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Chair

Mr. Glenn Thibeault

Legislative Committee on Bill C-11

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● (1530)

[English]

The Chair (Mr. Glenn Thibeault (Sudbury, NDP)): I call the meeting to order.

Good afternoon, everyone, and welcome to the much-anticipated, long-awaited legislative committee on Bill C-11. I'd like to welcome everyone here today. I'm looking forward to being your chair. It's very exciting for me as well. I'm looking forward to some very positive debate.

We're trying to put forward an agenda today. We're starting off with committee business, so with that, I'm willing to open it up.

Mr. Mike Lake (Edmonton—Mill Woods—Beaumont, CPC): Mr. Chairman—

The Chair: I acknowledge right over here Mr. Lake, Mr. Angus, and then Mr. Regan.

Mr. Mike Lake: I think we have to go through the routine motions here. First off, I want to congratulate you, Mr. Chair. I look forward to working with you and with everybody else on the committee. It's going to be an interesting time. We really look forward to it.

With that, I'll just move that the committee retain, as needed and at the discretion of the chair, the services of one or more analysts from the Library of Parliament to assist it in its work.

The Chair: Great. Thanks. Is that agreed to by everyone?

(Motion agreed to)

The Chair: Awesome. Come on up. Welcome to our analysts.

Go ahead, Mr. Lake.

Mr. Mike Lake: Can I keep going? I don't know how we want to do this.

The Chair: Keep going.

Mr. Mike Lake: Okay. I move that the chair be authorized to hold meetings to receive evidence and to have that evidence printed when a quorum is not present, provided that at least four members are present, including one member from the government and one member of the opposition.

The Chair: Is that agreed?

Hon. Geoff Regan (Halifax West, Lib.): Pardon me, Mr. Chairman. I move that the motion be amended by replacing the words “and one member of the opposition” with the words “and one member from each of the opposition parties”. The quorum would require one member from each of the opposition parties.

The Chair: Okay, I'll open that up.

Mr. Mike Lake: I'm just basing this on the routine motion that we've adopted in the industry committee, of which you're a member as well. I've dropped the part about scheduled meetings outside the precinct, because we won't have any, but other than that, the motion is exactly what we have in the industry committee.

The Chair: Go ahead, Mr. Angus.

Mr. Charlie Angus (Timmins—James Bay, NDP): Obviously we all have a desire to be ready, willing, and able to deal with this important piece of legislation. The only question I have is that when we talk about a member of the opposition, the chair is a member of the opposition, so does that mean that if you call a meeting with him...?

I would imagine that the four should include one member of the opposition and one of the government, not counting the chair. That way we are ensuring that—

The Chair: Yes. I just need to—

Mr. Charlie Angus: The chair is bound to come because it's his obligation, but if it's one member of the opposition, I'm—

Mr. Mike Lake: He's the one who calls the meeting.

The Chair: I call the meeting, but this is a different committee. It's not a standing committee; it's a legislative committee. I'm here basically as the representative of the Speaker, so I don't take part in the debate and I can't vote. Just for clarification, there is that difference between a standing and a legislative committee.

Mr. Mike Lake: When we say “one member of the opposition” in this motion—because it's a typical motion—can we get a clarification from the clerk that does it not include Mr. Thibeault?

I see we have that clarification.

The Chair: All right. Is there any further discussion?

We have an amendment coming from Mr. Regan. Can you repeat the amendment, please?

● (1535)

Hon. Geoff Regan: It is that the quorum be four members of the committee, including one from the official opposition and one from the Liberal Party.

The Chair: All right. Here's what I have in terms of the amendment: that quorum be four members of the committee, including one from the official opposition and one from the other party.

Is there discussion?

Go ahead, Mr. Del Mastro.

Mr. Dean Del Mastro (Peterborough, CPC): Thank you, Mr. Chairman.

With due respect to all responsible members' efforts to be prompt and on time at committee meetings, this motion would actually render the committee unable to commence should a member of the Liberal Party, for some unforeseen reason.... It's wintertime, and they could slip and fall. Who knows? We couldn't actually commence the committee meetings if the member from the Liberal Party wasn't present, and there is only one member of the Liberal Party, so you would have all of the committee meetings effectively held hostage by the schedule of the Liberal member who might be attending that day.

I respect why it was brought forward and I understand why it was brought forward, but I would encourage members to vote against it.

Thank you.

The Chair: Is there any other discussion?

Mr. Dean Del Mastro: No.

The Chair: Okay. We will now vote on the amendment.

(Amendment negated)

The Chair: The amendment is defeated.

Mr. Charlie Angus: Sorry, Geoff; I never thought Dean would have such a reasonable position—

Some hon. members: Oh, oh!

The Chair: Okay. Now we are going back to the original motion that was brought forward. Is there any further discussion?

(Motion agreed to)

Mr. Mike Lake: We might as well continue with some basic motions.

I move that only the clerk of the committee be authorized to distribute to the members of the committee any documents, including motions, and that they be distributed to the committee members in both official languages. The clerk shall advise all witnesses appearing before committee of this requirement.

The Chair: Okay. Is there any further discussion?

(Motion agreed to)

Mr. Mike Lake: I'll keep going. I move that the committee authorize the clerk of the committee, in consultation with the chair, to make the necessary arrangements to provide for working meals as may be required, and that the cost of these meals be charged to the committee budget.

The Chair: Is there discussion?

(Motion agreed to)

Mr. Mike Lake: I move that, if requested, reasonable travel accommodation and living expenses be reimbursed to witnesses, not exceeding two representatives per organization, and that in exceptional circumstances, payment for more representatives be made at the discretion of the chair.

The Chair: Is there discussion?

(Motion agreed to)

● (1540)

Mr. Mike Lake: I'll continue. I move that each committee member in attendance shall be permitted to have one staff member attend any in camera meetings. In addition, each party shall be permitted to have one staff member from a House officer attend in camera meetings.

The Chair: All right. Is there discussion?

Go ahead, Mr. Regan.

Hon. Geoff Regan: Mr. Chairman, I certainly hope that we wouldn't have any in camera meetings and that our meetings would be in public, so I'm wondering why the government foresees the need for in camera meetings.

The Chair: Go ahead, Mr. Del Mastro.

Mr. Dean Del Mastro: Thank you, Mr. Chairman.

Obviously this is occurring in a public context, but from time to time, there is a need for committees.... I've served on a lot of committees, as the member has, Mr. Chairman, and I'm sure he has seen many instances of committees moving in camera.

This is a standard motion. It's not necessarily that we foresee an opportunity in which the committee would go in camera, but it is possible, and it should be a part of the routine proceedings that this capability be established. This motion is simply outlining the boundaries of how the committee will operate. It's not to suggest that the committee will operate one way or the other, but just that the rules are in fact in place.

The Chair: Thank you, Mr. Del Mastro.

Go ahead, Mr. Cash.

Mr. Andrew Cash (Davenport, NDP): It's true that this may be a routine motion, but we've seen throughout the course of the 41st Parliament that this has certainly been used often in a non-routine way by committees. If we're going to entertain a motion like this, I think it's incumbent on the government side to outline the parameters in which they'd want to use the in camera motion.

The Chair: Go ahead, Mr. Del Mastro.

Mr. Dean Del Mastro: Thank you, Mr. Chairman.

I think we just follow routine process, which is that when a member brings forward a motion to move a meeting in camera—it could be one of your members, or it could be one of ours—it's not debatable; it goes to a vote.

That's how it works; that's how committees work. I would suggest that the same rules apply here as well as there. There's no reason to reinvent the wheel. That's how committees operate.

The Chair: Thank you, Mr. Del Mastro.

After speaking with the clerk, rather than having this debate go on and on, let me say that this motion represents something that is done in most committees. I think we can move forward on it and we'll go from there.

Go ahead, Mr. Angus.

Mr. Charlie Angus: Our concern is that we've seen the well somewhat poisoned by the misuse of in camera proceedings. There is a great deal of concern about the copyright bill. This may have been routine before, but it's certainly not being used in a routine manner in this Parliament, so we're not going to support a blank cheque for in camera meetings.

Mr. Mike Lake: This motion has nothing to do with that.

The Chair: I will call the question.

(Motion agreed to—see *Minutes of Proceedings*)

Mr. Mike Lake: In that vein, I move that in camera meetings be transcribed and that the transcription be kept with the clerk of the committee for later consultation by members of the committee or members of Parliament who attended the specific meeting.

The Chair: Is there discussion?

We'll suspend for a moment.

Can you just clarify whether you said “members of Parliament” or “members of the committee?”

• (1545)

Mr. Mike Lake: It's “members of the committee or members of Parliament who attended the specific meeting”.

The Chair: Thank you.

Is there any discussion?

I will call the question.

(Motion agreed to)

The Chair: Remember that I read the green book on this, so that's why I have all these questions.

All right. I'll hand it back to Mr. Lake.

Mr. Mike Lake: I move that 48 hours' notice be required for any substantive motion to be considered by the committee, and that the notice of motion be filed with the clerk of the committee and distributed to members in both official languages. Motions that are received by 5:00 p.m. shall be distributed to members the same day.

The Chair: Is there discussion?

Go ahead, Mr. Regan.

Hon. Geoff Regan: Mr. Chair, would that retain the ability, if you have a motion that is germane to the subject being discussed at that time, of the motion to still be receivable?

I suppose the question is really for you and the clerk. Would this motion preclude such a motion being receivable?

The Chair: After consulting with the clerk, I have found that it's for the committee to decide whether it would be something they would like to move forward on.

Hon. Geoff Regan: It wouldn't apply for the clause-by-clause portion of this committee's work, or at least I assume it would not. Obviously you're going to have motions to amend and so forth during that period, but I like to have clarification.

The Chair: The people around me don't believe so.

Os there any further discussion?

(Motion agreed to)

Mr. Mike Lake: I move that the committee adopt the following weekly schedule: Monday, 3:30 p.m. to 6:30 p.m.; Tuesday, 9:00 a.m. to 12:00 p.m.; Wednesday, 3:30 p.m. to 6:30 p.m.; Thursday, 9:00 a.m. to 12:00 p.m.

The Chair: Go ahead, Mr. Angus.

Mr. Charlie Angus: Mr. Del Mastro and I are both at a committee that runs at 11:00 a.m. on Tuesdays and Thursdays, so I would suggest that on Tuesday we meet from 9:00 a.m. to 11:00 a.m. in order to accommodate that other committee schedule.

The Chair: Okay.

Is there any discussion?

I have Mr. Del Mastro and then Mr. Lake.

Mr. Dean Del Mastro: Notwithstanding the comment just made by Mr. Angus, I have contemplated this challenge. There are two options. One would be to bring a motion at our committee. The scheduling of committees is a recommendation by the whip's office. It's not a requirement that the committees meet at that time. We could simply move the ethics committee meetings from, say, 12:00 p.m. to 2:00 p.m. Alternatively, we could make this committee one hour earlier, but we were trying to be mindful of people's morning schedules.

The Chair: Mr. Lake is next.

Mr. Mike Lake: When we were looking at the morning times, we were considering the fact that a large number of the members of this committee are members of the industry committee and the heritage committee. Industry meets at 8:45 a.m. on Tuesday and Thursday mornings, and heritage meets at 11:00 a.m. on the same days. We figured that the timeframe was probably the best one to at least get two of our four weekly meetings in.

