

House of Commons CANADA

# **Standing Committee on Public Accounts**

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#### **EVIDENCE**

Thursday, June 4, 2009

## Chair

The Honourable Shawn Murphy



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**●** (1535)

[English]

The Chair (Hon. Shawn Murphy (Charlottetown, Lib.)): I'd like to call the meeting to order and welcome everyone.

Colleagues, this afternoon we have scheduled for the first part of our meeting about 30 minutes with a visiting delegation of parliamentarians from the country of Serbia. The title of their visit is "Study Visit to Canada on Parliamentary Oversight and Accountability and Public Consultations".

Then, at approximately four o'clock, I'm going to deal with the minutes of the steering committee meeting that was held on Tuesday of this week, and I'm going to deal with Mr. Christopherson's motion that was tabled on Tuesday of this week. From then on, until 5:30 p. m., we will deal with the reports in camera.

Without further delay, I again welcome you all.

First, I will ask Sonja Vojnovic, the director of operations from the Parliamentary Centre, to introduce and perhaps provide a brief biography of the visiting delegation. Then this will be done through interpretation.

Is that the way we'll do it, Sonja? The floor is yours.

Mrs. Sonja Vojnovic (Director of Operations, Parliamentary Centre): Thank you very much, Mr. Chair. It's a pleasure to be here. We have a delegation here from the National Assembly of Serbia. I will quickly introduce the delegation because I know our time is short.

The head of our delegation is Ms. Gordana Paunovic-Milosavljevic. She is the chair of the gender committee in Serbia. With her is her colleague, Mr. Milan Dimitrijevic, who is a member of the health and family committee in the National Assembly of Serbia, as well as a member of the environment committee.

In addition to that, we have Ms. Mirjana Radakovic, who is the assistant secretary general and also the clerk of the committees directorate in the National Assembly of Serbia. Also, we have Ms. Ljubica Nedeljkovic, who is the vice-president of the State Audit Institution in Serbia, which is a very new institution in Serbia.

Then, last but not least, we have a number of secretaries or committee clerks: Ms. Bozana Vojinovic, Ms. Sanja Pecelj, and Ms. Dragica Krstic-Puresevic. And also with us is Mr. Srdjan Pavlicic, who is from a civil society organization in Serbia.

Probably the most important person in the room is our interpreter, Ms. Jelena Milicevic, because she will be the one who can communicate with us the best.

Some hon. members: Hear, hear!

**Ms. Sonja Vojnovic:** To give a very brief overview, this delegation is here as part of a project that is funded by the UN Democracy Fund, and it's intended to strengthen accountability in Serbia. One of those areas is to strengthen the work of committees, particularly their role in the budget process.

It's a pleasure to be here to meet with the public accounts committee. In Serbia, they do not have one. They may be creating one. They do have a finance committee that actually undertook a very important endeavour a few years ago, and that was to draft a law on the State Audit Institution, or the Auditor General's office, in Serbia. They've never had one before and this was a significant action because very few laws are introduced by Parliament. Most of them, as they are here, are introduced by government, so this is one of the first laws ever drafted by Parliament.

The law has been enacted. They are currently in the process of creating the building blocks for the creation of the State Audit Institution. We're here to look at how these organizations function with one another, how they relate to Parliament, what Parliament's role is in overseeing the government, and what the mechanisms are for that to be done. One of them is through public consultations. One of them is with interaction with the Auditor General's office.

It's a pleasure to be here.

Thank you, Mr. Chair.

The Chair: Again, welcome.

If it's okay with you, I will describe briefly the role of the public accounts committee.

This committee is the House of Commons Standing Committee on Public Accounts. It is comprised of 11 members of Parliament representing all four parties. Like in most other Commonwealth and European Union countries, the chair of this committee comes from a member of the opposition party, which, I should also add, is fairly common in any Westminster-based parliamentary system.

Our mandate is to review and report on government spending, that is, after the spending has taken place. We do not or certainly should not involve ourselves with the budget process or with policy issues. We work very closely with the Office of the Auditor General, which in other countries is known as the Supreme Audit Institution. In Canada, the Auditor General is an officer of Parliament and reports directly to Parliament. She has no interface or relationship with the executive. In other words, I should have said, her office is totally independent of government or the executive.

