



House of Commons
CANADA

Standing Committee on Fisheries and Oceans

FOPO • NUMBER 001 • 1st SESSION • 39th PARLIAMENT

EVIDENCE

Tuesday, May 9, 2006

Also available on the Parliament of Canada Web Site at the following address:

<http://www.parl.gc.ca>

Standing Committee on Fisheries and Oceans

Tuesday, May 9, 2006

•(0905)

[English]

The Clerk of the Committee (Mr. James M. Latimer): Honourable members of the committee,

[Translation]

I see a quorum.

[English]

Your first order of business, pursuant to Standing Order 106(2), is the election of a chair. I am now ready to receive motions to that effect.

[Translation]

I'm ready to receive motions for the election of the chair.

[English]

Mr. Lunney.

[Translation]

Mr. James Lunney (Nanaimo—Alberni, CPC): Mr. Chair, I would like to nominate Mr. Keddy.

[English]

The Clerk: Mr. Lunney proposes that Mr. Keddy be the chair. Are there any further motions?

Seeing no further motions, is it the pleasure of the committee to adopt the motion?

Some hon. members: Agreed.

The Clerk: *D'accord.* I declare Mr. Keddy the duly elected chair.

Before I invite Mr. Keddy to take the chair, we'll proceed as well with the election of the vice-chairs, pursuant to Standing Order 106 (2). The first vice-chair must come from the official opposition, which would be the Liberal Party.

[Translation]

I'm ready to receive motions to that effect.

Mr. Roy, you have the floor.

Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): I nominate Mr. Matthews.

The Clerk: Mr. Roy moves that Mr. Matthews be elected first vice-chair.

[English]

Are there any further motions for first vice-chair, from the official opposition?

Seeing no further motions, is it the pleasure of the committee to adopt the motion?

Some hon. members: Agreed.

The Clerk: I declare Monsieur Matthews first vice-chair.

Again, pursuant to Standing Order 106(2), the office of second vice-chair must come from a party in opposition other than the official opposition.

[Translation]

It means that the member must be either from the Bloc Québécois or the NDP.

Mr. Blais.

Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ): I nominate Mr. Jean-Yves Roy.

The Clerk: Mr. Blais moves that Mr. Roy be elected second vice-chair.

[English]

Are there any other motions for second vice-chair?

Seeing no further motions, is it the pleasure of the committee to adopt the the motion?

Some hon. members: Agreed.

The Clerk: I declare Monsieur Roy second vice-chair.

I now invite Mr. Keddy to take the chair.

The Chair (Mr. Gerald Keddy (South Shore—St. Margaret's, CPC)): Gentlemen, there are a couple of pieces of housekeeping we should deal with, but before we do, I would like to thank everybody for their support.

For me as chair, and certainly for our vice-chairs—I'll speak for them as well, but they can speak for themselves quite well—and following the time-honoured tradition of the fisheries committee, the former chair, Tom Wappel, will buy all the beer. So we'll get hold of Tom and make sure he lives up to that commitment.

Mr. John Cummins (Delta—Richmond East, CPC): On that note, Mr. Chairman, I'd like to make a motion that you send a letter to Mr. Wappel and thank him for his outstanding service as chairman of this committee. I think all of us who were here in the past during the time that Mr. Wappel was chairman would agree that he served with great distinction as chairman and deserves a letter from the committee referencing that. So I'd like to make that motion.

• (0910)

The Chair: Absolutely. I think everyone is agreed with that. I'm not sure we need to make that motion. We can send the letter off.

If you'd like to see it as a motion, we could make a motion.

Mr. John Cummins: I think you need some direction, Mr. Chairman, so I'd make the motion. I think it would be appropriate.

(Motion agreed to)

The Chair: There, that's the first motion under way.

We have a number of routine motions we should deal with at this time. I think we can deal with all of the routine motions. The only motion that may be controversial—and I'm just going to bring it up now—is our time allocation for witnesses.

We'll go through the routine motions first.

Gentlemen, I think the best format to take here is to read each one separately—the routine motions—instead of passing them all at once; then we'll all know exactly what we're talking about.

The first motion would be to retain the services of analysts from the Library of Parliament: that the committee retain, as needed and at the discretion of the chair, the services of one or more analysts from the Library of Parliament to assist it in its work.

An hon. member: So moved.

(Motion agreed to)

The Chair: The second routine motion is that the subcommittee on agenda and procedure be composed of the chair, the two vice-chairs, and a member of the other opposition party.

Go ahead, Mr. Stoffer.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): By other opposition party, do you mean parties?

The Chair: No, because there's only one other opposition party. The other two opposition parties are represented by the vice-chairs.

