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Chair

Mr. James Bezan

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• (1640)

[English]

The Chair (Mr. James Bezan (Selkirk—Interlake, CPC)): I will call the meeting to order. We are now in public.

Joining us today is Mr. Alan Latourelle, president and CEO of Parks Canada; Ron Hallman, who is director general of National Parks; and Kevin McNamee, who is the director of parks establishment. I welcome all three to the committee.

A point of order, Mr. Warawa.

Mr. Mark Warawa (Langley, CPC): Thank you to the witnesses for being here to talk about Gwaii Haanas.

Chair, just procedurally, we have approximately 35 minutes. What kind of timeframe are you going to be putting on each of us?

The Chair: I'm going to suggest that we follow our routine motions, which is that we welcome the witnesses to make an opening comment, and then we'll do our rounds. Right now that's based on a first round of seven minutes. If you feel five-minute rounds would be more appropriate, I'm open to the committee's suggestion on it because of time limitations.

An hon. member: [*Inaudible—Editor*]

The Chair: Okay. With that, we have a procedure that we have to respect.

Mr. Latourelle, if you could bring forward your opening comments, I'd appreciate it.

Mr. Alan Latourelle (Chief Executive Officer, Parks Canada Agency): First, thank you very much for being here today. It's a great pleasure and an honour as the CEO of Parks Canada to be here to speak about the legislation or the order in council that's been submitted to your committee.

This has been a long overdue process, from a Parks Canada perspective. We've been working with the Haida Nation for close to two decades now: first in terms of establishing the Gwaii Haanas National Park Reserve, and for clearly more than 15 years in trying to establish together a national marine conservation area. This is the result of a collaboration between the federal and provincial governments initially, in terms of the federal-provincial agreement that established the area. We've been working with the Haida Nation and others—the fishing industry, the aboriginal community, and also with the environmental groups and local communities.

From a perspective of what you are asked to consider, it is an expansion of the current protected areas. The national park reserve is

1,500 square kilometres. What we have is a proposed expansion of 3,500 square kilometres, which is the marine component.

It will be subject to cooperative management with the Haida Nation. So we have an agreement among Parks Canada, the Department of Fisheries and Oceans, and also with the Haida Nation in terms of the overall management of the marine protected area.

[Translation]

In closing, I would say that it is the first national marine conservation area that we bring in the legislative process, following the passing of the bill in 2002. It is a great achievement for our organization, but also for our partnership with the Haida community.

Today, on this International Oceans Day, it is an honour for us to come here to discuss with you and answer your questions on this success by the entire Parks Canada team.

I have with me Mr. Kevin McNamee, Director of Parks Establishment, who has been working closely on that file for the last few years, inside as well as outside the organization, and Mr. Ron Hallman, Director General of National Parks whose contribution was also exceptional.

I shall now be pleased to answer your questions.

[English]

The Chair: Thank you, Mr. Latourelle.

We'll go to the first seven-minute round with Mr. McGuinty.

Mr. David McGuinty (Ottawa South, Lib.): Thanks, Chair.

Mr. Latourelle, thanks for coming, and, gentlemen, thanks for being here.

Mr. Latourelle, as a matter of public record, this is the first time that members of the committee on this side of the House, as the official opposition, have heard anything about this agreement. It was revealed to us very late Friday afternoon. We had no advance notice, no text, no words. We had no explanation, no briefing. None of the official opposition, and to my knowledge no MP on this committee—I can't speak for everyone—was consulted. We hear of massive and detailed consultations going on with thousands of individuals. This process has never been put on the work agenda of this committee. So you'll forgive me if I'm going to bring a certain tone to the questions I ask you; it's not because of your good work or your team's good work.

Can I ask you, first of all, sir, when were you notified about coming here to testify today?

Mr. Alan Latourelle: I was notified this afternoon.

Mr. David McGuinty: At what time was that?

Mr. Alan Latourelle: Maybe an hour ago.

Mr. David McGuinty: So after this committee had begun at 3:30 or before?

Mr. Alan Latourelle: I'm not sure.

Mr. David McGuinty: Was it 3:30, three o'clock? When were you asked to make yourself available to testify here today?

