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# **Standing Committee on Environment and Sustainable Development**

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**EVIDENCE**

**Monday, June 2, 2008**

—  
**Chair**

**Mr. Bob Mills**



## Standing Committee on Environment and Sustainable Development

Monday, June 2, 2008

•(1535)

[English]

**The Chair (Mr. Bob Mills (Red Deer, CPC)):** Let's get started. We're going to start with new clause 13.1.

There is an amendment, which is found on page 40, and that's amendment L-20.

**Hon. John Godfrey (Don Valley West, Lib.):** I'm just waiting for my book. There are some last-minute negotiations going on over there, so they have my book.

**The Chair:** Everybody can find that page and prepare.

**Hon. John Godfrey:** That's page 40 amongst the first set of amendments.

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Chairman, you will be interested to know that you missed quite a few last-minute negotiations. The rest of us are hoping these are briefer than some of the previous ones last week.

**The Chair:** Okay.

**Mr. Mark Warawa (Langley, CPC):** [Inaudible—Editor]...are out of order.

**The Chair:** Or you could say he's all wet.

**Mr. Jeff Watson (Essex, CPC):** The vice-chair set quite a high standard last time around.

**The Chair:** Yes, Mr. Watson, I'll try—

**Mr. Jeff Watson:** The pressure is on.

**Hon. John Godfrey:** While we're waiting, I would just warn that we need unanimous consent to return to two clauses that we've already considered.

In one of them, clause 11, we inadvertently missed a “not” in the text, which I will refer to. As well, we have to return to clause 15, because we had proposed a new clause 15.1, which was known as amendment L-21. Originally our legislative counsel thought—there were an awful lot of things happening—that this section, which dealt with transition measures, wasn't needed, but then she reflected on it, and she's here to explain exactly why we need to return to that clause, because we do need it. We can get Madame Roy to explain that. Those will require two unanimous decisions.

**The Chair:** Let's begin, though. I believe you were in debate on amendment L-20. If you just complete your consultation there, we'll begin.

**Hon. John Godfrey:** Let me get my act together here. Hang on a second.

**Mr. Mark Warawa:** We're going to clause 11.

**The Chair:** No. Let's finish with new clause 13.1. We'll go to amendment L-20 on page 40. I understand that debate was going on, so we need to finish that first.

**Hon. John Godfrey:** This has to do with clause 13.1. Let me just double-check that we have the right language here for clause 13.1. We're having a problem with the enumeration, because we thought that.... It was originally an amendment to clause 14, right? It's now become new clause 13.1.

**The Chair:** But as was explained to me, this didn't relate to clause 14, so we introduced a new clause 13.1, which would then encapsulate your amendment L-20.

**Hon. John Godfrey:** Okay. I thought we had already withdrawn this. Was it amendment 19.1?

You made reference to something called L-20.

**The Chair:** It's amendment L-20 on page 40.

**Hon. John Godfrey:** Right, but now that is being referred to as amendment L-19.1 on this sheet?

**The Chair:** It says that on the agenda, but L-20 applies to new clause 13.1.

**Hon. John Godfrey:** In that case, I'm withdrawing L-20, because the content will now be found in a government amendment that is coming further along.

So we are doing two things here. We are withdrawing L-20 or L-19.1. Then I think we need to vote against clause 14 as well.

•(1540)

**The Chair:** Can I just clarify? So we are not proceeding with new clause 13.1. We need consent to withdraw it. Does anybody have problems with that?

Mr. Cullen, are you okay with our juggling here?

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** I was with the clerk trying to see if there's a current version of the status of the bill. I appreciate all the work Mr. Godfrey and his staff and Mr. Warawa and his staff have put into this. But the struggle I'm having is that we're now removing clauses that were introduced to replace other clauses that have since been taken out of the bill, so we're two or three iterations down the road. I'm trying to fully grasp where the bill is right now, what portions are being taken out and what portions are being maintained.

I will act with some level of trust about Mr. Godfrey's and Mr. Warawa's intentions here. But as a legislator it is difficult for everyone involved—and particularly for those outside of the negotiation process—to understand exactly what we're voting for and against, which makes me uncomfortable.

I wouldn't mind a little recap of the intention of the thing. That would be helpful.

