

House of Commons CANADA

Standing Committee on Government Operations and Estimates

OGGO • NUMBER 016 • 2nd SESSION • 39th PARLIAMENT

EVIDENCE

Tuesday, March 4, 2008

Chair

The Honourable Diane Marleau



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● (0910)

[English]

The Chair (Hon. Diane Marleau (Sudbury, Lib.)): I call the meeting to order. We do have a quorum.

As you can see from the notice of the meeting, I have proposed that we deal with the notices of motion that are before us, starting at 9 o'clock, and that at 10 o'clock, if at all possible, we go on to a study of order in council appointments. We have two witnesses from the Privy Council Office, and we will be starting with them at about 10 o'clock

We are now looking at motions. The first motion that came in was by Mr. Moore.

Does he have to move his own motion? He's not here.

Mr. Chris Warkentin (Peace River, CPC): He's not moving it today.

The Chair: Not today, okay.

Therefore, we go to the motion by Mr. Holland.

Mr. Daryl Kramp (Prince Edward—Hastings, CPC): Madam Chair.

The Chair: Yes.

Mr. Daryl Kramp: I just throw out this thought. If our other witnesses are here...obviously I think we're going to have an extended conversation on the motions that are coming forward—

[Translation]

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Excuse me, Madam Chair, I am getting a lot of interference. Can we check that so that I can clearly understand what Mr. Kramp is saying?

The Chair: I will say something. Check to see if you can hear it. [*English*]

If I speak in English, does Madame Bourgeois understand clearly? [*Translation*]

Is it OK in French?

Ms. Diane Bourgeois: It is OK now, but there was a problem before

The Chair: If I speak in French, can you hear now? No? [*English*]

Now you are hearing.

[Translation]

The universe is unfolding as it should. The interpreters are very proficient. Sometimes, I find the way they can translate our words so quickly is just miraculous. I am going to take advantage of this pause to thank them.

You can continue, Mr. Kramp.

[English]

Mr. Daryl Kramp: Thank you, Madam Chair.

Knowing that obviously we are going to have some lengthy conversation on the motions, I'm wondering, if our witnesses are ready, if we might not hear our delegation and then go to our motions—in other words, just reverse that process so that our witnesses don't end up being shortchanged.

The Chair: Our witnesses have been advised that they're only to come on at 10 o'clock, so I think we should get going on the motions. If we're still going at it, then perhaps the members of the committee will consider stopping the debate on the motion at that time. But seeing as that's the way it has been programmed, I'd like to get these notices of motion done with beforehand and then we can go on to our work. If we don't finish off these notices of motion, it will be very difficult for us to know where we're going in the next week and then after. So I would prefer to get that dealt with.

Mr. Holland.

Mr. Mark Holland (Ajax—Pickering, Lib.): I think the matter may be somewhat simplified. Actually I know that Daryl is probably supporting the motion, given his comments in *The Hill Times*. It's too bad we didn't have seconders. He may want to second the motion.

In seriousness, Madame Folco is going to be introducing an amendment that we have simply one meeting and at that meeting we have just John Baird, who himself has expressed an interest in appearing before the committee. So I expect that may simplify matters and simplify the debate.

But other than that, I think given that the witnesses were advised that we'd be dealing with this first, it makes sense.

The Chair: Okay. Are you moving your motion, Mr. Holland?

Mr. Mark Holland: Why not? Sure.

The Chair: Mr. Moore isn't here to move his, so we'll go with your motion.

Madame Folco.

[Translation]

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Thank you, Madam Chair.

I move an amendment to Mr. Holland's motion. I will read it in English.

[English]

I would like to amend Mark Holland's motion in relation to the committee's study on the light rail transit project to allow for only one additional meeting instead of two, to hear only from Minister John Baird, and so that this one additional meeting be held prior to the March break constituency weeks.

The Chair: Is there any debate?

Mr. Albrecht, followed by Mr. Kramp.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Madam Chair, this entire fiasco in terms of process is very troubling. We were very clear as a committee that this would be a one-meeting event. And here we are changing our strategy mid-course again, adding another—what are you going to call it now—special meeting? After that, will there be another extra-special meeting to delve into this?

I don't understand how we can continue to waste time on these kinds of projects when we have all kinds of important issues before this committee. We have a list here from our clerk of things we've been working on and we're not getting to them. We've wasted a lot of time going down rabbit trails.

I'm opposed to this. It's time we move on with the real work this committee was constituted to perform.

The Chair: Mr. Kramp.

Mr. Daryl Kramp: Thank you, Madam Chair.

With all respect to my colleague across the floor who has attempted to reincarnate Inspector Clouseau, I not only echo my colleague's concern, but I'm deeply troubled by the fact that this committee is totally off track.

If we go back, Madam Chair, to the origin of this committee, the origin of this committee was as a result of two parliamentarians who cared very, very deeply for the oversight process. That was of course one of your colleagues, Madam Catterall, and Mr. Williams.

This committee has not been around for generations. This committee was formed simply for the purpose of dealing with the suggestions on how government should run. When reports went to other committees, if something came back from the ethics committee, if something came back from the justice committee, if something came back from the other committees with recommendations as to either an impropriety or an excess of spending, or an area of trouble or concern, then this committee would evaluate that and make recommendations as to how, why, and where the government should move in order to have a better level of efficiency or accountability.

All of a sudden now, this committee has totally left that whole direction and it has simply taken on the partisan line, regardless of the issue, regardless of the interest or the topic at that time.

And this is certainly no slam on any particular member—

Some hon. members: Oh, oh!

Mr. Daryl Kramp: I did say "personally". There is no personal condemnation.

But, Madam Chair, I think you, as chair, also have a responsibility; the responsibility is to see that the mandate of the committee is followed, and the mandate of this committee has totally blown apart. It's going in a direction that is not synonymous with its original intent.

Now, instead of being a tool for change and/or an avenue with which the government can move forward with constructive comments and constructive suggestions, this committee has been politicized and now it just becomes another witch hunt. And the witch hunt changes by the meeting, by the day.

Any statement that has been made and/or any motion that is passed should, at some particular point, then, be the focus of that. Instead, comments and/or motions mean nothing. Commitments mean nothing. We go on to the next motion, and whether it's spurious or whether it's related to the previous motion or not, it's on to another topic, another subject.

When I did speak out in public on this issue, the one issue that concerned me.... When I take a look at the number of witnesses who have come before this committee over this past three to four months, and the time and the effort from all of the witnesses, let alone the time and the effort of all the members of Parliament, let alone all the time and the effort of all of the staff, we have not put ourselves in a position to make one solid, concrete suggestion and/or motion that would lead to the betterment of government, that would lead to a better direction of government, that would lead to a greater level of accountability in the government going forward.

Now, literally, if we ever wanted to do a study, we could take a costing on how much we are costing the Ontario taxpayer and the Canadian taxpayer across this country and not putting forth anything of value. If this were a "business", all we would have is a huge investment and no return.

I cannot imagine the Canadian population taking a look at what we're producing. What are we producing? Where are our reports? Where are our suggestions? Where is the definitive direction that says, "We have a mandate and it is (a), (b), and (c), and we are following it because we are producing this, this, and this"?

• (0915)

We have a number of things we started to get our teeth into, things that are very, very important. As I mentioned before, the one issue that probably has been haunting Parliament for years is the accrual accounting issue, and this committee, to its credit, dealt with it in an intermediate step. This is an issue that, if it comes forward to fruition, will mean millions and millions and millions of dollars will be affected by government decisions that should be made with more information—more current information, more adequate information, and more dedicated information. That is the direction this committee should go in if it wants to follow its additional mandate.

If we don't want to be a government oversight accountability committee, then fine, let's go on. If we want to be a condemnatory and investigative source looking at everything that's taken place in the past six months, two years, five years, or ten years, and try to affix blame, if this is a name-the-blame committee, then so be it, but then let's change the mandate of this committee, because we have gone totally away from the direction and purpose of this committee.

Once again, the motions coming before us today will deal with one issue, one-off subjects. They're certainly not dealing with the long-term recommendations that we are going to make to Parliament. Where can we go with these other than simply have another witch hunt? That's all they are. The unfortunate thing is that they are there for partisan purposes; we all realize that. And I think that all members of this committee have been guilty of that, regardless of the side they sit on, regardless of whether we're in opposition and/or in government, because we've been there—with the exception of the Bloc and the NDP. I understand the reality of sitting on the other side and wanting to throw barbs and nails, but at some particular point we have to get on with the job.

When we continue down this path, Madam Chair, we are not getting on with our job. So I make one last plea to my colleagues. Some of my colleagues will say, oh, well, are you trying to be holier than thou; excuse me, let's understand the political reality of the times and let's just get on with this, whether it's a motion to bring back a witness or.... I know we have another motion coming forward to bring back a cabinet minister again, which would be for the sixth or seventh time now. We didn't even finish questions the last time, because there were no more.

Madam Chair, we are going in so many different directions. We've had witnesses come before committee on the motion that's coming forward. Regrettably, we said that we would deviate from the original intent of this committee, and here we go ahead, against the will of the government. But I understand that the opposition controls the destiny of the committee, and they said no, no, we're going to move away from the purpose of this motion and we are going to deal with an issue that is really not in our mandate, as we want to be able to try to make some political hay of it.

