510)

Mr. Dan Albas: In regard to that, though, The New York Times piece on March 12 of this year literally says:

If the United States were to ratify the Basel agreement—which would require Congress to pass legislation—traders found to be shipping plastic waste overseas could be prosecuted. But short of that, the United States government is limited in its ability to stop plastic waste exports.

Even if there were traceability, there are no provisions under U.S. law that would allow them to enforce that mechanism. How can you say it's equivalent?

Mr. Richard Tarasofsky: I can't comment on the effectiveness of U.S. law, but I would say that, in all likelihood, the waste leaving the United States would be destined for a party to the Basel Convention.

Mr. Dan Albas: Okay....

Mr. Richard Tarasofsky: The only way that can take place is if there is an agreement between the United States and that importing country and, therefore—

Mr. Dan Albas: If the United States can't charge under their own laws, I don't see how it could be under ours.

Mr. Richard Tarasofsky: —it would only be subject to the—

Mr. Dan Albas: Mr. Chair, I'd like to move on.

The Chair: We have to go to Mr. Saini now.

Your five minutes are up, Mr. Albas.

Mr. Saini.

Mr. Raj Saini (Kitchener Centre, Lib.): Thank you, Mr. Chair.

Ms. Ryan, I want you to clarify certain things for me. We've been talking about a lot of different things, so let's make it as succinct as possible.

You mentioned in your opening remarks that Canada had accepted the plastic waste amendments under the Basel Convention on December 29, 2020, to “strengthen controls on the transboundary movement” of plastic waste. Can you explain to me, in succinct language, what these amendments will actually do?

Ms. Helen Ryan: I want to turn to Nathalie Perron to provide you that answer.

Ms. Nathalie Perron: Those amendments now have the effect that all plastic waste, except the very clean waste, going to a Basel party is now subject to the regulations and requires a permit prior to export. In order to have a permit, one has to obtain consent from the importing country. It's through the notification and permitting processes that we see consent from the importing country. It's only when we receive consent that we emit a permit.

Mr. Raj Saini: Okay. With this specific bill, is it necessary, then?

Ms. Nathalie Perron: As I said before, the bill focuses on a ban for plastics destined for final disposal only. Our domestic regulation with the new Basel amendments applies to both final disposal and recycling.

Mr. Raj Saini: Accepting the Basel amendments effectively is what this bill is trying to say....

Ms. Helen Ryan: I don't think it's for us to speak to what the intent of the bill is. I think it's for the proponent to speak to that, but in terms of the authorities, we have the authority to do the nature of the work that has been described.

Mr. Raj Saini: Okay.

My second question, because this has also been raised, is on the arrangement between Canada and the United States. I would like clarity on that also, because one of the concepts is having something disposed of in an environmentally safe manner. Does that arrangement between the United States and Canada guarantee that?

Ms. Helen Ryan: Thank you for the question.

What I would say is that the arrangement with the United States confirms that, through our assessment of their regulatory regime, it's our view that they have an environmentally sound management of the material.

As I mentioned previously, there's no regime that will guarantee.... There's no way to guarantee any regime, because it's about people's behaviour and whether they choose to comply with the regime. That's why we have robust enforcement and compliance promotion to help ensure that regulatees are adhering to the rules.

Mr. Raj Saini: As you're aware, solid waste management also involves the provinces and the territories. If we were to ban the export of plastic waste for final disposal, we would have issues with solid waste that comes from municipalities, which are also governed by the provinces. However, for that immediate prohibition, how would that impact domestic landfilling capacity?

If you can't send it, you have to do something. How would it conflict with municipal and provincial agreements, but also with landfill capacity, if we were to immediately prohibit the export of plastics?

• (1515)

Ms. Helen Ryan: I'll turn to Nathalie Perron to answer that question.

Ms. Nathalie Perron: We know that the landfill capacity in Canada is put through a stretch in some areas. Currently, if waste exported to the U.S. contains some plastics that are listed in the proposed schedule 7, that would mean it could no longer travel to the U.S. That would probably put a stretch on some provinces' capacity to manage it.

Mr. Raj Saini: How long does it take to create a landfill site?

Ms. Helen Ryan: I'm not in a position to give you the specifics, as the approval and licensing of landfill sites are not done by the federal government for domestic material. We do know that these things can take many years.

[*Translation*]

The Chair: Ms. Pauzé, you have two and a half minutes.

Ms. Monique Pauzé: Thank you, Mr. Chair.

Ms. Ryan, earlier we talked about reducing plastic consumption and about biosourced products. If we went in that direction, we wouldn't be talking about waste; we'd be talking about resources. The department addressed the integrated management approach in a publication.

Given that waste management is under the jurisdiction of Quebec and the provinces, can you tell us if the department has partnership programs to support the circular use of plastics?

Ms. Helen Ryan: Mr. Chair, I thank the member for her question.

That's part of the zero plastic waste initiative that we launched with the Canadian Council of Ministers of the Environment. In fact, we are aiming much higher.

I will ask Mr. Drouin to elaborate on that.

Mr. Dany Drouin: Thank you.

We have partnerships with some provinces. For example, we have pilot projects in Ontario on the compostability of [*Inaudible—Editor*].

In Quebec, there is the Circular Plastics Taskforce, the work done with Danone and Éco Entreprises Québec. We are trying to find the best means of optimizing the value of certain waste not made of polyethylene terephthalate, or PET, so it can be recovered and then directed somewhere.

Ms. Monique Pauzé: There have been breakthroughs in research at Natural Resources Canada. I will compare the subsidies. I believe that the Centre national de la recherche scientifique, or CNRS, received \$150 million for one project while the petrochemical industry collected hundreds of millions of dollars.

Does Environment and Climate Change Canada intend to increase the subsidy for bioplastics, for example?

Ms. Helen Ryan: The zero plastic waste initiative has a component called

[*English*]

“innovation challenges”.

[*Translation*]

This component provides subsidies to industry. We could send you the list of funds that have been disbursed.

The Chair: Excellent, thank you.

Ms. Collins, you have the floor.

[*English*]

Ms. Laurel Collins: Thank you, Mr. Chair.

