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## **Standing Committee on Transport, Infrastructure and Communities**

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**EVIDENCE**

**Tuesday, February 15, 2011**

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**Chair**

**Mr. Merv Tweed**



## Standing Committee on Transport, Infrastructure and Communities

Tuesday, February 15, 2011

• (1105)

[English]

**The Chair (Mr. Merv Tweed (Brandon—Souris, CPC)):** Thank you and good morning, everyone. Welcome to the Standing Committee on Transport, Infrastructure and Communities, meeting number 47.

Our orders of the day, pursuant to Standing Order 108(2), are a study of aviation safety and security.

Joining us today, from the Canadian Air Transport Security Authority, for the first hour, we have Mr. Kevin McGarr, president and chief executive officer, and Yves Duguay, senior vice-president, operations. Welcome. Thank you for coming today.

I'm sure previous history will indicate that you have opening comments to make, and then we'll move to questions from the committee members.

Please begin.

**Mr. Kevin McGarr (President and Chief Executive Officer, Canadian Air Transport Security Authority):** Certainly, Mr. Chairman.

*Bonjour.* My name is Kevin McGarr. I'm president and CEO of the Canadian Air Transport Security Authority. Joining me today is Yves Duguay, CATSA's senior vice-president of operations. We are pleased to be here today to speak with you and to respond to any questions you may have.

[Translation]

After it was announced in June 2010 that CATSA would receive five-year funding, the Government of Canada launched a full review of CATSA spending, efficiency and structure to ensure that CATSA is fulfilling its mandate in an efficient and effective manner.

[English]

During the review, consultations were conducted with stakeholders from across the aviation security community. Additionally, passengers and other interested parties were invited to provide submissions. Upon consideration of the findings, the Minister of Transport and the minister of state announced on February 3, 2011, that there will be changes to our airport screening process.

[Translation]

We believe these changes will translate into an increase in our throughput, which is the number of passengers that can be screened each hour at major checkpoints across the country, while maintaining or improving aviation security and enhancing consumer service.

[English]

One of the changes resulting from the review is that Transport Canada has now harmonized the prohibited items list in line with international standards. Air travellers are able to bring small scissors and tools in their carry-on baggage, contributing to a screening process that is more convenient. With new equipment and lane configurations we will also be able to enhance the flow of passengers and bags at the security screening checkpoint. For example, in collaboration with airport authorities and where space allows, we will be installing equipment that will automatically separate unresolved bags from cleared bags, thereby reducing congestion.

In partnership with the Canadian Border Services Agency, we will be expanding the use of the trusted traveller CATSA screening lines to Vancouver, Calgary, Halifax, Edmonton, and Winnipeg. This initiative, currently operational in Ottawa, Toronto, and Montreal, provides a designated pre-board screening line for known travellers who pose a lower risk, as they are pre-approved travellers who possess a valid NEXUS card. There will also be new dedicated lines for families and those with special needs with equipment specifically designed for bigger items, such as strollers.

We are confident that these new lane configurations will facilitate passenger convenience at the screening checkpoint.

[Translation]

CATSA is currently undertaking its largest ever contracting process for screening services. This is an opportunity for our organization to redefine our relationship with our screening contractors and to create a screening process that better combines security with consumer service so that we are even better positioned to meet evolving and emerging threats. CATSA expects to enhance the effectiveness, efficiency and consistency of its operations through this procurement process.

[English]

We are also implementing our own internal changes to improve the quality of our service delivery, better focus our operations regionally, and ensure that the activities of our employees are well aligned to serve the new service contracts that will come into effect November 1 of this year. At the same time, we are continuing to work with our partners and stakeholders in the air transport industry to strengthen our relationships and in turn improve the air travel experience for all passengers.

[Translation]

Passengers do not necessarily differentiate between the various organizations working at the airports. So it is the collective responsibility of all us in the air transport community to work closely together in ensuring that air travel in Canada is a positive experience for everyone.

We also know that in times of crisis, such as the events of December 25, 2009, we must be able to rely upon established, collaborative and functional relationships with our stakeholders.

• (1110)

[English]

In terms of our relationship with our regulator, Transport Canada, we continue to make progress in improving air transport security through mutual respect and cooperation, of which we are very proud.

Moving forward, I would like to assure you that we are committed to implementing a rigorous performance measurement program to ensure that our operations are the most effective they can be. The only way to truly reach excellence in operational efficiency is by measuring how we are doing, focusing on what we do best, and fixing what can be done better. The changes announced by the ministers last February 3 are moving us in that direction. We welcome these changes and are committed to implementing them, because we know they will take us where we want to go, because they are in the best interest of Canadians, and because they are critical to our continued success.

[Translation]

I thank you for your time today and welcome the opportunity to respond to any questions you may have.

[English]

**The Chair:** Thank you.

Mr. McCallum.

**Hon. John McCallum (Markham—Unionville, Lib.):** Thank you.

Thank you, Mr. McGarr, for your testimony.

I have a question. We've been getting lots of e-mails from flight attendants, and we're going to be hearing from their union. They're concerned about passengers being allowed to carry small blades onto airplanes, that this is an unnecessary risk to their safety. I wonder how you would respond to that.

**Mr. Kevin McGarr:** The harmonization of the prohibited items list is a policy decision that was developed by Transport Canada. Very respectfully, I would submit that they would be in a much better position to explain why that decision was made.

**Hon. John McCallum:** So that was not your decision.

**Mr. Kevin McGarr:** That is exact; that is a policy decision of government.

**Hon. John McCallum:** I also understand—and correct me if I'm wrong—that people can carry restraining devices like handcuffs onto airplanes now. Is that correct? If so, it doesn't seem to make a lot of sense to me.

**Mr. Kevin McGarr:** That is exact; restraining devices are not prohibited from being transported on an aircraft.

**Hon. John McCallum:** Can you explain the rationale for allowing people to bring handcuffs onto an airplane?

**Mr. Kevin McGarr:** Again, very respectfully, that is a policy decision.

**Hon. John McCallum:** Pardon?

**Mr. Kevin McGarr:** That is a policy decision that was made, and Transport Canada would be the much more appropriate authority—

**Hon. John McCallum:** Did Transport Canada ask for your advice on either of these issues, the handcuffs or the blades, and if so, what advice did you give them?

**Mr. Kevin McGarr:** We were consulted through the substantive review process. However, the decisions to harmonize the prohibited items list were solely the decisions of Transport Canada.

**Hon. John McCallum:** Did they ask for your advice on the issue, and if so, what advice did you give?

**Mr. Kevin McGarr:** The opinion we expressed was that we believed that harmonization with the international lists is a positive step for travellers.

**Hon. John McCallum:** That means you, yourself, favoured allowing the small blades and handcuffs onto the planes.

**Mr. Kevin McGarr:** That's not quite exact, sir. We were not consulted on all of the components that led to the decision of Transport Canada.

**Hon. John McCallum:** I mean, harmonization is sometimes a good thing, but it's not the be-all and end-all if you're harmonizing to something that's dangerous.

**Mr. Kevin McGarr:** I agree, and there were many components to the decision, which is why I believe that Transport Canada would be the appropriate authority to respond to that question.

**Hon. John McCallum:** Okay.

On another subject, we understand you're beginning a pilot program of behavioural screening at the Vancouver airport. We also understand that in the United States they had a similar program, which they extended nationally, and they were criticized by the Government Accountability Office for not truly evaluating the results of the pilot. Can you explain how your pilot will work and how you will avoid those problems they had in the U.S?

Also, one point that's important to me is that if people are sort of wandering around the airport locating suspicious-looking people, what criteria do they have and what guarantees are there that this won't degenerate into some sort of racial or religious profiling?

• (1115)

**Mr. Kevin McGarr:** CATSA started a pilot program two weeks ago on passenger behaviour observation. CATSA's involvement in this program, this pilot project, is limited to the screening checkpoint and the queueing area, so it is not an airport-wide initiative, but rather focused on the screening checkpoint.

The behaviour officers are trained to identify unusual behaviours for that circumstance, and if unusual behaviours are detected passengers are directed to a secondary screening measure. That is the extent of the program to date. CATSA has committed to document all the interventions that occurred during the pilot project and report back to our regulator, who has also committed to reporting back on the program before it is rolled out nationally.

**Hon. John McCallum:** What sorts of behaviours would be considered unusual?

**Mr. Kevin McGarr:** I cannot get into the specific characteristics that are subject to be identified within the program. However, if I can give an example that has already been published in the past, someone appearing at a checkpoint in summer wearing heavy winter clothing would be considered unusual behaviour.

**Hon. John McCallum:** Another concern we had is the allowing of handcuffs and knives or blades onto planes, in conjunction with cutting back on the air marshals, which was reported in the press a while ago. Can you comment on the air marshal program? Probably not.

**Mr. Kevin McGarr:** CATSA has no involvement with the air marshal program. The RCMP manage the program.

**Hon. John McCallum:** Thank you very much.

**The Chair:** Mr. Guimond.

[Translation]

**Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ):** Thank you Mr. Chairman.

Mr. McGarr, how long have you held your position?