Mr. Peter Stoffer: So nobody from the governing side would be there, then? In this particular case, wouldn't you try to retain your chairmanship and have somebody from the government side be there as well?

The Chair: We've not done that in the past.

Mr. Peter Stoffer: I'm just throwing it out for discussion. I'm not married to the idea.

The Chair: There seems to be some discussion here that some committees may have done this in the past.

The Clerk: In the last Parliament there was a representative from the government in addition to the chair.

The Chair: So there is room for one more person from the governing party in addition to the chair.

Mr. Peter Stoffer: I'm trying to help you guys out over there. Pick someone. Say yes.

• (0915)

Mr. James Lunney: Mr. Chair, with all due respect, in discussion with Mr. Fabian Manning, we would suggest Mr. Cummins sit on the government side, rather than the PS—with all due respect, Randy.

Mr. Randy Kamp (Pitt Meadows—Maple Ridge—Mission, CPC): Well, I think there's some reasoning for that.

An hon. member: We didn't ask Mr. Cummins.

An hon. member: Would you accept that nomination, John?

The Chair: Could we simply say not “Mr. Cummins” there but “one other member of the Conservative Party”?

Mr. Randy Kamp: Sure.

The Chair: All right.

Thank you, Mr. Stoffer.

I'm just going to read this motion one more time: that the subcommittee on agenda and procedure be composed of the chair, the two vice-chairs, a member of the other opposition party, and a member of the Conservative Party—that member to be Mr. Cummins.

Is that agreed?

(Motion agreed to)

The Chair: The motion on reduced quorum is that the chair be authorized to hold meetings to receive evidence and to have that evidence printed when a quorum is not present, provided that at least three members are present, including one member of the opposition.

An hon. member: So moved.

The Chair: Mr. Stoffer.

Mr. Peter Stoffer: I have a question on that. As you know, sir, the odd time we get witnesses who appear with one language only in their evidence. Does this indicate in any way that this evidence must be translated before it gets here? It doesn't say that in the quorum motion. I'm just wondering if that is standard.

The Chair: Mr. Stoffer, this is simply to hear the witnesses. It's not to receive evidence.

Mr. Peter Stoffer: It says here it's to have that evidence printed.

The Chair: All evidence is automatically.... “Distribution of documents” I think takes care of that.

Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.): Mr. Chair, I think it cannot be distributed unless it's in both official languages.

The Chair: Exactly.

Do we have a mover of the motion on reduced quorum?

Mr. James Lunney: I so move.

(Motion agreed to)

The Chair: For distribution of documents, the motion is that the clerk of the committee be authorized to distribute to the members of the committee only documents that are available in both official languages.

Mr. Fabian Manning (Avalon, CPC): I so move.

(Motion agreed to)

The Chair: On working meals, the motion is that the clerk of the committee—Mr. Latimer—be authorized to make the necessary arrangements to provide working meals for the committee and its subcommittee.

Mr. Randy Kamp: I so move.

(Motion agreed to)

• (0920)

The Chair: For witnesses' expenses, the motion is that if requested, reasonable travel, accommodation, and living expenses be reimbursed to witnesses, not exceeding one representative per organization; and that in exceptional circumstances payment for more representatives be made at the discretion of the chair.

Mr. John Cummins: I so move.

(Motion agreed to)

The Chair: Regarding staff at in camera meetings, the motion is that unless otherwise ordered, each committee member be allowed to be accompanied by one staff person at an in camera meeting.

Mr. Roy.

[Translation]

Mr. Jean-Yves Roy: Thank you, Mr. Chair.

The French version of the motion has to be corrected because as it is currently worded, an MP can only be accompanied by a staff person from his office, and not a party staff member. The translation is wrong. The English text is fine, but the French is not. The motion should not stipulate “a member from the MP's office”, but rather “a staff member from the party.”

[English]

The Chair: Has everyone heard Mr. Roy's argument?

The compromise here would be that unless otherwise ordered, each committee member be allowed to be accompanied by one staff person of the member or of the member's party. So there's no mix-up here now: there is still only one staff person in the room, but it can be a directly paid employee of that member or a member of the party.

Mr. Randy Kamp: Why don't you just stick with the French translation, to reflect the English?

The Chair: Then we'll just ask the clerk to read it in French, please.

[Translation]

The Clerk: The motion reads as follows: “That, unless otherwise ordered, each committee member be allowed to be accompanied by one staff person, from either his office, or from his party, at an in-camera meeting.”

The Chair: Mr. Roy, do you approve?

Mr. Jean-Yves Roy: No. The French motion should not stipulate “un membre du personnel ou de son parti”, but rather “un membre du personnel de son parti”. There should not have to be any mention of whether or not the staff person is from the MP's office, because a person who works for an MP also works for the party as a whole.