Ms. Ryan, I want to go back to the question around hazardous waste and waste for special consideration, especially the question around waste for special consideration. You seemed to be kind of alluding to the fact that we have regulations that cover this already. We haven't signed on to that Basel ban amendment, just to the plastic waste amendments.

What has changed for the pieces around waste for special consideration since some of those high-profile cases in the Philippines, etc.?

• (1520)

Ms. Helen Ryan: There was an important amendment made to our regulations. I'll let Nathalie Perron speak to the specifics of that.

Ms. Nathalie Perron: I hope I understood the question correctly.

In 2016 the regulations were amended to include, within the definition of hazardous waste, a clause that describes where, if an importing country controls or prohibits a waste, then it becomes automatically, under our regulation, hazardous and is controlled. In effect, it has the same outcome as the ban amendment, because any countries who signed on to the ban amendment—

Ms. Laurel Collins: I only have two and a half minutes. A 2019 report showed that 150,000 shipping containers of U.S. plastic waste were exported to countries with poor waste management in 2018.

Given the kinds of loopholes that exist, I'm curious about our shipping to the U.S. this waste for special consideration, and it then ending up in landfills even if our regulations might have changed since then.

Ms. Helen Ryan: It's important to remember that if waste is transiting through the United States but destined for final disposal elsewhere, it is subject to our regulations and is subject to a permit. We need the prior, informed consent of the country to which it's destined. If they're doing something to the contrary, that would be a violation of our regulations.

The Chair: Thank you.

We'll go to Mr. Redekopp for five minutes.

Mr. Brad Redekopp (Saskatoon West, CPC): Thank you, Mr. Chair.

Ms. Ryan, in your answer to Madam Pauzé you indicated that the government was following a multi-faceted approach to reduce plastic waste.

Your department imposes Bill C-204 and the alternative is to reduce plastic waste. Some of the ideas the government is imposing are to declare plastics a toxic substance under CEPA and to ban plastics for certain end uses. For example, a lot of plastic waste comes from food packaging. You'll recall in 2008, 22 people died from a listeriosis outbreak in Canada. There were also E. coli outbreaks. Recommendations coming from reports of those outbreaks included strengthening food safety measures, such as inner packaging, i.e., plastic.

The Canadian Food Inspection Agency recently put into effect the safe food for Canadians regulations. Have the CFIA, Agriculture Canada and Health Canada been consulted on the plastics ban?

Ms. Helen Ryan: As part of our comprehensive approach to zero plastic waste, we issued a discussion paper for public comment. One of the elements of that is the approach to banning problematic single-use plastics. We worked jointly with our colleagues at Health Canada in the drafting of that and have also consulted with other federal departments.

In addition, in conducting our science assessment on plastic waste, we worked jointly with Health Canada but also consulted broadly with other government agencies, research institutes and others with respect to the issues in terms of the concerns from a science perspective on this—

Mr. Brad Redekopp: Ms. Ryan, can you confirm that you did talk to the Canadian Food Inspection Agency and Agriculture Canada?

Ms. Helen Ryan: Yes, we can confirm.

Mr. Brad Redekopp: Okay.

It took six years for this legislation to come into effect after Gerry Ritz, a great Saskatchewan man, by the way, in the Harper government, implemented these regulations.

What time frame will Canadian agricultural processors, food processors, grocery stores, consumers, etc., have to adapt to a plastic ban?

Ms. Helen Ryan: We issued a discussion paper. As well, we put forward a proposal for public comment on adding plastic manufactured items to schedule 1 of CEPA. These are the first steps in our regulatory process. We're currently assessing the comments with re-

spect to the discussion paper. Decisions will be forthcoming in terms of the next steps.

• (1525)

Mr. Brad Redekopp: Mr. Chair, I'll pass the rest of my time to Mr. Albas.

Mr. Dan Albas: Thank you, Mr. Chair.

Thank you, Mr. Redekopp.

On Monday there was disagreement over the definition of "final disposal".

The Canadian Environmental Protection Act refers to the Basel Convention on this topic. The convention says that the following operations are not final disposal: "Operations which may lead to resource recovery, recycling reclamation, direct re-use or alternative uses."

Is this your understanding of the Basel Convention and rules?

Ms. Helen Ryan: I will turn to my colleague, Nathalie Perron, to speak to the Basel Convention.

Ms. Nathalie Perron: Thank you.

The Basel Convention lists all the different operations that are considered recycling and those that are disposal. Those operations are in our regulations so we have a copy of those.

Mr. Dan Albas: There are Annex IV sections A and B of the Basel Convention. Based on that, there is nothing in this bill—which would amend CEPA, and CEPA uses the definition from the Basel Convention—that would limit any recycling, resource recovery or reuse activities.

Is that correct, Madam Perron?

Ms. Nathalie Perron: I can't comment on what the bill intends to do. I'm sorry.

Mr. Dan Albas: Right now CEPA has a definition of final disposal that is based on incorporation by reference to the Basel Convention—yes or no?

Ms. Helen Ryan: With respect to the term "final disposal", the way in which we deal with it under our requirements is through our regulations. What Madam Perron indicated is that our regulations make reference to the same list of materials that are identified in the Basel Convention. It's not the definition—

Mr. Dan Albas: Is there a workable definition within CEPA for final disposal, which is utilized currently in the regulations?

Ms. Helen Ryan: CEPA does not contain a definition of final disposal. The types of measures that are controlled are subsequently defined specifically by regulation.

Mr. Dan Albas: It is an incorporation by reference, so there is a working definition in the Basel Convention, in Annex IV B, of what it is and what it can be used for, which allows for the clear reuse of products that I have mentioned here—recycling reclamation, resource recovery, direct reuse or alternative uses.

Ms. Nathalie Perron: It's not an incorporation by reference. Those operations are listed in the regulations. They are not listed under CEPA.

I hope that helps.

The Chair: Thank you.

I want to thank our witnesses for their knowledge and insight. I thought those were good rounds of questions.

Mr. Peter Schiefke (Vaudreuil—Soulanges, Lib.): Mr. Chair, can I get my questions in? There are two minutes left.

The Chair: You're absolutely right. I'm sorry. I have too many emails coming in, too many messages.

You're right. You have five minutes.

I'm sorry, Mr. Schiefke.