Mr. Mark Warawa: I have a point of order, Chair.

I sent an e-mail, through staff, about half an hour after this meeting had started, realizing that there was a request for information. It happened after this meeting started.

The Chair: Okay. That's not a point of order, but it is information.

Mr. David McGuinty: So I understand then at about four o'clock.

Mr. Alan Latourelle: That sounds reasonable.

Mr. David McGuinty: Okay. I have a couple of substantive questions I would like to ask you, Mr. Latourelle. Canada signed on to the Convention on Biological Diversity. We're now negotiating at the conference of the parties the next iteration of the Convention on Biological Diversity. Can you tell me and tell Canadians whether the two plans, the interim management plan and the zoning plan, are in full conformity with our commitments under the CBD and in anticipated conformity with the new conditions coming under the new and improved CBD that's being negotiated as we speak?

Mr. Alan Latourelle: What I can tell you is that in terms of the commitment, in terms of moving forward, and in terms of protected areas for the marine programs, for example, internationally, we are in line; we're moving forward. We have several marine conservation areas that we are currently working on. This is one of them. We also have the Lancaster Sound national marine conservation area proposal. We have the Strait of Georgia national marine conservation area proposal. So as we look at the conservation objectives that are in the interim management plan, those are conservation objectives that have been agreed to and worked on by the Haida Nation. For example, the 3% conservation area part of the proposal is something on which we have worked hand in hand with the Haida Nation in coming up with this interim management plan. So this is an interim management plan supported by the Haida Nation and Parks Canada.

• (1645)

Mr. David McGuinty: I understand that Canada is moving forward on certain fronts to try to make progress on marine protected areas, and I understand that negotiations have occurred with the Haida people, but you can't answer the question of whether this is in conformity with the CBD standards, can you?

Mr. Alan Latourelle: Different countries are at different levels in terms of standards. I think if you look at Australia, because of their history, they've had several more years in terms of the marine program, so their amount of conservation percentage is greater.

Mr. David McGuinty: I don't mean percentage standards. I don't mean amount of land or marine protected areas set aside; I mean in conformity with the Convention on Biological Diversity standards on diversity protection, on management plans, on eco-services, on evaluation. There are 25 to 30 categories under the CBD. Can anybody tell me today whether this agreement is in conformity and

builds not only on the existing CBD, but anticipates what's coming from the negotiations internationally today?

We have no plan from the government on the CBD that's being negotiated. In fact, we have evidence that the government is actually trying to slow it down. We have no plan in terms of what our government's position is on the Convention on Biological Diversity, which is being negotiated as we go forward. So can you tell me whether or not these two—particularly these—plans, which deal with the interim management plan and the zoning plan, are in full conformity with the Convention on Biological Diversity?

Mr. Kevin McNamee (Director, Parks Establishment, Parks Canada Agency): Mr. McGuinty, I would add a couple of things in terms of international standards and what we are doing with this national marine conservation area.

First of all, the international community looks at these kinds of protected areas to look at to what degree are you protecting them. With this proposal, under the law there would be no further oil exploration or development in this area for all time.

The second thing is that at the international level there is a lot of emphasis on establishing marine protected areas for the purpose of representing different types of ecosystems. Representation is one of the core elements of the Convention on Biological Diversity and other international commitments. Gwaii Haanas will not only represent one of 29 marine regions; it will represent two. So we, through one marine protected area, are picking up two representative areas, the Queen Charlotte Sound and Hecate Strait.

The third thing is that a lot of these conventions place emphasis on governments working hand in hand with aboriginal people and first nations, and to that degree, this one really illustrates that in particular. We have two agreements with the Haida. One for the land and one for the marine. So there are those different elements that we pick up.

Mr. David McGuinty: I understand the need to work with indigenous peoples worldwide. I know that's an inherent part of the architecture of the CBD, but I have to say you haven't answered my questions on the CBD. I don't think you're in a position to do so. I don't fault you for it, because I don't think you're experts in comparing this agreement with those requirements.

Let me move on to theme two. Time is very short.