So what I'm suggesting, Madam Chair, is that I'm deeply disturbed by my colleagues moving in a direction that I find counterproductive to the whole purpose of this committee. I'd like to hear from the chair on this issue, on the record, as to whether or not she believes in the original intent of this committee, and I'd like to know, Madam Chair, if we should perhaps call in either Madam Catterall and/or Mr. Williams, who put the motions before the House that brought forward the spirit and intent of this committee, to see if we can get back to the basics of what we are supposed to be doing, because here we are, going around and around the table talking about motions that don't serve the intent of the committee. That, to me, Madam Chair, is a travesty. As I mentioned before, if we were to fully investigate the cost of this, I would expect that we'd be in the hundreds of thousands of dollars—hundreds of thousands of dollars—with nothing to show for it.

As a taxpayer of Canada, I would be mad as hell with the fact that we are just taking my dollars and using them for personal partisan gain and not expressing the actual will and intent of this committee. I'd like to talk a little bit more about this, Madam Chair, but I know that a couple of my colleagues have some concerns on this as well, so I'll come back to this matter in a minute.

• (0920)

The Chair: Perhaps I can give you a bit of an answer.

The government operations committee has a very broad mandate. There are some limitations to what it can do, but they are defined. In the end, the committee, other than this mandate, is the master of its own destiny.

We have a motion on the floor, we are debating it, and will we go from there.

I will go to Mr. Brown next.

• (0925)

Mr. Patrick Brown (Barrie, CPC): Thank you, Madam Chair.

I agree with what Mr. Kramp was getting at. I have concerns that this motion is taking this committee away again from the business that I think we could be more effective at working towards.

We've certainly had some productive meetings studying issues that our constituents would have an interest in our examining. I look back at some of the better meetings we've had, whether on the high turnover in the federal service and the geographical distribution of those jobs, accrual accounting, or various things we've studied.

This really takes us off that map of being productive. It allows us to fall onto that slippery slope of abusing the committee for partisan purposes, and I don't think it is healthy.

The committee indulged Mr. Holland's wish to look at this, and we had a meeting. At that time, Mr. Holland never said he would want to expand this and continue to delve into it further, at a cost of potentially not studying things that are of more importance for our constituents and for the mandate of the committee.

My colleague Mr. Kramp was getting at the fact that this was not in the initial purpose for the government operations committee, and that may be the case. Even if the mandate of the committee is overly broad, it certainly shouldn't be abused. The broadness of the committee's mandate shouldn't be abused to the point where we are solely using the meetings of the committee for partisan purposes.

Every political party could do that. If we wanted, we could all make every meeting about a partisan purpose. There are certainly enough witch hunts that people could do, with every political party, that we would not be productive at all. This sets a very bad precedent —a horrible precedent.

I would suggest that it was very clear the last time we looked at this that there was nothing to look into. It was a waste of a meeting when we looked at it the first time. To waste another meeting, I would suggest, shows a lack of respect for the committee and the purpose of our all being here.

I would hope that members of this committee don't approve this motion and that we get back on track and focus on real issues.

[Translation]

The Chair: The floor is yours, Ms. Bourgeois.

Ms. Diane Bourgeois: Thank you, Madam Chair.

Of course, no one can be opposed to the direction that Mr. Kramp sees for the committee. As a taxpayer, I find that what we are doing at the moment is quite appalling.

Nevertheless, I would like to point out to my colleagues that this a game that two can play. As opposition members, it is normal for us to ask questions. What is not normal is that, as the party in power, you are so lacking in transparency that we have to fight tooth and nail to get information. What lack of transparency, you say? Each time we make a motion, someone from the party in power makes another one to prevent information from being released.

If we received the information clearly and upfront, we would not have to waste our time running around. We are all like "Colombo", not because playing politics is easy but because we want to find out the truth. Our work is not done just because we worked on the Williams-Catterall report. There are other items. We want to study the budget. We want to study, gentlemen, what your non-elected minister, Mr. Fortier, did with the billion dollars raised from the sale of public buildings. Has that been added in for the benefit of the public? Just you wait for that. You are going to find that we will wear you out. Be open and transparent.

As to the motion, Madam Chair, I agree with Ms. Falco's amendment. I would like us to move to another motion that could shed light on other items in this committee's purview.

• (0930)

The Chair: Thank you, Ms. Bourgeois.

Mr. Holland.

[English]

Mr. Mark Holland: Thank you, Mrs. Chair.

An hon. member: Madam Chair.

Mr. Mark Holland: Madam Chair.

There are a couple of things that I think need to be said. I'll be brief, because I expect that this debate will continue on.

I have moved motions—in fact, I've sat with some of the members opposite in reversed roles when we were in government—but I have never seen the kind of resistance to motions that I have seen on the two or three I've proposed with respect to Mr. Baird and light rail.

What to me is interesting about this is that while there's a great hue and cry about the need not to investigate this from Conservative members, within Ottawa and within the Ottawa press—and in such hardly liberal bastions of media as the Ottawa Sun—it's stated very clearly that this needs to be investigated, that there is a very serious issue here that resulted in a \$280 million liability for the City of Ottawa. For me, if we're not here to investigate government operations and its implications, and how ministers conduct themselves, and to hold those processes accountable, then I don't know what we're here to do.

Here are the facts. At the last meeting, we had Mr. Wouters from Treasury Board come in and state that Mr. Baird acted on his own; that, in his opinion, it was the decision of Transport, not Treasury Board, to intervene at this stage; that Transport should have been the

lead, not Treasury Board; that the minister acted without the advice of the Treasury Board and interfered in this process at a stage when seven government departments had already signed off on the project. The province had already signed off on the project. The city had already signed off on the project. And yet the minister saw fit, on a file that Treasury Board says was not theirs, to inject himself. The question is, why?

We've been given two explanations. One explanation is that it was political interference to help elect a friend. The second is that it was a boondoggle that he wanted to interfere in. Yet Treasury Board itself and the minister himself agreed that they would sign off on the project along with those seven other departments. That makes eight government departments that were willing to sign off on a so-called boondoggle, if you accept that second argument.

The conclusion by most of the press covering this—and this isn't my conclusion, this is from papers that hardly have a liberal bias—is that there was inappropriate interference.

The only thing this motion does is request Mr. Baird to come to the committee, as he himself has requested to do, to answer for that and to fill in these gaps and discrepancies. That's the intent. I think it's pretty clear. In my opinion, it's well within the mandate of this committee. I think it's necessary to clear up a lot of questions that are being asked not only by opposition members and not only by citizens of Ottawa but also by people beyond Ottawa.

For that reason, I think the motion needs to pass.

Thank you.

The Chair: Mr. Angus.

Mr. Charlie Angus (Timmins—James Bay, NDP): Thank you.

I don't believe the end is nigh for this committee. I believe we are trying to carry on some work that has to be done. We need to get to it. Certainly a few issues have been discussed because they have drawn a lot of media attention, and I think it is incumbent on us to look at it and then move on.

As I have already expressed to Mr. Holland, I am very uncomfortable with this motion in that I don't think it is the purview of this committee to speak to Mr. O'Brien. I am not interested in the municipal fights in Ottawa any more than I'm interested in our committee studying the Elton John "ticketgate" in Sudbury. These are municipal matters.

I do believe there is a question for Mr. Baird that I would like to... and as a result of our discussion, I think it would only be fair to hear from him. What I'm uncomfortable with in the motion, however, is that we're going to do this before the break. We've set a number of motions and we've voted on them. We get a plan here and then we're always throwing something else to the top of the list.

I don't have a problem with the motion if we're just going to be speaking with Mr. Baird, but I'm not ready to push it ahead. We only have two other meetings, three meetings maximum, before the break, and we already have a schedule.

So if they want to make an amendment to make it after the break, I don't have a particular problem with hearing from Mr. Baird.

● (0935)

The Chair: I believe there are some spots. We could do it before the break or after the break. There are means of doing it either way.

I will go to Mr. Warkentin and then Mr. Fitzpatrick.

Mr. Chris Warkentin: Because we're just talking about the amendment right now, I'm not going to get into the entire substance of the issue. But I'm going to refer to what Mr. Angus was speaking about with regard to timelines.

It seems we haven't at any point scheduled a time when we're going to start talking about the report we're going to bring forward on the geographical distribution and the turnover of the public service. We have spent time on these issues, we have gotten halfway through a study, and then all of a sudden our attention has been turned. I don't know when we as a committee decided we would not proceed with these investigations.

So we have that one. We have the real estate plan, which we have had many hearings on and have discussed. We've never gotten to the bottom of where we are as a holder of real estate—we've heard about the condition of very few buildings—and what we as a committee might suggest to the government. Every time the government talks about doing something with real estate, there seem to be howls from the opposition, yet there have been absolutely zero recommendations from this committee with regard to real estate.

There really is no position for the opposition or the members of this committee to howl, if the government decides to proceed with something, because there have been zero recommendations from this committee. It's just complete political rhetoric. There has been that on the real estate plan; there's been that on the geographical distribution; there's been that on the passport issues. There's been nothing from this committee.

I know that Madame Bourgeois is going to be upset with me for saying this, but she has to agree the taxpayers' money is being wasted, because we continue to have these discussions as to what we think may be ailing the federal government, but at the end of the day we put nothing concrete, nothing beneficial forward to provide any direction for the government whatsoever.

An hon. member: Hear, hear!

Mr. Chris Warkentin: We continue to go on partisan witch hunts and all kinds of things. But at the end of the day, this committee provides nothing of value for the Canadian taxpayer, if we continue to run it the way we have.

We have many issues. One issue I am quite concerned about is the turnover within the public service. We've never had somebody come to this committee to clarify. We've been asking and asking again for somebody from the public service, somebody from a third party, to come to talk about turnover. Madam Chair, you'll know that I've been asking for this for some time—long before any of these other matters came up—and yet we still don't see them scheduled.