Mr. Peter Schiefke: Thank you, Mr. Chair. I appreciate that very much.

I would like to thank our witnesses for joining us today.

There has been a lot of talk at this committee about the importance of enforcement, and rightfully so. To all the witnesses, according to your review of Bill C-204, how would the prohibition be enforced under CEPA?

I understand that the issue could be clarified via regulatory amendments under paragraph 191(a), but doing that would take a significant amount of time. That said, until regulatory amendments are made, enforcement authorities could be limited in that there may not be authority to inspect a shipment of listed "plastic waste" if Bill C-204 is enacted as drafted.

Is that an accurate characterization? Would additional amendments be needed to ensure enforceability of the proposed prohibition?

• (1530)

Ms. Helen Ryan: As we mentioned, the bill targets the final disposal. When we're talking about a shipment and an export, that would be a different activity.

Mr. Peter Schiefke: Could this potentially divert resources from other enforcement priorities?

Ms. Helen Ryan: In terms of any of the activities we undertake, we have a limited amount of resources available to us, and we target our resources based on priorities. I can't speak to the specifics in terms of what actions would be taken on a specific case. Those would be specific to the enforcement office, but we have a limited amount of resources to do the work we have before us.

Mr. Peter Schiefke: Thank you, Ms. Ryan.

The design of any measure that may affect trade has to take into account Canada's international trade law as well as the obligations on us that arise from agreements like the World Trade Organization General Agreement on Tariffs and Trade, the WTO General Agreement on Trade in Services, and Canada's free trade agreements.

How would the prohibition be consistent with Canada's international trade obligations?

Ms. Helen Ryan: Thank you for that question.

I'll turn to Richard Tarasofsky to answer.

Mr. Richard Tarasofsky: I would only say that all the instruments that you've identified are indeed relevant. They have a list of provisions in themselves, which would be important considerations. For example, all of the instruments you mentioned have a prohibition on export restrictions.

There is also a set of exceptions that relate to environmental issues. These exceptions must be applied in a manner that involves looking at a whole series of factors. They are very fact specific and they must not lead to any arbitrary discrimination.

Mr. Peter Schiefke: Thank you, Mr. Tarasofsky.

From a domestic point of view, what would the impact be on waste management in Canada if we were to ban the export of plastic waste for final disposal? How would this immediate prohibition impact domestic landfill capacity in provinces and territories and in municipal solid waste management, and how would it impact federal relations with provinces and territories, as well as municipalities?

Ms. Helen Ryan: Thank you for that question.

As we previously heard, the capacity of our landfill sites, in addition to our waste management and recycling facilities, is stretched. Adding material for them to handle will be very challenging and potentially could be very problematic with respect to our relations with provinces and territories, as well as municipalities.

Provinces are responsible for the permitting and management of waste and then authorize others to undertake activities. This will place additional responsibilities and burdens on them in terms of the actions they will need to undertake.

Mr. Peter Schiefke: Thank you very much.

That's the end of my questioning, Mr. Chair.

The Chair: Thank you, Mr. Schiefke. Again, I apologize for the confusion and for trying to take your time away. You know that I don't mean to do that.

Thank you again a second time to the witnesses for being here.

[Translation]

Ms. Monique Pauzé: Mr. Chair, on a quick point of order?

The Chair: Yes, Ms. Pauzé.

Ms. Monique Pauzé: I made a mistake earlier and I would not want it to be recorded in the evidence.

In speaking about the hundreds of millions of dollars given to the petrochemical industry by government, I said that Natural Resources Canada gave \$150 million to the Centre national de la recherche scientifique. That amount is not \$150 million but \$150,000. We can see the difference between the hundreds of millions given to the industry and the \$150,000 for bioplastics research.

The Chair: Okay, that will obviously be noted in the evidence.

Ms. Monique Pauzé: Thank you, Mr. Chair.

The Chair: I thank the witnesses. You are free to go. We really appreciate the time you spent with us at today's meeting.

We will now continue—

• (1535)

[*English*]

Mr. Peter Schiefke: Mr. Chair, I'd like to propose a motion, if I may, before we begin the next portion of our meeting.

Mr. Dan Albas: On a point of order, Mr. Chair. We are not in committee business, so I don't think it's appropriate for a motion to be made at this time.

The Chair: One moment, please.

Thank you again to the witnesses.

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): I have a point of order, Mr. Chair, before the witnesses go.

The Chair: Go ahead.

Mrs. Cathy McLeod: Typically when we do clause-by-clause, we have the witnesses with us so that we may ask questions on an amendment and the impact of an amendment. I am just surprised that the officials have been dismissed, because the practice is that sometimes members of Parliament will have a question about an amendment, and now we will not have the opportunity to ask them what the impact will be.

The Chair: I don't know how you want to proceed on that. I was told that they felt they couldn't offer legal advice, but you have a point there, Ms. McLeod. They could always comment on the impact of an amendment.

Mrs. Cathy McLeod: We've always had officials for clause-by-clause to make comments.

The Chair: Excuse me for a moment, please. I'm just going to put this on pause for a second. I'll be right back.

• (1535)

(Pause)

• (1535)

The Chair: Okay, Ms. McLeod, I'm working on it, but we have Mr. Schiefke.

Mr. Peter Schiefke: The motion that I'm actually moving, Mr. Chair, is to the schedule before the committee today—

Mr. Dan Albas: Mr. Chair, I had a point of order.

The Chair: I'm sorry. Wait just a second, Mr. Schiefke.

Mr. Albas, what was your point of order?

Mr. Dan Albas: I did actually ask about this, Mr. Chair. We're not in committee business, so we're not in a position to present any motions or business.

The Chair: Right. Well, let me deal with your point of order too. I'll deal with your point of order in just a second.

Mr. Peter Schiefke: Just to clarify, Mr. Chair, my motion is to the schedule before the committee today, so it is in order.

The Chair: It's in order because it's related to the work today. Is it related to the bill?

Mr. Peter Schiefke: Yes.

The Chair: Is it an amendment to the bill?

Mr. Peter Schiefke: No. It's a motion.

Would you like me to read it, Mr. Chair?

The Chair: Sure, you can read it.