The Chair: Go ahead, Mr. Benskin.

Mr. Tyrone Benskin (Jeanne-Le Ber, NDP): In actuality, the heritage committee has voted to suspend its meetings until after Bill C-11 is done. We're good with respect to 11:00 a.m. times. We're clear.

The Chair: Go ahead, Mr. Angus.

Mr. Charlie Angus: I believe our experts who make you look so good, Mr. Chair, are also doing double duty on the ethics committee. I'm concerned about the ethics committee being able to carry out its work, even if it was pushed back. I would think we should leave ethics where it is. I think we can get through this bill, but it's going to cause another committee a lot of trouble if we decide to walk over that committee time.

• (1550)

The Chair: Go ahead, Mr. Regan.

Hon. Geoff Regan: I realize that government members aren't following orders from the PMO and the ministers' offices on this issue and on the number of meetings. The fact is that all members of Parliament will have lots to do. I don't know if any of them were here when the Conservative party had only two members or when it had 12, when there were much smaller caucuses on their side, but they would have found that it was a much busier time. There is a lot of other work to do, in addition to a committee, for a bill that they're in a hurry to pass, although they have four years to do it.

It's interesting that there's this great sense of urgency all of a sudden. I don't know if they're moving towards prorogation or what makes them want to do this in such a hurry. Normally committees meet twice a week for two hours so that members can do other work.

This seems to be a rather intense schedule that they've foisted upon us today, and I frankly find it unreasonable. It seems to me that they're trying to proceed with undue haste. It's an indication of their approach to this bill in general. I expect that we'll see them trying to ram it through committee just as they have through the House.

The Chair: Go ahead, Mr. Del Mastro.

Mr. Dean Del Mastro: Thank you, Mr. Chairman.

Notwithstanding the comments that were just made, I think if the member reviews the records of the previous legislative committee, he will find that both Mr. Lake and I continuously pleaded with members on the other side to meet more often, to sit more hours, to work diligently to get through the bill as quickly as possible, and to listen to witnesses. This motion is consistent with the efforts that we made at that time.

The Chair: Go ahead, Monsieur Labelle.

[Translation]

Mr. Pierre Dionne Labelle (Rivière-du-Nord, NDP): We are talking about work pace. I want to know whether this pace would allow us to invite new witnesses or witnesses I did not have the opportunity to hear from but would like to. I think that if we take such a systematic approach, we will not have enough time to hear from witnesses.

[English]

The Chair: We need to suspend for one moment, as I have no translation. We just have to get that fixed and then we'll go from there.

I can hear it now. Fantastic.

I'm sure what you said, Mr. Labelle, was fantastic, but would you mind repeating it?

[Translation]

Mr. Pierre Dionne Labelle: I am looking at the proposed schedule and I don't think it leaves much time for witnesses. That is every day. I get the sense there is a desire to move quickly here. This is an important bill, and we want to be able to hear from witnesses again. I was not on the committee. There are witnesses I want to hear from, and I don't think this leaves enough time to bring them before the committee.

The Chair: Thank you, Mr. Labelle.

[English]

Go ahead, Mr. Angus.

Mr. Charlie Angus: Thank you.

I'd like to move an amendment that we meet from 8:45 to 10:45 on Tuesdays and Thursdays. That way we're not interfering with the work of other committees and the work of other studies.

The Chair: Just for clarification, you moved an amendment for 8:45 a.m.

Mr. Charlie Angus: On Tuesday and Thursday mornings, it would be 8:45 to 10:45.

• (1555)

The Chair: We'll open up discussion on the amendment. Does anyone have anything to discuss?

I will then call the question on the amendment. We would just change the Tuesdays and the Thursdays, if I am correct, from 8:45 a.m. to 10:45 a.m.

(Amendment negated)

The Chair: We're back to the original motion.

Is there any further discussion?

Go ahead, Monsieur Nantel.

[Translation]

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): I am also very concerned. I think we are off to a pretty rigid start. We are being told this is how it's going to work, period. I, too, would like the opportunity to hear from as many witnesses as possible. Throwing this at us right off the bat shows a lack of regard.

I would also like to know whether our schedule is jam-packed for just a week. How many weeks are there in the agenda of our neighbours across the way?

[English]

Mr. Mike Lake: I have a point of order, Mr. Chair.

The Chair: Go ahead, Mr. Lake.

Mr. Mike Lake: Can I just get some clarification?

I believe there are five members of the NDP here right now, but I believe they only have four members on the committee. It seems as though there's a filibuster attempt beginning here, and it may be a little bit of a challenge having five members on the committee right now. Maybe we could identify the four members from the NDP sitting on the committee.

Mr. Charlie Angus: We're going to have five, and we'll vary the voting, depending on who is going to be on the issue. Today we'll go with the first four. How's that?

The Chair: On your point of order, Mr. Lake, the four are Mr. Angus, Mr. Benskin—

Mr. Charlie Angus: Andrew will not vote today—

The Chair: —Mr. Dionne Labelle, and Mr. Nantel. Those are the four members of the NDP on this committee today.

Is there any further discussion in relation to the times?

Before I get to you, Mr. Cash, we have to clarify at some point when this will start. Can we also have a discussion as to when we are going to start these times?

With that, go ahead, Mr. Cash.

Mr. Andrew Cash: I think it's important to state that we've tried to suggest a constructive way around an issue that's going to affect many of us, including those on the other side, and I think it's important to put on the record that this solution was summarily rejected for no apparent reason other than that they can.

The Chair: All right. Thank you, Mr. Cash.

As it stands right now, the times are Monday, 3:30 to 6:30; Tuesday, 9:00 to 12:00; Wednesday, 3:30 to 6:30; and Thursday, 9 to 12:00.

Go ahead, Mr. Del Mastro.

Mr. Dean Del Mastro: If you wanted a commencement date, we were looking at the Monday immediately following the break. Would that be the 27th? I don't have a calendar.

I move that the schedule begin on Monday, February 27, 2012.

The Chair: Then we would commence these meetings on February 27 at 3:30 p.m.

(Motion agreed to)

The Chair: Thank you.

Go ahead, Mr. Lake.

Mr. Mike Lake: I move that each meeting be divided into two separate panels of one and a half hours, with no more than three witnesses each.

Mr. Chair, three witnesses is the same number that we sought to have in the last Parliament. We felt that it worked okay. The one and a half hours is a little bit longer, I think, than what we did last Parliament, because we were significantly restricted on time in the last Parliament. We think that a panel of an hour and a half would give a reasonable hearing time for the witnesses.

The Chair: Is there any discussion?

(Motion agreed to)

• (1600)

Mr. Mike Lake: Get your pens ready: this motion is a little longer.

I move as follows:

That the witnesses from any one organization shall be allowed 10 minutes to make their opening statement. During the questioning of witnesses there shall be allocated five minutes for the first round of questioning, and thereafter five minutes shall be allocated to each questioner in the second and subsequent rounds of questioning. The order of questions for the first round of questioning shall be Conservative, NDP, Conservative, Liberal, and questioning during the second round shall alternate between the government members and opposition members in the following fashion: Conservative, NDP, Conservative, NDP, Conservative, NDP, Conservative, Conservative, based on the principle that each committee member shall have a full opportunity to question the witnesses. If time permits, further rounds shall repeat the pattern of the first two, at the discretion of the chair.

The Chair: Is there discussion?

Go ahead, Mr. Regan.

Hon. Geoff Regan: Mr. Chairman, I want to point out, first of all, that this has not always been the approach taken in committees.

In fact, if you look at what happened in the 37th Parliament at the defence and veterans affairs committee, you'll see that although the Liberal Party had 57.5% of the seats in the House of Commons, it had only 20% of the time for asking questions. At that time, the Canadian Alliance had 22% of the seats, and it had 20% of the questions also. The Bloc Québécois at that time had 12.3% of the seats in the House, but it had 20% of the questions. The NDP at that time had 4.3%, and it also had 20% of the questions.

In the 38th Parliament on that committee, the Liberal Party had 43.8% of the seats and only 37.9% of the time for questions. The Conservatives had 32% of the seats and 29% of the question time. The Bloc had 17.5% of the seats and 20.7% of the question time. The NDP had 4.2% of the seats and 12.1% of the question time.

In the 39th Parliament on that committee, the Conservative Party had 40.3% of the seats in the House—I know that they're liking the way this is going—but only 29.2% of the question time. The Liberal Party had 33.4% of the seats and 37.9% of the question time. The Bloc had 16.6% of the seats and 20.7% of the question time. The NDP had 9.4% of the seats and 12.1% of the speaking time.

In the 40th Parliament, the Conservative Party had 46.4% of the seats and 42% of the question time. The Liberal Party had 25% of the seats and the same percentage, 25%, of the speaking time. The Bloc had 15.9% of the seats in the House but 19.3% of the question time. The NDP had 12% of the seats and 13.6% of the question time.

Therefore, there have been times when it's been much more equitable. Considering that we have a system of parties in which the government obviously has one interest and there are other points of view, it seems to me to be much more reasonable and fair if there is more reasonable sharing among the parties of the time for questions.

The Chair: That is a very well-researched response, Mr. Regan. I congratulate you for that.

I have Mr. Lake.

Mr. Mike Lake: We've agreed that we're going to dedicate 12 hours per week to the study of this bill and we have 12 members of the committee, each of whom is going to show up at every meeting. What we've proposed is that each member who shows up and dedicates that 12 hours a week gets one opportunity to question each witness.

Maybe Mr. Regan, in his desire to have double what everybody else has, would point out which member of the committee would get no time.

The Chair: I don't know if that's a question for Mr. Regan to answer at the moment, but thank you for that.

Next I have Mr. Del Mastro.

Mr. Dean Del Mastro: Thank you, Mr. Chairman.

I wanted to point out that in addition to Mr. Lake's statement that equity can be defined in many different ways, I would say that it's entirely equitable to make sure that every member of this committee has the opportunity to ask questions of every panel. I think that is absolute equity.

I'm a member of Parliament. I've been elected by a constituency. I was not elected as a party. I'd like the opportunity to ask questions. I think that's true for every member of this committee. I think that as members of Parliament, we've all earned the opportunity to ask those questions.

• (1605)

The Chair: Thank you, Mr. Del Mastro.

I have Mr. Armstrong and then Mr. Angus.

Mr. Scott Armstrong (Cumberland—Colchester—Musquodoboit Valley, CPC): I'm going to also thank Mr. Regan for his history lesson on how other committees have run.

As a member elected from my constituency, if at all meetings I'm sitting at the end where I'm sitting now, and we go down the row, I'll probably be the one who gets left out more than the others.

I think that my input is just as strong as any committee member's and I'd like to be considered as having equitable time to question all witnesses who come here.

The Chair: Thank you.

Go ahead, Mr. Angus.

Mr. Charlie Angus: I'm amazed that all the people sitting around this table were elected strictly on their own merits and not on the fact that they wore a party banner. I find that a very striking statement.

I also find it odd that on committees, many people on the government side never ask a question because the lead guy on the file decides that he wants to follow up.