To say that there are two slots available before the break I think is a complete misrepresentation of this committee's will. We have again and again asked for these things to happen, yet there seem to continue to be openings in our schedule, and we still haven't come up with any kind of report.

I don't want to belabour the point, but I think we as a committee have to get our act together. Even on the issue of accrual accounting, which we spent all of last year working on, we still have not come up with any resolution. Nothing has been reported back to this committee in terms of the subcommittee's deliberations on this—zero. We as committee members have not been provided with a report from the subcommittee during a committee meeting.

I think it's a disservice to the analysts who are working hard on these issues that we as committee members seem to say: work hard on this, but then we're going to divert from it and are never going to get back to the work that's been done.

It's one thing to say that we as committee members have wasted our time. But it's a whole other thing to say that we as committee members have wasted taxpayers' dollars in terms of the resources they provide for us through the people who work so diligently to supply us with background information and to come up with recommendations, and then we as committee members don't ever move forward on it.

I have no problem getting to the bottom of all kinds of issues. But at the end of the day we have piles and piles of issues that we as a committee have decided we are going to deal with. We have told ourselves they are the number one issue when they come forward, and then all of a sudden they're gone the next day.

I don't want to tell my kids that I had an opportunity to do something about the turnover within the public service, but we were too busy trying to get headlines from this committee to deal with it.

I see that Mark Holland is laughing about this. But the day that this becomes an issue, he is going to be the first person saying the government didn't have a plan, that no one had a plan, nobody was talking about this thing. Well, I will be on the record as having talked about this thing, urging the committee to move forward on these issues.

● (0940)

Madame Folco is heckling from the other side. Madame Folco, I don't know if you have all the recommendations in terms of the turnover of the public service and how we're going to deal with the aging public service. We see that 40% of the people who worked in a job last year are no longer working in that job this year.

In terms of the payroll issues, Madam Chair, which you have brought to the attention of this committee so many times, they all play into this bigger issue. Yet we as a committee have never taken the time to move forward on these things.

In terms of the amendment that says we should get to this before the break, I think that makes a mockery of this committee in terms of the number of things we have to deal with before the break that are as important as anything else. We've started our work, and we've not done anything to fulfill what we began. Madam Chair, I will not be voting in favour of the amendment, even with the changes in terms of the number of meetings we're going to be having. I just don't support having any meetings before the break when we have so many other pressing issues that we as a committee have never resolved, that we as a committee have never taken to fruition. We as a committee have a responsibility to fulfill some of the work we've started.

Now won't be the time, but I'll be bringing forward a motion to talk about getting some type of report written on turnover within the public service, on the payroll issues, on all the issues, Madam Chair. And I think you would be the first to be a proponent of seeing something in written form on some of these issues.

The Chair: Thank you, Mr. Warkentin.

If we can solve this problem and get on to our guests, we might actually be able to move forward on some of the things you're interested in.

We'll go now to Mr. Fitzpatrick.

Mr. Brian Fitzpatrick (Prince Albert, CPC): Thank you very much, Madam Chair.

It's a privilege to be on this committee today. By the way, I have a lot of time on the public accounts committee with Mr. Holland. He has been there for many years as well, so we have some shared experience.

I always liked the public accounts committee. We may have gone off on some partisan tangents here and there, but it's a committee where people generally work together to try to bring some accountability to government and improve government in the long term

And I think this committee was a very good idea, because it's the system that has to be studied. It's the system that delivers services and programs to the people. It's not a blame game. In most systems it isn't the people who are the problem; it's fixing the system. Government operations was designed to examine the system, not individuals and getting into a Star Chamber-type procedure where you're trying to find blame and play partisan games.

It's unfortunate that reports aren't being done. Work is not being done on important things like the turnover problem and maybe the demographics problem we're facing in the country. We spent a lot of time in public accounts on accrual accounting with the Auditor General. We're all quite concerned that there hasn't been as much progress in getting the public service of Canada in line with the rest of the world in using accrual accounting in reporting financial operations.

It's really unfortunate that this committee seems to be preoccupied with holding hearings to determine guilt and assign blame rather than getting on with examining and improving government operations. There are a lot of people around here who see themselves as big game hunters, if I can quote a famous prime minister. From what I see, these big game hunters make one big mistake: they look at rabbit droppings as their clues. At the end of the day, they really don't seem to get any results.

A voice: If you want results, I'll get results.

Mr. Brian Fitzpatrick: There's a lot of smoke and fire and a lot of barking going on.

I really don't want to criticize one of my colleagues, but if one member had actually defended Conrad Black, I suspect Conrad Black might be serving a life sentence rather than a five-year sentence, given his track record of success at defending his issues and so on.

It is unfortunate. I look at the clerk and the analyst here. They're good people. They come here every day wanting to do good work. But I can see they are frustrated. The motions are constantly being changed. The agenda is being changed. Reports aren't being made. It's a chaotic situation. There are certain people who want to turn this into a Star Chamber exercise and affix blame and attack people and carry on in that manner. Progress is not being made, and it has been rightfully pointed out that we are not improving the system and services for the public, but we are spending a lot of taxpayers' dollars. Somebody said they are a taxpayer too, but we have to remember it is taxpayers who pay our salary. If we're giving any money back to the system, it originally came from taxpayers.

I did hear one member say that there is a lack of transparency, there's a lack of this and that, and we need more time to go at these things. But my goodness, I understand that when one of these people was before the committee, that very member had seven or eight minutes to examine the key witness she now wants to bring back and she only used up four minutes of her time. If it's that crucial and important, do your homework, be prepared when you bring these motions forward, and use your time. Obviously there must be a fair bit of transparency if a member had seven or eight minutes to examine a witness and only used four minutes of it and let the rest of her time slide off. Now they're calling to bring the person back. I guess they didn't have enough time the first time around.

• (0945)

These are some of the concerns we have here.

Again, I would encourage the members on both sides to take some cues from the public accounts committee. Let's look at making this committee an actual constructive committee that gets on with improving the system.

We file lots of reports out of the public accounts committee, Madam Chair, and they usually have unanimous support of the committee when they're filed in the House. Very rarely do we have one with a minority report.

It's unfortunate, looking at what's going on in this committee, that we're off on a whole bunch of tangents and Star Chamber hearings and investigations and hunting trips for certain members. There are some members on the opposition parties I would love to go on a fishing trip with, Madam Chair, but I wouldn't put them in charge of the fishing trip because I think we'd find an awful lot of dry holes.

Those are my comments for the brief period of time I've been before this committee.

The Chair: Thank you.

I will go to Madame Bourgeois.

[Translation]

Ms. Diane Bourgeois: Thank you. Madam Chair. I want to revisit two items. I will do it quickly and I will not drag out the time.

Mr. Warkentin was telling me—and I have nothing against you, Mr. Warkentin—that it was perhaps just because I am from Quebec that I ask so many questions about real estate. You said that I should calm down about real estate, Mr. Warkentin, but we cannot forget that this non-elected minister is selling and leasing back the most beautiful buildings in Canada without telling us, without telling members of this committee what is going on. Furthermore, he is acting unilaterally, because a part of the value of those buildings belongs to Quebec. Quebeckers paid their share, along with the rest of Canada, and these are beautiful buildings. When the minister sells them, leases them back, and gets a billion dollars, part of that money belongs to Quebec. I was elected in a constituency where they asked me to go and find information, but I am not getting any. I am doing my job.

As for public service renewal, they are hiding behind it. They say that they are the purest of the pure, but I do not think that the Conservatives or their non-elected minister are interested in it. If they were, the non-elected minister could perhaps have provided more financial resources to public service staff, which might help to reduce their workload.

I have not seen any additional amounts anywhere, not for improving people's physical surroundings, not for addressing the problem brought to us by people who tell us that they are overwhelmed in their jobs.

To sum up, gentlemen, I think we have to rebuild trust. I trust neither the non-elected minister nor the Conservative government. We find things out about the break, about the train, about all kinds of things in the morning papers. You are hiding all these things from us.

Now that I have said that, Madam Chair, I would like us to vote, please.

• (0950)

The Chair: There are still people who would like to speak.

Go ahead, Mr. Albrecht. We are listening. [English]

Mr. Harold Albrecht: Thank you, Madam Chair.

I just want to point out a couple of things again. First of all, we did agree as a committee to hold one meeting. We held that meeting, at which the officials were here.

They explained the situation and it was clear from that committee, from Treasury Board officials, even from the representatives from the city, that it was the council, many of them Liberals, who voted to not proceed with the light rail transit.

And the other fact remains that the money for that light rail system is still on the table.

It's certainly the responsibility of Treasury Board and our minister to protect taxpayers' money and to spend it wisely.

A question I have of you, Madam Chair is this. What happened to our subcommittee in terms of the planning ahead of the future

business of this committee? We were very clear when we started this committee that motions like this required 48 hours' notice. We talk about not being prepared. My colleague mentioned doing our homework. How can we do our homework when we're presented with a motion a few minutes before a meeting when we agreed, as a committee, to have 48 hours' notice? I don't understand how we got off track in that way as well.

The Chair: Mr. Albrecht, in answer to your question, the motion was presented with plenty of time. What you're dealing with now is an amendment to the first motion.

Mr. Harold Albrecht: Okay.