Her work can be described as having two parts. One is the normal finance or test audit, that is, the audit of government operations, and the fiscal year-end is March 31 of each year. Those statements are prepared by government but are audited by our Auditor General and then tabled in Parliament.

In addition, each year, the Office of the Auditor General would do performance audits in either a department or an agency or a certain aspect of a government department or agency. On these performance audits, the ones that we choose, this committee would normally have hearings.

At the hearings, we would hear from the Auditor General herself, her officials, and also the senior ranking member of the department or agency and his or her officials. Under our parliamentary system, we of course have full power to call for other people, other records, and other documents that we feel necessary.

These hearings usually only take one meeting, but they may last longer. Under normal circumstances after we have a hearing, we, the committee, will write a report. that report, which will contain recommendations to government, is tabled in Parliament. The government then has 120 days to reply to our recommendations, and of course they are under no obligation to accept our recommendations.

It should be pointed out that this is a committee of accountability. We do not have any power to reward or punish or instruct the executive.

**●** (1540)

All the hearings we have, including those with the testimony of witnesses, are open to the public. The public and, of course, the media are invited to attend.

The final point I will make is that within the Canadian parliamentary system we have about 22 or 23 committees of the House of Commons. This committee is different from other committees in that we deal with the expenditure of public money, not policy issues.

Those are my comments. Again, I want to welcome you. Do you have any comments or questions?

In fact, I'll invite other members of the committee who may want to comment to do so.

**●** (1545)

Mr. David Christopherson (Hamilton Centre, NDP): Thank you, Chair.

First of all, welcome to our guests.

I represent a city in Ontario, one of the major industrial centres. More importantly, I've had the pleasure of being in your beautiful country. I was there in 2007 as an international election monitor for your national elections.

It was a beautiful city, with beautiful people and wonderful hospitality. I'm glad we have an opportunity to give back a small amount of the welcome and warmth I received when I was in your country.

I'm aware of many of the challenges you have. It's encouraging to see you here because we believe this to be one of the cornerstones of accountable democracy.

If I may just underscore our chair's comments, the fact that an opposition member, by the rules, has to chair this committee, and the fact that the Auditor General is completely at arm's length from the government are, again, part of the key foundations of what we do.

Although we're made up of members from different parties, one of the things we try to do is encourage a culture among ourselves whereby we agree on our findings wherever possible. That's much easier said than done, as you can appreciate.

But one of the reasons this works is that without that culture.... No one really knows for sure who the government will be at the time the report from the Auditor General lands in front of us, so if you're the opposition today, being at least respectful and fair with the government is smart, because the shoe may be on the other foot next time around.

Lastly, therefore, when we do agree on an observation or a recommendation, it carries that much more weight, because it is coming from all of us working together as parliamentarians, not partisans.

Thank you.

The Chair: Mr. Weston, do you have a comment?

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Thank you.

You do us a great honour by coming to meet with us today. Thank you for being here.

I should say that if my name had not been changed, it would be Vizdjinski, which is at least closer to Serbian than you might have thought.

Ms. Jelena Milicevic (Interpreter, Delegation from the Republic of Serbia): Could you repeat it once again, please?

• (1550)

Mr. John Weston: It is Vizdjinski.

I recently went on a trip like the one you're on, to Pakistan, where I met with leaders of that country. There were three observations that I thought I might share with you.

First, I realized that just as fish in water don't question how wet they are, we, in a country known for our rights and freedoms, sometimes don't realize how important those rights and freedoms are to us. By comparing that to what goes on in other places, I'm sure that you, we, and others who are involved in parliaments better appreciate what we have at home. The things my Pakistani counterparts found interesting about our system were first, that our MPs, even backbenchers like me—backbenchers are people who are not cabinet ministers—and opposition members who are not in government, have a large influence on what happens in our system.

The second thing they found interesting was that committees like this one, which make Parliament accountable to members of Parliament so that no individual or group has too much power, must answer to people of all parties.

I'd like to share time with others, so I'll stop there.

**The Chair:** Thank you, Mr. Weston. Do you want me to keep your Weston name? Is that okay?

I have a couple of other people on the list, but is there anyone from the Serbian delegation who wants to make a comment before I go to my next speaker?