[*Translation*]

Mr. Peter Schiefke:

That the committee hold an additional hearing in relation to the consideration of Bill C-204 before proceeding with clause-by-clause consideration and that the sponsor of the bill and appropriate government officials be invited to attend to answer additional questions.

[*English*]

Mr. Chair, here's a quick synopsis of the reason that I feel this is important. It's simply that a number of issues and challenges have been brought up by the witnesses we've so far had speaking before this committee. I feel that if we're doing our due diligence as a committee, it merits more discussion. I feel that we need to be in a situation where we can hear more about some of the ways in which many of these challenges can be rectified, which I don't think has been done so far, before this is sent back to report stage.

Thank you, Mr. Chair.

The Chair: Yes, that's in order—

Mr. Dan Albas: On a point of order, I would just say again that this is not in regard to the bill itself but to the study. It should be ruled out of order. We all came prepared for clause-by-clause. Everyone knew this. This should have been done in committee business prior to today's meeting.

Mr. Chair, I would ask you to rule it out of order. It is not on our agenda to be changing this.

The Chair: I consider this in order. It's totally related to what we're doing.

Mr. Dan Albas: I'd like to be put on—

The Chair: If you'd like to challenge that—

Mr. Dan Albas: Yes. I'll put up my hand, then.

• (1540)

The Chair: You're challenging this ruling.

Mr. Dan Albas: No, I'm not challenging it, Mr. Chair. I'm going to speak to the debate. I do respect it when you make a decision.

The Chair: Okay. The floor is yours.

Mr. Dan Albas: Thank you, Mr. Chair.

I find it very troubling that we had officials just here, who could have stayed for clause-by-clause, suddenly logging off and giving the rationale that they weren't needed today. We all had the ability to submit witnesses. We planned to do this in an orderly way with two meetings. All parties agreed to that. We all got the chance to put forward witnesses.

Mr. Chair, this will delay the work of the committee. You know better than anyone that we have several different motions that have been referred to this committee, many of them Liberal, and they will be pushing other things back.

As the House of Commons has given this to us to do, I would simply ask all members who are concerned about not being able to get to the important work the House has sent to us.... Out of respect for the House that sent this to us, I believe we should vote this out. We've had industry. We've had environmental groups. We've had the government itself come and talk about its policies. We all agreed to a two-step process.

I would ask all members to vote against this motion. I'm very disappointed that this was done with no consultation. Obviously, since the member read it out, he has had this for quite some time. To not be consulting with other party members or other parties I think really just shows that the member didn't do his homework at the correct time to work with other parties to have an orderly schedule where everyone's concerns could be made out.

The Chair: I'll go to Mr. Baker.

Mr. Albas, thanks for taking your hand down. For some reason, I can't seem to do it at my end.

I have Mr. Schiefke.... No, wait.

Mr. Peter Schiefke: It was Mr. Baker first, Mr. Chair.

The Chair: Yes, but somehow things have reversed.

Mr. Baker.

Mr. Yvan Baker (Etobicoke Centre, Lib.): I'm sorry, Chair. I took my hand down very quickly—

• (1545)

The Chair: It's not my fault then...?

Mr. Yvan Baker: —as per your request. I was too quick, yes.

Chair, speaking to the motion presented by Mr. Schiefke and what I think what Mr. Schiefke is trying to do, I'm not speaking for him, but I see a lot of merit in what he's recommending. At the end of the day, we have a situation where we have a bill and concerns have been raised, and I'll cite one that concerns me. It's something that Mr. Saini was trying to ask questions about, but I don't think there was enough time to explore it, which is an example of why Mr. Schiefke's motion has merit.

Mr. Saini was asking about something that at a prior committee meeting I was also asking witnesses about, which is what the impact of this bill would be on Canada's waste disposal system and on our landfills. It's incumbent upon us as a committee studying this bill and digging into the details and the implications of this bill to understand what that is. Can this bill actually be implemented? Is it realistic? Is it feasible?

The concerns that have been raised if the bill were to be passed, and that I'm alluding to, are around what would happen to waste that's currently being exported that could no longer be exported, whether that's to the United States or anywhere else, because that's what this bill would do. It would ban the export completely.

From officials who were here today, we heard a figure for the number of tonnes of waste exported every year, and that's just to the United States, never mind all the other countries that we export waste to, so you can imagine that if you suddenly shut the border to that complete export, that waste has to go to landfills.

In response to a question I asked at our last meeting, that was the answer we were given by one of the witnesses. We know from the officials today that landfills are at capacity. They said that to us today. In fact, the quote from Ms. Ryan—I wrote it down—is that capacity of landfills is “stretched”. Also, “Adding material...to handle will be very challenging and potentially...very problematic”.

As a member of the committee whose responsibility it is to evaluate the pros and cons of legislation that comes to us, I think this is one of the potential cons that officials are flagging for us. It's a legitimate concern. Without even hearing from officials, I already had that concern. If I think about these millions of tonnes of waste that suddenly are not going to be exported and have to be put somewhere, they have to be put in landfills that are already at capacity, and that means the landfills will not be able to handle them.

From my experience and in consulting with people who know a lot about this, it takes around five years to get a new landfill set up, because they have to be permitted and regulated and put in place. If I think about just that issue alone, which I have concerns about, I'm concerned about the idea that we would go ahead without getting that additional input that Mr. Schiefke's motion would allow us to get from officials and from others to make sure that we know whether or not this bill could actually be implemented.

That would be my argument for Mr. Schiefke's motion.

Thank you, Chair.

The Chair: Thank you, Mr. Baker.

Mr. Schiefke.

Mr. Peter Schiefke: Thank you, Mr. Chair.

I would simply point out that as parliamentarians and as members of this committee, we have a responsibility to thoroughly vet the legislation that comes before us. In the one and a half meetings we've had so far—we've had only one and a half meetings on this—we have heard significant feedback that there are huge challenges with this piece of legislation as it stands. I took notes as we went. I listened to every single one of them. I want to share some of those with you.

The bill sponsor himself, Mr. Davidson, acknowledged that he was rushed in drafting this bill, as he drew number five in the PMB lottery. He told us:

Understand that I was probably as shocked as you that I drew number five in the PMB...and had to get this bill drafted quickly with the House of Commons. That was actually a bit of a chore, and meeting with witnesses, all at the beginning of COVID.