**The Chair:** Why don't we have Mr. Godfrey and Mr. Warawa explain what the process is with this point here.

**Mr. Nathan Cullen:** That would be helpful.

**Hon. John Godfrey:** We're withdrawing L-20—or, if you prefer, L-19.1—because the commissioner's monitoring and reporting duties that were outlined in here have been integrated into a new government amendment that will insert a new clause after clause 17 in the consequential amendments section dealing with the Auditor General Act.

**Mr. Mark Warawa:** It was given to the clerk. It's not in both official languages, so it hasn't been distributed.

**The Chair:** So because clause 18 has been adopted, we will need unanimous consent to reopen it to put in the clause being proposed.

**Hon. John Godfrey:** That's correct.

**The Chair:** Are you following, Mr. Cullen?

**Mr. Nathan Cullen:** I am following it. So the substance of it is simply regarding the petitions process. Before voting on this, I need to see the language of its replacement.

**Hon. John Godfrey:** If you look at what L-20 was—on page 40 of the first section of amendments—what we're doing is saying that the commissioner has to comment on the fairness of the information contained in the federal sustainable development strategy, prepare a report, and do all of that stuff. All of those functions outlined in L-20 will now be incorporated into a change we're making to the Auditor General Act in clause 18. So there'll be an expanded version of clause 18 to incorporate this.

To return to the point, what we were trying to capture was that the commissioner has two functions. One is to assess the fairness of the overall federal sustainable development strategy for the government, and that's what this refers to. The second function is to examine how individual departments do, from a sustainable development strategy point of view, in relation to the big plan, and that's captured as well in section 18. So it outlines both of those functions: assessing the overall strategy and seeing how individual departments relate to that strategy.

• (1545)

**Mr. Nathan Cullen:** I just have a question on text then. What Mr. Warawa is going to present, or has presented, but not in two languages, or has not presented...

All I need to know is if it is verbatim from what was then on page 40 of our first iteration of amendment packages that is to be put into clause 18. Is that what we'll be voting on?

**Hon. John Godfrey:** That's where it's going, yes.

We've checked the language with the commissioner and the Auditor General's office to make sure that, because we're amending the Auditor General Act in clause 18, all of the language lines up.

**The Chair:** What you're telling us then is that L-20, in both official languages, is the one whereby we're going to be reopening clause 18—with permission—and adding as a special clause?

**Hon. John Godfrey:** Correct; a version of that, yes.

**The Chair:** Okay.

Mr. Bigras, I'm sorry, you had a question.

[*Translation*]

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Mr. Chairman, the parties were initially supposed to present a series of amendments to Bill C-474. We had agreed that when we began our clause-by-clause study, these amendments would be tabled. That's not a problem. However, I get the feeling that we are being asked to make decisions that will impact the amendments Mr. Warawa has in hand, but has yet to put forward.

If there are any additional amendments to be tabled, that is amendments that will be considered today, then I invite all political parties to table them immediately. That way, we'll be able to see how the outcome of the vote on certain amendments may affect other amendments. That's the least we can do, especially as we have only one more meeting scheduled to discuss Bill C-474.

[*English*]

**The Chair:** Mr. Godfrey.

[*Translation*]

**Hon. John Godfrey:** I have two comments to make. First, it appears that there was a misunderstanding between us and the government. Each side thought that the other was going to present that amendment last Friday. As it happens, neither side did. We have the English version. Is there unanimous consent to allow that version to be tabled, so that each member has a copy in hand? I don't know if that's proper procedure. Can we do that?

[*English*]

**The Chair:** Mr. Warawa.

**Mr. Mark Warawa:** Well, I do have a French and English version, but the French had to be changed slightly. So I've asked for photocopies of that to be made, so we will be able to provide it in both English and French.

Procedurally, on the issue of trust, maybe the proper way to go would be to stand clause 14, where we are; get unanimous consent to go back to clause 18; introduce this and change clause 18; and then go back to clause 14. It's the same message; it's the same requirement of reporting, but it's in the Auditor General Act, which was the more appropriate place for this clause to be. That's the logic.

You should have access to that. We discussed it numerous times and provided copies of it to the members of the Bloc and the NDP; unfortunately, each thought the other was doing that. So we will have it for you in just a moment.