The motion, drafted in French, should read as follows: “[...] each committee member be allowed to be accompanied by a staff member of his party at an in-camera meeting”.

For example, someone from the research bureau should be allowed to accompany me. That person is not necessarily someone who works directly for me in my office.

[English]

The Chair: Well, I think we can only...

Mr. John Cummins: The English says “one staff person”, so that's my staff person. That could be whom I designate as a staff person. I think Mr. Roy is saying that he wants the French to reflect that.

The Chair: Or it could be “the staff person of another colleague”, instead of “a member of the party”.

Mr. John Cummins: In other words, the member is the one who says “This is my staff person”.

The Chair: So it's “accompanied by one staff person”—

A voice: “—named by the member”.

[Translation]

Mr. Jean-Yves Roy: The English text refers to one staff person. That person can be a member of the research bureau, or somebody who works for another MP, and so on. Therefore, in the French text, “accompagné d'un membre de son personnel” should be replaced with “accompagné d'un membre du personnel.” The two phrases do not mean the same thing.

The Clerk: Should we write “a staff member designated by the member”?

Mr. Jean-Yves Roy: No, we should simply write “a staff member.”

The Clerk: From staff?

Mr. Jean-Yves Roy: My staff members refer to my assistants.

The Clerk: Therefore, we should write “a person from the member's staff.”

Mr. Jean-Yves Roy: No. We should write “a member from party staff”, because I could theoretically ask our research analyst, Mr. Côté, to come sit next to me.

[English]

The Chair: No, we don't want to eliminate that—just the “staff person”.

We'll ask the clerk to read back the French version.

[Translation]

The Clerk: “That, unless otherwise ordered, each Committee member be allowed to be accompanied by one staff person at an in-camera meeting.”

The Chair: Is that right?

Mr. Jean-Yves Roy: Yes, that's right.

(Motion agreed to.)

[*English*]

The Chair: In camera meeting transcripts: that one copy of the transcript of each in camera meeting be kept in the committee clerk's office for consultation by members of the committee, and that the clerk destroy these transcripts at the end of the session.

Mr. John Cummins: Is it general that they're destroyed at the end of the session?

The Chair: Some committees destroy them at the end of the session—it's only for the in camera meetings—and some do not. If you don't destroy them, they're there for 30 years. I don't think there's anything too secretive that we discuss in camera that would require the minutes to be held, but it's the wish of the committee.

Mr. John Cummins: I don't see any need to destroy them.

The Chair: Mr. Stoffer.

Mr. Peter Stoffer: The only concern I have is when we have individuals like protection officers before us, as we did a few years ago. If they know they are being recorded—even if it is being held in trust and in secret—they could be a bit cautious about appearing before us.

• (0925)

The Chair: I think that's a legitimate point.

What's the feeling of the committee?

Mr. MacAulay.

Hon. Lawrence MacAulay (Cardigan, Lib.): In camera means in camera, and the public does not find out what has been stated. That's why it's in camera. I don't care if you keep the minutes or not, but I don't fully understand why you want to destroy them either. It's held in camera so that people are protected. If we can't hold a meeting in camera and have it in camera, then we're not acting properly.

Mr. John Cummins: I agree. The minutes Mr. Stoffer's referring to were important. We might have wanted to reference them, and if they had been destroyed they would have been lost. What is the purpose of having the meetings if you're not going to keep the minutes?

I move that this business in brackets, “and that the clerk destroy these transcripts at the end of the session”, be struck and taken out of there. I don't like that.

(Amendment agreed to)

The Chair: Okay, I'm just going to read this back again so we're all clear on what we're discussing: “That one copy of the transcript of each in camera meeting be kept in the committee clerk's office for consultation by members of the committee.”

I just want to add to that, because I know Mr. Stoffer is still not quite satisfied with this. I think there's an assumption there—and we can make that clear, if you wish—that these then become documents that are protected under the Privacy Act, and will be kept for 30 years before they are ever made public.

Mr. Stoffer.

Mr. Peter Stoffer: Would it be possible to get a ruling on that from the justice department or somebody? I'm worried that if we again invite people who come here and then they present testimony with the assumption that when they speak they won't lose their jobs, they won't get harassed, they won't be curtailed in any way, that what they say will be off the record and is for our ears and eyes only, we have to give them the absolute assurance that under no circumstances will that be given to their superiors in any way, shape, or form.

I'm wondering, what would be the legal ruling on that, because if something did happen.... With the new whistle-blower protection coming along, if somebody says something in here, we eventually use that information in a roundabout way in the House to ask questions, and then all of a sudden the government says we're going to get to the bottom of this, and they start looking for all available evidence and they.... I don't know. I'm not a legal person, but they could subpoena the clerk to get that information. Is that possible?

