



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on Access to Information, Privacy and Ethics

ETHI • NUMBER 002 • 2nd SESSION • 41st PARLIAMENT

EVIDENCE

Tuesday, October 29, 2013

—
Chair

Mr. Pat Martin

Standing Committee on Access to Information, Privacy and Ethics

Tuesday, October 29, 2013

• (0850)

[English]

The Chair (Mr. Pat Martin (Winnipeg Centre, NDP)): We'll call this meeting to order.

Welcome to the committee.

Charlie Angus.

Mr. Charlie Angus (Timmins—James Bay, NDP): Yes, Mr. Chair, I feel a little remiss in regard to my duty last time. When you were elected chair, we didn't get an official chance to congratulate you. We're looking forward to working with you. We have a very good committee here, and we work on all matter of things. I'm looking forward to working with you as chair. I'm glad to see you at our committee. You probably know this file better than any of us.

I would like to suggest that we move forward in a collegial attitude. I think one of the key issues will be how we deal with the in camera issue. I would like to move a motion regarding the rules for meeting in camera, which we should be debating here.

I was on a school board. Some people come from municipal boards, school boards, or municipalities. We have very clear rules in regard to in camera in all manner of things except, it seems, the House of Commons. Even in the dodgy old Senate they actually have rules for meeting in camera that are superior to ours, and I'm saying as an elected member of Parliament that I am rather shocked, a little let down, and perhaps a little embarrassed by that.

I would like to move the following motion:

That the Committee may meet in camera only for the purpose of discussing:

- (a) wages, salaries and other employee benefits;
- (b) contracts and contract negotiations;
- (c) labour relations and personnel matters;
- (d) a draft report;
- (e) briefings concerning national security; and

That all votes taken in camera be recorded in the Minutes of Proceedings, including how each member voted when recorded votes are requested.

I think you'll find that this is basic for democratic accountability. Certainly, I have heard you in the past, Mr. Chair, say about openness and transparency are the lifeblood, the oxygen, of democracy. As a student of that, I think this would be a good way. I just want to go through it.

Certainly, it's a standard when you're dealing with municipalities, provincial... Even on the issue of wages, salaries, and employee benefits, certainly, that has to be done in camera out of respect for the employees in question. Certainly, for issues of contracts or

contract negotiations, that's obviously something you would want to deal with in camera. If you're dealing with personnel matters, or labour relations, or issues about someone, we would have to actually walk through this and try to figure out a way to deal with someone's reputation, perhaps, and we would want to go in camera as colleagues to discuss it.

On the work of our draft reports, it's very important that we be able to speak freely to each other within the form of a draft report so we can actually make sure that we come to the best conclusion. Sometimes that's better done in camera. We've never had a practice, as far as I can recall, of doing that in public for the work of all parliamentarians.

Obviously, on the issue of anything to do with a sensitive briefing, for example, national security, we would certainly, as parliamentarians, go in camera.

I think the issue of making sure that in the *Minutes of Proceedings* the votes are recorded is important, because what happens is that we're seeing the suppression of discussion. A motion comes before committee, then we go in camera, and then the public never knows who supported and who opposed the motion. I think that's very, very problematic, because what ends up happening is the actual privileges of the members, I believe, are interfered with when you go in and you have a very clear position on how you want to vote for something but you're not allowed to tell people how you voted. If your vote is defeated or the other...you are left giving the public the impression that perhaps you supported a vote you were opposed to, or that you opposed a vote you think is important. On the issue of how we are recorded, even if we are in camera and have an in camera discussion, the recording of the vote and releasing that publicly I think allows a little amount of transparency for the public in understanding how their committee is working.

Also, Mr. Chair, no committee I think is more important for accountability and transparency than the ethics and accountability committee. We're charged with the issue of ensuring fair, open, and accessible government. It seems to me that if we run a secretive, paranoid club where every time there's an issue that comes before a committee we go in camera and the public never knows what we're doing, then obviously this is not much of an ethics committee at all. It would be a rubber-stamp committee, so we perhaps would be compelled to change the name of the committee.