**Mr. Kevin McGarr:** As president?

**Mr. Michel Guimond:** Are you the president and chief executive officer?

**Mr. Kevin McGarr:** Yes.

**Mr. Michel Guimond:** How long have you held the position of president and chief executive officer?

**Mr. Kevin McGarr:** For just over two years.

**Mr. Michel Guimond:** For just over two years. Who did you take over from?

**Mr. Kevin McGarr:** Mr. Jacques Duchesneau.

**Mr. Michel Guimond:** How long was Mr. Duchesneau in that position?

**Mr. Kevin McGarr:** I believe he held that position for just over five years.

**Mr. Michel Guimond:** Were the reasons for his departure made public?

**Mr. Kevin McGarr:** There were news releases giving the reasons for his departure at the time. Yes.

**Mr. Michel Guimond:** News releases provide the true reasons for his departure. Because it is written in a news release, is true?

**Mr. Kevin McGarr:** In our case I think so.

**Mr. Michel Guimond:** Last summer, at the end of June or beginning of July, two women were filmed at the Montreal Airport. I do not call it the Trudeau Airport because I am a member of the

Bloc. I still call it the Dorval Airport. At Dorval Airport, apparently two women did not take their veils off in front of two Air Canada employees, before boarding the plane.

What happened with that? What was the final outcome? Was your administration concerned?

• (1120)

**Mr. Kevin McGarr:** The incident you are referring to does not at all involve CATSA. This is an incident that occurred outside our jurisdiction.

**Mr. Michel Guimond:** So it falls under the air carrier's jurisdiction?

**Mr. Kevin McGarr:** And Transport Canada.

**Mr. Michel Guimond:** When you board a plane—

**Mr. Kevin McGarr:** That is my understanding.

**Mr. Michel Guimond:** Just before you board a plane, when you show your documents for the last time before walking onto the ramp that leads to the plane, there are no Transport Canada officials.

**Mr. Kevin McGarr:** No.

**Mr. Michel Guimond:** Therefore it is the airline's jurisdiction?

**Mr. Kevin McGarr:** That is correct.

**Mr. Michel Guimond:** What is the process regarding veils? I am not entirely familiar with this but I know that there is a burka, a veil, a niqab, a black veil that only allows the eyes to show.

What do you do when a veiled person is about to go through the scanner? What is the procedure?

**Mr. Kevin McGarr:** The procedure is the same for all passengers. They have to submit to an inspection. Thanks to the available technology, we are perfectly able to operate regardless of the clothing being worn, whether that be clothing on the head, the face or the body.

**Mr. Michel Guimond:** No, no, no! At the point of boarding you show your boarding card! You should be signed up with the Grands Ballets Canadiens or with *Holiday on Ice* at the Montreal Bell Centre because you really are quite the fancy skater!

At what point in time do you have to remove your veil to show your face? If I go to the airport and I take out my passport, the person can see that it is truly me. However, if I am wearing a veil...

What are the security measures? What do you do? Don't tell me that the same procedures apply to these individuals. What do you do in that type of case? Under your regulations, must that person remove her veil?

**Mr. Kevin McGarr:** That individual must identify herself to the airline, as you mentioned. At the checkpoint, there is no requirement for identifying yourself.

**Mr. Michel Guimond:** Therefore the responsibility lies with the airline: the airline must ensure that the individual boarding the plane is the person who appears in the passport photograph.

**Mr. Kevin McGarr:** The airline ensures that the individual boarding the plane is the individual the boarding pass was issued to.

**Mr. Michel Guimond:** Fine. I am not trying to be ironic but I have to say that I appreciate the detail.

Let's take an airline that is being rather complacent and whose staff are not doing their work properly... Do you have any authority over them? Once the pat-down has been done and the boarding pass has been displayed... You need to show your boarding pass before you have access to the restricted area.

**Mr. Kevin McGarr:** Yes. Every one at the checkpoint has to prove that they have a document that gives them access to the restricted areas. Before entering those areas, those individuals are checked by the checkpoint agents. That is where our involvement ends.

• (1125)

**Mr. Michel Guimond:** Your responsibility as the Canadian Air Transport Security Authority ends there.

**Mr. Kevin McGarr:** Yes.

**The Chair:** Thank you Mr. Guimond.

Mr. Bevington, you have the floor.

[English]

**Mr. Dennis Bevington (Western Arctic, NDP):** Thanks, Mr. Chair.

You know, travelling from the north as much as I do, with lots of people who are working in our northern conditions, where they're going from minus 30 in Inuvik down to plus 20 in Toronto, I'm a little concerned when I hear that there's a blanket provision about wearing heavy clothes in the summertime. I hope that the passenger identification is more sophisticated than that and that what you're talking about is a program that understands the nature of air travellers. Is that not what you're really trying to do here, to get to a point where the people who are in security actually have an awareness of the type of people they're dealing with?

**Mr. Kevin McGarr:** Exactly; it is unusual behaviour.

As you've stated, in the circumstances of someone leaving the north, it would be very usual to have heavier clothing.

**Mr. Dennis Bevington:** Or going to the north.

**Mr. Kevin McGarr:** Or going to the north. Absolutely.

**Mr. Dennis Bevington:** I think I'd like to hear that such a kind of understanding is more a part of passenger identification.

**Mr. Kevin McGarr:** Of passenger observation.

**Mr. Dennis Bevington:** I mean observation.

**Mr. Kevin McGarr:** Yes, it is, sir.

**Mr. Dennis Bevington:** Okay.

Perhaps, then, you could go a little more into how you're designing this program, so that we understand better how you're working to open up the lines to those who are less a potential risk to the travelling public.

For instance, we had evidence in front of our committee that in many regional airports the security people are sitting having coffee with the airport staff or the airline pilots or attendants and then having to take them through security at the same time.

Is there going to be some understanding of the nature of the different roles that people perform in the system and their need for security, as in the case of airplane personnel, for instance?

**Mr. Kevin McGarr:** The short answer is yes; however, as I mentioned earlier, I would not speak to the policy decisions of Transport Canada as to who must be screened, or things like that.

**Mr. Dennis Bevington:** But I'm talking about your identification system.

**Mr. Kevin McGarr:** Oh, absolutely, issues like that will be considered in the development of the program.

**Mr. Dennis Bevington:** We talk about international standards. When you're flying on an Air Canada plane from Toronto to New York and then from New York back to Toronto, in the past there would have been two standards for what could come on that plane, one going to the United States and one coming back.

**Mr. Kevin McGarr:** Yes.

**Mr. Dennis Bevington:** You had a particular issue with that. Did you consider it to be a useful procedure to have the same flight crew having to deal with different standards related to where they're flying to and where they're coming from?

**Mr. Kevin McGarr:** It was a situation that I believe complicated the travel process for a number of passengers, absolutely.

**Mr. Dennis Bevington:** Concerning the NEXUS cards, we had testimony from the Israelis that up to 50% of their passengers have pre-security clearance cards. The NEXUS cards seem very difficult to obtain. Are you looking at setting up a procedure to open up the availability of NEXUS cards in a better fashion to Canadian travellers?

**Mr. Kevin McGarr:** The NEXUS program is administered by the Canada Border Services Agency with the American border services group also, so admission is 100% an issue for Canada Border Services Agency.

• (1130)

**Mr. Dennis Bevington:** So you haven't considered setting up a separate program or a separate sequence for NEXUS cards for air travellers?

**Mr. Kevin McGarr:** For the moment, we have not, no.

**Mr. Dennis Bevington:** Is that something that would be a possibility in the future?

**Mr. Kevin McGarr:** I would hope we would fully leverage the existing capability of the NEXUS program run by CBSA, but it is something that could be considered in the future.

**Mr. Dennis Bevington:** Certainly there's a different level of security for crossing a border in a vehicle from that for entering onto an airplane to cross a border. Within Canada, we've already seen that the U.S. has given an exemption in terms of what they consider security for domestic-to-domestic flights in Canada; they don't consider them a higher level of security. Why would we then only have air security clearance cards that meet this cross-border standard, when we're trying to reduce the amount of work we have to do on security and take people out of the system? Why wouldn't we be looking at air security cards for internal use in Canada?

**Mr. Kevin McGarr:** For the moment, what we are trying to do is leverage the security value of the background checks that are conducted by both the Canada Border Services Agency and the U.S. Customs and Border Protection organization. That is the security value that we are trying to integrate into the screening process.

**Mr. Dennis Bevington:** But surely there are lots of travellers in Canada who don't go across to the United States and who don't need to have their security clearance through the United States. The U.S. has agreed, on the overflight issue, to give an exemption for domestic-to-domestic flights, so obviously they don't consider those to be at the same high level of security as the international flights are. Why can't we see a system that recognizes that within Canada?

**Mr. Kevin McGarr:** As I said, what we are trying to do is recognize the security value of the background checks that have been undertaken by these other agencies so that we can promote a "trusted traveller" line for domestic flights within Canada. Whether there will be opportunities to expand that in the future is something we will remain open to.