The Chair: No, it's....

And the other issue—just before I recognize Mr. MacAulay—would be that the committee still has the right in camera to decide not to record, so if there is sensitive testimony to be heard then we can decide prior to that testimony not to have it recorded. If there's an individual who absolutely doesn't want any chance of this testimony being recorded, we have that option as a committee. At that time we would decide whether we wanted to hear that testimony or not. So that right is there.

Mr. MacAulay.

Hon. Lawrence MacAulay: No, it's been said, but I think what you're losing if we don't deal with in camera as in camera.... I understand what Peter is saying, but in camera means, in my understanding, that if it becomes public we've broken the law.

The Chair: Yes.

Hon. Lawrence MacAulay: So I think we'd better hold back.

Mr. Randy Kamp: But I think the procedural question is whether in camera testimony that this committee heard is also the property of future committees. If it is, then we shouldn't destroy it. If it isn't, then we have the option to do so.

I think this motion, as amended, wouldn't preclude the committee deciding to destroy the evidence, say at the end of a session. We could still fight that out later if we think there was something we heard in the session that we don't feel comfortable passing on to future generations of fisheries committees. We could entertain a motion at that time, I think.

• (0930)

The Chair: For a point of clarification, Mr. Kamp, none of the in camera testimony is passed on to future committees. Every committee's information is separate of any.... For instance, we can't go back and ask for any of the in camera testimony or discussion that went on from the past committee. This is a separate committee and we have no right to access information from the past committee that was in camera.

Mr. Randy Kamp: So what would be the point of keeping it if the next session's committee doesn't have the right to go and look at it?

The Chair: The only point of keeping it is that if we thought that in 30 years' time somebody may have some type of interest in it, it's historical evidence, it's part of the public record even though it's not public for 30 years.

Mr. Stoffer.

Mr. Peter Stoffer: Mr. Chairman, in terms of Mr. Kamp's concern, if the next committee is not permitted to have it, is there any other aspect of government that could get that information?

The Chair: No.

Mr. Peter Stoffer: So under no circumstances can any other aspect of government, even through the Prime Minister's Office, access that information if they so desire?

The Chair: No.

Mr. Peter Stoffer: Is this a requirement that you know of, or is that a legal ruling?

The Chair: No. My understanding is that's under the Privacy Act.

The Clerk: The House is exempt from the Privacy Act, sir.

The Chair: Okay.

The Clerk: Proceedings of Parliament are privileged. It has to do with parliamentary privilege, which makes them exempt from the Access to Information Act and the Privacy Act, for example.

The Chair: Did everybody hear that?

Mr. Randy Kamp: What is the authority that says that this committee can't look at the in camera meetings of previous committees? What is the authority that says this?

The Chair: I'll ask the clerk here, but I'm going to attempt it anyway. I was saying the Privacy Act, but it would pertain to parliamentary privilege. This is a separate committee from the previous committee, and a separate Parliament.

The Clerk: The previous incarnation, if you will, of the committee has access to that, but once the session ends there is a newly constituted committee. The House could give an order that would allow them access to it, but at that point in time it belongs to the House. That's the rationale, sir.

Mr. John Cummins: Okay, that's clear, but it's still available if the House orders.

The Chair: Are we all clear or partially clear?

Hon. Lawrence MacAulay: I think we're fully clear, but if you can't have the in camera, my point is you have to be sure we understand that in camera is in camera. Don't destroy anything just because we can't trust each other. That would be an awful precedent to set.

The Chair: I'm going to read it one more time just so we're all clear.

The motion is that one copy of the transcript of each in camera meeting be kept in the committee clerk's office for consultation by members of the committee.

(Motion agreed to)

The Chair: Notice of motions: that 48 hours' notice be required for any substantive motion to be considered by the committee, unless the substantive motion relates directly to business then under

consideration, and that the notice of motion be filed with the clerk of the committee and distributed to members in both official languages.

An hon. member: So moved.

The Chair: Mr. Stoffer.

Mr. Peter Stoffer: I agree with that, but there is the odd circumstance that if unanimous consent is given a motion could be presented earlier.

The Chair: I think we're all aware of that, so there is a way around it.

A voice: We govern ourselves.

The Chair: Exactly.

(Motion agreed to)

● (0935)

The Chair: I have a couple of examples of what we've done in the past. You guys have them. We're just putting them in order. This is what we did last time. We had ten minutes for witnesses. The official opposition then had ten minutes. The Bloc Québécois had five and the NDP had five.