If we are going to be the committee that deals with the four officers of Parliament—the lobbying commissioner, the ethics commissioner, the privacy commissioner, and the access to information commissioner, who's coming before our committee on the issues of the accountability of government, and particularly on the issues of transparency—then I think this motion on where we meet in camera is a very reasonable one.

I certainly am open to debating it with my colleagues right now, and I'll put forward the motion.

Thank you.

The Chair: I'm going to consult with the clerk to see that a motion is in order before we've even adopted any rules of the committee.

The clerk advises that seeing as the first item of business was in fact routine motions, and that this would be an amendment to our routine motions, it is in order.

We have a speakers list that's developed here. For debate on the motion, the next speaker would be Charmaine Borg.

Is there anyone else?

Mr. Gourde?

Mr. Mathieu Ravignat (Pontiac, NDP): I should be on the list.

The Chair: Yes, you are.

Mr. Gourde, are you asking to be on the list?

[Translation]

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Thank you very much, Mr. Chair.

[English]

The Chair: No, I'm sorry. The order of speakers is Charmaine Borg, Mathieu Ravignat, and then you.

[Translation]

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Thank you very much, Mr. Chair.

This motion is really important. Indeed, this government uses in camera hearings on a regular basis to hide the work we do in committee. However, we should be proud of that work. We raise really important topics. This committee studies ethics in all areas. At this time, there are several ethical issues at the House of Commons and in the Senate. For our part, we are not studying the issues that relate to the Senate. In my opinion, Canadians are increasingly concerned by ethical matters. If we cannot hold these debates, submit motions and ideas in full view of the public, we will not be supporting Canadians.

Moreover, it happens from time to time that closed proceedings are called for to prevent the result of a vote from becoming known. To me, this is a very important matter. My fellow citizens elected me for a reason, that is to allow me to vote in a way that represents them 100%. So, if they do not know how I vote, how can they know whether or not I represent them well? It is our duty when we vote to express an opinion that represents our fellow citizens. However, if it is neither recorded nor published, how are they supposed to know if we represent them and if we are doing our work? All too often,

members are hiding behind closed doors because they are putting forward a position that is not in keeping with that of the citizens we represent. We should not be acting in this way. The NDP is going to see to it that we no longer abuse closed proceedings. And that is the intent of this motion.

In addition, Mr. Chair, motions are often introduced to have us work in camera when that is not appropriate. We should only do so for the reasons listed in this motion. If we were doing what the Standing Orders intended right from the outset, we would only work in camera for the purpose of discussing wages and other employee benefits, contracts and contract negotiations, labour relations and personnel matters, as well as documents related to national security.

Mr. Chair, our committee deals with access to information, privacy and ethics. We do not deal with matters of national security, or only very rarely. I don't think it is appropriate that our committee or several others, in particular the Environment Committee and the Human Resources Committee, work in camera because the Conservatives do not want people to know that they voted against transparency or other issues. If they are proud of their position and really think that they represent their fellow citizens well, they should not be hiding how they vote or avoiding public debate on motions we introduce or on those they present. Everything should be transparent and accessible to all. That is a fundamental principle here in the House of Commons. The transparency principle should absolutely be respected. It is really the basis of everything we do here.

The motion my colleague Mr. Angus presented is in keeping with what was required in the past. I insist that all of the members of this committee support this motion, which really constitutes a basis for transparency. We owe that to our fellow citizens who elected us and whom we proudly represent.

I will close on this Mr. Chair, and reiterate my support for this crucial motion. I will also ask all of the other members of the committee to proudly support this motion, which aims to further transparency. Thank you.

● (0855)

[English]

The Chair: Thank you, Ms. Borg.