Ms. Gordana Paunovic-Milosavljevic (President, Gender Committee, Delegation from the Republic of Serbia) (Interpretation): I would like to thank you on behalf of the Serbian delegation for the very warm welcome and hospitality provided by you and for the very nice words addressed to us.

My name is Gordana Paunovic-Milosavljevic. I am the president of the gender committee and also a member of the health and family committee. At the same time, I'm a member of the Serbian Parliament. I am also a member of the opposition, the Serbian Radical Party. In that respect, it is very valuable for me to hear about your experiences, as it is for all the members of our delegation.

The Serbian Parliament has 30 parliamentary committees, but unfortunately still does not have a committee of this kind, a public accounts committee. It does have similar committees, but they deal with different things, such as the committee on finance and a committee on the general economy.

This is an excellent opportunity for our delegation to learn more about your practices, about what you actually do. I hope that learning about your experiences will contribute to constituting a committee of this kind in Serbia.

**●** (1555)

The Chair: Ms. Ratansi.

**Ms. Yasmin Ratansi (Don Valley East, Lib.):** Welcome to Canada. I know you have had a very busy time.

I am Yasmin Ratansi. I am from Toronto. The population of Toronto is approximately 5.6 million, and we only have 33 members from the GTA area, not the 250 you have with a population of 7.4 million.

We hope that in this meeting we can answer questions rather than tell you how this committee works, because we need to know what you face as a young Parliament and what the issues are that you think we can work together on.

I know that there are members of your Parliament from the gender, health, finance, and audit committees. My question is, how many women parliamentarians are there? What is the percentage?

For my last question, what are the main issues you face on which we, as a more mature Parliament, can probably work with you?

Ms. Mirjana Radakovic (Assistant of the Secretary General, Delegation from the Republic of Serbia) (Interpretation): Allow me first to answer your question. Out of a total number of 250 members of Parliament, one-third are women. Also, I have to add that in Serbia we have a proportional election system, which means that citizens, the voters, are actually voting for the list of candidates of political parties, basically, that are on this list.

Having said that, in line with the law on the election of MPs, each list of candidates needs to have at least one-third female representatives. But once the election process is completed, well, it is not obligatory; it is not binding for a certain political party to allocate one-third of the number of seats they have won in Parliament to women.

As for professional services—and there is one common professional service for the National Assembly of Serbia—you can also judge that from the composition of this delegation, which, as you can see, is mostly comprised of women.

During this visit to Canada, we have learned a lot of things that are very useful to us, but we know you are very busy so we're not able to ask as many questions as we would like. One main thing we have learned is what it actually means to have autonomy of Parliament from the executive branch.

In 2006, Serbia passed a new constitution, so in line with the new constitution, of course, a new Parliament act needs to be drafted. Its drafting is currently under way. Of course, according to the constitution, all other acts need to be harmonized with the constitution, including the standing orders of the Parliament. That is exactly the reason that everything we have learned here will be very useful. Hopefully, all the issues we have learned about from you will be included in the draft Parliament act.

One of the main issues or main elements that we will try to include in this Parliament act is what we have seen here in respect to the financial and administrative autonomy of the House of Commons and, of course, the Senate. In that respect, in Serbia a new working body is being established currently that will resemble your committee, the committee on public accounts. Hopefully, it will deal with similar issues and internal audits of public spending.

• (1600)

The Chair: Thank you.

We are running out of time a bit. I have a few other speakers, and I believe there's a gentleman at the end, so I'm going to ask each speaker to keep their comments to less than a minute.

But before you do that, there is one item I neglected to mention in my opening comments, which is that in this country we operate with two official languages, as you probably know by now after being here a few days. In Parliament, you can speak in English or in French, and all documents tabled in Parliament or at this committee have to be in English and in French.

Monsieur Desnoyers.

**●** (1605)

[Translation]

Mr. Luc Desnoyers (Rivière-des-Mille-Îles, BQ): Thank you, Mr. Chairman.

As the Chair just mentioned, we are from the province of Quebec, the French-speaking part of Canada. In Parliament, everything is translated in English or French. In this way, our exchanges can meet their objectives throughout our discussions in each of these committees, whether it be the committee on the status of women, the public accounts committee or other standing committees of the House of Commons.