**The Chair:** What I might suggest, while we're waiting for that, is that if we move on, we could do clauses 16 and 17. By then, everybody will have a copy of the amendment for clause 18. We could deal with clause 18, and then we could decide whether we're going to drop clause 13.1 or clause 14, or whatever the number. How does that sound?

Do we have unanimous consent to do what I just proposed?

**Some hon. members:** Agreed.

**The Chair:** Is anyone opposed?

Let's then take a look at clause 16.

(On clause 16)

**Hon. John Godfrey:** On clause 16 we have amendment L-22.1.

Once again, there has been a lot of discussion with the Auditor General's office, as is mentioned in the first point of amendment L-22.1, on whether we needed to repeal the definition of “sustainable development strategy” in the Auditor General Act.

Our latest understanding is that we do not need to do that. We can allow the sustainable development strategy definition to stand. Therefore, on amendment L-22.1, we should strike out the first point, which is to repeal the definition, and retain the second point, which is to change the definition of “category I department” in the Auditor General Act as we have outlined it here under subclause 16(2).

The only other change is a reference under paragraph 16(2)(b) that says “any department in respect of which a direction has been made under subsection 11(2) of the Federal Sustainable Development Act”. It should read “subsection 11(1) of the Federal Sustainable Development Act”, because of a government amendment that was presented on the floor. Paragraph 16(2)(c) stands.

So what you have, then, is amendment L-22.1, minus the first point, the definition, which we do not have to repeal. We retain subclause 16(2)—which I guess will become new subclause 16(1)—that the definition “category I department” is as follows, except under paragraph 16(2)(b), “made under subsection 11(1) of the Federal Sustainable Development Act”. And paragraph 16(2)(c) stands.

Those are the changes.

•(1550)

**The Chair:** Is everybody following? We're on page 42.1, Liberal amendment L-22.1, in regard to clause 16.

Mr. Cullen.

**Mr. Nathan Cullen:** This is a question I had. I'm not sure if it has been asked already.

Can I understand what the original intention was? As regards striking to try to remove the definition of “sustainable development” from the Auditor General Act, why was this originally the intention, and what has since changed the argument to have it left in?

**Hon. John Godfrey:** This was one of those points where the argument could have gone either way. We're talking about the fact that in the Auditor General Act there is a generic definition of “sustainable development strategy” in reference to individual departments. Given the work we have done in other parts of this act, the definition that was there previously is not out of sync with what we are doing in this bill. So we don't need to rejig that definition again. This is one of those questions where the government lawyers talked to the Auditor General's lawyers, and apparently, if we just leave it alone, it will be okay.

**Mr. Nathan Cullen:** That was the legal interpretation.

**The Chair:** Are there any other questions?

Mr. Warawa.

**Mr. Mark Warawa:** As clarification, through you, Chair, to Mr. Godfrey, we are going with option A. Is that correct? Between options A and B, we're going with option A.

**Hon. John Godfrey:** Option A?

**Mr. Mark Warawa:** We are striking subclause 16(1).

**Hon. John Godfrey:** Correct.

**Mr. Mark Warawa:** Subclause 16(2) will become subclause 16(1).

**Hon. John Godfrey:** Yes, and then we have to amend paragraph 16(2)(b) to refer to subsection 11(1), to reflect work that you've done previously.

**The Chair:** And paragraph 16(2)(c) stands.

**Hon. John Godfrey:** Correct.

**Mr. Mark Warawa:** Okay.

**The Chair:** Are there any questions?

Those in favour amendment 22.1?

Oh, I'm sorry.

**Hon. John Godfrey:** Maybe Mr. Warawa can explain.

Is there some later information that we must repeal the...?

•(1555)

**Mr. Mark Warawa:** When we met last week, my understanding from the notes I made was that we were scratching out subclause 16(1). That would be gone, so subclause 16(2) would become subclause 16(1). That's from the notes I made for myself. Then under the notes from you, we had options A and B.

**The Chair:** Don't worry about numbering. That will all be done in the edit.

Could we get back to explain this?

Mr. Harvey.

[*Translation*]

**Mr. Luc Harvey (Louis-Hébert, CPC):** Since when have members been consulting with David Suzuki's lobby organization on such matters? I'm trying to get my head around this. Do it make any sense? Is this normal?

[*English*]

**The Chair:** I believe that members can consult whomever they like in making amendments and changes. I believe that's customary.