**The Chair:** Thank you.

Mr. Mayes.

**Mr. Colin Mayes (Okanagan—Shuswap, CPC):** Thank you, Mr. Chair.

Thank you, gentlemen, for being here today.

I applaud the changes in policies or procedures that are going to make the security checks, I hope, more efficient and effective on the ground. One thing, though, is that while regulations are good, it's really a question of making sure that those who administer the regulations understand them and are apprised of them and have the ability to use a little bit of common sense on the floor.

In my experience—of course, all MPs do a lot of flying—it has been very interesting to see different levels of security, whether it's that at one airport you have to take off your shoes and at another... They always stop my wife and ask her about the tweezers in her beauty kit. She'll say that it's online—"I checked online"—and they will go and check with the supervisor and say oh yes, it's online. These types of things are all about implementation and educating those people on the front line.

What is going to happen with trying to ensure that these new policies and procedures are going to be well understood by those administering them, and that we're going to see some consistency across all the airports in Canada?

**Mr. Kevin McGarr:** Subsequent to the announcement by the minister, we have developed a very thorough rollout implementation plan for these new measures. There are bulletins being sent to screening officers; we are using shift briefings to promote consistency across a region; we are meeting with screening officers in town hall groups in a town hall type of environment to try to ensure that they understand very well what we are trying to achieve by this. We have also developed a new training module that focuses on these changes.

We believe that the message not only about what has to be done but also why we are doing it and how it should be done will be well received by screening officers. This is a process that is ongoing right now.

• (1135)

**Mr. Colin Mayes:** Just out of curiosity, do you have any input into oversight as far as criteria for hiring are concerned? For instance, we talk about behavioural identification. Sometimes when

you're hiring people, you should make sure that you have people who are conducive to what they call "customer service". Do you have any influence on that at all? Is anything like that made known to those who are providing the service?

**Mr. Kevin McGarr:** With respect to the behaviour observation program, it is one of the priorities of the program. For the moment, for the purpose of the pilot project we are conducting, we are using CATSA training officers and CATSA oversight officers to conduct the pilot project. We are developing the competency grid we will use to eventually hire officers for this, if the program becomes a reality.

So it will be first in our thoughts in recruiting the right people for this. We understand and agree that it is critical to the success of the program.

**Mr. Colin Mayes:** Just to follow up on what I see as your organization and your job, it's not only to ensure that the policies are carried out that are directed by the minister and the Government of Canada, but also to look at those operations and have some oversight and say "Hey, this is not working", and make recommendations. Do you do that on a consistent basis?

**Mr. Kevin McGarr:** Yes, we do.

**Mr. Colin Mayes:** And getting back to what Mr. Bevington said, I really agree with what he has said. Have you made a recommendation to the department with regard to travel security cards, that people be pre-approved? People like Canadian Forces personnel, stewardesses, and the pilots of airplanes, why should they have to go through the same security check that the average passenger does? Have you made any recommendations with regard to that?

**Mr. Kevin McGarr:** We are working with Transport Canada currently. As I said in my opening remarks, I believe we're actually working very well with them, also, to move forward on initiatives that could enhance aviation security in Canada.

One of the issues with respect to expanding the admissibility to the trusted traveller lane is that there are approximately 125,000 airline industry workers who have undergone transportation security clearances, and we feel this is an opportunity. This is an issue we are looking at with Transport Canada, whether we can admit people who have received transportation security clearances also to this trusted traveller lane.

So the short answer to your question is yes, we are looking at opportunities to expand the program with the regulator currently.

**Mr. Colin Mayes:** As to the harmonization of various articles that can be carried on an airplane, that are allowable, it's almost a tiered thing. You can't say we're going to harmonize as the other countries do, but they might have other tiers that sort of are a safety check against some of those materials. So the structure of what you've done, have you basically blended that, so the model is similar to those of our international partners we're harmonizing to?

**Mr. Kevin McGarr:** Again, the prohibited items list is managed by Transport Canada, and the harmonization that they are seeking to achieve is with the International Civil Aviation Organization, with which we are a signatory, and the Transportation Security Administration in the U.S. That is the work Transport Canada has been undertaking over the last while.

•(1140)

**The Chair:** Thank you. I have to stop you there.

Mr. Dhaliwal.

**Mr. Sukh Dhaliwal (Newton—North Delta, Lib.):** Thank you, Mr. Chair.

Thank you to the panel members.

I've been listening to the comments made by one of my friends with the separatist Bloc Québécois and either their ignorance or their intolerance towards minorities. But I just want to clarify this question about the people who come to the security, whether they have a burka or the veil on. Have you encountered any—

**The Chair:** Monsieur Guimond on a point of order.

[*Translation*]

**Mr. Michel Guimond:** Point of order.

I was reading something. My colleague is accusing me of expressing intolerant comments about the burka, the niqab, and other such things? I would like him to clarify that. I will even listen to the interpretation in order to make sure of this, before going any further.

[*English*]

**The Chair:** It's not a point of order. If Mr. Dhaliwal wants to clarify his position, he can, but it is his allotted time to ask questions.

Mr. Jean on a point of order.

**Mr. Brian Jean (Fort McMurray—Athabasca, CPC):** I would like a clarification on that as well. I didn't have good translation. I was quite disturbed by what I thought I heard, and I would like to have it confirmed as well, please, if I could.

**The Chair:** Again, it's not a point of order. You can ask for clarification. If Mr. Dhaliwal chooses to re-ask his question, he can. Regrettably, it would go against his time.

Mr. Dhaliwal.

**Mr. Sukh Dhaliwal:** Is it going against my time?

**The Chair:** Not as we speak, but as soon as you start, unless you're going to respond to the non-point of order.

**Mr. Michel Guimond:** We'll give you a time credit. We're paying.

**Mr. Sukh Dhaliwal:** If it's going to be taken out of my time, I won't. I already said what I said and I meant it.

**The Chair:** Continue, please.

[*Translation*]

**Mr. Michel Guimond:** He doesn't have the heart to repeat it.

[*English*]

**Mr. Sukh Dhaliwal:** Have you encountered people coming to security wearing those veils or the burka, and did you see any difference? You don't see an ID, whether it's my friend the separatist or me walking through security; all you look at is the boarding pass, and you don't need to look at the identity. Have you encountered any specific problems with those types of people?

**Mr. Kevin McGarr:** Not that I am aware of, no, sir.

**Mr. Sukh Dhaliwal:** Thank you.

On the other issue, Canada's airport security fee is one of the highest in the world. Recently we have found that there are no efficiencies. What are you doing to make sure you reduce those costs when it comes to the security issue?

**Mr. Kevin McGarr:** Sorry, sir, I missed part of the question.

**Mr. Sukh Dhaliwal:** When I looked at the recent review about CATSA's efficiency or even when I travelled across the world, if I look at the attitude of your officials on the security desk or I look at the time it takes to go through those lineups, I don't find it very efficient, but still the costs are very high. What are you doing to reduce those security costs?

**Mr. Kevin McGarr:** The most significant initiative we are undertaking with respect to efficiency, as I referenced in my opening remarks, is the request for proposals we have currently published to enter into new contractual agreements with service providers. The efficiency of the operations will be one of the very important determining factors of the evaluation of the bids we receive.

We are currently working with contracts that were negotiated in 2004. We recognize there have been a number of opportunities to improve since then, and this will be an opportunity for CATSA to normalize our contractual arrangement with service providers with a very definite look to increasing the efficiency of our operations while maintaining the security value of the screening experience.

•(1145)

**Mr. Sukh Dhaliwal:** You have installed those full-body scanners. Have they found any real threats in their first year of operation?

**Mr. Kevin McGarr:** Our screening operations have not detected threats of the types of explosives that could be carried on the person during the course of the year.

**Mr. Sukh Dhaliwal:** On the other note that you mentioned, the behaviour of the recent program is only restricted to the screening area. Why is it only restricted to the screening area and not beyond that? Would you like to see that?

**Mr. Kevin McGarr:** For the purpose of the pilot project that CATSA is currently conducting, our activities are limited to the area of the screening checkpoint. I do believe there is security value. If that program is introduced nationally, I believe there is an opportunity for tremendous security value to work with our stakeholders both in the airline industry and the airport community to put the principles in place throughout the system.

**The Chair:** Thank you.

Monsieur Asselin.

[*Translation*]

**Mr. Gérard Asselin (Manicouagan, BQ):** My question is about security and about items that are allowed through the checkpoint. Are the rules less strict now in 2011 than they were in 2006 and 2008?

In the document that we were given this morning, I can see that in 2006 and 2008, the following items were prohibited: ice skates, duct tape, metal handcuffs, tie wraps, that today are often used by security guards, even by police officers, and that are used instead of handcuffs at times.

According to this document, these items are currently allowed through the checkpoint with your boarding pass and passport, in other words these items are allowed on board. When a 20-strong hockey team boards a plane, there are 20 pairs of skates. If a team of 20 figure skaters board a plane, there are just as many skates on board.