I think we should call this what it is. I think that when we have double the Conservatives, in the last round it's fair to go back to the third party. It has been the tradition in every Parliament that in the second round of questions, every party at least has one shot at it, because there is follow-up, and I would suggest that in that final two rounds, in which the Conservatives want to have back-to-back Conservatives, I think it's reasonable to have Liberal Party representation.

The Chair: Mr. Angus, have you moved an amendment?

Mr. Charlie Angus: It's my amendment, yes. In the motion, we would replace the last mention of the word "Conservative" with the word "Liberal".

The Chair: Mr. Angus has moved an amendment. I don't think I need to read the first round, but I will read the second round. It would be Conservative, New Democrat, Conservative, New Democrat, Conservative, New Democrat, Conservative, and then Liberal.

Is that correct, Mr. Angus?

Mr. Charlie Angus: Yes.

The Chair: Okay. I will then put that amendment to a vote.

(Amendment negated)

The Chair: We go back to the original discussion. Is there any other discussion on the motion?

Do we need to hear the motion one more time as to the process? All right.

In the first round, witnesses would have 10 minutes. The first round of questions would be five minutes, and the second round would be five minutes. The order in the first round would be Conservative, New Democrat, Conservative, Liberal. In the second round, it would be Conservative, New Democrat, Conservative, New Democrat, Conservative, New Democrat, Conservative, Conservative.

If there is any further time after that, you're leaving it to the discretion of the chair.

(Motion agreed to)

The Chair: I've just learned a first rule: as chair, never look at Mr. Simms when calling a vote.

Some hon. members: Oh, oh!

The Chair: Go ahead, Mr. Del Mastro.

Mr. Dean Del Mastro: Mr. Chairman, relative to the motion just passed, I would like to see the committee endorse your authority to be absolutely strict on those timelines, because I think it's imperative that we stick to them, whether it's members asking questions or whether it's witnesses providing testimony. If you're strict, I think you'll find that everyone comes in with presentations that adhere to the wishes of the committee, which is 10 minutes. If we start swaying from that, you'll find that your patience will be tested.

The Chair: I appreciate that, Mr. Del Mastro, being a chair for the first time. I'm planning on sticking to what the wishes of the committee are, so we'll move forward from there.

Go ahead, Mr. Lake.

Mr. Mike Lake: I move that the evidence and documentation received by the legislative committee on Bill C-32, An Act to amend the Copyright Act, during the third session of the 40th Parliament be taken into consideration by this committee.

• (1610)

The Chair: I'm just going to clarify something with the clerk.

Is there any discussion on the motion moved by Mr. Lake?

(Motion agreed to)

The Chair: Great.

Go ahead, Mr. Lake.

Mr. Mike Lake: For clarity, I move that witnesses who appeared before or made submissions to the legislative committee on Bill C-32 during the third session of the 40th Parliament may provide, in written form to the committee, addenda to their original submissions.

The Chair: We've all heard the motion.

Is there any discussion?

Hon. Geoff Regan: Mr. Chairman, what was the motion? I'm sorry; I didn't hear the motion.

The Chair: I'll just ask Mr. Lake to repeat it.

Mr. Mike Lake: I move that for clarity, witnesses who appeared before or made submissions to the legislative committee on Bill C-32 during the third session of the 40th Parliament may provide, in written form to the committee, addenda to their original submissions.

Hon. Geoff Regan: Chair, I move that the motion be amended by adding after the word "submissions" the following: "and that all briefs and amendments submitted during the committee study of Bill C-32 be taken into consideration."

The Chair: Okay, we're going to clarify what Mr. Regan was talking about.

Then I'll go to Mr. Nantel, who wants to speak to the amendment.

I would like Mr. Regan to repeat the amendment one more time to ensure that we have clarity and clarification on that amendment.

Hon. Geoff Regan: You want the wording to be exactly the same. Is that what you're saying?

The Chair: That would be fantastic, sir.

Hon. Geoff Regan: I move that the motion be amended by adding after the word "submissions" the following: "and that all briefs submitted by witnesses during the study of Bill C-32 in the last Parliament, and all amendments, be—is it "adopted"?—as part of the record..."

What's the wording on that again?

The Chair: Is it "taken into consideration"?

Mr. Mike Lake: Have we passed the previous motion?

The Chair: That was testimony. This is briefs and amendments.

Mr. Mike Lake: "All the evidence and documentation" was the way I worded it.

The Chair: Just give me one second to clarify with the clerk.

A voice: It was any amendments that were presented, any amendments put forward.

Hon. Geoff Regan: I didn't say "addendum" at all. I never used the word "addendum". I talked about amendments. It's a big difference. I think from what Mr. Lake is saying, his motion already captures the documents, the briefs, the material, so what I'm really looking for is that we say "all amendments presented before the committee".

Mr. Mike Lake: We never got to that point.

Hon. Geoff Regan: It's "proposed" amendments, then. There must have been some proposed or submitted. Were none submitted by any witnesses?

• (1615)

The Chair: Mr. Lake, you wanted to....

Mr. Mike Lake: Just to clarify, witnesses may suggest amendments, but they don't propose amendments; we do that. They submit briefs, and the briefs might contain suggested amendments; those would be caught in that documentation.

Hon. Geoff Regan: I'll withdraw it.

The Chair: Thank you.

Thanks for throwing me my first curveball as chair. I appreciate that.

You did a double check. I've got some great folks up here.

You've withdrawn that amendment, so we're back at the original. You were next to speak to the amendment, which has been withdrawn, so now I'll go to Mr. Angus.

Mr. Charlie Angus: It's very important that we bring forward all the evidence that was heard at Bill C-32 so that people did not put their in their time in vain, but I'm concerned about whether that precludes some organizations—I'm not sure it's all of them—that may want to provide testimony or briefs now under Bill C-11 from doing so. Just because we've received past testimony, does that preclude present testimony in present briefs?

We're speaking in this motion about taking all the evidence from the last time and bringing it forward, but is it going to preclude them from giving us new evidence?

Mr. Mike Lake: That's what the addendum is.

The Chair: It's still Mr. Angus, and then I have Mr. Regan. I can put you on there afterwards, Mr. Dionne Labelle.

Go ahead, Mr. Regan.

Hon. Geoff Regan: Thank you, Mr. Chairman.

I anticipate that the next motion is going to be that we're not going to hear from any of those witnesses the previous committee has already heard from a year ago. This is what Mr. Angus is concerned about, as am I. It seems to me there have been arguments and statements that have come up during the second reading debate this time and in the last couple of weeks that the witnesses ought to have a chance to comment and to reflect on. Additionally, there are members here who weren't part of that Parliament or that committee and did not have a chance to hear from those witnesses. I would find it unreasonable if that were to be what follows from this motion.

The Chair: Thank you, Mr. Regan.

Before we get to our next speaker, I think because we've had so much discussion, if just for clarity Mr. Lake would indulge me one more time and read the motion so that we can have a clear understanding and so that the members can move forward with the discussion from there.

Thanks.

Mr. Mike Lake: Actually, before I read that, why don't I just quickly read the one before it so everybody is clear on that? There was some crossover there. The one that we passed before was "that the evidence and documentation received by the legislative committee on Bill C-32, An Act to amend the Copyright Act, during the third session of the 40th Parliament be taken into consideration by this committee". That covers what we are going to take into consideration.

This new one is “that for clarity, witnesses who appeared before or made submissions to the special legislative committee on Bill C-32 during the third session of the 40th Parliament may provide, in written form to the committee, addenda to their original submissions”.

The Chair: Thank you.

Now I have Mr. Dionne Labelle.

[Translation]

Mr. Pierre Dionne Labelle: I would like to move an amendment whereby they would be able to appear before the committee again at our request.

[English]

The Chair: Okay.

For clarification, we have an amendment to what Mr. Lake was talking about: “and that they can appear again before the committee.” That will be added at the end, after the word “addenda”. We would add that in there.

Go ahead, Mr. Lake.

Mr. Mike Lake: I just want to get some clarification. Could the clerk remind us, going back to Bill C-32, how many meetings we had on Bill C-32? How many witnesses appeared before C-32? Could you remind us what the timeframe was in studying Bill C-32?

• (1620)

The Chair: Of course, we have a great clerk who has many things, but we'll need to get that information for you in a few minutes.

We'll continue the discussion. I'll open that up to Mr. Del Mastro.

Mr. Dean Del Mastro: Thank you very much, Mr. Chairman.

I'm going to vote against the amendment, because having sat in on the previous meetings on Bill C-32, I can say that the evidence is still, in my view, very relevant. It is recent, and frankly, it's evidence provided on this exact bill, so there's no reason we need to hear from witnesses a second time around on this bill. There's an old saying that nothing is new under the sun, and nothing has changed since they provided this testimony.

There are those who will disagree with the bill and there are those who are patiently awaiting this Parliament, this government, and each and every one of us to adhere to the obligations that we committed to under a previous government in 1997 to ratify the WIPO Copyright Treaty.

We can either stay true to our word, ratify those obligations and move forward, or we can continue to delay and frustrate those who are counting on us to act responsibly. I would be entirely opposed to hearing witnesses a second time. I think it's entirely appropriate to allow them, if they've had subsequent thoughts, to be able to submit those to the committee for its consideration, but this is the same bill and their testimony is recent.

Next week is a break week. I would encourage any members of this committee who did not sit on the Bill C-32 committee to use that time as an opportunity to review the materials we received and to acquaint themselves with that information.

Thank you.

The Chair: Thank you, Mr. Del Mastro.

I have Mr. Dionne Labelle, Mr. Angus, and then Mr. Cash.

[Translation]

Mr. Pierre Dionne Labelle: In reading the bill, it becomes clear that a number of statements made by witnesses before the committee charged with studying Bill C-32 were not taken into account. As soon as this bill is passed, rights holders will lose \$126 million. Certain messages did not get through, and I think the Conservatives would do well to hear them again.

[English]

The Chair: Thank you, Monsieur Labelle.

Go ahead, Mr. Angus.

Mr. Charlie Angus: I sat on the last committee, and we had many witnesses. I don't know how many witnesses are left.

What I'm concerned about in the work of our committee is our ability to ensure a fair hearing. If we just take the people who weren't heard as our only witness list now, we might not actually have the totally balanced view that we had before, because many of the main players have already spoken.

This is a new Parliament. The historical record of this bill will reflect only the people we cross-examine now, as new parliamentarians.

I'm looking around the room, and I see many people who have not sat on this committee before. I would not like to tie the hands of this committee in deciding how we set about our business, which is to sit down, submit a witness list, go through that witness list, and decide what we need to hear, when we need to hear it, and how we need to hear it, so that we ensure that we actually have a good balance, because we have to represent fairly the issues of the artists and their royalties. We have to hear from the education community, as there's an effect on students and consumers, and there's an effect on industry.

Many of those viewpoints were heard in a previous Parliament by previous parliamentarians, but I would prefer to make sure that our witness list reflects who we need to hear from. I think we can do that in a reasonable manner. This isn't about filling up a list that goes on forever, but I think we'd be better off and more balanced making those choices. Some might be new, and some might have spoken before, but if they're representing major arts organizations, I don't see how I can go back to them and tell them that because they gave their evidence, they're not going to be heard. I think that's going to send a bad message, particularly in the arts community, and we're very concerned about that.

• (1625)

The Chair: Thank you, Mr. Angus.