Everyone has looked over the list and has seen the three incarnations of the speaking order. I'll go directly to the third and we'll discuss that one because that's the one we left off with.

Witnesses get fifteen minutes. The official opposition gets ten minutes. The Bloc gets seven minutes. The NDP gets five minutes and the government gets ten minutes. The second round is five, five, five.

So the Liberals, the official opposition, would get ten minutes; the Bloc would get seven minutes; the NDP would get five minutes; and the Conservative Party, the government side, would get ten minutes. Then the second round is the same order, five minutes each.

Mr. James Lunney: Mr. Chair, thank you.

The challenge I see is that by the time you've gone through a second round, the oppositions will have had 37 minutes, while the government side will have had 15. If we continue that way for subsequent rounds, it seems to me that those of us at the lower end of the pecking order will hardly have a chance to get in on the agenda at all.

That's a concern to those of us at the slower end of the government table. Maybe I should rephrase that.

Hon. Lawrence MacAulay: But you have the agenda. That's the problem. You create the agenda.

Mr. James Lunney: On the health committee we used to go, on the second rounds, from the opposition to the government, and back and forth that way. I'm not sure that's entirely fair either.

Mr. Peter Stoffer: What happened there, though, was that from the way guys like us were left out, we never had the opportunity for a second round.

Hon. Lawrence MacAulay: If we don't go this way, it will pretty well eliminate the NDP.

Mr. Peter Stoffer: This way, it's bound to be fair.

The Chair: Gentlemen, could I get your attention for a minute?

What Mr. Lunney is suggesting is quite correct. Actually, in the first round the opposition parties have more than double the time. They have 22 minutes; the government side has ten minutes. If you did the second round by going opposition, government, opposition, government, it would allow all members of the government side to have an opportunity for questions.

I'm just laying it on the table.

Monsieur Blais.

[*Translation*]

Mr. Raynald Blais: I would like to come back to what was said earlier. This will also ensure that it will be put on the record. I don't have any problem with the first round, but during the second round, it is important to make sure that all parties have the opportunity to ask questions. Given the time that is allotted to us when a witness appears before the committee, if we go with Mr. Lunney's proposal, it is possible that neither the Bloc Québécois nor the NDP will have enough time to ask questions during the second round.

• (0940)

[*English*]

Mr. James Lunney: Well, for a second round, if we went to the official opposition and then—well, maybe that wouldn't work either—and then back to the government side, then to the NDP, and then to the Bloc, you're still going to.... That doesn't work very well either.

[*Translation*]

Mr. Raynald Blais: We do not have enough time.

[*English*]

Mr. James Lunney: That's not working either.

Mr. Peter Stoffer: I'd like to make a motion on the last one.

Mr. James Lunney: I'm the agreeable type.

Does anybody see a better way?

Mr. Peter Stoffer: Yes. It is number three.

[*Translation*]

Mr. Raynald Blais: I will table the motion that corresponds to the formula we adopted on February 15, 2005.

[*English*]

Mr. Peter Stoffer: May I move a motion on the last one?

Mr. John Cummins: The point is that if you don't give this side adequate opportunity to question, people tend not to stay. The guys at the bottom end of the questioning order tend to leave. That, if you recall, has happened in the past. Isn't that true? That's why it happens.

Hon. Lawrence MacAulay: I think we should look it over and see if we can keep the members of the government staying around.

Mr. John Cummins: I hadn't thought of it before, but it seems to me that Mr. Lunney's point is well taken.

The other thing is that I don't know about fifteen minutes for the witnesses. I'd like to see ten minutes. If you give them fifteen, they

take twenty. If you give them ten minutes, you might get fifteen. On this Tuesday, February 15, thing we jacked the witnesses to fifteen, but I'd like to see the witnesses' reports kept to ten minutes as well—but that's another issue.

The Chair: I appreciate that, Mr. Cummins, but at the present time we have a motion on the floor. If anyone wants to speak to the motion, the only thing I might add to that motion as chair is that when we look at this and divide the time up, we have had a terrific history on this committee of trying to provide equal time for all the parties.

If we took Mr. Lunney's suggestion and took this second round... In the first round, over 50% of the time is definitely to the opposition parties. If we took the second round and went opposition, government, opposition, government, it would give more opportunity, but it still won't even the time up. You're still going to have over 50% of the time on the opposition side, because there are 22 minutes for opposition in the opening round and ten minutes for the government. If we go five and five after that, you still get a disproportionate amount of time for opposition.

Mr. Blais.

[*Translation*]

Mr. Raynald Blais: Mr. Chair, if I understand you correctly, you wish to amend the motion that I have just moved. I presented a motion, and it will be put to a vote. If it is defeated for one reason or another, we can table another motion. You are, in effect, amending a motion that I have just moved.