I do not understand this because in Labrador City and in Wabush, I almost had to undergo a strip search because I had two lighters in my pants pocket. I had to take off my shoes, my socks, my shirt and my jacket. I only had my pants on when I went through because of two lighters in my pocket. That's number one.

Second, I would like to understand the percentage of individuals: does 1 individual out of 10 get searched, 2 out of 10, or 3 out of 20, regardless of why? If you are the 12th individual, you are the one who will be searched.

I will give you an example. I am not someone who takes a plane very often, but I do at times. At the checkpoint in Baie-Comeau, the same thing more or less happened to me. I had to take my shoes off, my jacket, go through four or five times, go out, come back, because of their security measures. Unfortunately, there were no men available to conduct a strip search; there were only two women that morning at the checkpoint. That is why I was not strip searched. I had to do everything at the checkpoint, I delayed everyone, and then the checkpoint officers apologized and told me that even though they had known me for a long time, even though they knew I was a member of Parliament, I was the individual assigned to a search. If that individual was the 10th individual, then that was me. It happened to be me. The 20th individual was also searched.

Why is that? If you have any doubts about people, I agree, and it makes me feel safer. When I board a plane, I feel safe because I know that there is a checkpoint and things are done properly. But 1 individual out of every 10? The 8th individual gets a free pass but the 10th individual does not, even though they do not have anything on them. They are just checked because according to the standards, the 10th individual has to be searched. If you happen to be number 10, then you are just about strip searched.

I was not strip searched in Baie-Comeau. I was told I would have had to go into the room, but because there were only two women, and because I am a man and there were no men there that morning... They apologized but they explained that this had happened because I was the 10th individual. I was told that. I was the number that had to be searched. I don't understand: because I had two lighters in my pocket—at the time I used to smoke—I was almost strip searched.

They go as far as removing toothpaste tubes. I have seen that at the checkpoint. And yet, 20 pairs of skates, duct tape, metal handcuffs and tie wrap are allowed on board. For goodness' sake!

It is rather difficult to understand this document. Has there been a relaxing of security in 2011, compared to 2006 and 2008? If so, I feel less safe.

•(1150)

**Mr. Kevin McGarr:** As I explained earlier, the rationale behind the changes made to the list of prohibited items is defined by Transport Canada. We as operating officers respect regulations as defined by Transport Canada.

**Mr. Gérard Asselin:** It is not Transport Canada that issued this information this morning.

[English]

**The Chair:** I have to stop it there.

If you want to respond, Mr. McGarr, I'll let you finish. If not, I'll move on.

[Translation]

**Mr. Kevin McGarr:** I would simply like to specify that it is Transport Canada and not CATSA that determines which objects are permitted and which are prohibited.

[English]

Thank you, sir.

**The Chair:** Ms. Gallant.

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Thank you, Mr. Chairman.

Before I begin, if the chair will allow, I'd like to provide one minute to our colleague Mr. Dhaliwal to answer Mr. Guimond's question. It will help me in the questions that I ask of our witnesses. I give my time to Mr. Dhaliwal.

**The Chair:** I'm guessing that he has nothing more to say.

**Mrs. Cheryl Gallant:** Just to answer the question...

**Mr. Michel Guimond:** I will read the blues when I will come back.

**Mrs. Cheryl Gallant:** Can you tell me—

**Mr. Sukh Dhaliwal:** I can speak if she wants to give part of her time.

**The Chair:** She's giving you a minute for an explanation. Fire away.

**Mr. Sukh Dhaliwal:** Sure.

Mr. Chair, Mr. Guimond approached my colleague, Mr. McCallum, and he in fact asked if I called him racist, and I did not. There's no such thing as I called my friend a racist. That's all I would like to clear up.

Thank you.

**The Chair:** Ms. Gallant.

**Mrs. Cheryl Gallant:** Thank you.

**Mr. Michel Guimond:** I will read in the blues exactly what you've said.

**Mrs. Cheryl Gallant:** To our witnesses, would you tell us how passengers—

**Mr. Michel Guimond:** Maybe I misunderstood. I will read the blues.

**Mrs. Cheryl Gallant:** —are going to benefit from the changes that are going to be made at checkpoints across the country?

**Mr. Kevin McGarr:** Some of the most important improvements I think are going to be on the actual throughput of passengers. The changes that have been proposed will allow us to increase the passenger throughput, which will allow us to reduce the waiting time for passengers as they go through the screening process. The process will be more efficient. The harmonization will allow for less confusion as to what is permitted and what is interdicted in the restricted area. It will allow, also, screening officers to concentrate more on some of the items we really want them to focus on, and that it is improvised explosive devices or any components that can be found in carry-on luggage.

• (1155)

**Mrs. Cheryl Gallant:** We understand that CATSA receives complaints from passengers who had to surrender items such as small tools and scissors during screening. Do you believe that these changes will increase passenger satisfaction?

**Mr. Kevin McGarr:** I do.

**Mrs. Cheryl Gallant:** Will the changes to the prohibited items list result in higher throughput and more efficient operations?

**Mr. Kevin McGarr:** Yes. As I stated, I believe that not only will operations be more efficient because it will be easier for passengers to comply with harmonized lists, but it will also be more effective because screening officers will be able to better concentrate on more significant threats that could be present.

**Mrs. Cheryl Gallant:** Will these changes in any way make air travel for Canadians more dangerous?

**Mr. Kevin McGarr:** I do not believe so, no.

**Mrs. Cheryl Gallant:** You mentioned small scissors, six centimetres. How do you measure that? Is that from the tip of the handle to the point?

**Mr. Kevin McGarr:** With respect to scissors, it is from the fulcrum, the point at which the blades, if separated, would be joined.

**Mrs. Cheryl Gallant:** What is the penalty for carrying scissors or tools over six centimetres?

**Mr. Kevin McGarr:** There is not a penalty, per se. They are not allowed in the restricted area, so a passenger having an item that is prohibited has a number of options: they can put it in their checked luggage, they can give it to a friend or a greeter who is with them, they can mail it back to themselves, or they can surrender it at the checkpoint. The only rule is that they may not enter the restricted area with that item in their possession.

**Mrs. Cheryl Gallant:** On September 11 the hijackers who seized airliners used box cutters to attack some of the crew and passengers. How will Canada prevent the same thing from occurring?

**Mr. Kevin McGarr:** Overall, I believe to answer that question we have to look at the comprehensive security system that is in place. There are many layers to the security system currently in place in Canada, and I believe the layers that are in place address the security requirements of Canadians in order that they be confident that when entering the restricted area they are secure.

**The Chair:** Thank you. I have to interrupt there.

As our time is drawing to a close, I want to thank our guests for being here.

If I may make just one comment, in your opening comments you talked about internal changes to improve the quality of service delivery. I think if there's one thing that MPs hear consistently it's exactly that. I think the people who work in those positions have to become more consistent in their work across the country. I think they have to become more professional in their behaviour and in their treatment of passengers. And on your suggestion that you're looking at improving the level of quality of service, I hope that is achieved, because I think that's one issue that will undermine your ability to continue to grow your operation and provide that service. It's about professionalism and treating the customer with the right kind of care.

Thank you very much.

**Mr. Kevin McGarr:** I agree with you 100%, and thank you.

**The Chair:** Thank you.

We're going to take a two-minute recess while we reload our witness stand.

We're suspended for two minutes.

• (1155)

\_\_\_\_\_ (Pause) \_\_\_\_\_

• (1200)

**The Chair:** Welcome back to the Standing Committee on Transport, Infrastructure and Communities.

Joining us now, from the Canadian Union of Public Employees, is Mr. Richard Balnis, senior officer, research.

Obviously you've also been here enough times to know the process, so I'll ask you to make some opening comments and then we'll move to questions.

• (1205)

**Mr. Richard Balnis (Senior Officer, Research, Canadian Union of Public Employees):** Thank you, Mr. Chairperson.

We have distributed three documents to you, entirely in English and in French.

We appear today on behalf of the Canadian Union of Public Employees. The airline division of CUPE represents about 9,500 flight attendants at Air Canada, Air Transat, Calm Air, Canadian North, CanJet, Cathay Pacific for the flight attendants based in Canada, and First Air.

On January 28, 2011, we urged Minister Strahl, in the strongest possible terms, to not proceed with the proposed changes to the prohibited items list—PIL—without full public scrutiny and proper understanding of the implications of the changes being made. That letter is attached as the third item in your package. It is in English and French. We have yet to receive a response from the minister.

As that letter explains, we cannot ignore the lessons of history when it comes to security. Legal bladed weapons of less than 3.5 inches in length were the weapon of choice in the 9/11 attacks. Transport Canada, and in particular CATSA—and we will go through CATSA's involvement in this policy development—continue to refuse to see the slashing potential of such bladed weapons.

The presence of previously restricted PIL articles on our aircraft affect the security and the ability of flight attendants to maintain good order and discipline in the cabin when dealing with disruptive and unruly passengers. In the unique environment of our aircraft at 35,000 feet, real help could be hours away. The government has decided recently to reduce the number of RCMP armed police officers, or what people call marshals, on board our aircraft by 25%, further lessening the resources available to us. Pilots are not supposed to leave the cockpit. So even the most mundane item can become a serious threat in the hands of terrorists, suicide attackers, and even unruly and/or disturbed passengers. The aircraft cabin is no place for these items. We believe there are more effective alternative solutions without sacrificing current security or safety standards.