Since several questions have already been asked, mine will be simple. You are trying to establish a democratic government and parliament in your country. What is the major challenge you are faced with in this regard? What objectives did you set for yourselves?

[English]

Mr. Milan Dimitrijevic (Member, Health and Family Committee, Delegation from the Republic of Serbia) (Interpretation): Good afternoon, ladies and gentlemen. My name is Milan Dimitrijevic. I'm a member of the Serbian Parliament and, at the same time, a member of the health and family committee and the environment committee.

I would like to mention one thing. Yesterday we met with your Auditor General, and she said a very nice thing. She said that transparency is a disinfectant. There are many challenges ahead of us, and one of the main challenges is basically the drafting of an accountability act. That is the main point, the main issue, I have learned here, and it's something I will really try to transfer to all of my colleagues and build into our democracy.

**The Chair:** I'm going to hear briefly from Mr. Young and Mr. Saxton. The we'll move on to the next item on the agenda.

Mr. Young.

Mr. Terence Young (Oakville, CPC): Thank you.

Welcome, everyone.

I have one question. What issues are you dealing with in your gender equity committee?

Ms. Gordana Paunovic-Milosavljevic (Interpretation): Briefly, our gender committee deals with various stuff. We do not have a department, as you have here, for the status of women, but our gender committee deals with various issues such as unemployment, which is on the rise currently in transitional economies, and domestic violence, women's health, discrimination at work, and similar issues. Until now we have not had a law on gender equality, but it's under way now. It's being drafted. We really hope that it will be passed soon. We hope this law will regulate all of the above-mentioned issues.

Also, we have recently adopted a law on discrimination, an antidiscrimination act, which is one move to contribute to regulation of this area. (1610)

The Chair: We'll have a brief comment from Mr. Saxton, and then we'll move on.

Mr. Saxton.

Mr. Andrew Saxton (North Vancouver, CPC): On behalf of the Conservative government, I'd like to welcome you to Canada today. I'd also like to say we're proud that it was our government that brought in the Accountability Act.

I represent a riding called North Vancouver. You may know that Vancouver is hosting the 2010 Winter Olympics in February. I hope Serbia is going to send some athletes to the Olympics.

I would also like to add that my family heritage is Hungarian, so we were neighbours in my family's past.

My position is that of Parliamentary Secretary to the President of the Treasury Board. The Treasury Board is responsible for two main items: it oversees government expenditure and it is the employer of the public service. As parliamentary secretary, I represent the minister on this committee.

I'd like to congratulate you for coming and wish you all the best during the rest of your stay here in Canada.

#### Ms. Gordana Paunovic-Milosavljevic: Thank you.

**The Chair:** To echo those remarks, on behalf of all members of the committee, I again want to thank you very much for being here today.

Any time we have an opportunity to meet a delegation from another country, my experience is that we all come away richer, and we learn from our dialogue.

As you know, Canada is a country with many people of Serbian descent, and we wish you to stay in close contact with this country in the years to come. We wish you all the best in the rest of your stay here in this country.

• (1615)

Ms. Jelena Milicevic: Thank you.

**The Chair:** We'll have a brief pause and then we'll resume the meeting.

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	(Pause)
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The Chair: I call the meeting back to order.

The next item of business, colleagues, is the review and approval of the minutes of the steering committee that was held on Tuesday, June 2, 2009. Those minutes have been circulated, as has the remaining schedule. Perhaps we'll run through that.

There are not too many meetings left, as you can see. On next Tuesday, June 9, we will deal with passport services. That meeting has been arranged.

On Thursday of next week, we have the Governor-in-Council appointment process. I want to point out to members of the committee that there is what I consider to be a fairly significant difference in interpretation between the Office of the Auditor General and the Office of the Privy Council as to the mandate of the Office of the Auditor General.

I have asked for the views of each office. I believe the Auditor General's office has responded, but the Office of the Privy Council has not. I've also asked for a legal opinion from the parliamentary counsel. That's also forthcoming.

On Tuesday, June 16, we have "Chapter 6—Selected Contribution Agreements—Natural Resources Canada", from the spring 2009 report.