Every NGO I managed to reach last night about this agreement—not seeing any text before an hour and 10 minutes ago—said this is going to be a problem situation for Canada unless there is a continuing financial commitment from the federal government. How much money, to your knowledge, is the federal government going to continue dedicating to this establishment, this park, this region, this marine protected area? Where does the agreement stipulate how much money, over what period of time?

Mr. Alan Latourelle: I can answer that part of it. First, we're going to work with the Haida Nation to establish the budget. We have quite a bit of flexibility in our budget for new parks and new national marine conservation areas. We have more than enough left in the budget to ensure that we manage this place effectively and efficiently. But we don't set a formal target up front. Every park and site is different.

In this case, we are going to be managing with the Haida Nation both a national park and a marine conservation area. There are some savings to be realized in having two protected areas in the same place. We will ensure that we have a solid science program, just as we do in all of our national parks and national marine conservation areas.

It will be over \$1 million, I can tell you that. The exact amount is usually developed at the local level and then submitted for my consideration. I'll use Nahani National Park as an example: what the aboriginal communities and Parks Canada, the local staff, submitted for funding is what was approved.

• (1650)

The Chair: Thank you.

Monsieur Bigras, s'il vous plaît.

[Translation]

Mr. Bigras, please.

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Thank you, Mr. Chairman.

I have a few brief questions, but I will probably not use up all my time. I understand that there were drilling activities very close to the strait in question in the 1950s and 1960s. Is it true that this drilling stopped in 1972?

[English]

Mr. Kevin McNamee: I don't recall the exact nature of the drilling that might have gone on at that time. This proposal was first put forth by the Haida in the 1980s, so a lot of this work was done once the moratorium was put in place.

[Translation]

Mr. Bernard Bigras: In the past, have drilling rights been granted in the territory of this area?

Also, are there any drilling rights outside this area at the present time?

Mr. Alan Latourelle: In the past, there had been rights inside the area. These have been relinquished by the mining industry to Nature Conservancy of Canada, who transferred them to Parks Canada. Thus, there are no mining rights inside the area. At this time, to my knowledge, there is a moratorium outside that zone and there are no outstanding rights.

Mr. Bernard Bigras: Are there tankers going through that area? Do large tankers come close to the area in question?

Mr. Alan Latourelle: Not presently. However, like everywhere in Canada, it still is a possibility in the long term.

We shall have to manage an area with the Haida community. When regulations will be passed for the management of that marine

conservation area, we will make sure we adopt an approach based on ecological principles.

Mr. Bernard Bigras: Let us imagine that, in the future, tankers will be going through that strait or that there will be drilling in that area. What benefit do you believe that a protected marine area would bring? As far as the environmental assessment of future drilling projects or the designation of that area for tanker traffic is concerned, would there be a requirement to take into account the existence of that marine area in seeking to implement projects outside its boundaries?

Mr. Alan Latourelle: My answer is in two parts. First, we make sure that there will be no drilling in that special region. This is already a great achievement. In fact, this is what the Haida community has been asking for since the 1980s. So, this is an important achievement.

Second, in regards to what is happening outside this area, it is the same as in our national parks. Clearly, we have a legal interest in so far as we are there to provide scientific data and to take part in environmental studies. We do exercise that right.

Mr. Bernard Bigras: You understand what I mean. To establish a marine conservation area is one thing, however, if you say that this area is protected, will there be oil drilling or tanker traffic 50 or 100 kilometres from there? The bottom line is, as you are well aware—and I do not need to remind you of the Gulf of Mexico—the impact can be more widespread. This is what worries me. It is not enough to designate a marine conservation area. Economic activities must also take into account this new reality which aims at protecting the ecosystem.

• (1655)

Mr. Alan Latourelle: It is exactly the same thing as the situation on land. We have national parks and there are development activities outside national parks. I must add that this year marks the 125th anniversary of the creation of national parks. In regards to activities outside the park, people are taking their responsibilities seriously. If there are activities outside the protected areas managed by Parks Canada, our scientific and communication capacity, as well as our commitment, will allow us to have an influence.

Mr. Bernard Bigras: In the course of your negotiations, did you have discussions with representatives of the oil companies that own rights? What were the results? I firmly believe that when you have rights, they have come at a substantial cost. I suppose that there was compensation. What was the extent of the agreement signed with industry? Was there any compensation?