The Chair: That's right.

[*English*]

An hon. member: We have a motion.

The Chair: Let's hear the motion.

Mr. Randy Kamp: I think we can hear debate on the motion by presenting other options to know whether we should defeat this motion.

The Chair: I can't.

Mr. Kamp.

Mr. Randy Kamp: Another option to consider, which some committees use, is to have the first round all even, say at seven minutes each. Then the second round alternates between the government and opposition at five minutes each. That tends to level things out.

The Chair: Are you proposing this as an amendment?

Mr. James Lunney: Always stick with sevens?

Mr. Randy Kamp: For the first round, some committees do that, then fives, but alternating between government and opposition.

• (0945)

The Chair: Mr. Stoffer.

Mr. Peter Stoffer: In defence of those of us down at this end of the table, I've been to the other committees, and generally what happens is the NDP loses its opportunity for a second round, because of time constraints. So in this going back and forth, we tend to lose.

We think Mr. Blais' motion is the most balanced and most fair, which, I may add, the previous Conservatives when in opposition supported wholeheartedly.

The Chair: We have a motion on the table.

Is it to this motion?

Mr. Fabian Manning: I'd like to discuss the motion and maybe make an amendment, if I can. I wasn't here before, so I don't take any blame for anything that happened in the previous sessions.

In the first block, the government ends up with ten minutes, and the opposition is up to 22 minutes. In the second session, we end up with five minutes and the opposition parties end up with fifteen minutes. For a 52-minute period, we have fifteen minutes and the opposition party has 37 minutes. I don't know if this is possible, but I'm going to throw it out and not even try to word the amendment. Somebody else that's been around here longer than I have may be able to do that.

After Mr. Cummins' comment, if we took away five of the fifteen minutes for the witnesses—and I notice in the House of Commons you can split your time when you speak—and if in the second round there were ten minutes for the government party and the three fives afterwards, that would bring you out to 32 minutes for the opposition parties and 20 minutes for the government over the whole 52-minute session.

The Chair: Mr. Roy.

[*Translation*]

Mr. Jean-Yves Roy: Mr. Chair, one must understand how this committee operates in order to understand the motion that has just been tabled. It is very rare that we hear from a single witness. If we adopt your proposal, then whenever we hear from two or three witnesses who each make 15-minute presentations, the NDP will never be able to ask questions because we usually hear from more than one witness. It is obvious. Sometimes we summon two, three or even more witnesses. During a two-hour meeting, we do not have a lot of time to ask questions. For example, if we hear from three witnesses, that will take up 45 minutes. Therefore, how much time will be left for opposition parties and the government to ask questions? We might as well say that the NDP will never have the floor during the second round. Over the years, that is what we have observed and that explains the solution we have gone with. This issue has come up each time the committee has been struck over the last five years. We have dealt with this issue for the last five years, and five years' experience has shown us that the last solution is the best one.

[*English*]

Mr. Fabian Manning: For clarification, if we have two witnesses here today speaking for fifteen minutes each, making half an hour, is there a limit on the questions? Mr. Roy is making the comment that the NDP would be left out. Do we go through the whole system here, or is there a limit on the question period afterwards?

The Chair: Quite often there's a limit on how long the witnesses can stay. There are also time constraints on the committee. We have other obligations. There have been occasions when the minister has appeared and we've asked that individual to stay longer. On some occasions he has and we've extended our question period. Quite often members will simply not be able to stay to ask questions. We really do try to stay within our allotted two hours.

On this motion, Mr. Lunney?

Mr. James Lunney: Shall I offer a suggestion that I think might work better?

We sort of agreed that the first round might work with ten, seven, five, ten; everybody seems happy with that. If we went to the official opposition, then to the CPC and back to the other two opposition parties before coming back to CPC, you would still have 37 minutes to fifteen for the government—and you would have another ten minutes, Peter—before we would get another five. So you would have another five minutes before it would come back to us. It just means that we'd have one round for the government after the official opposition and then both of the other opposition parties.

● (0950)

The Chair: Mr. Lunney, would you just repeat that one more time?

Mr. James Lunney: Okay. So in the first round, if we leave it as was suggested—ten, seven, five, ten—and then the second round is official opposition, five minutes for the government side, then back to the other two opposition parties before coming back to the government, that would almost certainly give you a better opportunity of coming in. We would only have fifteen minutes for the government side in that entire first round, which would be—

The Chair: It gives you one more slot.

Mr. James Lunney: It give us one more slot in that second round. In conjunction with that, if we have more than one witness, would we agree to confine them to ten minutes?