Then, on June 18, we will be calling in someone from contracting for public services. This, again, is dealing with the issue of the tapes. Public Works are alleging that they can't release the whole tapes because they have concerns about the Privacy Act legislation, which our legal counsel has indicated is not the case. But before we went further on that, we thought it would be wise to hear from Public Works.

Then, if we are here on June 23, we have draft reports.

That basically is the nuts and bolts of the steering committee, I believe.

Mr. Saxton.

Mr. Andrew Saxton: I have just one clarification on the minutes of the steering committee in the very last paragraph, where it says that the "Chair write to the Deputy Minister, Public Works and Government Services Canada, and invite him to appear before the Committee....". I believe it was agreed that somebody would come from that department, but not—

The Chair: Or his designates.

Mr. Andrew Saxton: Yes-or his designates.

**The Chair:** Mr. Saxton is right. That should say "invite him or his designates". He can send whoever he wants on this issue. Is that agreed?

Voices: Agreed.

The Chair: Is there any other discussion?

Okay. Then the Chair would entertain a motion for the approval of the minutes as amended. It's moved by Madam Faille.

(Motion agreed to)

**The Chair**: The next item of business, colleagues, before we go into the reports, is to deal with the motion of Mr. Christopherson. That motion has been circulated.

Before we even go to Mr. Christopherson, I just want to point out, especially for the newer members of the committee, perhaps, that we have no binding authority on the work of the Office of the Auditor General. All this motion will be is a request to her office.

They can take it into consideration. They can follow it or they may not want to follow it for their own reasons. That's all it is, a request, so don't consider it to be an order or a mandate to that office. I simply wanted to point that out.

What I'd like to do is perhaps give Mr. Christopherson up to two minutes, then entertain six or seven interventions—if people want to intervene—and then put the question.

Mr. Christopherson, for up to two minutes.

(1620)

Mr. David Christopherson: Thank you very much, Chair.

Colleagues, consistent with the chair saying that all we can do is make a request of Auditor General, none of my comments in my question in the House have concluded that there was something wrong, but there's certainly enough around this issue.

For those of you who don't know, Canada Post was advised by Air Canada that within 120 days they were no longer going to be able to provide their airmail service. There were a couple of calls made out to some potential bidders, and then they were notified that it was all right, they weren't going that route; they were just going to go with Purolator.

The concern is that it's over \$100 million, I think, over three years. There is a personal connection between somebody who is on the board of Purolator, which is owned by Canada Post, and the ultimate agency, because there was another airline that was contracted by Purolator. There are connections there.

So the issue becomes, was it necessary to source, or should this have been put out for public tender? Since I asked my question in the House, I can tell you that I've received a letter from Cargojet. I've never spoken to anybody there and I don't know anybody there that I'm aware of. This came to me after I asked my question in the House. I'll be glad to share it with colleagues. Their letter says in part:

The unilateral decision by Canada Post and its Board, to circumvent the normal bid process and award this major contract to an insider company, whose owner sits on the Board of and owns 7% of Purolator Courier, a subsidiary of Canada Post. The aircraft that are being provided by Kelowna Flightcraft were apparently sourced and selected well prior to this opportunity becoming public knowledge and this contract ultimately being awarded.

The lack of transparency in the awarding of this major contract is clearly evident and as anyone can determine by the many responses/comments attached to the Globe and Mail article, there's a genuine concern that there may be a serious breach of acceptable government procurement and bid process, and how and to whom this major government contract....

So when these kinds of things are raised, it's not only political; there are competitors out there who have a concern. All I'm asking is that this committee endorse the request of the Auditor General to take a look. If there are no problems, there are no problems, but there needs to be some transparency on this. So that's the request.

Thanks, Chair.

The Chair: Does anybody else want to speak to this motion?

Mr. Kramp, then Mr. Saxton.

Mr. Daryl Kramp (Prince Edward—Hastings, CPC): Mr. Chair, I have no difficulty with the premise of what the member is saying. My only concern is whether he would be open to a friendly amendment. I think it's a valid request. The difficulty is, of course, that the matter's already now before the transport committee. They are meeting on the eleventh of this month on this matter.

A voice: Oh yes?

Mr. Daryl Kramp: They are.