We are therefore disappointed that Transport Canada proceeded with these changes on February 3 without heeding our advice or meeting with us. We are saddened how government media relations have downplayed these changes to the prohibited items list, speaking only of the return of tweezers, toe clippers, and eyeglass screwdrivers, and cynically pitting the inconvenience of passengers facing long CATSA lineups against the maintenance of onboard security.

When Prime Minister Harper, on February 4, spoke of the Canada-U.S. perimeter security initiative, he said that Canada has strengthened the safety and security of travellers and cargo. This is not the case with the changes to the prohibited items list. The embrace of “risk management” in that joint statement will further dilute safety and security.

We have now had the opportunity to fully review all the changes to the prohibited items. It is in a document called TP 14628 E, which is available on their website—TP stands for Transport Publication. It is more than just the two changes announced in the news release. We have also found that changes recommended by a stakeholder working group in October 2008 did not find their way into the new PIL, blocked to a large extent by CATSA. We have also found, more seriously, that CATSA actually appears to be misinterpreting the PIL by allowing blunt-ended scissors in excess of six centimetres on board.

We have prepared a chart. It's English on one side and French on the other side. There are four columns there. The first column, previous PIL, was what Minister Cannon signed into force on December 11, 2006. The second column is the final report of the PIL working group that met from 2007 to October 2008. We were members, CATSA was a member, pilots were members, and other stakeholders were members.

The new PIL is what was announced on February 3 by the minister. And there is a CATSA operational PIL, on its website. We looked at it on February 4 and we looked at it last night. We can confirm what is there. It is there for travellers, and I guess screeners

as well, as part of their standard operating procedures to determine what actually goes on board. It is a very useful website and we would recommend that you look at it.

● (1210)

Based on that review, we have discovered that Transport Canada is allowing darts, hypodermic needles and syringes, hockey and figure skates, and restraining devices back on our aircraft.

And turning to page 3, as you can see in the chart under “Hypodermic needles/syringes”, the previous PIL prohibited it, the report of the working group prohibited it, and Transport Canada is now allowing it. But according to the CATSA website, they are still prohibiting it except for medical reasons and with needle guards.

This is a reasonable and practical arrangement that balances security with legitimate medical needs; however, what Transport Canada is now allowing, which CATSA does not appear to be allowing, is that you can board the aircraft with a syringe containing an unknown substance, claim it is HIV virus or something else, and expose crew and passengers to such threats—or even realities—on board an aircraft.

We do not know on what basis the department thought this scenario, brought from street crime, should be brought onto an aircraft. As we noted, it appears that CATSA is not following the Transport Canada PIL, if one reads the website.

Moving on to page 4, I think some members have already raised the fact that ice skates are now being brought on board. The prohibited items working group saw no need for their return, and they were banned by ICAO, the European Union, and the U.S.'s TSA. There is no reason for ice skates to be removed.

As members will have noted on page 4, restraining devices constituted a matter of considerable discussion. Reviewing duct tape, skipping rope, plastic and metal handcuffs, and so-called flexi cuffs, the PIL working group conducted a threat and risk assessment and concluded that at least metal and plastic handcuffs still had to be banned. They are banned in Australia. CATSA, in the final report, opposed this conclusion as their dissent, arguing that restraining devices are not a threat to aviation security despite the findings of the Transport Canada threat and risk assessment. After October 2008, somehow this CATSA argument won its way with Transport Canada, causing it to overlook its own threat risk assessment for these articles. All restraining devices are now permitted on board, along with straitjackets and whips.

This is a good example, in our view, of the department's fundamental misunderstanding of what the prohibited items list means for security and safety on our aircraft. Let's take the following scenario. Scissors under 2.5 inches in length are now permissible, and depending upon the make and model, without alteration they can be used to cut the plastic restraining ties used by flight attendants to deal with escalating situations involving disruptive or unruly passengers. Meanwhile, flight attendants can now be restrained by passengers bringing on board their own legally permissible metal and plastic handcuffs.

What logic is this—to make it easier to take and restrain hostages in a cabin? We don't know whether this scenario was even considered by the department. And if it was, why would we want to create such a situation on our aircraft?

Finally, on page 5 of my remarks, just to highlight them, is the point that a number of positive, progressive changes from the working group did not find their way into the new prohibited items list. Climbing crampons and boots and metal knitting needles, opposed by CATSA, did not find their way into the new PIL or the CATSA operationalized PIL, despite the results of Transport Canada's threat/risk assessment. Most importantly, CATSA's PIL on its website shows that CATSA now allows scissors with pointy tips under six centimetres—2.5 inches—but CATSA will also allow blunt-ended scissors of any length, including those in excess of 10 centimetres or more. These would be ferocious bladed weapons when those scissors are broken in two.

There is no basis for this distinction in Transport Canada's new prohibited items list or that of ICAO. Transport Canada's own threat/risk assessment makes no conclusion that blunt-ended scissors without any limit on length can be allowed back on aircraft. We believe CATSA has exploited a loophole that is based on the false premise, shared by many officials alike, that scissors can only be used to puncture and never to slash. This is simply wrong. Transport Canada must act to close this loophole in its version of the PIL on its website.

• (1215)

In our view, the changes to the PIL were not done transparently or with full information to all stakeholders. Mistakes have been made. CATSA appears to have been given far too much influence in this process—despite what the previous witnesses said—to the detriment of aviation safety and security. Obvious anomalies need to be corrected immediately, and other changes to the PIL need to be retracted.

I can respond on issues of international harmonization, but I'll do that in response to questions a little later.

Thank you for the opportunity to appear.

**The Chair:** Thank you.

Mr. McCallum.

**Hon. John McCallum:** Thank you very much.

Thank you, Mr. Balnis, for being with us.

I guess I'm trying to figure out the rationale for some of these actions. I can't really understand why it's a good idea to allow metal

handcuffs, for example, onto airplanes. I guess I'd like to ask you for two possible rationales.

In one of your documents, you say that one can kick down the pilot's door in 12 kicks, I think. One of the rationales for being a bit more easygoing on things like scissors is that the pilot's door is locked and you can't get access to the pilot. Can you elaborate a little bit on what you mean by 12 kicks and the degree to which the door to the cockpit can be forced open?

**Mr. Richard Balnis:** Transport Canada, in the documents that were with the February 3 announcement, talks of the hardened cockpit door. They say the aircraft can no longer be taken over, that it can no longer be turned into a suicide weapon.

Unfortunately, when you look at the certification standards of the door—and we have made representations to Transport Canada—they are designed to stop bullets going in, not stop force on the hinges.

We have spoken to RCMP marshals who are very familiar with the environment on the aircraft, and they have indicated that the door is at best a delaying tactic. This is not news. Anyone who looks at the certification standards will realize that the door is but a delaying tactic. We are not impregnable up there.

Regardless of whether we are impregnable or not, the flight attendants are in the cabin dealing with whatever situation is there. Pilots cannot come out any more; they should not come out any more. Flight attendants now have to deal with the cabin on their own, with fewer resources.

So it's for those reasons.

As to their rationale for doing it, we were never given a disposition of dissent or comments after October 2008, when the final report was published. CATSA said that restraining devices are not a threat to aviation security. We were never told by Transport Canada that they agreed with them for such and such reasons even though their own threat risk assessment said they should be banned.

So we don't know why they went back; we were just told by Minister Merrifield that they're changing the PIL, and then on February 3 we saw this, and as we went through the list, we saw that there were more items than the small tools.

**Hon. John McCallum:** Concerning the air marshals, you said there was a 25% cut. Is that in the number of air marshals, or in the budget, or...? Can you tell us a bit more about that?

**Mr. Richard Balnis:** We raised this issue with Transport Canada at the end of November and said we understood there had been a 25% cut and asked what Transport Canada had done about it. We were advised by the officials that they were not consulted, that it was simply a directive from the central organs of government, as part of their budget review, to cut 10% or whatever figure, and that is when the RCMP on its own decision cut air marshals by 25%.

Whether it's based on the budget, or the number of flights...they decide how they put on the flights. All we have is that it's a 25% cut. Transport Canada said they were not consulted; it was an RCMP-only decision to respond to the directives of central organs of government to cut the budget.

**Hon. John McCallum:** Thank you.

In terms of harmonization, one rationale for these changes could be that they are harmonizing with other countries such as the U.S. or the U.K. or whatever. Can you tell me, concerning the examples on your chart—the handcuffs, the needles or syringes, or the pointed scissors under six centimetres—whether those items are justifiable? I wouldn't justify them, but could they be justifiable in terms of harmonizing with other countries?