There are a few things I'd like to point out. First, the previous member mentioned something about this being an obvious example of the lack of transparency on the part of this government. Again, I want to reiterate that our officials have been here when requested. Our ministers have been here. Many times they've been here and there have been no more questions. So it's obvious there's been a great degree of transparency.

I don't belive this has anything to do with transparency or anything to do with priorities. In fact, I think this is another example of the fact that it is hard to set priorities. We see that over and over with this opposition.

To balance the record in terms of political support for this among media, let me quote from the *Ottawa Citizen*:

...Holland thinks he's latched onto some big scandal. He's invited city officials and a representative of the company suing the city over cancelling the contract to come to a Commons committee and agree with him. It's difficult to imagine that this matter is worth the committee's attention, but it will provide the kind of cheap political theatre that opposition parties always thrive on.

The problem is, Holland doesn't know much about Ottawa, or light rail.

I think we have here, Madam Chairperson, an attempt to have information for a ten percenter, a Toronto MP proclaiming to be an expert on Ottawa municipal matters. I think it's time we moved on to some important committee business.

• (0955)

The Chair: Mr. Warkentin.

Mr. Chris Warkentin: Madam Chair, we've run around this thing a few times. There's a realization among committee members that although we have this motion before us right now, there seem to be a number of issues, as mentioned by the Bloc member and a few others, that we need to get to the bottom of and resolve for the benefit of taxpayers.

In terms of the real estate plan, we've never come up with a report on that. We've never come up with a report on the payroll issues. We've never come up with a report on the turnover rate in the public service. And we've never come up with a report on the demographic challenges in the public service.

I'd like to move that we table the motion before us today—the amendment and the main motion—with the understanding that we'll come back to it once we have come up with reports on the real estate plan, the payroll plan, the turnover rate in the public service, and the demographic challenges in the public service.

Madam Chair, unless we do this, it seems we'll never have the attention of the committee redirected to these issues that we've spent so much time on. I don't know how else to ensure this committee actually comes forward with something of value.

I have no problem talking to anyone before this committee. I really don't. But I think that we as a committee have got off track in terms of so many of the things we were doing that were good work and of value to the taxpayer.

I'd like to move my motion that we deal with these things before we go on wild goose chases.

The Chair: Did you put in a motion that we put aside this motion?

Mr. Chris Warkentin: It's that we put this aside on the understanding that we deal with some of the other things we've been working on.

The Chair: This isn't an amendment to the motion, is it? I'm going to ask the clerk.

Mr. Chris Warkentin: If I have to say it's a motion to table, that would be the motion, but it would be—

The Chair: Let me check with the clerk.

[Translation]

Point of order.

Ms. Diane Bourgeois: May I make an amendment?

The Chair: We are talking about Mr. Warkentin's motion at the moment.

[English]

With a motion like yours, we have to pass to the vote right away because it's a dilatory motion. Therefore, we will move directly to vote on your motion that we set aside this topic to go on with other work

All those in favour of Mr. Warkentin's motion?

We'll have a recorded vote.

(Motion negatived: nays 6; yeas 5)

The Chair: Now we will go to Mr. Angus.

Mr. Charlie Angus: I had said earlier that if we agreed to move this beyond the break, I would support it. So I would make a motion that we would meet on this after the break, because we have other stuff in our docket that we have to attend to. If they would accept that as a friendly amendment, I would move that.

The Chair: Will you accept that as a friendly amendment?

Mr. Mark Holland: I will.

Just for clarification, that would be the first week we're back, Mr. Angus?

Mr. Charlie Angus: Sure. It can be the first week we're back.

Mr. Mark Holland: I would accept it for the first week we're back.

The Chair: On the amendment by Mr. Angus.

Mr. Chris Warkentin: Are we amending the amendment? What are we doing?

The Chair: We're amending the amendment and the motion at the same time. What they had talked about was extensive hearings. The amendment says we will have one meeting with only Mr. Baird. Mr. Angus' amendment says that the one meeting with only Mr. Baird would be held after the Easter break.

I had asked for the vote. There was no one on the list when I asked for the vote on that amendment.

● (1000)

Mr. Daryl Kramp: Madam Chair, that amendment just came in now. There was no opportunity to speak to this at all.

Mr. Chris Warkentin: At least we should have it read as it would be amended.

Mr. Brian Fitzpatrick: How can you get on the list when you don't know what the motion is?

The Chair: I saw no one lifting their hands to debate it and I called the vote on it. So I'm going to ask for the vote on Mr. Angus' amendment.

Mr. Daryl Kramp: A point of order.

The Chair: By the way, it's ten o'clock and our invitees are here.

Mr. Daryl Kramp: Madam Chair, you are overriding the committee rules here. Can we ask for an interpretation from the clerk on this, as to whether or not we have a right?

The Chair: Okay, but if there was nobody with their hand up, I'm free to move to the vote.

An hon. member: Challenge the chair.

The Chair: Challenge the chair.

There was nobody with their hand up, sorry.

An hon. member: Yes, there was.

The Chair: No, there wasn't.

The Clerk of the Committee (Mr. Michel Marcotte): The motion, with subamendment and amendment approved, would read as follows:

That, in relation with its study on the Light Rail Transit Project, this committee hold one additional meeting during the first week after the March break to hear testimony from the Minister of the Environment, Mr. John Baird.

The Chair: That's right. He amended, and that's how the full motion would read after all of these amendments.

But on Mr. Angus' amendment, I would like to call the vote on that, because I called it before there was anybody wanting to debate.

An hon. member: I challenge the chair. A point of order, Madam Chair.

Ms. Raymonde Folco: A point of order.

I think the clerk has read the wrong amendment. I asked for just one meeting. Did he say one? Okay, it was the translation that was bad. It was one meeting only.

Mr. Mark Holland: That's what he said. There was a translation problem.

The Chair: Now someone is challenging the chair, because I guess we want a filibuster here.

Mr. Daryl Kramp: No, Madam Chair.

The Chair: I'll ask the clerk what happens if I have not seen anyone with their hand up. I can call the vote.

An hon. member: But the amendment wasn't read.

Another hon. member: It's your prerogative, Chair.

Another hon. member: You have to read the motion first.

Another hon. member: They have the opportunity to challenge the chair if they want to challenge the chair.

The Chair: Well, I would, too, because we have guests, and frankly we should vote and get it over with, so we can get on with the work of the committee. This is what you've been saying all along, so stop wasting time.

When Mr. Angus made his amendment, I didn't see anybody saying "I want to speak", so I'm going to call the question.

All those in favour of Mr. Angus' motion?

Mr. Daryl Kramp: Madam Chair, there is a challenge to the chair. Is the chair answering that challenge?

The Chair: I'm telling you right now that when Mr. Angus proposed his motion, there was not one hand up anywhere, and therefore I called the vote. What am I going to do?

Mr. Harold Albrecht: Madam Chair, this isn't about playing games. This is about—

The Chair: It isn't? You could surprise me.

I've called the vote, and I want the vote now.

An hon. member: The motion was not read.

The Chair: The motion has been read. I am calling the vote.

Mr. Daryl Kramp: You're extending your authority.

The Chair: This is to be a recorded vote at the request of the Conservatives. This is on Mr. Angus' amendment, that the one meeting be held the week after the Easter break. Let's please vote.

Mr. Daryl Kramp: A point of order.

The Chair: Yes, Mr. Kramp.

Mr. Daryl Kramp: Madam Chair, I challenged the chair on this issue, and the chair has just ignored the challenge and has not asked for a ruling from the clerk on this issue. This issue had not been read back to this committee to even mount a challenge. We have to go through our procedures. If the chair is just going to circumvent the rules of procedures and arbitrarily just run a kangaroo court, we have a problem.

The Chair: Mr. Kramp, you are beyond the point of order.

Mr. Holland.

Mr. Mark Holland: A point of order, and I will make this intervention very brief. If you have a challenge to the chair, it is a motion, it is immediately voted on, and it is not debatable. So if you have a challenge to the chair, you put it to the chair and there is an immediate vote. If that fails, we go to the other vote.

The Chair: The motion would be that you challenge the chair because the chair has called the vote and you don't want to move to the vote.

A voice: No.

The Chair: We'll vote on the challenge to the chair.

(1005)

Mr. Harold Albrecht: Madam Chair, we vote as to whether or not we uphold the ruling of the chair, so the positive vote will uphold the ruling of the chair, not vice versa.

Mr. Mark Holland: Okay, so those in favour of upholding the ruling of the chair.

The Chair: Of upholding the ruling of the chair. I thought if you were challenging the chair—

A voice: It's the same thing.

The Chair: All those in favour of the position of the chair? Against?

(Ruling of the chair sustained)

The Chair: Now we'll move to the vote on Mr. Angus's subamendment.

A voice: A recorded vote.

The Chair: A recorded vote.

(Subamendment agreed to: yeas 6; nays 5)

The Chair: We now go to the amendment of Madame Folco.

Mr. Albrecht.

Mr. Harold Albrecht: I want to make a point. We have called witnesses and we've indicated they will be available. Could we table this motion until the next meeting?

The Chair: Is that your motion?

Mr. Harold Albrecht: That's my motion.

The Chair: We have to vote on that immediately because that's a dilatory—

Mr. Harold Albrecht: Madam Chair, the point is in deference to our witnesses who've spent time to get here and prepare; it's not a matter of—

The Chair: That's fine. There's no debate on a dilatory motion; you move to the vote right away.

The motion is that we table this debate in order to hear our witnesses who are here.

(Motion negatived)

Mr. Daryl Kramp: A point of order, Madam Chair.