Should they not deal with this in a manner that's deemed acceptable by this committee.... But I think it would be a little bit redundant for us to just go down the same path again. I have no difficulty if the member wishes to bring this back at a later time or even subject to the time or the direction and, I suppose, the purpose and focus of the committee. He would obviously have access to minutes of that.

If something sort of walks like a duck, you sort of wonder if it is a duck. I share his concerns, but I just don't want to go down the same path that someone else is already going down. I think it's a valid point, but could we possibly consider it when he takes a look into the transport committee motion and their testimony and where that has taken us?

**•** (1625)

The Chair: Mr. Saxton, you have up to a minute.

**Mr. Andrew Saxton:** I just wanted to echo what Mr. Kramp has said. I think we should try to avoid duplication at this point and take a look at it after transport has looked at it.

Mr. David Christopherson: Can I ask a question? I don't want to deny anyone....

The Chair: Go ahead.

**Mr. David Christopherson:** Well, it's only if we have a resolution. I'm open-minded on it. I didn't know that the committee was doing that. Could somebody give me an idea of when they're going to deal with it?

**Mr. Daryl Kramp:** It's scheduled to be on June 11 at this point. **The Chair:** Mr. Young.

**Mr. Terence Young:** My impression is that the Auditor General does comprehensive audits with the hope of doing a thorough investigation of a department or a series of events to provide recommendations to improve the situation. She's not an investigator who investigates a single contract, so I have a concern about that.

But I do want to ask Mr. Christopherson to explain again what his concern is. I understand that Purolator is owned by Canada Post, and it sounds logical to subcontract it to a company they own, which is also owned by the taxpayers. Maybe you can explain again what your concern is.

**Mr. David Christopherson:** My concern is exactly what Cargojet, as one entity, is concerned about: that there wasn't an opportunity. They're saying that within 120 days they could have easily put together a whole package. I think they said they could build an aircraft in that time. But they could do anything within 120 days and they didn't see why the urgency was legitimate enough to set aside the normal process, which would be to give this company and others an opportunity to bid. That's what it's about.

Was it a justifiable decision to sole source? If it is, cool. If it isn't, then we need some accountability on that. That's the essence of it. Also, there were some initial phone calls made to see whether or not some of the competitors would be willing to bid, and when they expressed interest, the next thing they heard was, forget it, we're not going down that road. It's very unclear, and it's a lot of money.

By the way, if I can, it's perfectly in order for any individual member of Parliament, let alone this committee, to request the AG to look at anything.

The Chair: Ms. Crombie, you have up to a minute.

Mrs. Bonnie Crombie (Mississauga—Streetsville, Lib.): I wanted to know whether it's within her mandate to review such a contract. I guess it doesn't matter. If we can ask her, she can make the decision if it is.

I'd like to know also from Mr. Kramp's committee what aspect of the contract they'll be reviewing. Are they reviewing this specific contract, as Mr. Christopherson describes?

But I am not opposed to asking the Auditor General, if it's within her mandate, to review it so that we can be consistent and look at whether accountability procedures have been followed, whether there was due process and transparency. I wouldn't be opposed to it.

The Chair: Okay.

By way of information, I'll just share with you that the Auditor General did say she is doing a special examination on the post office right now. I believe she's told me that.

Before we go to you, Mr. Christopherson, we can have two or three other interventions, if people are interested. If they're not, we'll go back to Mr. Christopherson.

Mr. David Christopherson: I'm going to offer to table it.

The Chair: You're going to offer to table it?

Mr. David Christopherson: In light of what I've heard.

I've tried to get my staff.... We haven't been able to confirm, just so I know exactly what the mandate is, and the review, but I take Mr. Kramp at his word. It makes every good sense that if there is another committee already seized of this. That's my objective. I'm prepared to table this for now, follow what's happening at the industry committee, and reserve the right to bring it back at any time.

The Chair: Okay.

Mr. David Christopherson: Then I still have it in reserve.

**The Chair:** I take it from the comments that we have a consensus to adjourn the debate on this matter and bring it back at a date to be determined. Is that fair?

Some hon. members: Agreed.

The Chair: Okay. Thank you very much. We'll move on.

Now we're going to move in camera and go to reports.

[Proceedings continue in camera]

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