•(1220)

**Mr. Richard Balnis:** In preparation for today's testimony, I looked at exactly those items.

The ICAO list provides illustrations, very much like the Transport Canada list. ICAO allows knives under 2.5 inches on board aircraft. We do not allow any knives, because Transport Canada did a threat/risk assessment that said no. So we're already not in harmony with ICAO because we think the ICAO rules are too loose.

The U.S. allows scissors of up to four inches in length from the fulcrum and tools of up to seven inches. We only allow six centimetres, because our threat risk assessment determined that the U.S. rule was too dangerous.

Restraining devices appear to be allowed by ICAO and the European Union, but the good old Australians don't think handcuffs should be on board.

**Hon. John McCallum:** And the U.S.?

**Mr. Richard Balnis:** Yes, apparently, by the TSA.

It's a bit of a mix and match. On bladed weapons, we are not consistent with ICAO and the U.S.; we are fortunately more restrictive. On the case of restraining devices, I think the issue of safety I've tried to raise is more important. Ice skates were apparently banned back in 2008, but I haven't had a chance to catch up to date. The hypodermic needles are apparently only allowed for medical purposes in the U.S. I don't know why Transport Canada opened it all the way up; I think that's a mistake.

**Hon. John McCallum:** Okay. With respect to ICAO rules, each country makes their own. Are the ICAO rules supposed to be some sort of international guide?

**Mr. Richard Balnis:** It is a guide, sir.

**Hon. John McCallum:** Okay, thank you.

**The Chair:** Monsieur Guimond.

[*Translation*]

**Mr. Michel Guimond:** I would like to make a constructive comment to help improve your future presentations. You probably know that in Canada, the metric system has been in use for a number of decades. In your presentation, in the same sentence, you refer to both inches and centimetres. Perhaps I am a little slow, but it would be good for you to simply use the metric system. I can give you some examples.

You refer to the weapons used during the September 11 attacks, knives under 3.5 inches long. It is true they were used in American airspace where the metric system is not in use, but on page 2 of the French version, you refer to tools that are less than 6 centimetres long. On page 4, you refer to scissors under 2.5 inches long. It would be useful for people who do not use inches to be able to understand. My comment is not mean-spirited and, in fact, I commend you on the quality of your brief.

Your union represents only in-charge flight attendants and cabin crew members. It does not represent ticket clerks at boarding, those who would have allowed women wearing the burqa to board an Air Canada flight in Dorval. I would not want to be accused of intolerance. In any event, I will read the blues.

So you only represent people who work on board the planes. Is that correct?

[*English*]

**Mr. Richard Balnis:** There's someone called an in-charge flight attendant. At Air Canada, they're called the service director. We represent all the in-charge flight attendants and flight attendants on board the aircraft.

In the case you were referring to, the counter agents would have been represented by the CAW, the Auto Workers, not by us.

[*Translation*]

**Mr. Michel Guimond:** My colleague, Mr. McCallum, addressed the issue of the 25% drop in the number of police officers on flights, or air marshals. Was this information made public? Has it been put down in writing?

When it comes to security, we know a number of psychological factors may prevent terrorism and the fact that there could be air marshals on board could serve as a deterrent. Is there written evidence of this 25% drop in the number of officers?

•(1225)

[*English*]

**Mr. Richard Balnis:** There have been a number of media articles in April and May of 2010, and November and December of 2010, and I believe the Airline Pilots Association, ALPA, has written objecting to those cuts.

So is there a document? No. Are there media reports, yes.

[Translation]

**Mr. Michel Guimond:** In other words, because it is written in newspapers, it is true. Is that what you are telling me? I would not want journalists to start a war against me, but do you have written evidence of this? If so, I would like to have a copy of it.

[English]

**Mr. Richard Balnis:** Beyond the media reports, no, I have not, sir.

[Translation]

**Mr. Michel Guimond:** I have another question. You have heard Mr. McGarr, who testified before you. I think it is my colleague from Manicouagan who asked a question of Mr. McGarr regarding the preparation of the list for permitted and prohibited items. He said that Transport Canada drew up this list. He seem to be washing his hands of it: CATSA simply uses the list prepared by Transport Canada. Yet, you, in your brief, were far more critical.

I would like to get back to what you say on page 5 of your French document. You say "CATSA appears to have been given far too much influence in this process, to the detriment of aviation safety and security." You use the words "appears to have been given far too much influence in this process".

Does this mean that you do not believe Mr. McGarr when he states that CATSA indeed did not have a say as to the Transport Canada list? You do not believe that?

[English]

**Mr. Richard Balnis:** No, I don't believe that answer. CATSA was part of the working group. On these key items, such as restraining devices, they filed a dissent. They have had one line: "It doesn't affect aviation security." Between October 2008 and February 3, 2011, somehow Transport Canada agreed with CATSA, even though their own risk assessment said that metal and plastic handcuffs should not be allowed. What changed Transport Canada's mind? I don't know what changed Transport Canada's mind, but I know that the CATSA position prevailed.

What I am worried by is that in the last column of our chart they have gone further than the Transport Canada prohibited items list and allowed scissors with blunt ends in excess, as you said, of ten centimetres—or longer, without limit. They have gone beyond the prohibited items list on their website.

If that is what they are enforcing, I believe they are not in conformity with the Transport Canada prohibited items list that was announced by the minister on February 3. That needs to be corrected.

**The Chair:** Thank you.

Mr. Bevington.

**Mr. Dennis Bevington:** Thanks, Mr. Chair.

Thanks, Mr. Balnis, for bringing this to our attention. It's certainly given us a lot more information about the nature of what's going on than I think we got from CATSA earlier.

I want to get back to your concern about flight attendants. What is the level of in-flight safety and security training that flight attendants get? Do you think that under the current safety management system of our major airlines we're giving people sufficient training for

security? To my mind, probably the unruly passenger is the most likely source of a problem for an attendant in the plane.

• (1230)

**Mr. Richard Balnis:** I think we have to distinguish the training for safety under a safety management system and the training for security.

That issue of security training is now being reviewed by the department. They actually published changes to the Canadian aviation security regulations in the *Canada Gazette* last Friday. They will be publishing further changes, and we believe they will be diluting the training, as it stands now, unless we can convince them otherwise. On the issue of security, it is part of their regular annual recurrent training that they do scenarios with pilots. But we believe the training will be diluted in the new regulations coming up this fall of 2011.

**Mr. Dennis Bevington:** Do you think there is any merit in protective clothing for flight attendants that would eliminate the risk of their being stabbed or being slashed? Is that something that in any regard would be a safety feature that could add to the security of the personnel on board the airplane?

**Mr. Richard Balnis:** In reading the staff report to the 9/11 commission, you find that most witness reports that they had were about slashing of the throats. Unless you had some sort of armoured outfit, I don't think you would be protected.

A bladed weapon is what a police officer fears. I went to the United States to meet with some officials there, and they said, "If you point a gun in my face, it's really easy for me to get that gun away from you. But a blade I don't see coming."

I don't envision any of the airlines introducing that kind of protective clothing, particularly around the throat and other body parts. I don't think it would be effective, because even police officers with body armour can be slashed in the throat.

So I'll think about it, sir, but right off the top of my head, I don't think it will happen.

**Mr. Dennis Bevington:** When you think about it and think about weapons, you go through into secure areas and there are glass bottles available. All kinds of things are available that could be turned into weapons by anyone who had a malicious intent on board an airplane.

Wouldn't the most likely place to control this be during training, using those techniques to make sure that employees are as safe as possible, through the training they get, so they can deal with the situations that may come up?

**Mr. Richard Balnis:** At the present time, the training to evade and avoid a grasp is what is taught. Self-defence techniques to get away from you if you come at me are taught, but for me to attempt to deal with you in a more aggressive fashion, that is not taught today. We have had long and hard debates within our union on whether we wanted to do that, and effective training for you to be proficient in self-defence would take more than a day. It involves recurrent training. It involves many days over the year to be proficient in it. For a flight attendant who's five foot eight to bring down someone of your size, or anyone else's size, you need more than just a one-hour video. I'm using you because you asked the question.

**Mr. Dennis Bevington:** Yes. Thank you for that, because that's something I see as being preventive rather than reactive to issues.

I do see that if someone has malicious intent, then that's the problem. What we have with these scissors I think is a problem that has come with all the carry-on luggage. So many people have them in their manicure sets or moustache trimming sets, or whatever you have, and they're carrying them on the planes now because that's the nature of travel. You take your carry-on bag with those types of things in it. So I can understand there are two points of view here. One of them is that the passengers need to carry these things with them. They're going to another place and they need to have their scissors with them.

So there has to be some kind of... You can find threat in almost everything, but you have to decide. All these things have to be worked out in terms of risk and threat, and I'd say this particular one, the small scissors, is one that probably has brought more concern to individuals than any other item, because that's one thing that people will carry with them.

•(1235)

**Mr. Richard Balnis:** I understand, sir, but on other items that were announced by the minister that were ruled by the threat and risk assessment not to be brought on board, the minister changed his mind and went against the staff recommendation. On the matter of the scissors, two-and-a-half-inch scissors are sharp, and when broken in half can slit your throat.