Right before I get to you, Mr. Cash, to answer Mr. Lake's question, we were able to come up with roughly 20 meetings, 75 witnesses and organizations, including ministers and departments, with a total of about 30 hours. I just want to clarify that's roughly what we were able to come up with.

Go ahead, Mr. Cash.

Mr. Andrew Cash: No doubt we'll build on that body of evidence, notwithstanding the fact that the bill is the same as the last one, the context that it's being introduced in is slightly different, and many stakeholders have new concerns they want to bring up. It's the job of this committee to hear those concerns.

I think we'd be missing a lot if this committee tied its hands in the way the members opposite are suggesting.

The Chair: All right.

Thank you, Mr. Cash.

Is there any further discussion?

Go ahead, Mr. Regan.

Hon. Geoff Regan: Mr. Chairman, a moment ago we heard the argument that every member should have a chance to ask questions. Now we're hearing an argument that every member shouldn't have a chance to ask questions of the witnesses who appeared previously, even though they have lots of knowledge and an interest in what's happening. They're clearly stakeholders, but the government doesn't want to allow us to ask questions of them. These two statements, these two positions, seem to me to be incongruous and nonsensical.

The Chair: I have Mr. McColeman and then Mr. Del Mastro.

Mr. Phil McColeman (Brant, CPC): As a new member, I totally disagree with the premise of the last comment, because I have the ability to review all the testimony from the witnesses, and it's also been put forward as a motion that they can supply additional information because of the changed context. I can review that information when they submit it. As a new member of the committee who was not part of that earlier discussion, I feel all of that can be in the context of this new discussion with other people who will appear as witnesses, so I am not feeling handicapped in any way.

The Chair: Thank you, Mr. McColeman.

Go ahead, Mr. Del Mastro.

Mr. Dean Del Mastro: Thank you, Mr. Chairman.

In the last Parliament we had three Liberal members on the Bill C-32 committee. I believe that Mr. Rodrigues, Mr. McTeague, and Mr. Garneau were the regular members of that committee. I think if Mr. Regan reviews the materials, he'll find that they asked a number of questions that I believe represented the Liberal position on copyright.

I'd also suggest to him that all of the groups that appeared will contact him, if they haven't already done so. They're pretty active on the Hill right now in putting forward their positions. If he has any questions that he doesn't feel were asked by the three or four Liberal members at that time, he could certainly ask them in person.

Thank you.

The Chair: Thank you, Mr. Del Mastro.

I'll have Mr. Benskin speak, and then Mr. Regan.

Mr. Tyrone Benskin: As a comment on what Mr. McColeman said, yes, we may be able to review the testimony and so forth, but we can't ask questions. If something wasn't asked that strikes us from that old testimony or if anything is added to the previous testimony in the addenda, the opportunity ask a specific question that wasn't already asked is not there when we're just reading the testimony.

The Chair: Thank you, Mr. Benskin.

Go ahead, Mr. Regan.

Hon. Geoff Regan: Mr. Chairman, like Mr. Benskin, I have more faith in McColeman's imagination and curiosity and his ability to come up with questions different from those that were previously asked than he does, apparently.

The other thing that's important is that not only would I want other members to hear the answers to my questions as part of how the discussion ought to work, but also I would want to hear the answers to their questions—that is, not just in their office in a private discussion, but here before the committee. That's how this should work. If we're going to have a good understanding of what this bill is going to do and what provisions we ought to try to change and what the arguments are, then we ought to have those discussions here.

The Chair: Thank you, Mr. Regan.

Is there any further discussion on the amendment?

Would the members be interested in hearing the amendment again? Are we okay?

The amendment is in conjunction with what Mr. Lake had read. It adds, "and that they can appear again before the committee".

Would you like to hear the whole thing, or is everyone good that way? I see we're okay.

All in favour—

• (1630)

Hon. Geoff Regan: I would like a recorded vote.

The Chair: I'll allow the recorded vote. I didn't come with my final decision on that.

(Amendment negatived: nays 7; yeas 5)

The Chair: We are now back to discussion on the original motion presented by Mr. Lake.

Is there any further discussion on the motion?

Seeing none, I'll call the question.

(Motion agreed to)

The Chair: I'll turn to you, Mr. Lake.

Mr. Mike Lake: Sure.

I move that the list of witnesses be determined by a vote of the committee at a committee business meeting to be held from 9:00 a.m. to 11:00 a.m. on Thursday, February 16, 2012.

I'll comment on that motion.

Certainly we can have conversations as time goes on if we want to add additional witnesses. By no means do I intend this to be the final witness list, but it will give us a good opportunity to give the chair and the clerk some direction in terms of inviting witnesses as we go into the break week and prepare for committee meetings to start on the Monday.

The Chair: Could you just repeat that for the sake of the committee?

Mr. Mike Lake: I move that the list of witnesses be determined by a vote of the committee at a committee business meeting to be held from 9:00 a.m. to 11:00 a.m. on Thursday, February 16, 2012.

Actually, can I amend my own motion and add one word, just to be clear? I do want it to be clear.

The Chair: Sure.

Mr. Mike Lake: We'll say "preliminary" witness list, because I do want to be clear that by no means are we cutting off the witness list on Thursday. That may be the case and it may wind up being the only witness list that we have, but I think we want to leave ourselves open as a committee if we decide that we want to hear from somebody based on some of the testimony we hear.

The Chair: I think the committee will need to have some discussion and some clarification. As the chair, in discussing with the clerk, I was under the impression that we were starting after the break, so if the committee wants to have another committee business meeting this Thursday, we'll have to have that discussion as well and go with the wishes of the committee.

All right. We have the motion. I believe I saw Mr. Benskin....

Mr. Tyrone Benskin: It actually was going to be a friendly amendment to add the word "preliminary".

The Chair: Okay.

Go ahead, Mr. Regan.

Hon. Geoff Regan: Isn't this motion in conflict with the previous motion, which was that the first committee meeting would be on February 27?

The Chair: That's what I asked for clarification on. The committee needs to—

Hon. Geoff Regan: I don't see how you can have both. We've already decided when the first meeting is, so I don't know how this is in order. It shouldn't be in order.

The Chair: Thank you. One second, please, while I consult with the clerk.

I was looking for clarification, and I see that it can be done. There are ways we can do this, but I think I'm going to leave it up to the wishes of the committee, if that's something they would like to do. Otherwise, we did vote that the committee will start on Monday, February 27. I'll leave this for the committee to decide, but we'll move forward from there.

I have Mr. Angus and then Mr. Del Mastro.

• (1635)

Mr. Charlie Angus: I don't have a problem with setting up a witness list so that we can actually start to work and hit the ground running on the Monday. My only concern is that since the committee

hasn't been struck yet, there will be groups or experts who might contact the committee, as opposed to already being on our witness list. We have the witness list from last time, but now that the committee is actually struck, there will be people who make contact, so I would like us to meet on Thursday. As well, let's set up a working plan for the first two weeks after we're back, because it's going to take a bit of time to track those, but when we come back there might be 10 or 12 witnesses we'd want to hear from to make sure we're doing due diligence.

If it's about getting started and getting down to work on the Monday, then I'm fine with that. That's my understanding of "preliminary"; it's so we can hit the ground running. However, we can also make sure that we are not precluding people who may be important to hear from in the study.

The Chair: Thank you, Mr. Angus.

Go ahead, Mr. Del Mastro.

Mr. Dean Del Mastro: Thank you, Mr. Chairman. I just wanted to clarify the discussion that we had just a moment ago, as mentioned by Mr. Regan.

If you check the record, I believe you'll find the schedule as voted upon by this committee. It was agreed that this schedule would commence on February 27. Nothing precludes the committee from commencing an alternative schedule between now and then. What this motion seeks to do is to set up a meeting on Thursday, in advance, so that we can accomplish exactly what Mr. Angus has just articulated very capably.

The Chair: Thank you, Mr. Del Mastro.

Again, as I said, I'll leave this up to the will of the committee. It sounds as though there's some willingness to work together on this question. There are a few ways. We can, if we need to, use language to correct it, but otherwise, I'll leave that with the committee. Just for clarification, we're saying that we will meet Thursday, February 16, at 9:00 a.m.

Is there a duration of time? Are we looking for an hour, two hours? Is there any consideration of that? I'd put that out there as well.

Is it 9:00 a.m. to 11:00 a.m.?

Mr. Mike Lake: A time of 9:00 a.m. to 11:00 a.m. would be fine, because Mr. Angus has to get to committee meetings.

The Chair: Is there any further discussion on the motion?

(Motion agreed to)

The Chair: Go ahead, Mr. Lake.

Mr. Mike Lake: Okay, you may want to get a pen out for this one as well. It's a little bit longer.

I move:

That the committee begin clause-by-clause consideration of the bill no later than Wednesday, March 14, 2012; that debate be limited to a maximum of five minutes per party, per clause, and five minutes per party per amendment; and that if clause-by-clause consideration is not completed by 9:00 a.m. on Thursday, March 29, 2012, the chair shall interrupt debate and put the question on all remaining clauses and amendments, as well as all other questions necessary to dispose of this stage of the bill forthwith and successively without further debate and shall report the bill back to the House at the earliest opportunity.

The Chair: Go ahead, Mr. Simms.

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Wind-
sor, Lib.):** I never thought I'd see closure injected into the committee, but obviously that's what we have.

I find it overly restrictive in the sense of the testimony, especially regarding the witnesses. Maybe some circumstances have changed; the witness list itself is going to be new. As was directed by the committee in a vote, they are going to be new members. They're not people we've had before. Obviously, the conversation is going to be about the idea that we can't restrict them to a certain amount of time if you want to practise due diligence. If you don't, you can just cut it off at some point.

I have issues with the clause-by-clause aspect, but my first concern is the cap you're putting on witnesses for a piece of legislation as important as copyright.

● (1640)

The Chair: Thank you, Mr. Simms.

Go ahead, Mr. Angus.

Mr. Charlie Angus: I am surprised we're striking a committee at all. It's unheard of to invoke closure on issues of amendments. The amendments are key. This is whether Canadians are going to have faith in this bill or not. For example, the issue of the digital locks is complex. This issue is going to need a discussion. Either we're going to come here to work to improve this bill or our attendance here is a complete waste of our time. If the government's just going to ram it through, then they might as well just do it in an afternoon and order you to send it back as mentioned, but that is undermining the role of this committee, and it's disrespectful to the perspectives that are brought here.

I've spent eight years working on the copyright file. I take this matter very seriously. I think that telling us to shut up and sit down while you rubber-stamp a bill will poison the atmosphere around this table from the beginning. It sets a very disturbing precedent for how this Parliament and future Parliaments may continue.

The Chair: All right.

Mr. Lake is next, then Mr. Regan.

Mr. Mike Lake: In the math I'm looking at now, we've already spent 39 hours of committee time discussing this bill. We've set aside time to hear from another 60 organizations, so we've put a very significant amount of resources and time toward listening to witnesses. We have another 30 hours of committee testimony before we get to clause-by-clause study.

Furthermore, we have 15 hours set aside for clause-by-clause consideration. Generally, I've seen clause-by-clause consideration done in one or two meetings. For anyone who's serious about working on getting the best bill that we can and hearing from witnesses, this is far more than enough time. We spent months—months—dealing with this in the last Parliament. I would say that it was apparent to anybody who watched that proceedings that it was delayed at every turn by the opposition parties. We're just not going to see that happen this time.