Mr. Godfrey.

**Hon. John Godfrey:** So we're now back to L-22.1. The latest, and I hope the last, point is that we will in fact go with subclause 16(1) as delivered here, because this will apparently be replaced by the definition in the new bill. So that's okay. And we will go with subclause 16(2) as it was, and the numbering will be sorted out by the drafters.

So we can actually go with this amendment pretty much as written.

**Mr. Mark Warawa:** So L-22.1 will be considered as written.

**Hon. John Godfrey:** As written.

**The Chair:** Yes, L-22.1 as written, with subclauses 16(1) and 16(2), and the latter will have paragraphs 16(2)(a), and (b), and (c).

**Hon. John Godfrey:** Correct.

**The Chair:** And the only correction is that paragraph 16(2)(b) will refer to subsection 11(1) rather than 11(2).

**Hon. John Godfrey:** I'm sure this can be lined up subsequently by the drafters, yes.

**The Chair:** Okay. Those in favour? Those opposed, if any?

(Amendment agreed to)

(Clause 16 as amended agreed to)

(On clause 17)

**The Chair:** We do have amendments.

**Hon. John Godfrey:** We're concerned about some renumbering that would have to occur in light of what we've done. But if the renumbering happens automatically.... Is that correct?

We put "and under the Commissioner's reports", under subsection 23(2) and 2.2. We don't need to worry about that?

**The Chair:** No, that will happen in the editing.

**Hon. John Godfrey:** So then we can go forward with clause 17.

**The Chair:** Everyone, we are now considering clause 17.

**Hon. John Godfrey:** There may be some additions to clause 17.

**Mr. Mark Warawa:** We have an amendment that you are aware of. I just want to see which line is coming first, ours or yours.

•(1600)

**Hon. John Godfrey:** Well, I guess the issue is whether this new amendment stands as a separate clause, as opposed to—

**Mr. Mark Warawa:** No, it's in addition to subsection 21(1) of the Auditor General Act under clause 17. In the fourth line, after the word "following", there will be inserted two and a half lines.

**Hon. John Godfrey:** What line is that after?

**Mr. Mark Warawa:** The clause here, or yours over there. It's one or the other.

This is crazy.

**Hon. John Godfrey:** I know.

**Hon. Geoff Regan:** They can sit side by side. What the heck.

**The Chair:** It's fine by me, if it speeds this process up.

Okay. I think we're on clause 17 with no amendments. Clause 17, as written, is what we're now voting on.

Yes, Mr. Bigras.

[Translation]

**Mr. Bernard Bigras:** Mr. Chairman, I thought that an amendment to clause 17 had been proposed by the government. Is that in fact the case?

[English]

**The Chair:** There's going to be amendment 17.1, which will follow clause 17. Once we have passed clause 17—

[Translation]

**Mr. Bernard Bigras:** That's not what I was asking. I would appreciate it if the legislative clerk could enlighten me about the following point. The rules of procedure state that amendments must be tabled. Correct? It was my understanding that an amendment would be put forward. However, I thought I made myself clear earlier when I asked the political parties to table any amendments they had immediately.

You did not respond to my request. Instead, you turned the floor over to the Liberals. It would appear that two parties are working together here. May I remind you that the members of the other two parties would also like to know where matters stand. For that, they need to know exactly what amendments are being proposed. I'm not very pleased with how things are going right now. I wouldn't want any precedents to be set.

[English]

**The Chair:** Mr. Bigras, I agree with you totally, and I certainly didn't mean to not give the instructions. I understood there was an amendment that was going to be introduced in clause 18. I was not aware that there was another amendment that was being circulated. Now I am. I think it is only fair that you have those amendments ahead of time and have the opportunity to look at them.

So I would ask all parties, if there are other amendments, to table them. I am now aware of 17.1 as an amendment, and there's going to be another section to 18, which is going to come.

What we could do, if you like, while we get all of this printed and circulated, is go on to the 15 minutes of future business that was scheduled for the end of our meeting, instead of waiting until the end.

I was as unaware as you were.

•(1605)

**Mr. Nathan Cullen:** Is it helpful for the parties to sit down for that 10 or 15 minutes to work this out? If so, then maybe future business is inappropriate conversation.