Just to be clear, do the members on the government side have a copy of this motion? It's a little unfair that it's being debated without the advantage of seeing it.

Mr. Paul Calandra (Oak Ridges—Markham, CPC): No, we don't have a copy of the motion.

The Chair: Perhaps we could circulate it if there are going to be more speakers on the topic. Is it possible to have that photocopied and circulated?

In the meantime the speakers list has Mathieu Ravignat and then Jacques Gourde.

[*Translation*]

Mr. Mathieu Ravignat: Thank you, Mr. Chair. I too would like to congratulate you, since I did not have the opportunity to do so at our last meeting. I am delighted that you were elected and to know that we will continue to work together. Now that this committee has been struck, I also want to greet all of my colleagues around the table. I look forward to working with you.

I believe parliamentary work really takes place in committee. The House is important, of course, but committees are essential to analyze legislation and hear witnesses. A parliamentary committee is also a privileged space that allows us to have contact with the public. It is one of the rare opportunities we have to consult people from the outside, whether they be experts, stakeholders or ordinary citizens from all sorts of communities in Canada. For instance, the Kitigan Zibi chief, Mr. Whiteduck, has often been asked to appear before committees. The people of my riding know that committees are a link between Parliament and the Canadian population.

When my constituents chose to vote for a member of the NDP, they clearly voted for change. I don't know if my colleagues know this, but the riding of Pontiac is one of the oldest ridings in the country. It was there from the inception of Confederation and has not changed all that much. Since Confederation, my fellow citizens voted for Liberal candidates or Conservative ones. In 2011, they chose to do something historic by voting for the NDP. One of the reasons why they chose our party was that our platform talked about transparency and a new, real democracy in Canada.

Dear colleagues, you know as well as I do that in our country there is incredible cynicism with regard to politics. According to polls that are taken every year, politicians are at the bottom of the list, after used cars salespeople. That opinion on politics is shared by several people in my riding,

● (0900)

[*English*]

present company excluded and excused.

Mr. Charlie Angus: Patricia and John; we're waiting on the rest.

Some hon. members: Oh, oh!

[*Translation*]

Mr. Mathieu Ravignat: I come back to what I was saying. We can feed that cynicism, or we can cure it. In choosing to feed it, we are not helping parliamentarians, nor are we helping the Canadian population.

I decided to get into politics after the birth of my two young daughters in order to change this country for the better. I am sure that some of my colleagues on the other side made the same choice. They wanted a more transparent Parliament, that would be closer to the population and reflect Canadian democratic values.

Like my colleague Mr. Angus, I was particularly disappointed when I became a member of Parliament to see that the general practice of this government was to do things in camera and to keep things hidden. That practice helps no one. Journalists are frustrated that they do not have access to information.

I should add here that I find it particularly ironic that the access to information committee systematically holds its meetings in camera. That is really not funny. It's a matter of legitimacy, and to create that legitimacy and inspire trust in the Canadian population, we have to have some very clear rules. If we told Canadians that there is a rule and that we are going to apply it, most of them would understand that way of doing things. The problem is that we have breached all of the rules and broken all of the conventions. In a British parliamentary system, a convention is as important as a rule; we agree on that. Canada is not a republic, but a British constitutional monarchy, with traditions and conventions we should be respecting. I expected the Conservative Party to respect those traditions and conventions, but we may not be talking about the same type of conservatism.

Mr. Angus's motion aims to add entirely appropriate details to the routine motion. The working relationships with the personnel and the operations of Parliament must remain confidential, which is entirely normal. By the same token, we would not expect collective bargaining to be completely public. These discussions have to be held behind closed doors.

In that spirit, this motion is very explicit. It refers to wages and other employee benefits, contracts and contract negotiations, labour relations and personal matters, and the reports or matters that require confidentiality. All of that is reasonable. What is not is to hide certain debates and certain information that must be accessible to the public and to journalists by presenting motions requiring in camera meetings.