We want to set aside a fair amount of time for debate and discussion. We want to hear from the witnesses we haven't heard

from before, but clearly there are some in this room who don't want to see the bill passed.

This isn't going to be an interminable process. It just isn't.

The Chair: Thank you, Mr. Lake.

I think we also need some clarification from you. The motion states "March 14", which is a Wednesday—if that's where you want it to start it, it is a Wednesday—and there is a break week in between, from the March 19 to March 23.

Mr. Mike Lake: Yes.

The Chair: Okay.

I have now Mr. Regan.

Hon. Geoff Regan: Thank you, Mr. Chairman.

First, for my part I do want to see the bill passed, with the right amendments, if it is changed as it ought to be. However, the Conservatives appear to have orders to turn this into a farce. I recognize that they have a majority, but what they're proposing here is very undemocratic. The fact that they have already decided at the first meeting of the committee how long this should take and have already decided to impose closure at the committee's very first meeting is outrageous.

The fact that they have a majority should be all the more reason for them to realize that they don't have to act like thugs, which is what effectively they're doing.

The Chair: Thank you, Mr. Regan.

Go ahead, Mr. Benskin.

Mr. Tyrone Benskin: I don't think there's a person in this room who does not want to see a good, strong, comprehensive copyright bill come out of this committee. This is something that affects a lot of people and a lot of people's livelihoods. To just arbitrarily say that we're going to talk about it for this long, and then that's it, does a disservice to Canadians.

We keep hearing in the House and here today that this bill was discussed in the last Parliament and so forth. I wasn't here, and there are four other gentlemen present who weren't here. I don't know.... There may be new or different points of view that can be looked at in this bill to make it work for Canadians.

I'm not sure whether the interest is to get it through simply to get it through or to get a bill that works and serves Canadians.

● (1645)

The Chair: Thank you, Mr. Benskin.

Go ahead, Mr. Simms.

Mr. Scott Simms: I'm seeing two contradictions here. Number one is that in the course of debate, the parliamentary secretaries and the ministers, including the minister of heritage, talked openly about technical amendments that were required.

There is no shortage of suggestions as to amendments, and I don't think we're going to flesh out the possibility of these amendments. If we limit the debate and limit the people heard as witnesses, it's not going to be adequate.

The second one is that not too long ago we put forward the argument that when it comes to questions to witnesses, the time was not based on party but on every individual around this table. Now it's five minutes per party. Shouldn't it be five minutes per person?

The Chair: Thank you, Mr. Simms.

Go ahead, Mr. Del Mastro.

Mr. Dean Del Mastro: I'd be fine with that amendment if you wanted to move it, but I'd also be very happy to bring to this debate some background on how this bill was put together, just to remind members of the committee of how it was done. I had the opportunity to meet with Mr. Benskin, I believe in the last Parliament, on this and other matters, and I recognize that he's been on this file for some time.

This bill was put together as a result of the broadest consultation on any government bill that I'm aware of. We entertained submissions from groups, including electronic submissions. In excess of 8,000 submissions came in written form, but we also had meetings in cities right across this country.

We admit the bill is not a perfect copyright bill. There is no perfect copyright bill, because you cannot satisfy every group that has an interest in copyright. You cannot give every group everything it wants. If you do that, you do it at the expense of another group that also has an interest in copyright. That's why the bill seeks balance, and balance means compromise, and compromise isn't perfect. That is what the bill is about.

For members who suggest that we are trying to force this through—some have used derogatory terms that I won't repeat—I suggest that they review the history of recent Parliaments. To the best of my knowledge, the 38th Parliament brought a bill, Bill C-60, that did not go anywhere. The 39th Parliament, to which I was elected for the first time, brought Bill C-61. It did not get passed. The last Parliament brought Bill C-32. It did not get passed either. I think it is incumbent on this Parliament to approach this bill with the sense of urgency that people in this country feel with respect to protection of property rights.

I have met with interest groups from right across the spectrum. Every single one of them knows, and they have known for a very long time, that a new copyright bill was going to be passed and needed to be passed. They support Parliament in acting on it, and that's why I think it's entirely appropriate that this committee approach this issue with the urgency it deserves.

For some 15 years, this country has had its name signed to an international treaty that we have simply not fulfilled, and I think that's unacceptable. I heard another member mention that funds could be wiped out if this bill was passed. I'd suggest that perhaps the member might start his review of the evidence submitted in the last Parliament by looking at evidence provided by the film industry. It showed that more than \$1 billion a year is not coming to this country; it is being lost in investment, including in places like Montreal, which has a strong film industry, where we are not attracting that billion dollars. That's thousands of jobs.

Consider the recording industry. We heard from Music Canada, which talked about over \$800 million a year going missing. That's

coming right out of the pockets of artists, and that's money that's not being invested in this country.

The entertainment software industry talked about thousands and thousands of jobs that are not here right now in places like Montreal and Vancouver, all because we do not have a system that protects the property rights of companies that would otherwise invest in the industry and in the people who own the intellectual property.

For this committee to not approach this bill with the urgency that this situation calls for would be negligent, and it's not something the members on this side of the table are going to support.

•(1650)

The Chair: Thank you, Mr. Del Mastro.

I now have Mr. Lake and Monsieur Dionne Labelle.

Mr. Mike Lake: I'll let Mr. Dionne Labelle go first.

The Chair: Thank you, Mr. Lake.

[Translation]

Mr. Pierre Dionne Labelle: Mr. Del Mastro talked about a sense of urgency as far as the industry is concerned. While we appreciate that, we also feel a sense of urgency in terms of protecting rights holders from the \$126-million loss in royalties the passage of this bill will mean for them.

We are being muzzled, and Canadians need to know it. This kind of attitude in committee is a new development in Canada's parliamentary history. Whether we are talking about the Mulroney or the Chrétien years, legislative committees would agree to multiple amendments to bills. Members would work together. Since this session began, the Conservatives have not agreed to any opposition amendments. The only two amendments that have been accepted pertain to Conservative bills. They were put forward by Conservatives themselves.

I recognize the desire to muzzle us, but I also see that as a sign of arrogance. We are here to clarify rates with respect to the Internet and royalties, as well as to protect the industry and creators. So I think we should take the time to do that.

[English]

The Chair: Thank you, Mr. Dionne Labelle.

I have Mr. Regan and then Mr. Angus.

Hon. Geoff Regan: Mr. Chairman, I'm going to take Mr. Del Mastro up on his offer. I therefore move that the motion be amended by deleting the word "party" and replacing it with the words "committee member".

That's my first amendment. I have another one after this is dealt with.

The Chair: I'll read the motion as amended: That the committee begin clause-by-clause consideration of the bill no later than Wednesday, March 14, 2012, and that debate be limited to a maximum of five minutes per committee member per clause, and five minutes per committee member per amendment, and that if clause-by-clause consideration...

Is that correct? None of the rest has changed, as it stands. We're on that amendment, and now I'm opening it up for discussion.

I have Mr. Lake on the amendment.

Mr. Mike Lake: I think we need to think carefully about what we're talking about here.

We've said there are 15 hours to go clause by clause, and there's a reasonable pace that you want to keep. Fifteen hours is a long time, but you have to keep a reasonable pace if 12 members decide to weigh in on every amendment. If the NDP were to move 400 amendments on clause 2, and every member gets to weigh in on that, I think that's going to really bog things down.

Ultimately, you're getting one five-minute span out of an hour, instead of one five-minute span out of 15 minutes. I don't think that it makes any sense to go down that road, personally, but others may want to weigh in on this.

The Chair: On the amendment, I have Mr. Regan.

Hon. Geoff Regan: In that case, I would add to my motion to amend, "and that the committee work not cease on Thursday, March 29".

•(1655)

The Chair: Just give me a second for clarification.

The first thing we have to do is vote on the amendment as presented. Then we can actually bring forward...

It's not the same thing; it would change the original amendment that you brought forward. We can't just add to it; we have to vote on the first amendment as it stands.

Hon. Geoff Regan: Can I withdraw it and resubmit the full amendment?

The Chair: That sounds like a pretty good idea, but I'll just clarify that, okay?

Some hon. members: Oh, oh!

Hon. Geoff Regan: The problem, Mr. Chair, is that the first doesn't work at all. Mr. Del Mastro was in favour of having each member being able to have five minutes in each—I think I'll wait for the Chairman.

The Chair: Don't let me near the green book. I read all of that information—

Hon. Geoff Regan: Mr. Chair, the problem is that you have a motion to allow each member five minutes. Mr. Lake has said that he's concerned that in that case, 15 hours is not going to be enough; I'm just responding to that concern.

The Chair: I completely agree with what you're saying, Mr. Regan, but in the sense of the amendment, we need to ensure that we're following parliamentary procedure.

Mr. Mike Lake: You're not allowed to agree with what he's saying—

The Chair: Well, I'm agreeing with what he's talking about in terms of.... Bear with me, Mr. Lake.

What we're trying to do is ensure that we're following procedures in this place. What we would need to do is withdraw the amendment and then submit a new amendment with the whole package together, with the date removal and everything else that you've said.

Hon. Geoff Regan: Well, then, you know what? I'll stick with the first amendment that I moved.

The Chair: Thanks for all of that discussion. I appreciate that.

Now, we are still on the amendment, and I have Mr. Angus speaking on the amendment.

Mr. Charlie Angus: There's a fundamental problem here. I've heard the Conservatives talk about thousands of jobs disappearing across the country. When I go into Montreal, I see the enormous growth in the video game industry, and when I go to Vancouver or Toronto, I hear people talking to me about tax credits and other incentives. To say that the entire entertainment industry will fall if this bill isn't done by March 29 is part of the false copyright bogeyman that I think has made people really mistrust the issue of copyright. They're saying this is not the reality; the reality is that key elements of this bill are problematic. We've said that again and again and again.

This isn't about creating the picture-perfect bill; this is about fixing a bill that has fundamental problems. There are going to be times in this clause-by-clause study when we're going to come across those problems. To treat the serious problems of the bill the same as we're treating the title of the bill and the lesser amendments... Those lesser amendments are going to move fairly quickly, I think, but there are certain key parts of the bill that we really need to sit down and discuss. That's our job as parliamentarians. We're not holding anything hostage here. We're doing due diligence for all the organizations we met.

If we treat key provisions of the bill just like anything else and shut down debate, then we'll be going back to the various sectors that we promised due diligence to and telling them we're sorry, but we had to blow through it and we did not do our work.

I'm asking members of the committee to show some respect for one another and recognize that we are all here for the right reason, which is to get this copyright bill done and to fix the problems in it so that we can say we did our job as parliamentarians. That's what we want to do, and that's why we do not want to have this time closure invoked against the key amendments to the bill.

The Chair: Thank you, Mr. Angus.

Go ahead, Mr. Del Mastro.

Mr. Dean Del Mastro: Thank you, Mr. Chairman.

I actually follow the logic proposed by Mr. Lake in this regard in that the time allotted will be equitable to Mr. Regan in this regard. He will have the same amount of time as the other parties would have, which is a special allotment for a single member to have the same amount as a party.