**The Chair:** If that's the will of the committee, certainly if you need 15 minutes, let's take it, and then we can probably move fairly quickly.

We'll suspend then so you can get this sorted out as quickly as you can and get copies to everyone, to all four parties. You're trying to get copies of every amendment that's going to come forward, as Mr. Bigras requested. Let's be a little bit flexible, but I'd rather they do it as quickly as possible.

• \_\_\_\_\_ (Pause) \_\_\_\_\_

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•(1620)

**The Chair:** Excuse me, Mr. Bigras. Do you have copies now of the government amendments?

**Mr. Bernard Bigras:** Yes, thank you.

**The Chair:** Okay, we're all set. Is everybody ready?

We were on clause 17, and we have no amendments to clause 17. Is that correct?

**Hon. John Godfrey:** So what we have to do is vote.... I'm not sure what sequence we do this in.

**The Chair:** We're going to vote on clause 17 and then we're going to add a clause 17.1.

**Hon. John Godfrey:** So we're going to in fact vote against it.

**Mr. Mark Warawa:** We're voting against clause 17 as it stands in the bill.

**Hon. John Godfrey:** Okay, so we don't support this.

**The Chair:** We're getting rid of clause 17 and we're adding new clause 17.1—unless they choose to vote for clause 17 and it passes. Everybody should have clause 17.1.

Those are the instructions from the chair.

Shall clause 17 carry?

(Clause 17 negated)

**The Chair:** Mr. Warawa, I believe you're introducing new clause 17.1.

**Mr. Mark Warawa:** We are.

**The Chair:** This is amendment G-15.1, which now becomes new clause 17.1

Go ahead, Mr. Warawa.

**Mr. Mark Warawa:** This is all housekeeping, so it fits in the appropriate place. There has been a bit of wordsmithing, but it again brings clarity to the bill. It's basically housekeeping.

• (1625)

**The Chair:** Are there any comments on G-15.1?

Mr. Godfrey.

**Hon. John Godfrey:** What it does is it amends the Auditor General Act to take into account this bill. What it's going to be taking into account will be seen when we get to the next amendment, but it basically lines up, so it's good.

**The Chair:** Shall amendment G-15.1, which introduces new clause 17.1, carry?

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

**The Chair:** We now need to get permission to reopen clause 18. We then have a new amendment, which is G-15.2, if we have permission. So first of all, I need unanimous consent to reopen clause 18.

Mr. Cullen.

**Mr. Nathan Cullen:** Okay.

**The Chair:** Okay, we're reopening clause 18.

(On clause 18)

**The Chair:** So then for us to look at amendment G-15.2, the committee would have to agree to remove amendment G-16, which was carried earlier.

**Mr. Mark Warawa:** Agreed.

**The Chair:** Those in favour?

**Some hon. members:** Agreed.

**The Chair:** So we have removed amendment G-16 and we are now looking at G-15.2.

Mr. Warawa.

**Mr. Mark Warawa:** So moved, Chair, and again, it is further housekeeping to clarify the reporting of the commissioner.

**The Chair:** Mr. Godfrey.

**Hon. John Godfrey:** This amends the Auditor General Act to incorporate in one section and cover off the two functions we talked about previously. First is how various departments will report out their targets and objectives, and how they tie into the federal sustainable development act. Then under proposed subsection 23(3), it refers to how the commissioner will assess the fairness of the information contained about the whole federal development strategy.

So it deals with two different functions that are located now in one section of the Auditor General Act and in one section of this bill. It's what we did previously under number 14. We now do it all in one place.

**The Chair:** Go ahead, Mr. Cullen.

**Mr. Nathan Cullen:** I'm not sure if I missed this before. I have not seen the clause around fairness—"to assess the fairness of the information contained". Is it an accuracy clause? Maybe I'm not familiar with it.

**Hon. John Godfrey:** You may recall from the discussion of the bill when Mr. Thompson was here that "fairness" has a very specific auditing sense, which is that information that is presented fairly represents the data that has been collected and allows you to draw reasonable conclusions from it. It's not fairness in the sense of natural justice, but fairness in an auditing sense. It is an auditing term that we've discussed in the committee.