Mr. Alan Latourelle: Parks Canada did not pay any compensation to industry. However, Kevin was there at the time and he might have something to add.

Mr. Kevin McNamee: The four companies relinquished their rights voluntarily to Nature Conservancy of Canada.

[English]

They gave them outright to the Nature Conservancy of Canada voluntarily. We could get the details of whatever arrangement was negotiated between the Nature Conservancy and the companies, but our understanding, very clearly, is that it was voluntary. They might have received a tax receipt or something like that, as they have done in other places in Canada.

[*Translation*]

Mr. Bernard Bigras: So, there was no money paid, but it is not necessarily a financial compensation. When a marine area is designated, there might be tax benefits. This is what you said. Under the law, what type of tax benefits might a company obtain for relinquishing a number of rights?

Mr. Alan Latourelle: The situation is the same for national marine conservation areas and national parks. Rights have to be respected. Usually, we approach the owners of those rights to buy them back. In some cases, people ask for the market price. In other cases, the rights are simply donated. Elsewhere, it might also be possible to use other tax incentives that are not related to national parks like the Ecological Gifts Program, for instance.

Mr. Bernard Bigras: In such a case, are we able to evaluate the cost of the transaction?

Mr. Alan Latourelle: It is usually possible but, at Parks Canada, we do not have access to that information.

[*English*]

The Chair: Ms. Duncan, you have the floor.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Thank you.

Thanks for speeding over here so quickly. That's my fault. I appreciate it.

I just had a briefing this morning. I'm one of the vice-chairs of the international conservation committee, and we had Living Oceans and a doctor from California present to us. One of the things they presented to us was a map showing the areas of high acidification and the increasing acidification of the oceans over time. To my alarm, right now they're showing one of the highest areas of acidification is along the Alaska coast and down. I can't remember the time it took, but over time it has come right down the B.C. coast.

I've tried to flip quickly through your interim management plan. Is the plan intending to also address this looming issue of acidification and the impact on the marine ecosystem?

Mr. Kevin McNamee: Thanks for the question.

I should stress, first of all, that it's an interim management plan. So the idea was to work with stakeholders to give them a sense of how this area would be managed initially. For national parks, we don't do that. We establish them, and then we develop a management plan.

Here we started an interim management plan to demonstrate to communities how we would initially operate it. It didn't get into that level of detail. However, one thing to stress is that in the recently signed Canada-Haida marine agreement and in the interim management plan, we do talk about one of the benefits to Canadians and the world of this area being a benchmark against which to measure the impacts of climate change and other things. The notion of climate change is definitely mentioned in the plan. So we would invest—and we already have invested—in studies that would look at various things, and this would be one of the elements that we clearly would have to take a look at.

• (1700)

Ms. Linda Duncan: So you would look at the monitoring aspects.

Mr. Kevin McNamee: That would be something we would recommend to the field unit: that in developing their program to monitor the ecological sustainable use of this area, we focus on one of those elements.

Ms. Linda Duncan: Okay.

Following up, Mr. McNamee or Monsieur Latourelle, with regard to the monitoring and the impacts on the area, we're led to believe that in Lancaster Sound, somebody—I think it's national parks—is going ahead with putting in a spill to see what happens to the spill. Have there been any proposals to do the same kind of thing in this area?

Mr. Alan Latourelle: First, I think in Lancaster Sound there was a project proposal to do that. The project did not go ahead, and the government has stopped that project, so it will not be proceeding.

In this area no such program is planned. We are ensuring that once it's been added to the Canada National Marine Conservation Areas Act, Parks Canada, the Haida Nation, and DFO will be managing this area and making the decision as it affects this area. As part of the legislation that governs national marine conservation areas, there is no resource extraction and no dumping.

Ms. Linda Duncan: We've been advised—and I can't remember if it was in the House or outside—that the government has apparently lifted the moratorium on tanker traffic. I'm not sure, frankly, of the geography there. So where in the vicinity of Haida Gwaii would the Enbridge pipeline, if approved, come out, and where would the tanker traffic be going?

Mr. Alan Latourelle: We don't have that information. We can provide it to you.