We heard from other witnesses as well—the Basel Action Network, the Chemistry Industry Association of Canada, the David Suzuki Foundation, the Recycling Council of Ontario—and we just finished hearing from government officials, all of whom raised significant concerns with the bill as it's currently drafted.

James Puckett of the Basel Action Network raised concerns that this bill will not be effective in addressing the root problem. He said:

In fact...the biggest global problem, which Mr. Davidson and others hope to address with this bill, will not be addressed, because the bill currently only looks at exports for final disposal, which is landfilling or incineration. The bill currently does not address the heart of the problem, which is exports for recycling.

Bob Masterson, the president and CEO of the Chemistry Industry Association of Canada, raised important considerations about the redundancy and technical issues with the bill. He said:

On many levels, Bill C-204 is redundant to those requirements, and at the same time it adds confusion. On the list of plastic wastes, we include things like ethylene, which is a feedstock. It's not a plastic waste.

He said there is no definition.

MP Davidson gave a nice definition of “final disposal”, but [that is not] in the bill itself. There's a lack of process that will allow for the continued movement of post-consumer materials, specifically between Canada, the United States and other OECD countries.

He said this would frustrate the circular economy.

Jo-Anne St. Godard with the Recycling Council of Ontario raised important considerations around transparency. She said:

...I think the spirit here is to get more transparency on what it is we are collecting and sending to other shores, and certainly that is similar to what we should be doing domestically as well. Under the guise of recycling...not all recyclable material is in fact recycled. We need traceability from points of generation through to final disposition. An outright ban...is not really [going to get] at the heart of the issue, which that is no matter what we are generating or how we are generating it or where it is actually managed, we need to have a line of sight on what that is to ensure that the materials are managed to the highest end uses, and also under very strict human and health protections.

It is my strong view, colleagues, that this committee needs to hear from additional witnesses before we can reasonably be in a position to move to clause-by-clause consideration of the bill and send it back for report stage.

I'd like to add that we just heard from department officials about their serious concerns relating to international trade, to our interna-

tional agreements and to how this bill as it currently stands actually puts us at odds with many of those international agreements that we've signed on to.

With that said, I strongly encourage all my colleagues, from the NDP, the Bloc and the Conservatives, to consider giving more time to this bill. It could be as soon as two weeks from now, at our next constituency week, our off sitting week. For those of you who think that this is being booted down the road and that we don't want to see this move forward, it could be as soon as that—perhaps sooner, if the chair can tell us there's an opening.

Committee members need to do their due diligence on this to try to better address the issues that have been raised by witness after witness from the private sector, the government side and not-for-profit environmental organizations.

Thank you, Mr. Chair.

• (1550)

The Chair: Thank you, Mr. Schiefke.

[*Translation*]

You have the floor, Ms. Pauzé.

Ms. Monique Pauzé: I have two questions.

First, we heard from representatives of the chemicals sector, government departments and environmental groups. I feel that is quite comprehensive and diverse. What other witnesses do we want to hear from? Are there others we should invite?

Second, if we extend the time for study, do we have the right to move new amendments?

The Chair: That is an interesting question.

What is your answer, Madam Clerk?

The Clerk of the Committee (Ms. Isabelle Duford): The answer with respect to the amendments is yes.

The Chair: Very well. If I have understood correctly, there is no time limit for moving amendments, and they can even be moved during a meeting.

Thank you for your question, Ms. Pauzé.

Ms. Saks, you have the floor.

[*English*]

Ms. Ya'ara Saks (York Centre, Lib.): Thank you, Mr. Chair.

I'd just like to follow up on the comments by Mr. Schiefke and my colleague Mr. Baker. Throughout the conversation today with the officials we had here, there seemed to be a tremendous amount of uncertainty when it came to terminology regarding waste and plastic waste. There doesn't seem to be anything in the bill.

We're talking a lot about what we would export out, but we're not even discussing what potentially could be imported.

In addition to that, I do have significant concerns regarding an absolute ban on export, in that we are almost logjamming the internal waste management here in Canada and creating an even bigger disposal problem here, when we're actually trying to resolve it. A chain of events would be sparked by this. The officials are saying that we have mechanisms and solid agreements in place in the current structures we have, which may make Bill C-204 redundant.

We're not sure about that yet. I'd like to share my concerns regarding that uncertainty. We do need more time with this, but a very limited timeline is being proposed. We're not dragging this out.

My colleague Mr. Schiefke and the chair didn't disagree that there is a possibility of doing this in a shorter time. We have all clearly committed time over our constituent weeks to be here to do this important work, and I just don't feel we are there yet.

The Chair: Thank you, Ms. Saks.

Mr. Saini.

Mr. Raj Saini: Thank you, Mr. Chair.

The study raised a lot of issues for me personally. A couple of those issues are international.

I have never received a clear answer. We keep talking about the Basel Convention and the Canada-U.S. agreement that was signed back in October, but what we haven't discussed is the further, broader implications, whether they be with the WTO or with GATT. What would the impact be on our international agreements and how would that impact our ability to do other things?

For me, that's a very important question. We live in a global world. Any legislation that we put through here has to be seen through a lens of how this affects our trading partners and our global responsibilities when it comes to the WTO and the GATT agreements we signed.

The second thing raised, and Mr. Baker alluded to this, was about landfills. I don't know much about landfills, but I'm sure there is a permitting procedure. I'm sure land has to be purchased. I'm sure that other requirements will have to be met. If there is a prohibition, then, obviously, there is going to have to be an increased domestic capacity for more landfill capacity. I do not know what the procedure is, but I know that it takes sometimes up to around five years for landfills to be created.

However, there is a provincial and a municipal jurisdiction that's also involved. Nobody has clearly stated to me over the last two meetings or meeting and a half how we work with our provincial and territorial partners, and how we make sure that they are part of the conversation, as opposed to just imposing something upon them.

The third thing I think we also need to do is to take a much broader study. We've heard conflicting advice from different stakeholders who have said that this would work and that something else would work.

When we look at the Basel Convention, we see the amendments capture everything. Is this redundancy going to create more regulation, more red tape, more frustration for the suppliers and the creators of plastic, or is it actually going to solve a problem?