Allow me to add that those motions are not debatable, which is even more unfair. The Canadian population cannot know why members want us to go in camera or why we don't want to. We remove all access to information. The in camera motions are being used as a gag and abused. I am against this abuse. It is unhealthy for our democracy, for the legitimacy of our parliamentary institutions, as well as for the vision and opinion that the average citizen has of politicians and parliamentarians.

● (0905)

I must add that the scandals are adding to the cynicism. I am talking about the Senate scandal and all of the scandals related to the expenses, secret cheques and hidden tactics to get people to keep quiet. As we are about to begin our work anew, we have here a golden opportunity. We, the Standing Committee on Access to Information, Privacy and Ethics, really have a golden opportunity to send the Canadian public and our fellow citizens the message that we believe in our institutions, in the role of the committee, in its importance in our democracy and the importance of the contact with citizens it provides. We really have a golden opportunity, and I hope that my colleagues from all parties, in particular those of the government party, will seize this opportunity and find in themselves their democratic essence. When I look at my colleagues' faces, I know that they are democrats, but I know that some people, I don't know which ones, are asking them to systematically hold our hearings in camera. I am asking them to make a different decision and support this motion.

Thank you, Mr. Chair.

[English]

The Chair: Thank you, Mr. Ravignat.

Next is Mr. Jacques Gourde.

[Translation]

Mr. Jacques Gourde: Thank you, Mr. Chair.

I thank my colleagues for their arguments, but I can tell you that for my part, I will be voting against this motion, for the simple reason that all of the committees always have the freedom to choose the way in which they operate. It is up to each committee to choose how it wants to function. This motion would diminish the fundamental privilege of all committees, in my opinion, to choose the manner in which they work. That is quite simply the reason, Mr. Chair. I am going to vote against the motion because I want us to keep our freedom to choose the way in which we operate.

Thank you very much, Mr. Chair.

[English]

The Chair: Thank you, Monsieur Gourde.

Are there any other speakers?

Scott Andrews.

Mr. Scott Andrews (Avalon, Lib.): Thank you very much, Mr. Chair, and congratulations on becoming the chair of this committee.

I support the motion, but it's unfortunate that the NDP have taken the tack they have in making this such a partisan motion. That's one of the problems with this committee. It is politically charged. This committee has been politically charged over the years, hence the reason we have gone in camera so often.

There's a saying that you attract more with honey than you do with vinegar. This is an opportunity. We have new players and some returning faces around the committee table, as well as the motion itself, and I do think this could be a goodwill gesture for how this committee operates.

One thing I'd like to see added to the motion, or given some consideration, is technical briefings. I can remember one time in the last year when we had a very good in camera session with a technical briefing by one of our commissioners. We were studying one of our reports and we could go in camera and speak freely and ask sometimes stupid questions, because we didn't want to ask stupid questions in public meetings. That was actually a very good example of how in camera meetings work. I thought that was a very good opportunity.

We should look at adding such technical briefings at which we can dive into some of the nitty-gritty in a piece of legislation in such a non-partisan manner.

In closing, I'll be voting yes to this motion. I cannot vote no to secrecy any more.

• (0910)

The Chair: Mr. Andrews, did I understand you to mean you wanted to move an amendment to the motion? Are you moving an amendment to add technical briefings to the list that Mr. Angus has proposed?

Mr. Scott Andrews: If that would be acceptable to Mr. Angus—

The Chair: It would certainly be in order. We don't recognize friendly amendments as such. It would have to be dealt with as a separate matter.

Mr. Andrews has moved an amendment to include, I suppose, technical briefings from departmental officials. Is that acceptable language? It won't be departmental officials so much in this committee, because we don't really have a government department to report to. Let's just leave it as "technical briefings".

The debate would be on the amendment. Are there speakers on the amendment?

Mr. Angus is on the list, as are Mr. Ravignat and Charmaine Borg. Is there anybody else?