**The Chair:** Go ahead, Mr. St-Cyr.

[*Translation*]

**Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ):** I have a question concerning the French version that we received of amendment G-15.2. Handwritten notes suggest that "réalisation des cibles" be replaced by "atteindre des cibles", and that "fiabilité" be substituted for "fidélité". Are these handwritten changes part of the version that we would adopt? Or must we adopt the previous version containing no such changes?

[*English*]

**The Chair:** My understanding is that it would be the handwritten amendments we would be voting on. Am I correct, Mr. Warawa?

**Mr. Mark Warawa:** That's correct.

**The Chair:** So it would be the as-corrected version of the French version.

Are there any other comments on amendment G-15.2?

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

**The Chair:** We now need to come back to clause 18 as amended.

(Clause 18 as amended agreed to [See *Minutes of Proceedings*])

•(1630)

**The Chair:** Go ahead, Mr. Warawa.

**Mr. Mark Warawa:** I don't think we sought unanimous consent to go back to clause 11. There was a "not" that has to go into that one. If you could seek that, it's another item we could check off.

**The Chair:** We have a correction, as I understand it, to clause 11. Do we have permission to go back and reopen clause 11?

**Some hon. members:** Yes.

(On clause 11—*Departmental Sustainable Development Strategies*)

**The Chair:** Go ahead on clause 11, Mr. Warawa.

**Mr. Mark Warawa:** Thank you, Mr. Chairman.

In clause 3, after the word "agency", there should be inserted the word "not". After "To the Financial Administration Act, or agency", insert "not". "Not" needs to be inserted.

**The Chair:** Which line are you on?

**Mr. Mark Warawa:** This is in clause 3 in the third line, after the word "agency". In between "agency" and "named", insert "not".

**The Chair:** Is everyone following that? This is an amendment.

Subclause 11(3) would read as follows:

The Governor in Council may, on the recommendation of a minister presiding over a department not named in Schedule 1 to the *Financial Administration Act*, or agency not named in Schedule 2 of this Act

So we're simply adding a "not" to "named in Schedule 2 of this Act". Then it would continue:

direct that the requirements of subsections (1) and (2) apply in respect of the department or agencies.

**Mr. Mark Warawa:** I think maybe some of the confusion occurred because I was saying "clause 3". It's actually subclause 11(3). That may be where some confusion was. Did everybody find that?

**Mr. Nathan Cullen:** Looking at clause 11 and the amendments that were brought before, I have subclauses 11(1) and 11(2). Maybe Mr. Warawa can point to a subclause 11(3) in the amendments, just so we're working from the same text.

**Mr. Mark Warawa:** Clause 11 as amended had four subsections.

**The Chair:** I have a copy of that in which I have it listed as amendment 14.1. The clerk just explained that this was introduced.

[*Translation*]

**Mr. Bernard Bigras:** What is the number of the amendment to which the parliamentary secretary is referring? Has an amendment been tabled, yes or no?

[*English*]

**Hon. John Godfrey:** It's a Conservative government amendment. Does it have a number?

**The Chair:** Apparently they weren't all distributed. We're going to get copies made right now to see where that "not" goes.

**Mr. Mark Warawa:** Do we want to stand this?

(Clause 11 allowed to stand)

**Mr. Nathan Cullen:** I found an old version of this in English. I've given it to the Bloc. I see the text we're working from now, so I don't need the time.

Perhaps my colleagues from the Bloc—

**The Chair:** I think it's only fair to Mr. Bigras that he has it in front of him. So let's get copies.

Next is amendment L-21.

**Hon. John Godfrey:** It's on page 41 of the original package of amendments.

•(1635)

**Mr. Mark Warawa:** Do we need unanimous consent?

**The Chair:** We need unanimous consent to reopen this. I think it was withdrawn originally.

**Some hon. members:** Agreed

**The Chair:** We're now on amendment L-21, introducing new clause 15.1.

Mr. Godfrey.

**Hon. John Godfrey:** Because this bill amends the Auditor General Act, one of the questions was on how to deal with the transition from one act to the other.

We originally thought we needed this transitional provision. Madam Roy believed for a while we did not. Maybe she can explain why we need it.