Ms. Linda Duncan: Okay. I'd appreciate if that could be provided. I'm just not sure of the geography of that.

Mr. Alan Latourelle: Yes, I'm not sure either.

Ms. Linda Duncan: I notice that you said there was a boundary of 10 kilometres, but as we have learned—as my colleague from the Bloc has said—from the situation in the Gulf of Mexico, where they said they didn't have to have the relief well because it was 30 or 50 kilometres off... I'm wondering on what basis you set that 10-kilometre boundary. Did matters factor in? I flipped through your report quickly because I was interested in the mineral interests. When I was an assistant deputy minister for renewable resources in the Yukon, we were negotiating park agreements there, and that's obviously a big issue. Do you remove it? Do you put the boundary around it? I notice in here they note there are not substantial oil and gas reserves, so there wasn't much to give up. But I'm wondering, looking at the area, if there are substantial oil and gas reserves at a certain point offshore. Does anybody know if there are, or was that part of setting the boundary?

Mr. Alan Latourelle: A mineral and energy resource assessment was done, and as a result of that, and also, for example, of some of the petroleum companies giving up their rights, basically the boundary was negotiated with the Province of British Columbia, but also with the Haida Nation. So the boundary we have now is the boundary that we agreed to way back. This is somewhat different from, I would say, the standard national marine conservation areas. Usually we look at a broad area and then we negotiate a boundary. This was done for us some time ago, in the 1990s, so this was—

Ms. Linda Duncan: The boundary that is set there is based on all that negotiation about where there may be mineral resources and so forth. So there could potentially be oil and gas extraction in that area.

Will the management plan and the budgeting for this park also factor that in and consider spill-response equipment, capability, and so forth? I didn't see the Coast Guard mentioned in here.

Mr. Alan Latourelle: No, and I think there are a lot of roles and responsibilities of Transport or the Coast Guard or DFO, for example. We would work with them in terms of overall response in the area, similar to the situation in national parks where we do offer services outside the park for public search and rescue, for example. We would be working with them as we would with any other owner in the area.

Ms. Linda Duncan: Will their budgets also be reviewed to ensure their capability to respond?

Mr. Alan Latourelle: I assume that currently their responsibilities for the area would not change, because we have an NMCA in terms of response if something occurs outside of this area.

• (1705)

Ms. Linda Duncan: Mr. McNamee mentioned that this is only an interim management plan, so I'm presuming it has no legal status, but once the order in council goes through, can I presume that this is the beginning of a baseline for starting a management plan?

Mr. Alan Latourelle: As soon as the legislation is passed, it will govern our action as an agency in terms of how we manage this area with the Haida Nation. It is the first plan. It's an interim management plan. We will continue, as we learn, through our science program—

Ms. Linda Duncan: I'm just trying to figure out, though, if the act provides for an interim plan. Does it?

Mr. Alan Latourelle: Yes, it does.

Ms. Linda Duncan: Will you then adopt this as the official interim plan once the area is designated? That's my question.

Mr. Alan Latourelle: That is correct.

Ms. Linda Duncan: Thanks.

The Chair: Go ahead, Mr. Warawa.

Mr. Mark Warawa: I want to thank the witnesses for coming here so quickly and being available to answer our questions. I believe we also have a representative from CPAWS here as an observer; I want to welcome them and thank them for being here.

I want to address a comment made by Mr. McGuinty. I think he said about 20 minutes ago that he received this material one hour ago, so that would be about an hour and 20 minutes ago. The fact is, Chair, that this material was tabled in both lobbies yesterday right after QP. The minister made a statement, Mr. McGuinty made a

statement, and Mr. Duncan made a statement. These were available in both government and opposition lobbies.

Also, at four o'clock yesterday we made sure that this was hand-delivered to Mr. McGuinty's office because he's the Liberal critic. Copies were also delivered to Mr. Bigras' office and to Ms. Duncan's office yesterday.

I spent quite a bit of time yesterday, Chair, actually—

Mr. David McGuinty: I have a point of order, Chair.

It is true that these materials, which are being redistributed today, arrived at my office just before 5 p.m. yesterday.

I haven't seen these materials before today, and they were not tabled forthrightly in the lobby of the official opposition after the minister's statement. Had they been, I would have received a copy immediately. My whip would have automatically given me a copy on the spot.