A lot of things have emerged over the last meeting and a half that have raised questions. I think we all want to do a good job and make sure that we study this legislation in the way it should be, that it be given the respect it deserves and that we try to make sure....

To Mr. Schiefke's point, if I can add a subamendment, I would like to add that maybe we need to call the Federation of Canadian Municipalities, FCM. Maybe we have to call provincial officials to see how this would work. What's the capacity of the provinces and provincial officials? Also maybe we need to look at our obligations when we trade solid waste with the United States back and forth, and the implications of that. What are our international treaty obligations? The gentleman from GAC said that this would be important, but he didn't elaborate on that.

Maybe if I'm permitted, Mr. Chair, to amend Mr. Schiefke's motion, I would like to include the Federation of Canadian Municipalities, the provinces and anybody else who we think would be.... I think FCM and the provinces at a minimum should have the opportunity to come and speak to this, because they are going to be impacted, whether materially or financially. I think it's important we have their voices. I would also appreciate learning how the permitting process actually goes from start to finish, how you actually create a landfill site, what's required and what the cost is.

I think I would like to suggest that subamendment if I can.

• (1555)

The Chair: I don't have the written version of Mr. Schiefke's motion in front of me.

Mr. Schiefke, you were proposing one more meeting, is that it, before clause-by-clause? Could you clarify for me, because I don't have it written down in front of me?

Mr. Peter Schiefke: Yes. My motion was.... It's a friendly amendment that my colleague Mr. Saini is proposing.

I was looking to invite appropriate Government of Canada officials as well as the proponent of the bill, but I see a lot that can come from inviting the Federation of Canadian Municipalities and provincial government representatives, should they wish to take part as well.

The Chair: If I may say so, though I don't know if it is in order for me to make this comment, if we're talking about one meeting and we definitely agree to this, we can't overload it with witnesses or it will just become unworkable. That's why we often let the analysts and the chair and the clerk work together to try to find a balance.

Your motion is talking about the officials who were here today, and you said Mr. Davidson should be invited, but I don't think, to be honest with you and I'd have to look into this, it would be right to put Mr. Davidson on a panel with officials and have them debate. I think that would be totally wrong. One would have to go before the other.

Theoretically we could add other people to sit with Mr. Davidson, and that would be fine, but if it's only one meeting, practically speaking, we can't just add a whole list.

Mr. Saini, I'm not sure you formally presented a certain witness's name. I thought you were just throwing some names out there as potential witnesses. Do you want to say specifically the Federation of Canadian Municipalities?

Mr. Raj Saini: Yes.

The Chair: If you talk about provincial governments, this will never end. We're going to have every provincial and territorial government in the country. However, is the Federation of Canadian Municipalities what you're suggesting?

Mr. Raj Saini: Yes.

The Chair: Okay. Is there anyone else?

Mr. Raj Saini: I think for right now, we'll just go with FCM.

The Chair: Okay. That's the friendly amendment, to add FCM.

Mr. Schiefke accepts it. Okay.

We're at Ms. Collins.

Ms. Lauree Collins: I'm a bit concerned. I want to echo Madame Pauzé's comments about how we're choosing these witnesses and what the benefit of extending it is, since we've heard from the government officials, we've heard from environmental stakeholders and we've heard from the mover of the bill already. Bringing them back in.... I can see the benefit of having government officials here while we do the clause-by-clause. It seems as though that could be helpful as we're debating.

I've heard a lot of concerns raised. A number of amendments have already been submitted, and we could be debating these things as we go through those amendments and move forward with this.

I think in order to support an additional day, I would want to think more thoroughly about which additional witnesses we should have. I'll pause there, but I'm feeling a bit torn about this one.

• (1600)

The Chair: Just in terms of the officials, I plan to formally invite them to be there for clause-by-clause unless the committee objects, but I don't see any objection.

Mr. Albas.

Mr. Dan Albas: Mr. Chair, I object to the fact that we haven't even passed this motion and we're already talking about another meeting. Many of us came prepared to do clause-by-clause today. We came prepared and asked questions of all witnesses in good faith. We all had the ability to bring people forward. There were some concerns in the House. This met the will of Parliament. Parliament has passed this to our committee. You've had the same op-

portunities as any other member to ask your questions. Many of us have come here in good faith for clause-by-clause.

I would just simply say that if members are not satisfied with the level of testimony, they should perhaps be asking themselves why they didn't submit those witnesses and have that ability.

That being said, I would like us to dispose of this motion so we can get to clause-by-clause.

The Chair: Seeing no other speakers, I will proceed to a vote.

Mr. Yvan Baker: Madam Clerk, can I just ask you to clarify what it is we're voting on?

The Clerk: Sure.

We're voting on Mr. Schiefke's motion "That the committee hold an additional hearing in relation to the consideration of Bill C-204 before proceeding with clause-by-clause consideration and that the sponsor of the bill and appropriate government officials be invited to attend to answer additional questions", and then Mr. Saini's friendly amendment concerning additional witnesses, for example, municipal and provincial officials and the like.

The Chair: I have Madame Pauzé with her hand up, but the vote has been called, so it can't be debated. It has to be just a point of information.

[Translation]

Ms. Monique Pauzé: Excuse me, Mr. Chair.

The Chair: I will come back to you in a moment, Ms. Pauzé.

Ms. Monique Pauzé: All right.

[English]

The Chair: Madam Clerk, am I correct? Madame Pauzé can speak, but it can't be to debate the idea. It has to be a point of information.

[Translation]

Ms. Pauzé, you can ask for information, but unfortunately we cannot debate the motion.

We are getting ready to vote, but we can answer your questions if you would like some information.

Ms. Monique Pauzé: I don't have the written version of the motion and so I was just wondering if it specifies the amount of time.

Are we adding one hour?

The Chair: It doesn't say. It mentions a meeting, but it could last one or two hours.

[English]

Ms. Collins.

Ms. Laurel Collins: I just wanted to make sure. I heard the clerk mention provincial counterparts, and I thought that was taken out of the amendment to the amendment.

The Chair: It was. Mr. Saini stopped at FCM.

The Clerk: Was it? You have my apologies.

The Chair: No problem.

We will go to the vote now.