**The Chair:** Madam Roy, you have the floor.

[*Translation*]

**Mrs. Marie-Andrée Roy (Parliamentary Counsel (Legislation), Office of the Law Clerk and Parliamentary Counsel):** Yes, of course. There has been a slight error. In view of the amendments tabled by Mr. Warawa, I did not have a chance to read either clause 11, as drafted, or the proposed changes to the definition of a "category I department". The proposed changes are fairly complex. The proposed new clause 15.1 is necessary. It would maintain in effect directions made under subsection 24(3) of the Auditor General and clarifies that these directions are deemed to have been made under subsection 11(3) of Bill C-474. Persons responsible for formulating sustainable development strategies will continue to have that responsibility pursuant to Bill C-474.

I won't quibble over the subsections. I believe that subsection 11(3) set out the directions and requirements for departments. In any event, the provisions will be renumbered.

[*English*]

**The Chair:** Mr. Warawa.

**Mr. Mark Warawa:** I have a clarification on L-21. We support this, but the last line showing subsection 11(2) should be subsection 11(3), I believe.

[*Translation*]

**Mrs. Marie-Andrée Roy:** As a matter of fact, it should be 11(3).

[*English*]

It should be 11(3).

**The Chair:** That needs to be picked up.

[*Translation*]

**Mrs. Marie-Andrée Roy:** Yes, under the new numbering system.

[*English*]

**The Chair:** Are there any questions on amendment L-21?

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

(On clause 11—*Departmental Sustainable Development Strategies*)

**The Chair:** Do we have a copy of clause 11? It's coming.

Mr. Bigras, do you need that?

[*Translation*]

**Mr. Bernard Bigras:** Do we need a copy? No, we're fine.

[*English*]

**The Chair:** So we're going back to clause 11. That was simply for the addition of a “not”.

There are copies coming, which you will have. If everyone is following, shall clause 11 as amended carry?

(Clause 11 as amended agreed to [See *Minutes of Proceedings*])

(On clause 2—*Definitions*)

**The Chair:** There are a number of amendments to clause 2.

I believe our first one is amendment L-2, which is found on page 4.

Mr. Godfrey.

• (1640)

**Hon. John Godfrey:** I'm just getting my ducks lined up here. I move that clause 2 be amended by replacing line 10 on page 1 with the following:

appointed under subsection 15.1(1) of the *Auditor General Act*.

We needed to do this since the bill, when it was originally drawn up, anticipated that there would be an independent commissioner. That's not being created, so we have to refer to the commissioner's appointment under the Auditor General Act. That's what that does. It removes the reference to “independent”.

**The Chair:** Are there any questions on amendment L-2 on page 4?

Mr. Warawa.

**Mr. Mark Warawa:** I'm still trying to get it here.

Okay, I have it.

Thank you.

**The Chair:** We're talking about amendment L-2 on page 4. Shall amendment L-2 carry?

(Amendment agreed to)

**The Chair:** The next one is amendment L-3 on page 5.

**Hon. John Godfrey:** Is that the same as what you have under amendment G-2.1? So lines 11 and 12 simply refer to the

interpretation section referring to corporations. Since we don't deal with corporations, I guess we're getting rid of the reference.

**The Chair:** Okay.

Are there any questions about amendment L-3? Shall amendment L-3 carry?

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

**The Chair:** We'll go to amendment L-4.

**Hon. John Godfrey:** Before we go on to L-4, we're now on to the new package, right?

**Mr. Mark Warawa:** Exactly.

Our amendments deal with lines 11, 12, 13, and 14.

**The Chair:** Mr. Godfrey, your amendments came in first, so we would have to deal with your two amendments.

**Hon. John Godfrey:** Okay. Then I will withdraw amendment L-4 in order to allow Mr. Warawa to make a motion on deleting.

**The Chair:** Mr. Warawa.

**Mr. Mark Warawa:** I'm introducing amendment G-2.1.

**The Chair:** The clerk advises me you don't need paragraph (a). We just did that.

So everyone has amendment G-2.1? That's new. You just got it today.

Mr. Warawa.

**Mr. Mark Warawa:** Again, it's housekeeping.

**The Chair:** It's pretty much housekeeping. Are there any questions?

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

**The Chair:** Let's go to amendment L-5 on page 7.

Mr. Godfrey.

**Hon. John Godfrey:** This amendment deletes lines 23...because we don't need the definition of “petitioner”, as the term is no longer used in Bill C-474.