[*Translation*]

Mr. Raynald Blais: I understand that Mr. Lunney is expressing his opinion, but we could debate this endlessly. I would like us to work in an orderly fashion. Now, if Mr. Lunney wants to table an amendment, he should do so and we will vote on it. We can go on debating at length, but at this point, I believe that it is important that we respect order and procedure. Otherwise, we will exhaust ourselves.

Therefore, I ask that the motion be put to a vote.

[*English*]

The Chair: Mr. Blais, are you suggesting, then, that we vote on Mr. Lunney's amendment to your motion?

[*Translation*]

Mr. Raynald Blais: Yes.

[English]

The Chair: We just want to be clear on the amendment: that the first round would stay the same, and in the second round, the official opposition would have five minutes, the government would have five minutes, the Bloc would have five minutes, the NDP would have five minutes, before we came back to the second government round of five minutes. Then the order would go back again to the official opposition.

Mr. James Lunney: I don't know whether this complicates it, but when we're talking about witness time, if we talk about fifteen minutes, which it is now, if we have more than one witness, we confine that to ten minutes, which only makes sense. That way it would keep more time for questions. Do we need that as part of the same motion?

Mr. Fabian Manning: I think we should leave it at ten minutes, anyway.

Mr. James Lunney: Well, they come a long way. I think there are some times that a witness probably—

The Chair: It's all part of the same issue. The amendment is that in the second round, the official opposition has the first five minutes, the government has five minutes, the Bloc Québécois has five minutes, the NDP has five minutes, back to the government for five minutes, and then through the order again.

Mr. Cummins, we're just about ready to vote. Is it on the motion?

Mr. John Cummins: It is. I'm just noting that quite often we might have a witness for an hour. If that's the case, then there is only 18 minutes for the second round. I would suggest then, as part of that motion, that if there's only going to be 18 minutes for the second round, that the times be pro-rated so that everybody gets an equal opportunity and nobody gets left out in the second round.

It's the discretion of the chair.

The Chair: The discretion of the chair.

Mr. John Cummins: That meets Mr. Stoffer's concern that quite often he may get left out in the second round.

The Chair: Monsieur Blais.

[Translation]

Mr. Raynald Blais: Mr. Keddy, I am appealing to you as chair of this committee to ensure that we do this in an orderly fashion. We cannot all of a sudden amend an amendment that has been put to a vote. We will not get very far in terms of procedure, since we can very well subamend an amendment that was put to a vote. That is what I am gathering.

• (0955)

[English]

The Chair: Monsieur Blais, you are absolutely correct. We have an amendment on the floor.

The amendment is to maintain the first round, to change the second round so the official opposition will have five minutes, the government will have five minutes, the Bloc will have five minutes, the NDP will have five minutes, and back to a government round.

(Amendment negated)

The Chair: Now to the main motion. As it was listed originally, the witnesses under this motion will have fifteen minutes, the official opposition will have ten minutes, the Bloc will have seven minutes, the NDP will have five minutes, and the government will have ten minutes. In the subsequent round it will be five minutes, five minutes, and five minutes.

(Motion agreed to)

The Chair: Could I just beg a bit of tolerance from the committee for a second? I ask for some direction, as chair, that when we have more than two witnesses appearing, the chair have the discretion, through the clerk, to ask those individuals to present for ten minutes, and therefore leave all parties more time for questioning. Is that doable?

Hon. Lawrence MacAulay: I would ask, if you're going to do that, that it be done well before they appear before the committee—

The Chair: Guaranteed, absolutely.

Hon. Lawrence MacAulay: —because they have to come here prepared.

The Chair: Yes.

Mr. John Cummins: I suggest they be limited to ten minutes. People should know they've got to get to the point of their argument—don't come in here with a dozen pages and read them. If you're going to make a presentation, get to the nub of your argument, and then move on. I don't see any reason why they shouldn't be limited to ten minutes.

The Chair: Just a second, gentlemen.

We have the right, of course, to bring future motions on procedure before the committee at any time. I just wanted to have a feeling, as chair, from the committee members, on limiting witness time when there is more than one witness. And we can bring that today or we can bring that at another time. It's strictly on that, on time for the witnesses.

Hon. Gerry Byrne: Mr. Chair, I think I would agree with John's synopsis that ten minutes seems to be a pretty sufficient amount of time to give an opening statement. The bulk and quantity of the data or information we would receive would probably be derived through questions and answers. I would be in favour of an amendment to our agreed-to motion, simply to amend our previously agreed-to motion, to limit witnesses to taking ten minutes—

The Chair: The witness time only.

On this motion, Mr. Stoffer.