Hon. Diane Marleau: Yes.

Mr. Daryl Kramp: On this same issue, I would also like to table a motion. Madam Chair, in response to the previous motion, I would like to table the previous motion and move the following motion:

That the committee suspend these partisan games that we're going on with here and spend the next four meetings to finish our report on accrual accounting so that taxpayers' interests may best be served.

The Chair: That is a new motion, Mr. Kramp; we can't deal with a new motion at this time. We have to deal with the motion that is on the table at this time.

We're dealing now with the amendment of Madame Folco to Mr. Holland's motion as modified by Mr. Angus' motion. I'll call the vote on that.

All those in favour of Madame Folco's amendment amending the original motion as amended by Mr. Angus.

A voice: A recorded vote, please.

The Chair: A recorded vote.

(Amendment agreed to: yeas 6; nays 5)

The Chair: So the motion is amended according to Mr. Angus and Madame Folco. We now move to the main motion as amended.

Mr. Albrecht, did you want to speak?

Mr. Harold Albrecht: I do.

The Chair: As long as there are speakers and I haven't called the

Unfortunately, we do have guests here, and I guess the Conservatives are wondering....

Mr. Albrecht.

Mr. Harold Albrecht: With all due respect, Madam Chair, this side asked that the witnesses be brought forward early so that we could get on with the witnesses presenting their material so we could follow this. This is just another attempt to allow them to sit here and waste taxpayers' money. This has been obvious all through this exercise, and not just with this motion but with previous motions. It's trying to use this committee for purposes that it wasn't established for. This committee was primarily set up to review estimates and to look at government operations.

As I said earlier, this has nothing to do with the priorities of this committee. Our officials have been here. Our ministers have been here on many occasions to answer the questions of this committee. This is just another attempt to get us off our duties.

● (1010)

The Chair: Mr. Kramp.

Mr. Daryl Kramp: Thank you, Madam Chair.

I have three thoughts on this issue.

This committee worked really well when we had a steering committee. When the steering committee meetings were held, none of this happened. None of these issues came before us in an absolutely partisan context.

Madam Chair, we have not had a steering committee in a long time. When we had one, the meetings were structured. We planned our work and then we worked our plan. It worked effectively and efficiently and we served the public good. As soon as we went away from the actual planned structure of where we were to be taking this committee, we ended up on all these ad hoc wild goose chases, and once again the committee is totally circumvented.

Madam Chair, with all respect, may I suggest that the chair ASAP resume the steering committee meetings. That is the purpose and the way committees are generally handled, so that we can work on an agenda. For most cases, both in public accounts and government operations, we generally end up with unanimous submissions and unanimous reports because we're working for the common good. By just taking motions off the floor like this all the time and getting away from the steering committee purpose, we're circumventing our actual role and direction.

The second point I would like to make, Madam Chair, is that I've sat on both the public accounts and the government operations committees. I'm sad to say that I have witnessed the estimates, well in excess of \$200 billion, come before these committees. And really, what examination has taken place on these estimates of over \$200 billion worth of taxpayers' money? Just a cursory passage and sometimes in one meeting. There are just nods of the head, with no serious reflection on whether a department's spending is up 1%, 2%, 20%, or if it's down. We have a situation, Madam Chair—

The Chair: Mr. Holland.

Mr. Mark Holland: On a point of order, we talked about whether or not we should have a steering committee meeting. We are now talking about government estimates. These matters do not have to do with the motion before us. Can we restrict the debate to the matter in front of us, please, Madam Chair?

The Chair: Mr. Kramp, let me tell you, for one thing a steering committee answers to the full committee. This committee does have a work plan and we've all agreed on it. We have the sheet here before us.

Normally, if you don't have a committee of the whole, you have a steering committee and then the whole committee debates it. The steering committee doesn't change the fact that motions can be brought forward. They have been. We are now debating a motion despite the fact that, yes, we do have a whole list of things that we have agreed to do. This motion says something very specific. We either vote for it, or we vote against, or we sit here all morning.

Mr. Daryl Kramp: Madam Chair, could I finish my point?

You've actually made a very strong point. I agree. We have a work schedule before us. We've had a number of work schedules before us. We should then follow the darn things. That's what they're there to do

The Chair: Mr. Kramp, it is the authority of the committee and any member to bring forward a motion to alter that work schedule, and that's what's happening.

Mr. Daryl Kramp: I understand that reality. There's nothing carved in stone, and I recognize that flexibility has to exist to be able to go off on particular tangents, or whatever. We have that latitude.

Madam Chair, instead of that being the exception, that now is the norm. The regular operation of business doesn't exist any more. On our regular method of going through and trying to come up with the purpose of what we have done, we have circumvented the entire process, which brings me to my third point.

Whether it's this issue or the issue that Madame Bourgeois wants to bring up regarding calling the minister in yet again, we seem to have a continuation of witnesses called who have been here before and before. The minister in question who Madame Bourgeois happened to talk about has already been here six times now, and we've had a number of our committee meetings in addition to that.

(1015)

The Chair: Mr. Kramp, we're not dealing with Madame Bourgeois' motion now. We're dealing with the motion that we bring Minister Baird here before this committee for one meeting.

Mr. Daryl Kramp: And although the government voted against it, the motion that came before was passed, at the will of the committee, to go ahead and have a meeting. The witnesses were called for that meeting. The witnesses were called, the witnesses came, the witnesses answered, and we left here with, actually, time left over for the witnesses. And no further questions were answered.

Now here we are again. But let's not just accept that. Let's head off and try it again and again. Well, how many times are we going to keep on doing this kind of thing? We are circumventing the use and the purpose of this committee.

Madam Chair, this committee, quite honestly, if it continues this way.... This is disappointing. This committee is an absolute waste of taxpayers' money, because we do not stay on an agenda that's important to this committee. Quite frankly, it's out of control.

The Chair: Go ahead, Mr. Angus.

Mr. Charlie Angus: Thank you, Madam Chair.

I sat on the Standing Committee on Procedure and House Affairs, and I saw how it descended into a very despicable display of partisanship. With all due respect to my colleagues on the other side, I've been hearing a lot of huffing and puffing, but I think we need to move on. They know how this vote is going to go down. Let's just get to work. Canadians expect better of us. We can sit here and we can play games all day, and you can filibuster, but the fact is, this motion is going through. Let's get it over with.

I agreed to make the amendment so we could actually get on to other business. We have other business. I think we have to start looking at the issue of the government appointments commission. We have witnesses here.

So we can sit and discuss this all day. We can discuss this all next week. But it's not going to change anything other than that our role as a committee is rapidly deteriorating. Let's just come together, move on, and get down to the business for which we're here, which is to hear our witnesses.

The Chair: On the main motion, as amended.

(Motion as amended agreed to)

Mr. Daryl Kramp: Madam Chair, I'd like to present another motion, subsequent to that and similar to it. I would like to move the following motion. It is that once again this committee suspend their partisan games and spend our next few meetings finishing our report on accrual accounting. Then after we finish that, we'll do our regular business. If issues like this come up and the committee feels they want to deal with them, fine. But let's finish our regular work first.

I would suggest that we just finish our report on accrual accounting, hold our next four meetings on that, and then at the end of that time, when we've done our regular work, carry on.

The Chair: I think we need 48 hours.

Mr. Daryl Kramp: Madam Chair—

The Chair: Technically, it is okay, because it is future work of the committee. We already have a work plan.

We'll go to Mr. Angus and then Madame Bourgeois.

Mr. Charlie Angus: Madam Chair, we're just going back to what I said two minutes ago. How many more spanners can we throw in the works?

We have a work plan. That's one of the reasons I said I wanted Mr. Holland's motion held off, because we have a work plan. I didn't see in that work plan that the next four meetings were to do with accrual accounting. I don't know why Mr. Kramp is throwing more spanners in the works. We have a work plan. Let's just get down to business here.

We have witnesses. They can sit and listen to us throw sand in the sandbox for the next hour, but I think we've pretty much run out of road here. Let's just get back to work.

[Translation]

The Chair: Ms. Bourgeois.

Ms. Diane Bourgeois: Mr. Kramp is right to want to move on. But we cannot move on if we have not completely dealt with the matters we are presently studying. That is one thing. Another thing is that we have not rebuilt the trust that should exist among the members of a committee that has to work together. That is why I am offering Mr. Kramp a friendly amendment, if it is possible and in accordance with the rules.

Would Mr. Kramp agree to us working on the subject of his motion outside committee hours, so that we can finish all the motion items before us at the moment and dispose of them in a regular session? We could meet outside to continue the work. I know that the accrual accounting is extremely important for Mr. Kramp. It is for me too. If he accepted this friendly amendment, we could do that outside.

● (1020)

[English]

The Chair: My understanding is that it would be asking that we meet as a steering committee to look at future work and to set the agenda, but I'm not absolutely clear on Madame Bourgeois' amendment.

[Translation]

Ms. Diane Bourgeois: What I mean, Madam Chair, is that several of our meetings have to deal with amendments. I am thinking specifically about the meeting for Mr. Holland. The Bloc Québécois has already asked for a meeting on another motion. Charlie also has one or two motions. I am interested in those other matters. Mr. Kramp has another proposal. So my suggestion to Mr. Kramp is that we work on accrual accounting at another time, outside normal committee hours. Is that possible?

[English]

The Chair: What she's essentially asking for is that the subcommittee meet, and if you are in accord with that, because it substantially changes your motion, then we'll call a subcommittee meeting and deal with future business as quickly as possible.

Mr. Angus.