• (1645)

**The Chair:** So this just removes the definition of “petitioner”.

**Hon. John Godfrey:** Yes.

**The Chair:** Are there any questions? Shall amendment L-5 carry?

(Amendment agreed to)

**The Chair:** Now we're on amendment G-3. That's on page 8.

Mr. Warawa.

**Mr. Mark Warawa:** One second.

**The Chair:** You can speak to either amendment G-3 or amendment G-4. They both deal with the same lines.

**Mr. Mark Warawa:** I'll talk to amendment G-4.

**The Chair:** So we're now looking at amendment G-4 on page 9.

Mr. Warawa.

**Mr. Mark Warawa:** This deals with the definition of the precautionary principle, which is now in harmony with that in CEPA 1999.

**The Chair:** Are there any questions? Shall amendment G-4 carry? (Amendment agreed to [See *Minutes of Proceedings*])

(Clause 2 as amended agreed to)

**The Chair:** Now we go to the schedule, which is at the back of the bill on page 11.

**Hon. John Godfrey:** I think we need to go to amendment L-23.1.

**The Chair:** That's been voted on.

**Hon. John Godfrey:** Oh, have we voted? Sorry.

**Mr. Mark Warawa:** We voted that the schedule be repealed, and then we had the new schedule.

**The Chair:** I understand you're going to add an amendment to add a new schedule—

**Hon. John Godfrey:** That's correct.

**The Chair:** —but we're not quite there yet.

**Hon. John Godfrey:** All right. So we need to repeal.

**The Chair:** We've already repealed.

**Hon. John Godfrey:** The first thing we need to do is.... Do we need to re-repeal the schedule?

**The Chair:** The committee voted to appeal a schedule that's in the Auditor General Act.

**Hon. John Godfrey:** Okay.

**The Chair:** This is the schedule we're voting on.

**Hon. John Godfrey:** We're going to repeal that. We have L-23.1 on page 46.1, which simply says, "The schedule to the Act is repealed."

**The Chair:** That's the Auditor General Act. The schedule we have in the act as printed is what we're voting on.

**Hon. John Godfrey:** That needs to be replaced by L-25.

**The Chair:** We need to vote to get rid of this schedule and then we need a new amendment to add the new schedule, which is L-25. So we're voting to remove the printed schedule.

(Schedule negatived)

**The Chair:** Now we will introduce L-25 on page 49. It's a new schedule 2. I think everybody has a copy of that.

•(1650)

**Hon. John Godfrey:** These are the various agencies that were identified by orders in council, after the passage of the Auditor General Act, as being subject to sustainable development strategy reports.

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

(On clause 1—*Short title*)

**The Chair:** We are now on page 3, amendment G-2.

Mr. Warawa.

**Mr. Mark Warawa:** If I remember correctly, this is to change the name of the act from "National" to "Federal", to be consistent with the rest of the bill.

**The Chair:** Does everybody follow that? We used the term "Federal" throughout the other parts of the bill.

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

(Clause 1 as amended agreed to)

**The Chair:** We have G-1 for the long title.

You have an amendment as well.

**Mr. Mark Warawa:** Yes. It again changes it from "National" to "Federal".

**Hon. John Godfrey:** We have G-1.1 and G-1. They're different. We have today's version, which I like.

**Mr. Mark Warawa:** It's G-1.1.

**The Chair:** Are you happy with that? Will you remove your amendment?

**Hon. John Godfrey:** Yes.

**The Chair:** Mr. Warawa, for the long title you have amendment G-1.1. That's new today.

**Mr. Mark Warawa:** Yes.

**The Chair:** I think it's consistent.

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

**The Chair:** Shall the long title carry as amended?

**Some hon. members:** Agreed.

**The Chair:** Did we finish L-20, Mr. Godfrey? That was withdrawn.

I think we have clause 14 left. There was no amendment to clause 14.

(Clause 14 negatived)

•(1655)

**The Chair:** The rest should be straightforward.

Shall the bill carry as amended?

**Some hon. members:** Agreed.

**The Chair:** Shall I report the bill as amended to the House?

**Some hon. members:** Agreed.

**The Chair:** Shall the committee order a reprint of the bill?

**Some hon. members:** Agreed.

**The Chair:** Congratulations. That was fun.

Just for Mr. Godfrey's information, I hope to report that on Wednesday.

We'll now go to a closed committee meeting to decide on future business.

[*Proceedings continue in camera*]







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