**Mr. Dennis Bevington:** Do I have more time?

**The Chair:** You have 30 seconds.

**Mr. Dennis Bevington:** In terms of this issue with the staff of airplanes and their need to go through security, what's the position of the union on that? Do you want to see that opened up?

**Mr. Richard Balnis:** We have respectfully disagreed with our pilots on the issue of non-passenger screening. We believe that non-passenger screening, an ICAO recommendation, is operative with some of our international partners. At the present time we believe non-passenger screening, when crew go through the bypass doors and are searched, is a valid approach. It's not at 100%. It is not 100% in Canada, but for example if you go to London's Heathrow, it is 100% for all crew there.

**The Chair:** Thank you.

Mr. Jean.

**Mr. Brian Jean:** I thank you, Mr. Chair.

And I thank you, Mr. Balnis, for showing up today. I think you're the only one, in my five years or so of being the parliamentary

secretary here, who has actually been at more meetings than I have. You're at a lot of meetings, anyway.

I wanted to let you know, secondly, that I was a CUPE member back in the seventies. I feel I should call you brother, but I already have seven of them, so I won't call you that. But I do understand the union mentality, and I appreciate your standing up for the people you work for. I think that's very important.

Along with that, sir, I want to let you know I have been a super elite member for about six years now. I've been flying a lot. I fly all over internationally and otherwise, and I have to say that I think these moves by the Canadian government are good. Frankly, my understanding is that Canada's security system is much stricter about articles than many of the other countries around the world, including the United States. This will actually bring us back to a norm.

I want to understand exactly what the situation is, but I think there are 230 airlines that belong to the security perimeter. When I say security perimeter, I'm talking about international airlines that have agreements with other countries—115 countries in this case—where they have, in essence, a security perimeter around each of the airports, which creates a huge security perimeter around the world for international travellers. That's how I envision airport security, because not anyone can join the security network. Libya, for instance, can't fly planes into that security network. Only countries that actually belong to ITAC, I believe, and ICAO are allowed to be part of that international security perimeter. We in Canada now are bringing our rules into compliance with those other 115 countries that already have most of these rules. Is that fair to say?

**Mr. Richard Balnis:** I think the organization you were referring to is IATA. I think you said ITAC.

**Mr. Brian Jean:** Yes, I did. You're right—International Air Transport Association.

**Mr. Richard Balnis:** Yes.

I think I tried to respond.... The ICAO list allows knives under six centimetres. The Canadian government has not gone that loose, to its credit, because its threat risk assessment decided that those knives should be.... So we haven't harmonized fully with ICAO.

**Mr. Brian Jean:** I do understand that. We're not harmonizing with ICAO. I'm not saying ICAO. I'm saying the International Air Transportation Association is who we've harmonized with. There are 115 countries. I think that's one of the requirements. ICAO is, as well, which is based in Montreal. That's also a requirement, I believe, to be part of this international security perimeter.

What I'm trying to ask, sir, is does this not bring us into norms with all expectations of our international partners? For instance, you're in New York City, and the United States allows a minor hockey team to bring its skates on board. They fly to Canada. They have their little hockey tournament. And then they fly back, and they have to make other arrangements for their skates in order to fly back into the United States. So the perimeter is only as strong as its weakest point. That is my point.

Is that fair, Mr. Balnis? Is the international security perimeter the strongest at its weakest point? We've heard expert testimony of that before. For instance, once you're inside that international security perimeter, you can go anywhere inside that perimeter, in essence.

**Mr. Richard Balnis:** I'm not so sure of the role of IATA, because it is a voluntary association of airlines. I don't think it sets regulatory standards for governments to follow. Maybe the airlines do, but the prohibited items list I understand is regulated in this country by Transport Canada as an enabled document, and then it is put in force by CATSA.

You're absolutely right about the weakest point. If I came from New York, I could bring tools up to seven inches on board an aircraft. We think that is unacceptable. The U.S. flight attendants... It's into the system—

• (1240)

**Mr. Brian Jean:** I understand, but you're already in the system.

**Mr. Richard Balnis:** But it would be banned.

**Mr. Brian Jean:** Exactly. You're saying to us as a government, "Although it's okay for Americans to bring weapons that we don't consider to be dangerous...". And whether it be Great Britain or Europe or the United States, they can bring tools that they don't consider to be dangerous. But Canadians have to be inconvenienced, notwithstanding that somebody's already within that air security perimeter who has exactly what you're suggesting we don't allow in Canada.

It's not going to change whether people are safe or not safe within that security perimeter. It's not going to, because somebody from another place already did that. What you're asking us to do is actually inconvenience Canadians for absolutely no purpose whatsoever.

**Mr. Richard Balnis:** I disagree with this "for no purpose whatsoever", because you are diluting your security standards.

The threat risk assessment conducted by Transport Canada staff concluded, in this particular incident, that it is unacceptable to have tools of that length. They found the U.S. rule unacceptable, based on their transport risk assessment.

Is it inconsistent? Absolutely.

**Mr. Brian Jean:** Are you suggesting that everybody who gets off an airline in a Canadian airport has to go through security and get rid of anything they are allowed to carry through in the United States, or Europe, or some other place around the world? Are you suggesting that everybody who comes to Canada, before they're allowed into the airport, has to go through another security screening process and then comply with Canadian rules?

That's the only way we're going to make what you're suggesting of any value whatsoever.

**Mr. Richard Balnis:** We're not suggesting that people be rescreened when they come from the U.S.

**Mr. Brian Jean:** But what you're suggesting is that people from the United States are allowed to carry things into Canada, but people from Canada are not allowed to carry things into the United States or anywhere else within the system, even though those things are

already frequent among other international travellers who come into our system. They're already there.

So either we comply with our international partners and our norms and try to work together to have a consistent international security perimeter or else we have to create our own security perimeter and keep everybody out.

**Mr. Richard Balnis:** I think you're inventing a scenario that is designed to deflect from the issue we're raising. The Canadian standards are more strict. What you're saying is that because the U.S. or someone else dilutes it, we should therefore go to the diluted standard. We're suggesting that this erodes security.

When Prime Minister Harper stood with President Obama and said "we have improved security of passengers and air cargo", when it came to the prohibited items list he was not correct.

**Mr. Brian Jean:** I disagree with you, with respect, sir; I think he was correct. I think we have made great strides in the last five years in this country in relation to air cargo security and airline passenger security. I think we have. As well, we have to balance, of course, the convenience for passengers.

But I still come to the same point, sir. If we're allowing these people coming in from other countries into our security perimeter, and you're asking Canadians to do something different, which is not to carry certain things that are already within it, are you going to say to Canadians on the plane and Americans on the plane, you can carry different things, even though the Americans or the Europeans have all of these seven-inch tools or two-inch knives?

My understanding is that all knives are not allowed within that security perimeter at this stage, even though it may be recommended by ICAO. But you're suggesting that passengers from Canada be treated more inconveniently than passengers from the United States, even though they're ultimately going to end up in the same system.

I understand your position, sir, and that you're taking the position, I understand, of the people you work for, but the reality is that it's impossible to comply with what you're suggesting without creating our own security perimeter and without inconveniencing Canadians a lot—a great amount.

Those are all my questions.

**The Chair:** Thank you.

Mr. Byrne.

**Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.):** This has been an interesting exchange. The parliamentary secretary seems to be indicating that the axiom to "err on the side of caution" is not applicable in this particular circumstance, and that safety, when over-engineered, is not helpful to us. In fact, it appears that the argument is being made that if we have international aviation partners and destinations with less safe regimes than we have, we should adopt the less safe regimes.

Would that be a categorization of what you just heard, or would you agree or disagree with that?

**Mr. Richard Balnis:** I agree with your characterization of what I heard. The example I would raise is that Mr. Jean has indicated he's a long-time participant in these committees, and this committee has debated the ratio of flight attendants on board. There is a prevailing international standard of one flight attendant for 50 seats, and in Canada it is one flight attendant for 40 seats since 1971. For 39 years Canada has been different, and this committee has considered that issue. In fact, the Conservatives walked out of the committee after an appearance.

So in some cases Canada does have different standards from those in the rest of the world. I think your characterization of Mr. Jean's intervention is absolutely correct, and I agree with your characterization of it.

• (1245)

**Hon. Gerry Byrne:** It would appear to me that the events or the circumstances, the motivations behind decision points in aviation security, are reactive rather than proactive. They're event-driven, incident-driven.

We've had several instances of new, stricter provisions suddenly being announced and enforced. Is it your professional opinion that we'll probably have future instances in which we may have international strengthening or tightening of these regimes, as opposed to relaxation of the regimes?

**Mr. Richard Balnis:** Back in 1995, when airlines ran pre-boarding screening there was a debate over what is a weapon. It was decided by Transport Canada and the United States that for the interest of looking for explosives and the interest of improving throughput through checkpoints, knives of less than four inches should be allowed. Six years later, all the weapons that were used were legal to bring on board. So a loophole was exploited.