Chair, whether Mr. Warawa is going to argue that these materials were received an hour ago or 12 hours ago, I hope he's not trying to justify 12 hours of distribution as being reasonable for the creation of a major marine protected area for Canada. I'm sure he's not expecting his own caucus colleagues on this committee to have read the agreements that backstop it, the agreement that was signed in January of 2010 by Mr. Latourelle and others. I'm sure he's not trying to apply that, sir. As a matter of a point of order, I just want to clarify the record.

The Chair: It's not a point of order; it is a matter of debate.

But, Mr. Warawa, I suggest that you be relevant for the witnesses.

Mr. Mark Warawa: The relevance, Chair, is that it was assured in this committee that this information was available to committee members approximately an hour ago, and in fact it was referred to this committee yesterday afternoon, a little over 24 hours ago—about 26 hours ago. This information was made available in good faith. We wanted to make sure every critic had it, so it was hand-delivered to their offices yesterday so that had they wanted to read it last night, they could have done so.

Actually, this is great reading material, Mr. Latourelle. I went through a lot of it. I'll have to be honest and say that I didn't read through all of it—it's better than a sleeping pill, to be honest with you—but it's actually good that we're moving forward.

In the short time that I have, please tell us what the advantage is of this moving forward. If this committee wanted to linger, this has been in the works since the mid-1980s, so this has been in the works for a lot of years. I think Mr. McGuinty even served on the national round table on the environment, so I'm sure he's quite aware of this. It has been through a number of different governments—Conservative governments, Liberal governments, and now a Conservative government—and the Haida Nation and environmental groups have been at work on this as well.

What's the advantage of our moving forward now and letting Parliament know we support this measure? To me it seems like a slam dunk. What would be the advantage of moving forward now, as opposed to waiting, lingering, considering, and possibly even filibustering as this moves forward?

• (1710)

Mr. Alan Latourelle: A few things. First, I think as soon as this national marine conservation area reserve is added to the schedule of the Canada National Marine Conservation Areas Act, resource extraction is prohibited in this area, and so is dumping, for example, so there are immediate controls in place that prohibit certain activities. But I think more importantly for Parks Canada, and I would say for the Haida Nation, is that we can start the process collaboratively to really put in place the interim management plan and cooperatively manage this national treasure. So, from our perspective, as soon as the legislation is through, then we have the ability to start continuing our work with the Haida Nation and really start putting in place activities for the management of this national marine conservation area.

Mr. Mark Warawa: Okay. So Chair, again, in the interest of time—and thank you for that—it would enhance the environmental protection of this very sensitive area, and it is our responsibility as parliamentarians to make sure that we are protecting the environment for this generation and future generations. I appreciate your work involved in it personally, Parks Canada, the Haida Nation, and CPAWS.

I think, Chair, if we had a vote right now, we would be able to approve this and move on and get back to the other important work the committee is on. I hope I'm wrong, but I sense that some of our Liberal members are not wanting this to proceed now. But they've heard that there's a huge environmental advantage to moving forward with this now.

I think my time is just about up.

So procedurally, Chair, can we vote on this right now?

The Chair: No. I have speakers on the list.

Mr. Mark Warawa: If we have speakers on the list, and I don't want us to run out of time, we need to finish the discussion and get back to the other work we're dealing with, so I am forced then to move that debate now be adjourned until next Thursday, June 10.

The Chair: Okay. We have a motion, and it's a dilatory motion, on the table. It's non-debatable, that debate be now adjourned until the next meeting.

(Motion agreed to)

The Chair: This order of business is adjourned, which means we go on to the next order of business.

I want to thank our witnesses for appearing. I would suggest maybe you be available for Thursday when we come back to this.

Mr. Justin Trudeau (Papineau, Lib.): I will have questions for them on Thursday.

The Chair: That's fine. We can continue on Thursday.

We are on to our next order of business.

It's a quarter after and the bells are going to ring right away. Do we want to tackle—

Mr. David McGuinty: I move to adjourn.

The Chair: I have a motion to adjourn.

(Motion agreed to)

The Chair: We're out of here.

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