Mr. Peter Stoffer: The one snag in that argument is you could have five people from five different organizations saying one thing and they could combine their time to fifteen minutes total. One of the guys could speak for three minutes, the other for four minutes, etc. We have that sometimes where somebody presents an argument, and then they pass it on to the next person, and fifteen minutes would then collectively total fifteen minutes for all of them combined. So you could end up with that problem.

The Chair: Mr. Stoffer, we've certainly had a number of occasions when we've had three, four, and five witnesses appear, and one witness spoke on behalf of all of them. Again, we could certainly have the clerk speak to all the witnesses ahead of time, and in the case where we have multiple witnesses, why don't we try to keep it to twenty minutes or have a predetermined amount of time?

Mr. John Cummins: At the discretion of the chair.

The Chair: I think it almost has to be, but I'm asking for direction here, gentlemen.

Hon. Lawrence MacAulay: I would agree with having it at the discretion of the chair, but not having it as a rule of the committee, because there could be a time to come where we'd have a witness we would certainly want to hear more from and probably even extend the time.

I would leave it at the discretion of the chair.

• (1000)

Mr. John Cummins: But the objective, though, is to get them to spit it out, because some of these guys ramble on.

The Chair: I'm going to address that in a minute, Mr. Cummins.

We've heard Mr. MacAulay, and Mr. Manning is next on deck here.

Mr. Fabian Manning: I agree with the ten-minute limit, and over and above that at the discretion of the chair. I think that would be the best route to take.

An international telephone call is three minutes, and after that, you're repeating yourself. So this can be combined into ten minutes and—

The Chair: I would simply state to the committee that we will work very closely with the clerk of the committee and to the best extent possible make sure that all the witnesses appearing have information before them where they understand that they have ten minutes to present. If there's more than one witness, if there are four or five witnesses, we'll try to keep it to no more than twenty minutes to allow time for questions.

I assume that's normal procedure, but somehow or other we'll send that information, maybe even separate from all the other information, or include it twice, to make sure we speak directly to the individuals so they understand very clearly what the time constraints of the committee are.

Monsieur Roy.

[*Translation*]

Mr. Jean-Yves Roy: Mr. Byrne has moved a motion to this effect. Shall I call the question?

[*English*]

The Chair: It took me a minute to think of what we're voting on, Mr. Roy.

Mr. Byrne has asked that we amend the original motion so that the time for witnesses will be ten minutes instead of fifteen minutes.

(Amendment agreed to)

(Motion as amended agreed to)

The Chair: We have a couple of important agenda items here.

The next meeting, I'm assuming, will be Thursday. The time is previously set.

The Clerk: The whips have agreed to a rotational system. They would prefer we meet Tuesdays and Thursdays from nine to eleven.

Hon. Lawrence MacAulay: That will vary. It won't be in the afternoon sometimes but in the morning. We want to make sure we know when the committee meetings are.

They're from nine to eleven.

Mr. John Cummins: We're not moving from nine to eleven.

The Chair: I think the feeling of the committee is quite obvious, that we would rather meet in the morning, especially on Thursday morning, for those of us who may be trying to get home on Friday. For those of us who live farther away, that's more difficult to do. So it will be Thursday morning, if we're all in agreement.

We have one other agenda item—that is, the steering committee. The next meeting will be from nine to eleven on Thursday.

The Clerk: If the committee wishes to meet from nine to eleven on Thursday, as prescribed by the whips, to discuss future business, that's not a problem, sir.

Would the committee prefer that the steering committee meet first?

Mr. John Cummins: I think the steering committee should meet first. The steering committee could probably meet on Thursday morning.

Hon. Gerry Byrne: There's not much point in having a steering committee unless you let them steer.

The Chair: Yes, the hands on the wheel.

Are we in agreement that the steering committee meet on Thursday from nine to eleven, and not have a regular committee meeting at that time?

Some hon. members: Agreed.

The Chair: Fine. It will be in this room, if possible.

The meeting is adjourned.

Published under the authority of the Speaker of the House of Commons

Publié en conformité de l'autorité du Président de la Chambre des communes

**Also available on the Parliament of Canada Web Site at the following address:
Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante :
<http://www.parl.gc.ca>**

The Speaker of the House hereby grants permission to reproduce this document, in whole or in part, for use in schools and for other purposes such as private study, research, criticism, review or newspaper summary. Any commercial or other use or reproduction of this publication requires the express prior written authorization of the Speaker of the House of Commons.

Le Président de la Chambre des communes accorde, par la présente, l'autorisation de reproduire la totalité ou une partie de ce document à des fins éducatives et à des fins d'étude privée, de recherche, de critique, de compte rendu ou en vue d'en préparer un résumé de journal. Toute reproduction de ce document à des fins commerciales ou autres nécessite l'obtention au préalable d'une autorisation écrite du Président.