To Mr. Angus's comment, I've been here for just over six years, Mr. Chairman, and what I would point out to Mr. Angus is that as members of Parliament, we can have those very discussions Mr. Angus has proposed outside of committee time. I would encourage Mr. Angus and any members of the committee who want to discuss matters related to this bill to have those discussions. We don't need to have them as part of clause-by-clause consideration; we can have them as members of Parliament any time between now and the final clause-by-clause consideration.

As I said, that's entirely appropriate. In my experience, Parliament does work that way. We do come to agreements as members outside of committee, which we then endorse during committee time. I think that's entirely appropriate.

● (1700)

The Chair: Thank you, Mr. Del Mastro.

Go ahead, Monsieur Dionne Labelle.

[Translation]

Mr. Pierre Dionne Labelle: When I hear people say they want to be done by March 29th, the other message that comes through, from the government side, is that moving amendments is a waste of time because the bill will be passed without any, regardless. That is what I am hearing. If that is what the government intends to do, then say so clearly. This bill contains inadequate provisions that need to be revisited.

If the government side is so concerned about the urgency of the situation, then it should speed things along and adopt the necessary amendments to make the bill worthy of being passed. It must be recognized that, right off the bat, the bill does not at all meet current copyright needs. If our amendments are good, adopt them. Everything will move much faster. We don't need to tie ourselves to a deadline, we just need to work together.

That is all. Thank you.

[English]

The Chair: Thank you, M. Labelle.

Go ahead, Mr. Cash.

Mr. Andrew Cash: Thank you, Mr. Chair.

Mr. Del Mastro's comment regarding off-the-record conversations and meetings that would be doing some of the important work of the committee but that no one would actually see raises some serious questions about accountability and transparency. I think the folks on the opposite side constantly talk about their intention of increasing and enhancing transparency and accountability. It doesn't sound like a very accountable or transparent way of doing things.

I do want to say—

Mr. Dean Del Mastro: I have a point of order.

The Chair: Thank you, Mr. Cash.

Go ahead, Mr. Del Mastro.

Mr. Dean Del Mastro: I'd just like to put on the record to the member's point that in the House of Commons, often the whip or the House leader of any party will stand and say, "Mr. Speaker, there has been discussion among members, and we agree to the following."

It is parliamentary procedure. It's common practice.

The Chair: I was going to say that's more debate, Mr. Del Mastro, but thank you for trying.

We'll go with Mr. Cash.

Mr. Andrew Cash: I'd like to thank the veteran member for apprising me of parliamentary procedures, but that's not what we're talking about here; we're talking about transparency and account-

ability in this committee, and not just in this committee but in other committees.

Further to that, the characterization of anyone on this committee as not wanting to get this bill done, I think, really is disrespectful and is certainly a mischaracterization of the intention of the official opposition.

Finally, I want to see clarification here, because we're debating Mr. Regan's amendment, which Mr. Del Mastro said he would support. I think we should read the motion and get a vote on this.

To be clear, this is not Mr. Regan's additional amendment. This is the initial amendment.

The Chair: I'll clarify. This is the one amendment. I'll read it as amended by Mr. Regan.

That the committee begin clause-by-clause consideration of the bill no later than Wednesday, March 14, 2012, and that debate be limited to a maximum of five minutes per committee member, per clause, and five minutes per committee member per amendment; and that if clause-by-clause consideration is not completed by 9:00 a.m. on Thursday, March 29, 2012, the chair shall interrupt debate and put the question on all remaining clauses and amendments, as well as all other questions necessary to dispose of this stage of the bill forthwith and successively without further debate and shall report the bill back to the House at the earliest opportunity.

That is the motion as amended by Mr. Regan.

I have two other individuals who are in line to speak, Mr. Lake and Mr. Nantel. Then we can go from there.

● (1705)

Mr. Mike Lake: Let's do first things first, actually. I'm going to move a motion that we extend this meeting until the bells ring tonight. We can extend it and then suspend it and reconvene 15 minutes after the votes are completed.

Can I do it that way?

The Chair: Can you repeat that?

Mr. Mike Lake: Okay. It's to extend the meeting until the bells, which are supposed to ring at 5:45, I believe, and then suspend and reconvene 15 minutes after votes are complete tonight, if necessary.

The Chair: There is a point of order.

Hon. Geoff Regan: I'd like to hear how many more motions they're proposing so that I know how much time we're going to need. It's not clear to me.

The Chair: Okay.

Mr. Mike Lake: I believe we have two—this one and another one—but based on the time allocated for this one, it seems there's a never-ending series of amendments coming up. Perhaps we want to consider this now, as opposed to waiting until the very last second. I'm just proposing that if necessary we make sure that we take up this business with urgency and make sure we complete our business tonight.

The Chair: Great. Thank you, Mr. Lake.

I'll suspend for one second.

We're going to deal with the amendment first, and on the amendment, Mr. Nantel was next to speak.

Monsieur Nantel, are you still interested in speaking to the amendment?

[Translation]

Mr. Pierre Nantel: Yes.

There are people with whom we are already accustomed to working, and to be perfectly honest, I find this whole situation shameful. I am extremely glad that people can hear this debate.

Mr. Del Mastro told us that this was an important and complex bill—I agree that it is complex. He also said that there were many interests at stake. So how can we perform the analysis the bill deserves and, at the same time, ask that the debate move in camera? Hello! *Buongiorno!*

[English]

Mr. Mike Lake: On a point of order, Mr. Chair, the honourable member's probably wondering what I was saying. I was expressing how I still had points to make, and that the motion wasn't meant to be the only thing that I was saying during that timeframe, just to clarify.

Mr. Pierre Nantel: Thank you.

I cannot understand how we.... I speak English here because I'm addressing this to you guys. You mostly speak English, so that's why, and to better represent the people in my riding who speak French, who feel that their culture is endangered, as do many other Canadians all over Canada, by such amendments and such points in that law.

How can you rationalize the analysis of this bill? It is so complicated, and then you say there's time allocation.

Really, we are facing each other; we are addressing a regulation that's going to change our *patrimoine*, our heritage, here in Canada—for the good, we hope. Then you say, “Yes, but it's our privilege not to talk longer than that, so bye-bye.” Is that how you pretend to really, sincerely...?

I may sound very naive and candid, but I am speaking frankly because the people who elected me expect me to speak for them.

An hon. member: That's right.

Mr. Pierre Nantel: Honestly, I know you can do whatever you want, but it must be much harder for you to do it in such an intimate context compared to the House of Commons.

The Chair: Thank you, Mr. Nantel.

I believe, Mr. Lake, you said you had a few points that you would like to bring forward.

Mr. Mike Lake: Yes, I'd like to do that in this debate.

First of all, the reason we are putting this motion forward is that we know that if we don't, we will be discussing this bill when the next election comes, because that's how long this committee hearing will take if we don't move forward now.

It's interminable; it really is. In the last Parliament we heard from more than 70—

Mr. Tyrone Benskin: That was the last Parliament, not this one.

The Chair: Order, please.

Mr. Mike Lake: —organizations. Of course, the leadership on this bill is the same leadership. Mr. Angus was the NDP lead at that time. We heard from more than 70 organizations. We have put forward a plan to hear from 60 more organizations, so it will be more than 130 organizations.

Mr. Simms makes the point that the Liberals actually support the bill and want to see it passed, yet his colleague, Mr. Regan, introduced a motion in the House of Commons to kill the bill. Basically it was not a motion to change it in any way; it was just a motion to kill the bill, so clearly the Liberal position is that they actually don't want to see the bill passed.

When you get a chance to read the testimony, you'll see that witness after witness came before the committee last time and spoke about the urgency of getting this bill passed, saying that we need to pass this legislation.

This cannot go on forever. I think most reasonable people looking at this process would say that giving more than 130 witnesses and organizations the chance to testify is eminently reasonable. In fact, I would be hard pressed to find a piece of legislation that had more witnesses testify in the last several decades, probably.

If what you're saying is that we need more than 12 hours a week to do this, do you know what? Members on this side of the table would be willing to maybe meet 16 hours a week, if we need to—that might be a compromise—but we have to get this bill passed. It's important that we get it passed.

Last time around, just to be clear, the members in the three opposition parties voted to limit the testimony to four hours a week. I know it's hard to believe, but they voted to limit the testimony to four hours a week. We said we would meet eight hours a week to try to make sure that we heard everybody who wanted to be heard, so that we could pass the legislation, but they voted to make sure we limited it to four hours a week. That's just not going to happen again.

Mr. Benskin, you mentioned that you might want to ask questions of people who had been before the committee before. Well, certainly, the bill hasn't changed. They have come forward and testified before the committee or have made submissions to the committee on the bill, and it hasn't changed. As you review that testimony, you can phone the witnesses directly. Most of them would take your call, I'm sure, and you could take your five minutes to ask them whatever questions you want. You could even take 10 or 15 minutes to ask them questions, if you want, so you'd get the opportunity to ask the questions you want to ask.

We have a month and a half scheduled from now until the end of the bill. It's a month and a half. I can't remember a piece of legislation that we've studied for even close to a month and a half—maybe with some breaks, such as a Christmas break in between—but we have a significant amount of time scheduled to study this piece of legislation. All we have to do is roll up our sleeves, get down to work, and get this bill passed.

• (1710)

The Chair: Thank you, Mr. Lake.

I have a couple of other speakers, but before we continue, let me say as chair that you all have my respect. I respect each and every one of you. When someone is speaking, I also expect that you will give them the same respect and courtesy.

With that, I'll move forward. Please have civil debate and lots of it, but make sure it's civil.

Go ahead, Monsieur Nantel.

Mr. Pierre Nantel: Thank you, Mr. Lake, for your explanation. I agree with you that the decision you had the last time on the witnesses' time is surprising.

My concern is not about the time we allow to listen to witnesses. My concern is about the time allocation we have to conclude on this as a team. We are supposed to be a team and say, "We heard this point of view and that point of view. I think this and that". The biggest point to me is that we should have more time to bring conclusions to amendments. That's what I have to say.

[Translation]

The Chair: Thank you, Mr. Nantel.

Mr. Dionne Labelle, go ahead.

Mr. Pierre Dionne Labelle: Listen, I was quite shocked to hear Mr. Lake say we had heard from 130 witnesses. He also said that the bill currently before us was the same bill. We invited 130 witnesses to discuss Bill C-32, and here we are today....

[English]

The Chair: There is a point of order.

Mr. Mike Lake: Just to clarify, there were over 70 witnesses on Bill C-32, and we will hear from another 60.

[Translation]

Mr. Pierre Dionne Labelle: Thank you for clarifying.

You did not change anything in your bill. You listened to all those people and you are bringing forward the same bill. And people wonder why we are worried, why we want to take our time studying the bill and making amendments that address the issues and suggestions identified by the witnesses who came here.

We are against ceasing our work on March 29th. We will study this bill until it protects the people on whose behalf we are working.

•(1715)

The Chair: Thank you, Mr. Dionne Labelle.

[English]

Is there any further debate?

Go ahead, Mr. Cash.

Mr. Andrew Cash: I think we should try to move to the next issue, but I want to get back to the comment of Mr. Lake, which was that if we want to question witnesses, we're free to give them a phone call. I think Canadians expect more of this committee, in terms of transparency and accountability, than to have members just phone stakeholders and get their answers on the telephone. That is an outrageous comment.