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

• (1605)

The Chair: Okay. We will have another meeting. We'll invite the FCM.

There's been no time limit set on it.

This is again a question for the clerk. Who decides if it's one hour and then we go to clause-by-clause, or if it's two hours and then we go to clause-by-clause in yet another meeting? Who makes that call?

The Clerk: It would be the committee that would provide me with direction on how to proceed.

The Chair: How would we do that?

It wasn't specified in the motion. Can that not be at the discretion of the chair?

The Clerk: I believe there are some people who would like to speak, but I take direction from the committee or the chair.

The Chair: Okay.

Madame Puzé.

[*Translation*]

Ms. Monique Puzé: My question was about that.

As I was saying, I am on the fence.

However, I would be quite agreeable to a one-hour meeting followed by clause-by-clause consideration. I propose one hour and no longer.

The Chair: If I understand correctly, you are moving a motion.

Ms. Monique Puzé: Yes, I am.

That the meeting last one hour followed by clause-by-clause consideration.

The Chair: Okay.

Mr. Baker, do you have something to say about Ms. Puzé's motion?

Mr. Yvan Baker: I think that it is worth taking two hours. There are a number of complex issues, and it would be helpful to examine the issues before proceeding to clause-by-clause consideration.

[*English*]

The Chair: Madam Collins.

Ms. Laurel Collins: I think Madame Puzé's suggestion of one hour seems more reasonable than two hours. We've heard from the officials already. I guess the only new group we are hearing from

with this motion is the FCM. It seems like we could maybe keep those officials who are there for clause-by-clause in that same meeting.

The Chair: My understanding is that this extra meeting, the extra hour or extra two hours or whatever, is not for officials. It's for FCM and Mr. Davidson. I've already said that we're going to invite the officials to be there for clause-by-clause. Whether they join in the second hour or at another meeting, I think they need to be there.

Mr. Albas.

Mr. Dan Albas: Mr. Chair, I would say a couple of things.

First of all, it's unfortunate that this passed, because unlike our usual process, where all parties get to submit witnesses, this was jammed so that other parties, like the Bloc and the NDP, do not have a say in bringing forward their witnesses. Certainly, Mr. Davidson did a very good job representing his point of view. He probably would appreciate the ability to speak to it.

I would also simply say that I really hope this doesn't become the example for other committees for doing private members' business. Usually we have a process for these kinds of things. Now that it's out of the box, maybe the rules aren't so ironclad. At other opportunities, other parties may try to do a "Schiefke". Maybe that's what they will call it down the road.

Thank you very much, Mr. Chair. I think an hour is more than enough for Mr. Davidson and FCM to get their points across.

The Chair: We'll go to Mr. Schiefke on Ms. Monique Puzé's motion.

Mr. Peter Schiefke: Thank you, Mr. Chair.

First, I want to say that if they use my name to refer to due diligence, I'll take it any day.

With that, I'd like to call the question.

• (1610)

The Chair: Okay.

Let's vote. We have already agreed to do an extra meeting. This motion says that the meeting will be one hour for Mr. Davidson and the FCM, and one hour for clause-by-clause. As I understand it, that's what we are voting on.

Mr. Dan Albas: Mr. Chair, I don't think we need to have a vote. I think we could have unanimous consent.

Ms. Laurel Collins: Mr. Chair, could you just repeat what you said?

The Chair: I don't have this in writing, but we are voting on Madame Puzé's motion. For this extra meeting that we have agreed to have, based on the previous vote, the motion is that the first hour will be with the FCM and Mr. Davidson, and the second hour will be clause-by-clause with the officials.

Madame Pauzé didn't say it would be with the officials present, but there was unanimous consent around that, and we are going to invite them.

That's how it will play out. It will be one hour with Mr. Davidson and the FCM. The next hour will then be clause-by-clause with the officials present, to answer questions, as Ms. McLeod says, about the potential impacts of amendments and so on.

That's what we are voting on, unless I got it wrong.

Is there unanimous consent to doing it this way?

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

The Chair: We will have to schedule that. I don't know when we will schedule it, but we will schedule it.

Mr. Baker.

Mr. Yvan Baker: Mr. Chair, I move that we adjourn the meeting.

The Chair: Is there any objection?

Ms. Collins.

Ms. Laurel Collins: I'm sorry. One moment....

Mr. Lloyd Longfield: This isn't debatable, is it, Chair?

The Chair: No, it's not, but maybe it's a point of information.

We can't debate this motion. Is it a point of information?

Ms. Laurel Collins: No.

[*Translation*]

The Chair: Ms. Pauzé, is this a request for information? We are seized with an adjournment motion and there can be no debate.

Ms. Monique Pauzé: Are you speaking to me, Mr. Chair?

The Chair: I saw that your hand was raised. Did you want to ask a question?

Ms. Monique Pauzé: No. Last time, I moved two routine motions, which require a consensus. Could we take the last five minutes—

The Chair: No, that's not possible, because we have to vote on an adjournment motion.

Mr. Clerk, do you want to add something?

The Clerk of the Committee (Mr. Philippe Méla): Since you have decided to have another meeting, it would be advisable to set a deadline for amendments so that independent members can be notified and prepare.

The Chair: Okay. I will discuss that with Madam Clerk.

The Clerk: That's good.

Thank you.

The Chair: Thank you for raising that point.

[*English*]

Is everyone okay with adjourning? I don't see any negative....

Mr. Albas.

Mr. Dan Albas: Mr. Chair, I would just simply say that Madame Pauzé has been very patient in waiting to bring her motions forward. If we're not going to be doing clause-by-clause, I would rather give her the ability to put forward her motions and to be heard by this committee. I think it's really shameful that we continue to disrespect other members of the committee who have brought up motions and have talked to people about those.

The Chair: In other words, in advance of scheduling the next meeting on Bill C-204, you think that Madame Pauzé and others who have tabled motions—

Mr. Dan Albas: We just had a motion to adjourn the meeting.

The Chair: Yes, but that's what you're saying, essentially.

I have more hands, but these have to be just questions, just points of information. We can't have a debate.

I have Madame Pauzé.

[*Translation*]

Ms. Monique Pauzé: I just wanted to say that I was opposed to the adjournment debate.