Mr. Charlie Angus: Madam Chair, I don't feel very comfortable with this line of reasoning that's suddenly come forward. We have a work plan and that work plan includes the three meetings on the public appointments and how it happened with AECL, because the public wants some clarity. This isn't a fishing expedition. This is us doing our job so that we can actually get some clarity about how these issues are decided so that we can restore some confidence to the public. So we have that.

We had agreed we were going to take up Justice Gomery's challenge that no committee had looked at...two years from the Gomery report...and what recommendation is still needed. We've agreed to that. I understand that is in our work plan.

I don't remember anything about suddenly having to jump on accrual accounting until this morning. If Mr. Kramp wants to put it in the queue, certainly, but I don't think we need to have a special meeting to jump it to the head of the queue or anyplace else in the queue. We already have a number of motions coming forward, including Mr. Holland's, which is now on the list. If Mr. Kramp wants to bring accrual accounting somewhere down the road, I can't think of a subject I'd be more fascinated in spending some time on, but I just don't think in the next three weeks I'd be really keen.

The Chair: We have Mr. Kramp's motion on the table at this time. I don't believe he's accepted Madame Bourgeois' proposal.

Mr. Daryl Kramp: I appreciate the intent of Madame Bourgeois coming forward and trying to find a way to resolve this. While I personally have no difficulty getting together and seeing if we can forge a direction forward on this, this is a very complex, difficult subject. As such, to have it again and again and to try to translate it from Madame Bourgeois to another member who might not be there, and back and forth...I think this does need the full examination of the entire committee.

I thank you for your intent to try to bring this into the queue, because it is important, it's crucial to the Government of Canada and to the Canadian taxpayer. I think it does need the whole committee—I really do—otherwise we're just going to be going back and forth. I hope we could, at the first available time in committee, recognize that this should be one of the priorities of the committee to deal with.

The Chair: Madame Folco, you have a point of order.

Ms. Raymonde Folco: It's really a point of information.

On the orders of the day, I see that committee business is from 9 to 10 a.m. and that from 10 to 11 a.m. we have a study of Governor in Council appointments. Considering that it is now 10:37 or so, I wonder whether we could come to finalize the committee business and move on to the second item on the agenda.

• (1025)

The Chair: That's not really a point of order; it's a point of information. We are debating Mr. Kramp's motion. Before we can do anything else, we have to deal with that motion.

Mr. Fitzpatrick.

Mr. Brian Fitzpatrick: There have been some comments made by members opposite about Mr. Kramp's motion, especially with respect to accrual accounting. It seems to me that some of the members here are sucking and blowing at the same time. They're saying on one hand that there's a lack of transparency in government, while the Auditor General has said on numerous occasions that one of the reasons we don't have a real transparency in government is because we're not on accrual accounting. It's a way of understanding the financial operations and the management of government. For members to just dismiss accrual accounting as some sort of boring discussion, an unimportant thing, shows a profound lack of understanding. If they really want to get into a more transparent and understandable picture of how government operates and to get good reporting of what is happening with the dollars and cents that are spent on behalf of taxpayers, let's get to accrual accounting. Let's get the process moving.

Some hon. members: Hear, hear!

Mr. Brian Fitzpatrick: I'm actually shocked that there would be members opposite who would just dismiss accrual accounting as a boring thing and we don't want to deal with that. It's not something really jazzy or so on; it's not a—

An hon. member: I spend lots of time on accrual accounting.

Mr. Brian Fitzpatrick: That's the very point I'm getting at. This is the lack of seriousness on the part of members opposite. It's not worthy of a ten percenter. What they want in a ten percenter is some scandal or some witch hunt to get out there.

The Chair: Thank you.

Mr. Kramp wants to say something.

Mr. Daryl Kramp: Madam Chair, with regard to the motion again put forward asking for the four meetings per se, and Mr. Angus' motion to extend one more meeting after the break, I'm certain this government and this side of the committee would be amenable to that—of course, with the proviso that we come back to do our four meetings on accrual accounting thereafter.

The Chair: We passed the original motion; now we're on Mr. Kramp's motion.

Can I call the vote on Mr. Kramp's motion?

Mr. Holland.

An hon. member: I've forgotten what Mr. Kramp's motion is.

Mr. Mark Holland: I've enjoyed all this filibustering and whatever. I'm having a hard time following what it is about, too. Maybe they just don't want to hear from the next witnesses.

Because I think accrual accounting is an important issue, I would suggest to Mr. Kramp that I would welcome a ten percenter on accrual accounting. He just sent a ten percenter into my riding attacking Mr. Dion.

The Chair: This is not a debate about that.

Mr. Mark Holland: I would welcome one about accrual accounting if he wanted to do that.

The Chair: Thank you, Mr. Holland.

Can I please call the vote on Mr. Kramp's motion?

(Motion negatived)

The Chair: Can we now move to listen to the people who are here, please!

We'll ask our witnesses to come forward.

Thank you very much.

May I remind you that we now have before us two members of the Privy Council Office, Mr. Marc O'Sullivan and Mr. Paul Shuttle, to discuss order in council appointments, one of the issues referred to in a motion passed by this committee.

Welcome to both of you. I'm sure it's been very interesting for you to sit in the background and listen to this long debate, but we do have time for you to give us a statement if you wish, and then we will open it up to questions and comments.

Mr. O'Sullivan.

[Translation]

Mr. Marc O'Sullivan (Acting Assistant Secretary to the Cabinet, Senior Personnel and Special Projects Secretariat, Privy Council Office): Thank you, Madam Chair.

[English]

I'm with the senior personnel secretariat in the Privy Council Office. We provide advice and support to the Clerk of the Privy Council, the Prime Minister, and cabinet in all matters pertaining to Governor in Council appointments.

I'm pleased to be here today with my colleague, Paul Shuttle, who is the assistant director of legal operations for the Privy Council Office.

Based on the committee's motion of January 29, 2008, I understand that members are principally interested in hearing testimony on issues relating to Governor in Council appointments to independent arm's-length agencies, and also about the public appointments commission.

I have a very brief opening statement on these issues. Afterwards, we would be happy to answer your questions. I hope you will understand that we are not in a position to delve into the specifics of the Linda Keen matter because it's now before the courts. Nevertheless, I hope we can provide useful information more generally on these questions.

● (1030)

[Translation]

Governor in Council appointments are either for a fixed term or an indeterminate period and their tenure is either "during good behaviour" or "during pleasure". Appointees who hold office during good behaviour may be removed by the Governor in Council for

cause. Appointees who hold office during pleasure may be replaced or removed at the discretion of the Governor in Council.

Pursuant to the Interpretation Act, appointments are deemed to be during pleasure, unless otherwise expressed in the enactment, commission or instrument of appointment.

The selection process for these positions is the same, irrespective of their tenure, as the government's aim is constant: to attract highly-qualified persons to head its various agencies, boards, commissions and crown corporations.

These positions are advertised, as a minimum, in the *Canada Gazette* and on the Governor in Council appointments website. In some cases, executive search firms are also hired as part of the recruitment strategy. Selection committees interview candidates in order to identify the most qualified persons for the government's consideration in making these appointments.

The process which cabinet follows before it decides whether or not to remove an appointee from office is determined by the rules of procedural fairness and, where applicable, in legislation.

In the case of "at pleasure" appointees, it is not necessary for the government to show cause but it is required to notify the appointee of the possibility of removal from office and provide that person with the opportunity to be heard.

The procedural requirements to remove a "good behaviour" appointee are similar. However, in those instances, cabinet would have to have cause before it could terminate the appointment.

[English]

The Federal Accountability Act provides that the government may establish the public appointments commission to oversee and report on the selection processes for appointments by the Governor in Council to agencies, boards, commissions, and crown corporations. I would point out that the commission's mandate does not, under the legislation, extend to removal from office.

As you know, the commission was established administratively by order in council on April 21, 2006. Prior to the passage and coming into force of the Federal Accountability Act, the government appointed three members for the commission and nominated Gwyn Morgan to be chairperson. As you know, on May 16, 2006, this committee did not support Mr. Morgan's nomination, following which the three members of the commission tendered their resignations.

Nevertheless, in keeping with its commitment to appoint qualified persons to public office, the government has conducted more than 100 open selection processes to fill key positions since taking office. Moreover, selection processes are run to find qualified candidates for positions such as citizenship judges and for agencies such as the Veterans Review and Appeal Board and the National Parole Board, to name two examples.

At this point, Madam Chair, I'd be happy to answer any questions you may have.

The Chair: Thank you.

We'll start with Mr. Silva for seven minutes.

Mr. Mario Silva (Davenport, Lib.): Thank you very much. I want to also thank the witnesses for coming forward to our committee.

In terms of the appointment process, there are a couple of things I thought important to find out. How many people have been revoked or terminated from their appointments in the last two years?

Mr. Marc O'Sullivan: Revoked or terminated? One moment, please.

At the Canadian Wheat Board, it was Mr. Measner who left. There was a change of leadership. There were positions that were eliminated. There was the position of ambassador of the environment, Allan Amey. The Law Commission of Canada was wound up, so there was Monsieur Yves Le Bouthillier. There were some resignations as well, but those are not terminations. There was also —I'm sorry, this is not on my list—I believe the case of one deputy minister as well, who in December 2006 had his order in council removed. There were simply no further appointments in line for the person and the order in council was passed to remove him. I'm just trying to remember the name. Mr. Scott Clark was the other person I can remember.

Those are the ones I can think of.

(1035)

Mr. Mario Silva: All right.