The Chair: Go ahead, Mr. Lake.

Mr. Mike Lake: On a point of order, I would like to clarify whether the honourable members actually had any meetings with stakeholders in private up to this point. Maybe he wants to clarify.

The Chair: Mr. Lake—

Mr. Mike Lake: It's an opportunistic—

The Chair: Mr. Lake, that's not a point of order. Thank you.

Mr. Andrew Cash: My honourable friend is saying that instead of meeting with stakeholders at committee and on the public record, we should phone and ask them questions. I think that's very dismissive of stakeholders. They expect a lot more from this committee and this deliberation than what you're suggesting we should give to it.

Finally, I think we understand the terms here. We understand the context for working. There's a motion that at least one of our colleagues across the way is going to support, and I think we should see if that's the case.

The Chair: All right, there is no further discussion. The amendment is to change it to "per committee member" instead of "per party." I will read it one more time:

That the committee begin clause-by-clause consideration of the bill no later than Wednesday, March 14, 2012; that debate be limited to a maximum of five minutes per committee member, per clause, and five minutes per committee member per amendment; and that if clause-by-clause consideration is not completed by 9:00 a. m. on Thursday, March 29, 2012, the chair shall interrupt debate and put the question on all remaining clauses and amendments, as well as all other questions necessary to dispose of this stage of the bill forthwith and successively without further debate and shall report the bill back to the House at the earliest opportunity.

Hon. Geoff Regan: I would like a recorded vote, please.

The Chair: Okay. This recorded vote is on the amendment.

Go ahead, Mr. Cash.

Mr. Andrew Cash: I'm sorry. Can you just read it one more time?

The Chair: You mean just the amendment.

The amendment is to change "per party" to "per committee member".

I will now call the question. It is a recorded vote.

(Amendment negated: nays 10; yeas 2)

•(1720)

The Chair: Now we are back to the original motion. I had Mr. Nantel, Mr. Del Mastro, and then—

Mr. Mike Lake: Can I move my motion to extend now?

The Chair: No, you can't yet, because we're still talking about your original motion.

Mr. Mike Lake: Do we have to wait until the discussion's over?

The Chair: We have to deal with one motion at a time.

We're back to the original motion, as presented by you, Mr. Lake. I had you on the list to speak to your motion; you were next.

Mr. Mike Lake: That's okay. I'll listen to the....

The Chair: Okay. I have Monsieur Nantel, speaking to the original motion.

Mr. Pierre Nantel: That's okay; I'll pass.

The Chair: On the original motion, the next person I have is Mr. Del Mastro. Then I have Monsieur Dionne Labelle.

Mr. Dean Del Mastro: If I could, I'd like to just ask a question of the clerk.

A motion to extend the meeting is a dilatory motion, which I believe can actually be introduced during the debate of a motion before the committee. Could I just have clarification on that?

The Chair: Okay, Mr. Del Mastro, we'll clarify.

While they're looking into Mr. Lake's other motion in relation to the meeting, we can continue to have our debate and discussion on the original motion that was presented by Mr. Lake. We're talking about the first one.

Mr. Del Mastro, you have the floor, if you're interested in speaking.

Mr. Dean Del Mastro: I think I've talked this out on the amendment. I think all of my comments would be redundant.

The Chair: Perfect. I understand.

Your motion that we extend the meeting until the bell rings, etc., is not a dilatory motion. It would become a substantive motion, because there's a condition. I'll read from the book:

If a dilatory motion is accompanied by a condition, it becomes a substantive motion. It is then subject to the rules on the admissibility of such motions. It also becomes debatable and amendable.

We are back to the original motion as presented by Mr. Lake on the committee beginning clause-by-clause consideration of the bill.

Go ahead, Mr. Dionne Labelle.

• (1725)

[Translation]

Mr. Pierre Dionne Labelle: I have an amendment that would allow work to carry on after March 29th.

[English]

The Chair: Just for clarity, your amendment as presented is that if clause-by-clause consideration is not completed, it may go beyond 9:00 a.m. on Thursday, March 29, 2012. Is that your amendment?

[Translation]

Mr. Pierre Dionne Labelle: Could you repeat it please? I did not get the translation.

[English]

The Chair: Sure. It's that if clause-by-clause consideration is not completed, it may go beyond 9:00 a.m. on Thursday, March 29, 2012.

[Translation]

Mr. Pierre Dionne Labelle: Yes.

[English]

The Chair: I'll open debate on the amendment.

I have Mr. Nantel and Mr. Cash.

[Translation]

Mr. Pierre Nantel: I want to express my support for my colleague's amendment. As far as our practical planning goes, I feel

that the technical considerations that define the way we do things, the amount of time we take, and the days and times we meet, are all very important and relevant.

Here we are, talking about wrapping up committee work, doing our jobs as parliamentarians, boiling the House of Commons down to a single committee whose creation every party agreed to for the purpose of producing a result. I would say that, in this situation, we can trust one another as adults. We're all old enough to look after ourselves. We can all agree that we won't waste taxpayer money ridiculously by putting our work on hold and talking about this indefinitely.

On the contrary, I think we can give ourselves a mandate of coming to a conclusion in due course. To that end, I think it would behoove us not to tie ourselves down to the 9 a.m., March 29th deadline. The way I see it, we have a duty to our constituents to get to the bottom of the matter. We all have that mandate. If 9 a.m. on March 29th rolls around and we have not completed our work, everyone will want to come to a swift conclusion.

We all want to do right by Canadians. We all want to feel that we have made the right decision. I would prefer if we didn't have a gun to our heads simply because we have to rush the job. We could very well botch things up. If we aren't able to agree on all the amendments, we will end up with a slew of amendments that have been tossed aside.

That is why I think this is an excellent idea.

[English]

The Chair: Next is Mr. Cash, but my watch says 5:30, and this meeting was to end at 5:30. According to the clerk, we can extend the meeting. There doesn't need to be unanimous consent. It only needs to be a majority vote.

Are we in favour of extending the meeting?

Mr. Mike Lake: Could we get a recorded vote on that, please?

The Chair: We'll have a recorded vote, please, on the extension of the meeting.

(Motion agreed to: yeas 8 ; nays 4)

The Chair: The motion carries, so welcome to 5:31.

Next on the list are Mr. Cash and Mr. Benskin.

• (1730)

Mr. Andrew Cash: This amendment to the motion speaks to the assumption that there's going to be goodwill on this committee. Clearly if we have goodwill, we're going to get through a lot of this a lot quicker. I'd really urge us all to consider that.

If we're going to lay down a closure motion, it does put a gun to the head of the committee, and consequently it sows some seeds of bad blood. I really think we all want to actually do the same thing here. I really do.

If you want to play games, we'll play them, but I don't think Canadians want us to. I think we all want to get to the same point here. A closure motion on the committee really sets a bad symbol for this committee, so I'd urge us all to support this.

The Chair: Thank you, Mr. Cash.

Go ahead, Mr. Benskin.

Mr. Tyrone Benskin: I'm going to apologize. I'm going to apologize for all the bad things that happened in the last Parliament. They did this; they did that; they did this. I'm sorry for that.

We're here. You've got five people who come from this industry. For 30 years I made my living in this industry. For 10 years I was presenting on that side of the table, looking for amendments and so forth. At no point did anybody I was associated with say we didn't need comprehensive change to the copyright law, and I don't think anybody on this side of the table did either.

We are here to work with you. We are here to make sure that when we walk out of this as a team, we can be proud of the work we've done. It serves Canadians. It serves the industry.

We have an opportunity to do that. If we keep working on the assumption that because they did that, the same thing is going to happen, we're going to be in this situation of you and us. That's not going to serve anybody. It's not going to serve you, it's not going to serve us, and it's certainly not going to serve the people who put us here.

I suggest simply opening it up. Instead of closing it down and saying we'll get rid of whatever we haven't got to, let's just finish it. Let's be able to say we've done the best we can as a group, as a team, and this is what we're with.

That's all I have to say. Thank you.

The Chair: Thank you, Mr. Benskin.

I have Mr. Del Mastro and Mr. Lake afterwards.

Mr. Dean Del Mastro: I'll pass. Thank you, Mr. Chairman.

What I was going to do was move a motion to extend, but you already did it for me, so thank you.

The Chair: No problem.

Go ahead, Mr. Lake.

Mr. Mike Lake: I just want to say that I appreciate Mr. Benskin's comments. In that spirit, thankfully, with what's being proposed, I think we have 45 hours of meetings to work together toward that conclusion.

Certainly if the honourable members of the committee decide we want to meet 16 hours a week or 20 hours a week, we'd be glad to have that conversation to make sure we get the work done that we need to get done. We do look forward to working together with other members of the committee and welcome you to the conversation.

With the 45-hour time frame allotted, hopefully we can accommodate everything we need to accommodate during that time. If need be, certainly as a committee we're well within our means to have a business meeting and decide that we want to add some extra time to that time frame.

The Chair: Thank you, Mr. Lake.

Go ahead, Mr. Nantel.

[Translation]

Mr. Pierre Nantel: Thank you for that clarification, Mr. Lake. I just want to make sure I understood correctly.

In the event the committee is worried about running out of time, are you suggesting increasing the number of hours per week set aside for this matter, or extending the deadline? Are you suggesting pushing back the schedule or spending more time on the matter on the already allotted days? Are you talking about extending the timeline vertically, so to speak, or horizontally?

● (1735)

[English]

Mr. Mike Lake: During the last Parliament, we were restricted by some members of the committee who decided that we were only going to meet four hours a week. We'd be glad to roll up our sleeves and get to work. We've committed to 12 hours right now. If need be, we could meet for 16 hours in a week, or even 20 hours, to make sure that we get this bill passed through the committee by March 29.

The Chair: Thank you, Mr. Lake.

I have Mr. Armstrong.

Mr. Scott Armstrong: In response to Mr. Benskin's intervention, I agree with him. I know he comes to us with great sincerity, but I also want to remind him that I served 18 years as an educator, and that copyright involves more than just the entertainment industry and production. It involves many Canadians from many facets and many industries, including teachers, university professors, and education administrators. It has great effect. We need to acknowledge that there are a lot of people affected by copyright, and I'm here to represent the people who sent me here, just as you are.

The Chair: Thank you, Mr. Armstrong.

M. Dionne Labelle is next.

[Translation]

Mr. Pierre Dionne Labelle: I found the last comment quite interesting. One way to speed things up without imposing a deadline would be for the Conservatives to move their amendments, if they have any, so we can move on to dealing with them. I think that once it comes time to study amendments, one way to ensure we do things properly would be to contribute to the discussion. If the Conservatives adopt the same attitude they have in other committees, and there are no amendments, obviously, the process is going to drag on and on, because we want amendments. We are going to have to find a way to work on this copyright bill for the sake of the public good. Otherwise, you will keep doing what you are already doing. You heard from 130 people, yet you made no changes to the bill. That is unbelievable. Clearly, those people made suggestions and proposed amendments, but they were not taken into account.

Starting the debate based on the premise that it must come to an end on March 29th means that no amendments are expected to go through. What you are doing in the other committees is a disgrace to Canada's democracy. Never has a government operated in this manner. We checked the history books to see how other governments have behaved. In parliamentary committees, the members of the party in power work with the other members to improve legislation. That is not what you are doing here. I wish you would, and I will be here to make sure you do.