**Hon. Gerry Byrne:** Six years...?

**Mr. Richard Balnis:** That's from 1995 to 2011.

I don't want to be part of a debate here saying you're being unrealistic, you're being outside international standards, and we heard CATSA say "we're looking for more important things than explosives". I heard it from Transport Canada, and the same official who was there in 1995 is at ICAO, writing his ICAO rules.

I read the 9/11 commission staff report of what happened on each of those aircraft. We deal with our sister union in the United States, and Mr. Jean is right: I am representing the members. We believe this is a mistake creating an unwarranted loophole, and that we should not be loosening these standards.

**Hon. Gerry Byrne:** You've eloquently made the case that flight attendants are front-line security personnel. You've said so in your presentation. Especially with the reduction in air marshals, they're the only ones on board representing authority on an aircraft with a closed cockpit. What is the general perception of your membership—those front-line security personnel, we'll call them—to the constant changes, to the continuous moderation of these security standards?

**Mr. Richard Balnis:** We believe they are concerned, and we have invited our members to make their representations to Minister Strahl, objecting to this change. The world has changed profoundly since 9/11. You used to be able to take little kids to the cockpit, the door was

a sliding partition, the world was very different. Now you're constantly vigilant, trying to identify the passengers on board who could be a problem, and the stress level has increased. A number of concerns of flight attendants cover items allowed from regimes with looser...they have expressed that to us and that has animated what we hope is our representation to you to do something to stop this relaxation.

**Hon. Gerry Byrne:** I'll close with a quick comment saying that it just seems to me the ambiguity, the confusion among the travelling public, is indeed somewhat justified, given the fact that while we loosen and tighten restrictions on carry-on objects, we still have glass stemware available on flights, and those ground rules, those airside screening rules, are constantly in flux. Do you understand the frustration and the confusion within the travelling public about these rule changes and how they aggravate the whole flying experience?

**Mr. Richard Balnis:** I think people are getting progressively used to what's allowed on board, and these kinds of flip-flopping and inconsistencies only exacerbate.... We are entirely sympathetic with long lineups of passengers who have a very difficult time checking in, boarding their flight, and then they arrive at their aircraft, it's delayed and then they sit down and they're just aggravated and then we have to deal with that. We want to make their travel experience as comfortable as possible, so they're happy passengers, because a happy passenger makes the flight very easy.

**The Chair:** Thank you. I have to stop.

Mr. Asselin.

[*Translation*]

**Mr. Gérard Asselin:** Thank you, M. Chairman.

I asked questions of the witness who appeared prior to you, as to the list that was presented this morning. The list of items allowed on board was apparently much smaller in 2006 and 2008 compared to 2011. The previous witness did not seem to know what I was talking about. He simply said that it was not up to his agency to determine which items were allowed on board a plane or not.

I understand the need to strengthen security measures at checkpoints in airports, following terrorist attacks. When I am about to board a plane it reassures me to see how strict the rules are and to realize that I simply can't bring anything I like on board.

You cannot have two lighters or toothpaste larger than a certain size. However, we now are going to allow a hockey team to board a flight with 22 pairs of skates because there are 22 players. We will allow for duct tape on board because they need to tape their hockey sticks. They can bring scissors as well to cut the duct tape. They can carry the type of tie wraps often used by police officers as handcuffs or to tie people up. They can even carry metal handcuffs.

Well, what was prohibited in 2006 and 2008 is now allowed in 2011, something I do not find reassuring. It is not reassuring to passengers either, nor cabin crew. I'm wondering to what extent we intend to become more lenient. These types of items on planes may represent a danger.

I think Transport Canada is getting lax, allowing these items on board. Not only unions but members of the House of Commons should demand from Transport Canada that these items be prohibited on planes.

•(1250)

[*English*]

**Mr. Richard Balnis:** I entirely agree with you. In terms of the chart, what we did was speak on February 4 with the officials who drafted the list, and we confirmed everything that is in the third column. Based on the prohibited items list issue, it has been relaxed.... The CATSA witness didn't say that the prohibited items list alone was relaxed; he spoke of security in general. We just think you're creating a loophole.

What we haven't been able to confirm is exactly what the House of Commons.... We were going to bring in devices. The last time I tried to bring in devices under six centimetres, they were actually prohibited by your security. So the House of Commons has better security than the planes do when it comes to prohibited items.

I haven't checked to see whether that list has been relaxed, but I think it's now sort of black and ivory in terms of what is now allowed on board the aircraft as a result of February 3. In our view, it is an inappropriate weakening of the prohibited items list.

[*Translation*]

**Mr. Gérard Asselin:** Further to our study on aviation safety and security, would you like to see our committee support the union's position as to the prohibition of certain items?

I personally would have preferred limiting the number of items allowed on board rather than loosening restrictions. Would you like us to recommend in our reports that these items not be allowed on board planes?

[*English*]

**Mr. Richard Balnis:** If the committee could find its way to that recommendation, that would be very helpful to us, and we would thank you, sir.

[*Translation*]

**Mr. Gérard Asselin:** Thank you.

[*English*]

**The Chair:** Thank you.

Mr. Jean, you have about four minutes.

**Mr. Brian Jean:** That's perfect. Thank you.

Now, you've admitted, Mr. Balnis, that Canada currently has one of the strictest set of regulations in the world, out of the 115 countries within this international security perimeter. You've admitted that—is that correct, sir?

**Mr. Richard Balnis:** I honestly don't know the IATA international security perimeter that you're referring to, so I can't agree with that. In terms of ICAO rules and the other jurisdictions we looked at, I guess so; you're correct. But in terms of the 115-country security perimeter run by a private association of airlines.... I'm not familiar with it, so I can't admit to that.

•(1255)

**Mr. Brian Jean:** I understand.

Maybe you don't understand, and maybe I haven't communicated properly, that the security perimeter is the airport, sir, the international airports that are all connected by flights. That's the security perimeter. Inside of each of those airports is a perimeter, and those are guarded by people and countries and by police who guard that perimeter from terrorists. It's a perimeter, and they're all connected by flights, because once you get within that perimeter.... You're not searched once you're inside an airport, except the initial time that you go in. That's the point. That's the security perimeter.

But what I fail to understand, sir, is this. I'm going to give you a scenario.

You have a hockey tournament taking place in Halifax. Kids from New York and all over the United States fly up to Halifax, and they go through Toronto. So they fly from New York up to Toronto, and they carry their skates on the plane. Now a different group of individuals, but playing in the same tournament, come from Edmonton, and they fly from Edmonton to Toronto. They're not allowed to take their skates on. So we have these American team guys who are in Toronto with their skates, and we have people from all over Canada who have come for the same tournament, because they're going to fly from Toronto to Halifax, and they don't have their skates because they're not allowed to.

How does that make the stewardesses you represent any safer, with half of them on the plane, for instance in Toronto, going to fly to Halifax with skates and half without? There's no logic to me in that, sir. I'm trying to understand. I'm using skates.... I can't even imagine somebody running up and down the aisle of an airplane with a skate and terrorizing me. That's not going to terrorize me, to be honest. But I'm using this as an example.

As a criminal lawyer.... And the reason it's not terrorizing me is that in Fort McMurray, for more than ten years I saw people killed with bottles.... Well, I never saw them, but I saw the evidence afterwards; I saw the evidence of bottles. I even saw a person beaten to death with the jaw of a dead moose, believe it or not. Knives, bottles.... The worst weapon you can have in a bar is a broken bottle, and there are tons of bottles on airplanes all across the world. Zip ties also.... You mentioned handcuffs, but zip ties that riot police use throughout the world I don't think have ever been illegal on planes. But zip ties are as good as any metal handcuff. I'm not familiar with whether they have...except if they designated them as a restraining device before two years ago. Did they do that?

**Mr. Richard Balnis:** They were accepted for crews who have those on board.

**Mr. Brian Jean:** Zip ties, okay.

But you know what I'm saying. There are a lot of things that could be used as handcuffs. The curtains can be used as handcuffs. I just don't see how this is going to make any of your members safer if people within that international security perimeter—and in this case, 112 or 113 countries—are allowed to have all these things while Canada is going to be separate and apart and we're not going to allow people to have that, even though everybody else within that same system has those. How does that make the people you represent any safer?

**Mr. Richard Balnis:** In the limited time I have to respond, you're a very long-time traveller, sir, when you refer to flight attendants as stewardesses. We refer to them as flight attendants now.

In terms of your reference to skates, half skates, I don't think doubling the risk is the appropriate way to go on that issue.

On the question of glassware on board, we approached ICAO six years ago asking it to get rid of wine bottles, which was opposed by France, not surprisingly. So we have—

**Mr. Brian Jean:** All of the duty-free would be gone if they did what you're suggesting.

**The Chair:** We're running out of time. If you want to complete, I'll give you about 30 seconds.

**Mr. Richard Balnis:** Not other than to thank the committee for my opportunity to appear today and express our views, sir. Thank you.

**The Chair:** Thank you, and we appreciate your comments and input. As we write this report, we'll be remembering what you've told us today. Thank you.

For the committee, we meet again today at 3:30, on Bill C-33, and I hope everybody will be there.

The meeting is adjourned.

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