I have to be careful, I guess, with the questions I ask because both of you, I believe—Marc and Paul—are civil servants and are not partisan, political.

A witness: We're public servants, yes.

Mr. Mario Silva: I think my concern—and feel free to comment if you wish—has to do with the perception out there that both the firing and the appointment of people tends to be very ideologically driven. If you look specifically in some areas, whether it be environment or even the legal profession, there seems to be a perception out there as of late that there might be a targeting of people who don't share the same values as the Conservative government.

I don't really care if people are members of one party or another, because in this country people are free to join whatever party they wish to. That's not a concern of mine, whether they're Conservatives or not, but to have a specific ideological bent, that does concern me.

If you look at certain events of late, there's a concern also in terms of the films one is able to censor and whether there will be types of appointments to the film board and so forth that will in fact limit the types of films that Canadians will actually be able to see.

So there is that perception out there. You can debate whether it's real or not. The question is out there and there's a real fear.

The industries are also claiming that this is a real fear as well. Government seems to be going after them as well in terms of censoring what type of material they are able to produce.

The transparency of the appointments is extremely important if we are to in fact allay those fears. What exactly would you like to do or

say that could alleviate or even assure us that this is in fact not happening?

Mr. Marc O'Sullivan: To begin, first of all, I think when there's a transition in government, especially after one government has been in place for a very long time, there's always a tension about a new government wanting to bring in a new sense of direction, a new agenda, and new priorities, and expecting that agenda and those priorities will be reflected not only in government departments headed by ministers but also in key agencies headed by holders of those offices. There's a debate there about how far a government can go in doing so, but it's typical in any sort of major transition.

If you go back to 1957 when Prime Minister Diefenbaker came in after a long Liberal period, and then again to Prime Minister Mulroney in 1984 and Prime Minister Chrétien in 1993, these are all transitions in which you have, after a lengthy time in office for one government, a new government coming in. I think it's legitimate for that government to want to be able to steer a different course and expect those agencies that are not of a quasi-judicial nature or an independent arm's-length nature to steer that different course and put leadership in those agencies to reflect that different course. I think that's legitimate in a democracy.

My experience in two years in this government is that the prime concern is qualifications and making sure we attract qualified candidates. It's becoming more and more difficult. The pay rates for these agencies—especially for crown corporations, which are compared to their commercial counterparts in the private sector—are lagging behind the private sector. There is actually a difficulty in attracting qualified candidates, because the economy has been very strong for the past 10 years and private sector salaries have outstripped public sector salaries by a large margin.

The challenge is to find qualified people. There may be anecdotal evidence, but I haven't seen any systematic attempt to impose an ideological brand on the selection process for these appointments. Rather, it's making sure we can attract qualified people, especially for the key positions, which are the heads of the agencies.

Mr. Mario Silva: There was one key position that certainly raised alarm bells for us. That was when they were trying to establish this public appointments commission and selected not a neutral person but Gwyn Morgan, whom everybody saw as somebody who was quite radical in his views. There certainly was a fear when that appointment was going to be made. I think when you're trying to establish an oversight institution like that, one that is in fact above being partisan and has incredibly far-reaching implications to all the agencies and boards and commissions of the government operation, you want to choose an individual who is above partisan politics, somebody who is going to be respected by everybody when that name is put forward.

In reality, that was not the case, and that was the reason I think it was rejected by a large percentage; it was because the individual already had some very specific views on certain minority groups and ethnic groups within the country. That was not acceptable to a large number of us.

● (1040)

The Chair: I think your time is up. You've had your seven

Mr. Mario Silva: I think I've made my point as well.

The Chair: Go ahead, Madame Bourgeois.

[Translation]

Ms. Diane Bourgeois: Thank you, Madam Chair.

Good morning, gentlemen. I would like to understand your precise role. My questions may be a little simple, and I apologize for that, but I am having difficulty grasping what you mean. Could you give me examples of "during good behaviour" appointments and "during pleasure" appointments?

Mr. Marc O'Sullivan: Deputy ministers are always appointed during pleasure. Heads of organizations whose functions do not require a certain degree of independence are also appointed during pleasure. People are appointed during good behaviour for positions where a level of independence is required. When any kind of inquiry is involved, the appointment is during good behaviour, such as members of quasi-judicial panels.

Ms. Diane Bourgeois: In your presentation you said this:

The process which Cabinet follows before it decides whether or not to remove an appointee from office is determined by the rules of procedural fairness and, where applicable, in legislation.

Can you explain what the rules of procedural fairness entail?

Mr. Marc O'Sullivan: Essentially, this means making sure that the person is informed that the government is considering removing him or her from office and providing him or her with the opportunity to respond. This is usually done by letter. The person is informed and asked for a reaction and an opinion on the matter. Normally, a specific amount of time for the response is allowed. Then the matter is dealt with by the cabinet, which must come to a final decision.

Ms. Diane Bourgeois: Is removing a person from office something you do often?

Mr. Marc O'Sullivan: No, it is quite an exceptional situation.

Ms. Diane Bourgeois: Could you give me an example?

Mr. Marc O'Sullivan: When a person has been too extravagant and that has led to...

Ms. Diane Bourgeois: Has that happened before?

• (1045

Mr. Marc O'Sullivan: There was the Radwanski affair, and, before that, there was Ted Weatherill. Those cases involved lavish personal expenses. They were so egregious that the result was removal from office. There was also the influence-peddling case reported on television, on CTV. A member of the Immigration and Refugee Board was filmed by the boyfriend of a woman whose case he was handling. Essentially, he wanted to exchange sexual favours for a positive decision on her case. It was all caught on video. Actually, it was not necessary to remove that person from office because he resigned. It was perfectly clear that his actions were quite unacceptable.

Ms. Diane Bourgeois: I imagine that the financial consequences —which surely there must be in any event—are less in the case of a person appointed during good behaviour.

Mr. Marc O'Sullivan: A number of factors come into play. It must be decided, for example, if a serious offence is involved or not. This depends on the circumstances. Or it can be a person appointed

for an indeterminate period, that is to say, whose appointment has no fixed end date, and who is told that it is time to change the leadership, to move on, but for whom no other position is offered. In those circumstances, an order is issued to end the appointment that was previously indeterminate. It depends on the situation, on the time remaining until the end of the appointment.

If the person has committed a serious offence, there is no effort to offer him or her compensation. On the other hand, if the government and the appointee come to the conclusion that it is time to move on, there can be negotiations intended to come to an amicable understanding.

Ms. Diane Bourgeois: I understand. Thank you very much, gentlemen.

The Chair: Thank you, Ms. Bourgeois.

Mr. Kramp.

[English]

Mr. Daryl Kramp: Thank you, Madam Chair.

Mr. O'Sullivan, you made one point that I think goes right to the core of where we're going with this issue. You believe it's legitimate for a government to steer a course and obviously put people in who they are comfortable with who will take the government in that direction. The most important concern, of course, is the qualifications of that individual. I think all through our history—and you've mentioned various governments—we've always had a government make decisions as such.

So this is my concern. In your opinion—and this goes right to the very crux of why we are here as a committee of government operations dealing with not a specific issue, and I'll talk about a specific issue or more than one in a second, but the generalization, the fact of whether our system is intact—is it working? Does it need amendments, or modification, or changes? In your opinion, are the acts governing the appointments or the revocation of order in council appointments consistent with the current standards for a good government and ethics, both here in this country and in comparison to any other jurisdiction you might be familiar with?

Mr. Marc O'Sullivan: In terms of the enabling legislation that creates all these GIC positions, there are almost 3,000 GIC positions out there that are established in legislation.

Regarding areas for improvement, you know better than I do what the legislative process is like and how bills get amended in committee and how the bills will change in the course of adoption in the House of Commons. There is one thing that is evident to me, which is that there's a lack of consistency across all this enabling legislation. You would think that in a structure as big and complex as the Government of Canada you would have templates. You would have, say, 12 types of organizations, and if it's this type of organization, this is what the appointment provisions look like. It would all be pretty well set out in advance and you'd have a clear and coherent picture of how to proceed. But because legislation evolves and drafting techniques evolve, there's a certain inconsistency in how enabling legislation is drafted all across the board. That's something we have to struggle with, and we have to figure out and interpret the provisions and ensure that we're proceeding in a consistent manner.

The important thing is that I think the overall framework is a good one in that it provides the necessary indications of qualifications. When a qualification is absolutely required for a position, it will oftentimes be set out in the legislation. It will say that the person must have this as a qualification. In some instances, legislation will provide that certain groups have to be consulted. For example, for port authorities, users have to be consulted for a certain number of the positions. So you have provisions like that.

So I think that overall framework is good, and I think it provides the necessary indications of specific requirements, while at the same time leaving enough discretion for the government to try to manage this effectively. For me it's a process of continuous improvement. For example, we want to have open selection processes for a growing number of positions. We're focusing on the heads of agencies. There are certain agencies out there that run qualification processes, and we want to extend that and improve them. We have a website. People are apprised of openings for government positions on the website. We want to make that website interactive. We want to improve it. So it's a matter for us to keep improving it as we go along.

(1050)

Mr. Daryl Kramp: Have you found this particular government has dramatically changed the process compared to all the governments before them?

Mr. Marc O'Sullivan: I've only been working in the appointment secretariat since January 23, 2006, purely by coincidence. So I haven't seen how previous governments have operated. If you look at the number of appointments, in fact this government has been making fewer appointments than were made in the past. I look at it in terms of operations and ask whether we are filling vacancies fast enough and keeping agencies fully operational. So I would like to push for a greater number of appointments, but I guess when the government makes a huge number of appointments it then gets criticized.