The Chair: You can vote against adjournment if you wish.

Ms. Monique Pauzé: I am voting against adjournment.

[*English*]

The Chair: Ms. McLeod.

Mrs. Cathy McLeod: Thank you, Chair. I was just going to suggest voting on the adjournment motion. I agree with my colleague Mr. Albas.

The Chair: Okay.

We've called the vote, but are these just points of information, Mr. Baker and Mr. Schiefke?

Go ahead, Mr. Baker.

Mr. Yvan Baker: Chair, I was going to withdraw my motion to adjourn to allow Madame Pauzé to—

The Chair: I don't think you can do that. Unless I'm wrong, I don't think we can withdraw a motion to adjourn. I think we're just going to have to vote, unless I'm told—

● (1615)

Mr. Yvan Baker: Can I get unanimous consent to withdraw?

The Chair: I'm sorry. Now you have me confused. You want to withdraw your motion to adjourn.

Mr. Yvan Baker: That's correct.

The Chair: Is there unanimous consent to withdraw the motion to adjourn? Okay.

(Motion withdrawn)

The Chair: We no longer have a motion to adjourn. We want to keep going. Okay.

What do you want to talk about?

[*Translation*]

Mr. Peter Schiefke: I think it was to give Ms. Pauzé the opportunity to present her motions, Mr. Chair.

The Chair: I understand now.

[*English*]

I have Mr. Albas.

Mr. Dan Albas: Thank you, Mr. Chair. Just before we go to that, I do think it would be helpful just to have some idea on the timing of this meeting that is yet to be determined. Is that going to be at your call or are we going to be stencilling it in?

The Chair: No. I think I'll have to discuss it with the clerk.

Mr. Dan Albas: Okay.

The Chair: I intend to work with the clerk to figure this out.

[*Translation*]

You have the floor, Ms. Pauzé.

Ms. Monique Pauzé: I first want to thank everyone.

I moved some motions after a report was submitted to the Board of Internal Economy, the BOIE, indicating that interpreters were experiencing issues with health and safety since they started doing a lot of telework. They are having hearing problems because our equipment, especially the headsets, are often inadequate. Two proposals were submitted.

The first motion is about technical tests for witnesses. I will read it:

That the clerk inform each witness who is to appear before the committee that the House administration support team must conduct technical tests to check the connectivity and the equipment used to ensure the best possible sound quality; and that the Chair advise the committee, at the start of each meeting, of any witness who did not perform the required technical tests.

To summarize, these technical tests must be done with the witnesses well in advance of the 15-minute period before the committee meeting. They can be done 24 to 48 hours in advance. This ensures that our witnesses have the right headsets, which makes it easier for interpreters to do their job.

Should I move the other motion right away, Mr. Chair?

The Chair: I think we should vote on the first one. Do you wish to do that?

There seems to be a consensus. No one is opposed. If there are no objections, we will assume that—

[*English*]

Mr. Albas.

Mr. Dan Albas: Thank you, Mr. Chair.

I was simply going to say that we support this, so let's just move on. Maybe we can get unanimous consent.

The Chair: Perfect.

Do we have unanimous consent?

(Motion agreed to)

The Chair: I don't see any objections.

[*Translation*]

Ms. Pauzé, you had another motion.

Ms. Monique Pauzé: Yes. Here it is:

That all documents submitted for committee business that do not come from a federal department or that have not been translated by the Translation Bureau be sent for prior linguistic review by the Translation Bureau before being distributed to members.

Of course, there's no problem when departments send documents that are already translated. This pertains more so to witnesses' documents, for example, which are sometimes translated by the authors. These documents should be checked by government translators.

The Chair: All right.

Mr. Albas.

[*English*]

Mr. Dan Albas: Thank you, Mr. Chair.

I would like to propose what will, hopefully, be a friendly amendment, just to speed up the process. If not, I can make it a formal one. Right after “from a federal department” add “, member's office,” and then “or that have not been translated”. I'm just adding that small bit after “federal department”. We just want to ensure that all documents coming from our MP offices are not delayed due to a mandatory linguistic revision.

[*Translation*]

The Chair: Ms. Pauzé, do you agree to this friendly amendment? Yes? Okay.

There seems to be consensus on Ms. Pauzé's motion as amended by Mr. Albas.

Ms. Collins, please go ahead.

• (1620)

[*English*]

Ms. Laurel Collins: I want to reiterate the request—I know you folks are probably working on it—to get a visual. When there are amendments to amendments, as in this case, I just want to make sure that I'm voting on the right thing.

The Chair: Absolutely.

Ms. Laurel Collins: I would reiterate the request, if there is some way for our clerk's team or the audiovisual folks to get a visual when we're amending motions.

The Chair: Yes, I've spoken to the clerk and analysts about that. It's doable.

In this case, I thought it was pretty simple. We could do it all verbally.

I think you're right. I brought it up and I agree that sometimes—especially when we were doing, for example, the ZEV study on recommendations—it can get very confusing. I agree.

Madame Pausé's original motion was on paper, but this change is very simple. We could always reread the motion, if you'd like.

Ms. Laurel Collins: That's okay.

I'm toggling between screens. I heard Mr. Albas add “, member's office,”. I'm just trying to make sure it's in the right spot, so that it would make sense in terms of exempting them.

The Chair: If something comes from a government department, if something has been translated by the translation service, like a brief from a witness, and it's been distributed, it should be fine. Mr. Albas just said that we should include “, member's office,” so that their materials, if they're submitted in both official languages, do not need to be reviewed, because that could slow the process.

Ms. Laurel Collins: Perfect.

Thank you.

The Chair: I think there's agreement around this. If anyone objects, I ask that they manifest that objection. If not, I will consider both motions by Madame Pausé adopted.

(Motion as amended agreed to [*See Minutes of Proceedings*])

The Chair: Does anyone have a motion to adjourn?

[*Translation*]

Ms. Monique Pausé: Mr. Speaker, I simply want to thank all members of the committee for diligently examining these two motions at the end of the meeting.

I thank all of you.

The Chair: Thank you for moving these two good motions.

Could someone move that we adjourn?

All right. We will meet again next Wednesday at 3:30 p.m.

Have a good evening everyone.

The meeting is adjourned.

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