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• (1655)

[English]

The Vice-Chair (Hon. Rob Moore (Fundy Royal, CPC)): We'll get started.

As you can see, our chair is not here. He was delayed. He asked me if I would serve as chair today, so I'm doing that. Hopefully, I can run as tight a ship as our normal chair does.

I welcome officials from the justice department. They will help us by answering any technical questions that members may have about the bill and about the amendments.

From the justice department, we have Matthew Taylor, who has been here many times. He is general counsel and director of the criminal law policy section. We also have Isabelle Desharnais, counsel. Welcome to you both.

We're ready to start clause-by-clause consideration of Bill C-295, I would like to remind members of the committee of a few things. Members should note that any new amendments must be submitted in writing to the clerk of the committee. During debate on an amendment, members are permitted to move subamendments. These subamendments must be submitted in writing. They do not require the approval of the mover of the amendment.

You all received the agenda and amendments package again yesterday. Now we can proceed with clause-by-clause study of the bill.

(On clause 1)

The Vice-Chair (Hon. Rob Moore): I will now call clause 1 of Bill C-295.

First, we have BQ-1 to deal with.

Mr. Fortin, would you like to move BQ-1?

Mr. Rhéal Éloi Fortin (Rivière-du-Nord, BQ): Yes, I'm doing that.

[Translation]

I am pleased to move amendment BQ-1.

Bill C-295 makes officers of long-term care facilities for the elderly accountable. We think this is perfectly legitimate. However, extending this concept to workers does not seem appropriate to us.

The proposed amendment speaks for itself. We propose removing managers from the list and retaining only officers and board members.

[English]

The Vice-Chair (Hon. Rob Moore): Thank you.

I have a couple of comments on this.

First of all, if BQ-1 should pass, that applies to BQ-2 and to BQ-3 as well, since they are consequential amendments to BQ-1. If BQ-1 is adopted, BQ-2 and BQ-3 are also adopted. If BQ-1 is defeated, then so are BQ-2 and BQ-3, and they'll not be called.

It's also important to note that if BQ-1 is adopted, then NDP-1 cannot be moved as they amend the same line.

With that, unless there are any questions, shall BQ-1...?

Go ahead, Mr. Garrison.

Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP): Thank you, Mr. Chair.

I just want to say that, because of the rules of order, and because we're amending the same sections, NDP-1 would be ruled out of order or would not be possible to move.

I do want to say that the intent of BQ-1 and NDP-1 is the same. I actually think that BQ-1 is a superior amendment in that it is more specific and more comprehensive than the one I would have moved, but I do believe they accomplish the same purpose, so I'll be voting for it.

Thank you.

The Vice-Chair (Hon. Rob Moore): Okay, that solves that.

Mr. Rhéal Éloi Fortin: That's our new coalition.

Some hon. members: Oh, oh!

The Vice-Chair (Hon. Rob Moore): Unless there are any other questions, shall BQ-1 carry?

(Amendment agreed to [See Minutes of Proceedings])

(Clause 1 as amended agreed to)

(On clause 2)

The Vice-Chair (Hon. Rob Moore): For clause 2, we have BQ-2. BQ-2 is already passed because of our vote on BQ-1, as it was consequential.

Next we have G-1.

• (1700)

Mr. Gary Anandasangaree (Scarborough—Rouge Park, Lib.): I think it's self-explanatory, Mr. Chair.

The Vice-Chair (Hon. Rob Moore): Explain it anyway. That's never stopped us before.

Mr. Gary Anandasangaree: It's just defining it to ensure that the necessities of life are provided to the residents. It's just clarifying what it is that needs to be provided.

The Vice-Chair (Hon. Rob Moore): Okay. Shall G-1 carry?

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

(Clause 2 as amended agreed to)

(On clause 3)

The Vice-Chair (Hon. Rob Moore): For BQ-3, the vote was already taken on that as it's consequential to BQ-1, so we're on BQ-4.

Would you like to move that, Mr. Fortin?

[*Translation*]

Mr. Rhéal Éloi Fortin: Thank you, Mr. Chair.

As I said earlier, Bill C-295 seems to us to be a good bill. However, we would like it to take into consideration the fact that, in certain provinces and in Quebec, specific provisions were adopted to respond to the various problematic situations encountered during the pandemic. We know it wasn't easy, and it was the situation we experienced in long-term care facilities during this pandemic that brought us this bill.