The Chair: Thank you, Mr. Dionne Labelle.

Mr. Nantel, go ahead.

Mr. Pierre Nantel: Thank you, Mr. Chair.

I wonder whether we might consider another work plan. As I recall, there was much talk of that during the discussion surrounding Canada's 150th anniversary. I think it is often reckless to approach work schedules with the idea that you will spend eight weeks on a given matter and then see how it turns out. Speaking of Canada's 150th anniversary, I have long suggested that we spend one meeting a month on the topic for the next five years, with the option of dealing with other subjects in the meantime.

In this case, could we not set a work schedule for the amendments? We would hear from witnesses during our 12 or so meeting hours a week, and we could decide to discuss amendment X or Y. That way, we could extend the deadline. Next week, we would hear from other witnesses.

I will not come up with the methodology. I haven't been an MP for seven years, just seven months. The fact remains, the need is there and so is the good will. Basically, I am wondering whether we could revisit how we extend the period allotted to our amendment debates, rather than always imposing a cut-off date on the whole matter and constantly having to push it back. I find that very restricting.

The Chair: Thank you, Mr. Nantel.

[English]

Members of the committee, I need to suspend for about five minutes. We can all enjoy a five-minute recess and come back after the break.

• (1735)

(Pause)

• (1740)

The Chair: Welcome back, everyone. Thank you for the courtesy of the five-minute recess.

I had an email saying there is no vote tonight. According to my email, there won't be a vote.

With that, we'll return to debate. Monsieur Nantel was the last speaker, and now we have Mr. Angus.

Mr. Charlie Angus: Can you read the amendment? I have an amendment that we think might clarify things.

The Chair: First we have to put this amendment forward and go from there.

Do you want the whole thing as presented, or just the amendment?

• (1745)

Mr. Charlie Angus: Yes, please read the whole thing.

The Chair: It reads as follows: That the committee begin clause-by-clause consideration of the bill no later than Wednesday, March 14, 2012; that debate be limited to a maximum of five minutes per party, per clause, and five minutes per party per amendment; and that if clause-by-clause consideration is not completed, that it may go beyond 9:00 a.m. on Thursday, March 29, 2012. The chair shall interrupt debate and put the question on all remaining clauses and amendments as well as all other questions necessary to dispose of the stage of this bill forthwith and successively without further debate and shall report the bill back to the House at the earliest opportunity.

Go ahead, Mr. Angus.

Mr. Charlie Angus: Yes, I'd like to amend that.

I'm not going to argue about March 29, because the committee could actually vote to go all night if it wanted. If we are getting caught up in clauses, we can debate all night. That has been done in committee, so I would like to move an amendment. I move that the motion be amended by replacing the words "five minutes" with the words "fifteen minutes".

The rest of it we will accept.

The Chair: Mr. Angus, we have to vote on the original amendment first, and from there we can bring forward your amendment.

Mr. Charlie Angus: I have a question, though. If we vote on five minutes, then mine becomes redundant, because it will already be the agreement of the committee.

The Chair: There was already a similar amendment that we voted on.

We'll clarify. Just one second, Mr. Angus.

Okay, for clarification, after talking to the clerks, I can tell you that we must vote on the amendment as presented by Monsieur Dionne Labelle. Once that is done, other amendments can be presented, but as it stands right now, we are still discussing the amendment brought forward by Monsieur Dionne Labelle.

Is there any discussion on that amendment?

Seeing none, I will then call the question on the amendment.

(Amendment negated)

Mr. Mike Lake: On a point of order, all five members of the NDP had their hands up. I'm not sure who is not here anymore.

The Chair: I appreciate the point of order. Thank you, Mr. Lake, for that. However, the clerk is well aware of the four members who are voting.

Hon. Geoff Regan: Just ignore Mr. Cash.

The Chair: Okay, we are back to the discussion of the original motion, as presented by Mr. Lake.

Is there any further discussion?

Go ahead, Mr. Angus.

Mr. Charlie Angus: I will move my amendment, which is that the motion be amended by replacing the words "five minutes" with the words "fifteen minutes".

As I said earlier, I don't think that will throw us off their timeline, because if they want, they can extend the hours of committee work. However, it will allow us, on certain substantive clauses, to make sure we have a full discussion. For lesser clauses we'll probably just move through at a quicker pace, but it should be 15 minutes per party per clause and 15 minutes per party per amendment.

The Chair: Is there any discussion?

On the amendment, go ahead, Monsieur Dionne Labelle.

[Translation]

Mr. Pierre Dionne Labelle: It seems to me that if the Conservatives have the slightest interest in the job of Parliament, if they show good will and work to incorporate amendments into the bill, then they must give us enough time to do the job.

[English]

The Chair: Okay, Monsieur Dionne Labelle. Thank you.

Is there any other discussion?

Go ahead, Mr. Angus.

Mr. Charlie Angus: Can we have a recorded vote?

The Chair: Sure. It will be a recorded vote.

Is everyone clear on the amendment?

(Amendment negatived: nays 7; yeas 5)

(Motion agreed to)

The Chair: Mr. Lake, you have another motion.

• (1750)

Mr. Mike Lake: Yes, I do. It is as follows:

That amendments to Bill C-11 be submitted to the clerk of the committee 24 hours prior to clause-by-clause consideration and distributed to members in both official languages.

The Chair: All right. Is there any discussion?

(Motion agreed to)

The Chair: Go ahead, Mr. Lake.

Mr. Mike Lake: I think that does it for our motions. Other members may have routine motions they want to pass, but I would ask the clerk maybe just to ensure we've passed every routine motion we need to pass to actually be able to function as a committee.

The Chair: Okay.

Go ahead, Mr. Regan.

Hon. Geoff Regan: Mr. Chairman, I move that all meetings of the committee be televised if possible.

The Chair: Okay. That motion is out there.

I will suspend for one second. Then I'm going to let the clerk explain some of the inner workings of that motion.

The Clerk of the Committee (Ms. Christine Holke David): In terms of televised committee meetings, I just wanted to inform members that I can do my best to book a room that can televise meetings. Certain rooms are allocated to that effect, but only two meetings can be televised at the same time.

I will do my best, obviously, but it would be subject to room availability.

Hon. Geoff Regan: The motion's still okay then, I think.

The Chair: The motion is still okay.

Is there further discussion on the motion?

(Motion agreed to)

The Chair: Mr. Regan is next, and then Mr. Del Mastro.

Hon. Geoff Regan: I have one more, and maybe this goes without saying, in view of the last one. Mr. Chairman, I move that all meetings of this committee be held in public.

The Chair: Okay.

It's a motion and it's debatable, so is there any discussion?

Go ahead, Mr. Lake.

Mr. Mike Lake: It's an interesting motion. Typically, when you hold a committee business meeting, there are times you might have a meeting that isn't public. Maybe the clerk could enlighten us on the types of meetings that are generally public and why committees might do that.

The Chair: Thank you, Mr. Lake.

Mr. Mike Lake: Is there enlightenment on that question?

The Chair: One of the things I did as chair was to read as much as I could on my role and responsibilities. There's nothing that states that I have to call any meeting as in camera. I asked for clarification on that point, and every meeting can be public.

Mr. Mike Lake: I didn't know this motion was going to come up. It's very unusual.

I don't think I've ever been a part of a study that didn't have at least a planning session at some point among MPs or didn't have an in camera meeting to do planning. I don't know if I'd want to necessarily tie the hands of the committee as we go forward. Certainly every meeting at which we hear witnesses is going to be in public, and when we do clause-by-clause consideration, that'll be in public, but I wouldn't want to tie the hands of the committee in a way that I've never ever seen a committee do before.

The Chair: Go ahead, Mr. Cash.

Mr. Andrew Cash: I think this is a reasonable motion, and I think Canadians would find it surprising to discover that we'd consider putting this committee in camera for key, important things. I think Canadians want to see this debate on the public record, and I think this motion is very reasonable.

• (1755)

The Chair: After Mr. Regan, Mr. Del Mastro was on the list. I apologize if I missed you.

Do you want to speak to this motion?

Mr. Dean Del Mastro: I'm hurt, Mr. Chairman.

The Chair: I can tell.

Mr. Dean Del Mastro: To echo what Mr. Lake said, to somehow pretend that we can look into a crystal ball and foresee that there would never be any call to move in camera for a consideration that members may feel is appropriate is, I think, impossible, so I would encourage members to not support this motion. It's simply restrictive. I think everyone on the committee understands that we want to have a public discussion with witnesses, obviously in public. I fully supported Mr. Regan's motion to have this committee televised so that we will be able to project what this committee is doing back to Canadians.

The Chair: I do think it's important to mention, too, that as a legislative committee, clause-by-clause consideration must be public. It's important to put that information out there.

Next I have Monsieur Dionne Labelle.

[Translation]

Mr. Pierre Dionne Labelle: Thank you.

If ever there was a bill worthy of public consideration, this is it. This bill deals with authors, products of a public nature, be they songs or plays. Everything it covers is public in nature.

I don't think we have anything to hide as far as these discussions are concerned. I hope the same goes for those on the other side. We must keep these debates public. I am going to vote in favour of the motion.

The Chair: Thank you, Mr. Dionne Labelle.

[English]

Go ahead, Mr. McColeman.

Mr. Phil McColeman: I pass.

The Chair: Seeing no other person on the list, I will call a recorded vote.

(Motion negatived: nays 7; yeas 5)

Mr. Mike Lake: I'm thinking out loud because I didn't expect a motion like that, but maybe we can come to a compromise by saying that all meetings in which we hear from witnesses or consider the bill during clause-by-clause study be held in public.

This is the usual. I think that might be a way of bridging the gap there.

The Chair: I don't know if we need to add "clause-by-clause", because that's already public.

Mr. Mike Lake: Yes, it automatically has to be. I move, then, that any meeting in which the committee hears from witnesses be held in public.

The Chair: Is there consensus on that motion?

Mr. Mike Lake: You might as well do a recorded vote just so—

The Chair: All right. We will have a recorded vote.

(Motion agreed to: yeas 12; nays 0)

The Chair: We were wrapping up routine proceedings.

Go ahead, Mr. Del Mastro.

• (1800)

Mr. Dean Del Mastro: This is not related to routine proceedings but is more as a matter of committee business, Mr. Chairman. I was simply going to seek agreement among committee members that we, as parties, would circulate witness lists to one another by five o'clock tomorrow, if that's possible, so that we could come into Thursday's meeting with some understanding. I'm sure there will be some witnesses that the parties will jointly have on their lists. Doing that will allow us to have an informed discussion on Thursday morning.

The Chair: Mr. Del Mastro, do you want the witness lists to be submitted to the clerk or among the parties?

Mr. Dean Del Mastro: They can be sent through the clerk.

The Chair: That's through the clerk.

Hon. Geoff Regan: I reserve the right to still submit a name if one comes up on Wednesday. Is that all right?

The Chair: Yes.

Hon. Geoff Regan: Okay. Thank you. We'll try for tomorrow night at five o'clock.

The Chair: That's to be done by tomorrow at 5:00 p.m., then.

Is there anything else for the good of the committee?

A voice: Happy Valentine's Day.

The Chair: Happy Valentine's Day.

The meeting is adjourned.

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