Mr. Daryl Kramp: Thank you.

What I will come back to, of course, is getting started on the right foot. You mentioned the prime concern of any appointment process or individual being qualifications. I note that my opposition members don't like us to go down this path, but when a gentleman's name was put forward for the director of public appointments, Gwyn Morgan, at that particular time I took some serious offence to my colleague across the floor, Mr. Silva, actually naming Mr. Morgan as a radical. I find that literally unbelievable. Here we have a gentleman whose credentials speak for themselves. He's CEO of the year in Canada. He's recognized not by government but by his peers as one of the most capable CEOs in the history of this country. He's recognized not only in this country but internationally. He offered to take the job for \$1.

As you mentioned, it's very difficult to get qualified, capable people to step forward sometimes and be involved with the public purse when their options are so much greater in the private sector, which this gentleman's obviously are. Yet I was on that committee and we were listening to the testimony, and literally I could not refute the man's capacity anywhere. His capability demonstrated a level of humanity that most people didn't even know he was associated with. He had a tremendous amount of personal generosity, not only to employees and employers but to the general community

as well. He demonstrated to me, as maybe almost the prime element of a perfect candidate, in addition to his capacity and qualifications, a complete love of country and a passion and a commitment to serve. Yet in this committee we really got started off on the wrong foot, because this then became a partisan issue, unfortunately. We then, in the judgment of the opposition, deemed this individual not acceptable. To defame a person of that integrity and character, honestly, it blew me away. I do want that on the record.

The Chair: Thank you, Mr. Kramp. Your time is up.

Mr. Angus.

Mr. Charlie Angus: Thank you.

I'm very pleased that you came before this committee today and we actually had a chance to hear you. Our time is short, so I'll keep my questions moving quickly.

Since the government decided to deep-six the public appointments commission, there have been over 1,000 appointments made to various boards and government agencies. What role does the Privy Council have in examining any or all of those appointments?

Mr. Marc O'Sullivan: It has a role at two levels. For all the appointments, whether they're full-time or part-time, for heads of agencies or members, we do a sort of due diligence check. An appointment comes in as a recommendation from the responsible minister. We do a due diligence check to ensure that the appointment satisfies the terms of the enabling legislation.

(1055)

Mr. Charlie Angus: The recommendation comes from the minister?

Mr. Marc O'Sullivan: Yes. The responsible minister for the organization makes recommendations for appointments to agencies, boards, commissions, and crown corporations. For deputy ministers and diplomats there is a different process. I'll focus on the agencies, boards, commissions, and crown corporations.

For the heads of agencies, prior to having the ministerial recommendation we run a selection process. We advertise the position at a minimum in the *Canada Gazette* and on the Governor in Council appointments website. Often it's advertised in trade publications or newspapers. When we know it will be difficult to sort of beat out good candidates from the bushes, we hire a headhunter. We announce it and run it like any selection process.

Mr. Charlie Angus: So who decides in the end?

Mr. Marc O'Sullivan: A selection committee is formed to examine the people who apply. It conducts interviews and comes up with a short list of qualified candidates. It basically tells the responsible minister that from all the people who applied, these are the ones who are qualified for the position.

The selection committee will often say who they consider to be the most qualified, but the minister makes the final determination as to who he or she wants to recommend to cabinet for appointment. That's where we get the recommendation. We do the due diligence, and then it goes to cabinet.

Mr. Charlie Angus: Thank you.

I'm interested, because when we look at many of the appointments, people are connected to the Conservative Party. I don't think there's a big issue if someone has given some money to a party. Everybody has given some money to political parties. People have given money to me and I don't think they're necessarily New Democrats. To me it's not necessarily a determinant.

There are certainly key people put into positions where questions are raised because we don't have a public appointments commission. For example, Michael Burns, the AECL chair, was the former chief fundraiser for the Alliance Party. Ronald Barriault, who was chosen to be on the Nuclear Safety Commission, was a failed Conservative candidate.

Those are serious positions. Would the recommendations for those positions come from the minister, or would they come through some kind of headhunting service? Would you use a headhunting service in that case? How were these people chosen for those positions?

Mr. Marc O'Sullivan: For members who are not the heads of agencies, we don't run selection processes—not for all of them. Some agencies, like the Veterans Review and Appeal Board, the National Parole Board, IRB, Employment Insurance, and CPP, run selection processes.

If they're part-time positions where people meet four times a year and are paid a per diem of \$400—

Mr. Charlie Angus: But AECL chair is a pretty serious position, and we have someone who was a chief Alliance fundraiser. How did he get that position?

Mr. Marc O'Sullivan: I don't remember offhand the specifics of the AECL chair, but we normally run a selection process for chairs and CEOs. We announce the position and receive applications. We have a selection committee that considers the applications, conducts interviews, and makes a recommendation to the minister on those who are qualified for the position. The minister then makes a determination on which one he or she wants to recommend to cabinet

Mr. Charlie Angus: The minister makes the decision at the end of the day.

Mr. Marc O'Sullivan: The minister does not make the final decision. The minister makes the decision on who to recommend to cabinet, and cabinet makes the final decision.

(1100)

Mr. Charlie Angus: Do I have time?
The Chair: You still have time.

Mr. Charlie Angus: Excellent. Thank you.

I guess the big issue with the Canadian Nuclear Safety Commission was the creation of a sense of a legitimation crisis in the public service, in that our Prime Minister said there was a threat to human health and that threat to human health was directly related to the fact that a Liberal appointee and the Liberal Party apparently were "jeopardizing the health and safety and lives of tens of thousands of Canadians".

I'm not asking you to comment directly on Ms. Keen's position. But if we are in a situation where a Prime Minister can say that someone appointed by the previous government is a political hack, how does the Privy Council ensure that the present people being appointed by the government, who might be former fundraisers and candidates and so on, are not political hacks and that the public can actually have confidence in the workings of government? Does the Privy Council lay down any strict guidelines here in the absence of a public appointments commission?

Mr. Marc O'Sullivan: When a position becomes vacant, when we announce the position, we set out the selection criteria and the necessary qualifications for the position. Those are set out looking at the enabling legislation and the history of the organization. We talk to the responsible department that oversees that organization to get their feedback on what we're looking for that position. In setting out the qualifications, we're setting out exactly what's needed for the person to head that organization. Then it's a matter of trying to attract interested candidates who fulfill those selection criteria and appointing somebody who is qualified.

We don't look at whether or not that person has made political donations. We're public servants. We don't look at what past activities that person may or may not have had with whatever political party. That's neither here nor there for us. We're just looking at whether this person has the qualifications to fulfill the selection criteria.

Mr. Charlie Angus: This is my final question. I'm just looking at one of the most entertaining booklets I have, which is the Conservative election platform, where they state that they will make qualified government appointments. They state:

The Liberals have repeatedly appointed insiders, in some cases completely unqualified, to important public offices. Liberal candidates and MPs have received appointments as heads of Crown corporations, board members, and ambassadors.

A Conservative government will:

- Ensure that all Officers of Parliament are appointed through consultation with all parties in the House of Commons and confirmed through a secret ballot of all Members of Parliament, not just named by the Prime Minister. This appointment process will cover:
- The Ethics Commissioner
- The Auditor General
- The Chief Electoral Officer
- The Information Commissioner
- The Privacy Commissioner
- The Registrar of Lobbyists
- Establish a Public Appointments Commission to set merit-based requirements for appointments to government boards, commissions, and agencies, to ensure that competitions for posts are widely publicized and fairly conducted.
- Prevent ministerial aides and other political appointees receiving favoured treatment when applying for public service positions.

My question is simple. We've heard nothing of the public appointments commission since it was deep-sixed. Is the Privy Council working with the government in any capacity to restore and live up to the commitment they made in the election?

Mr. Marc O'Sullivan: With respect to the agents of Parliament whom you enumerated in quoting from that passage, the Accountability Act provides for the new appointment provisions for those agents of Parliament. So that's been done.

With respect to the appointments at large, as I've said, we've run more than 100 selection processes while this government has been in power, and we're aiming to increase the scope of positions that are covered by these open selection processes.

We have an office of 35 people to manage a population of 3,000 GIC appointees. There is a physical limit on how many selection processes we can run in parallel. We went by order of priority, with heads of agencies as the first priority. We're running selection processes for the heads of agencies, CEOs, and chairs of crown corporations. We're encouraging organizations such as VRAB, IRB, and the Parole Board to run their own pre-qualification process to select qualified individuals who can then be submitted for consideration by the government.

At the end of the day, what matters is the quality of the appointment being made and the quality of the person. I don't see past political activities as being a bar for being qualified. The question is, does this person have the right background for this position?

Mr. Charlie Angus: That's not what it says in the commitment to the public appointments commission. Is the Privy Council moving towards the public appointments commission, or are they not? Are they just going to go with the old way of doing business?

Mr. Marc O'Sullivan: Basically, since the attempt to establish the public appointments commission, we endeavour to be ready to move into a system where there's a public appointments commission overseeing things.

There was work that was done in the public appointments commission secretariat. Peter Harrison was in that position for a while and did a lot of preparatory work. We have two people there now who are preparing draft codes of conduct and preparing the terrain, so that when a public appointments commission is appointed, we'll be in a position to react very quickly to it.

The Chair: Thank you very much.

This will end our committee meeting. We thank you for being patient in waiting and for appearing before us.

The meeting is adjourned.

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