So, since provisions have already been adopted in Quebec and, possibly, in other provinces, we think it would be appropriate for the court that will eventually have to consider offences to take into account the sanctions and measures that have already been imposed under provincial laws, whether those of Quebec or another province, on individuals who are accused in connection with the same events.

This would not nullify anything. It would simply mean that the judge would have to take it into account when sentencing. In Quebec, fines are provided for, among other things. So if a prison sentence were requested, for example, the fine might not be ordered, since a fine has already been paid, or the prison could be replaced by the fine. The judge will be able to decide what seems appropriate and judicious in the circumstances, but we ask that he take into account sanctions that are imposed under another law.

[*English*]

The Vice-Chair (Hon. Rob Moore): Thank you.

Unless there are any questions, shall BQ-4 carry?

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

The Vice-Chair (Hon. Rob Moore): Now we have G-2.

Mr. Gary Anandasangaree: I just need one second, Mr. Chair.

Mr. Randall Garrison: Just for future reference for the committee, I think the numbering of things with a "G" is actually incorrect. It should be an "L" since the government doesn't actually move motions.

Mr. Rhéal Éloi Fortin: Yes, the government would include you.

Some hon. members: Oh, oh!

Mr. Randall Garrison: I wouldn't want there to be any confusion about that, so it should say "L".

The Vice-Chair (Hon. Rob Moore): That's a good point, Mr. Garrison. I know this is the way we've been doing it all year, but that's above my pay grade. We'll mention that to our chair, though.

Mr. Caputo.

Mr. Frank Caputo (Kamloops—Thompson—Cariboo, CPC): This is for the officials.

My recollection is that, by indictment, there aren't any offences that are sentenceable to four years. In the Criminal Code, it usually goes two, five, 10 and 14. Is that accurate?

Mr. Matthew Taylor (General Counsel and Director, Criminal Law Policy Section, Department of Justice): As I understand it, the proposal to increase it to four years is actually to mirror one of the very few exceptions to the rule that you've outlined in the context of the prohibition order for child sex offences. The penalty there is for four years as well.

However, you're absolutely right. The usual structure is as you set it out.

Mr. Frank Caputo: Okay.

The Vice-Chair (Hon. Rob Moore): Thank you.

I will note that G-2 hasn't been moved yet.

Gary.

Mr. Gary Anandasangaree: Precisely to Matthew's point, it is to increase it from two years to four years, just to be consistent with the bill.

That's the change that is proposed in G-2.

The Vice-Chair (Hon. Rob Moore): Shall G-2 carry?

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

(Clause 3 as amended agreed to)

(Clause 4 agreed to)

The Vice-Chair (Hon. Rob Moore): Now we have G-3, which would add a new clause 5.

Gary.

• (1705)

Mr. Gary Anandasangaree: Again, this is just to put in a "Coming into Force" provision 30 days after the day on which the bill receives royal assent.

The Vice-Chair (Hon. Rob Moore): Okay. Thank you.

Is there any further discussion on G-3?

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

The Vice-Chair (Hon. Rob Moore): Shall the title carry?

Some hon. members: Agreed.

An hon. member: On division.

The Vice-Chair (Hon. Rob Moore): Shall the bill as amended carry?

Some hon. members: Agreed.

The Vice-Chair (Hon. Rob Moore): Shall the chair report the bill as amended to the House?

Some hon. members: Agreed.

The Vice-Chair (Hon. Rob Moore): Shall the committee order a reprint of the bill as amended for the use of the House at report stage?

Some hon. members: Agreed.

The Vice-Chair (Hon. Rob Moore): Okay, I think that's our business for today, unless there are any questions.

Gary.

Mr. Gary Anandasangaree: With respect to Bill S-224, we have witnesses next Monday. My suggestion would be that we do clause-by-clause on Wednesday.

In the interim, can we have the deadline for the submission of amendments at midday on Tuesday? Is it too tight...or Monday at 5:30?

The Vice-Chair (Hon. Rob Moore): Is there any discussion on that?

We are scheduled to hear Bill S-224 on Monday, and then we can do clause-by-clause on Wednesday.

Is there any issue with that? Is there any discussion?

Some hon. members: Agreed.

The Vice-Chair (Hon. Rob Moore): Okay.

What do we have as a deadline for getting in the amendments?

The Clerk of the Committee (Mr. Jean-François Lafleur): It's Monday at 5:30.

The Vice-Chair (Hon. Rob Moore): Does that work?

Some hon. members: Agreed.

The Vice-Chair (Hon. Rob Moore): Okay. Is there anything else?

The meeting is adjourned.

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