On the amendment, go ahead, Mr. Angus.

Mr. Charlie Angus: Thank you. I appreciate my colleague's intervention. There's certainly no vinegar over here this morning; we're all honey.

I'm surprised we had overlooked the issue of technical briefings. I thank my colleague for examining that, because I look at the way our committee has worked. Certainly some of the reviews we've done have been extremely technical, and it's incumbent upon all of us to really know the file. Sometimes that's difficult when we are in the issues of the traditional cross-examination. It's the issue of trust we're talking about, how a committee works. Certainly, there has been a lack of trust regarding the issue of meeting in camera because when it's overused, it makes people feel that it's being abused, and then people become defensive.

Towards the end of last spring our committee was starting to work fairly well together. We could actually sit down and say there were issues we all probably needed to delve into more deeply. We would agree to sit down and go through an issue. One time we had technical people come before us. Sometimes even among ourselves we feel there's maybe something we're not hitting accurately. I think it's well worth adding technical briefings. We're not trying to tie the hands of our committee here. We're just trying to make sure we have basic rules of accountability so that anyone from the public who's looking will say that this is a committee that is meeting the criteria of accountable democratic processes.

I was on a very small rural school board, the Northeastern Catholic District School Board. We had many rules that seemed to be much stricter than those existing in Parliament. I find that shocking. We had only 13 schools from Cochrane down to Cobalt. There was little St. Pat's in Cobalt which I represented. We had really clear rules. When you come here it sometimes seems to be a little bit of a wild west situation. The rules are whatever the majority makes. That's not really accountability. I'm sure my colleagues in all parties would agree.

I'm worried about how we would interpret the term "technical briefings". We get technical briefings that deserve to be in public. Certainly, when departmental staff come, when a minister's staff comes, those are technical briefings.

For the goodwill of the committee we would be willing to accept this amended motion within the spirit in which we all understand it. This is about our sometimes being able to dig deeper as a committee working together to make sure we fully understand an issue before we come back on a report, because it is about our ability to do due diligence. I'm certainly trusting that my colleagues on the government side wouldn't be using the words "technical briefing" to allow for all manner of in camera work that wouldn't be in the spirit of this.

So, in the spirit of the honey with which it was given, I will add it to the tea we're making here this morning and offer everyone to have a cup of kindness.

• (0915)

The Chair: Thank you.

Mr. Charlie Angus: It's the Scottish in me.

The Chair: I see.

Mr. Ravignat.

[*Translation*]

Mr. Mathieu Ravignat: I have absolutely nothing against honey. In my opinion, it is quite normal to add information to the rules, even if it is not necessarily perfected. It may happen, when there are technical information sessions, that the information is incomplete or still at the draft stage. I understand that that information might not be as useful to the public as it could be to parliamentarians. I of course share Mr. Angus's concerns, regarding the way in which this provision could be used in the future. I wonder whether it would not be preferable to decide which technical information sessions should be held in camera, and which could be public.

The idea is that there would not necessarily be exclusivity on this, and the committee would enjoy a certain flexibility in order to be able to make its decisions, and we could then give the Canadian population as well as journalists better access to these documents. We need to be able to use our judgment. We were elected with the expectation that we would use the head we have on our shoulders. I would agree to adding that, given that we could then call on the committee's judgment as well as that of our chair, without abusing this practice.

When I worked as a public servant, I sometimes provided information to officials and to ministers' offices. I can confirm that the quality and accuracy of that information sometimes varied. I recognize the effort made by my Liberal colleague who wants to add a provision that could satisfy everyone here. I thank him for his spirit of cooperation. It is pleasant to see that there can be cooperation around this table. My personal intent today was to see how it might be possible to draw up rules regarding the holding of in camera meetings that would be satisfactory, and to hold this important debate.

Mr. Andrews has just added a provision to the motion which is important, in my view. I am waiting to see what the government members think of it. I wonder if it meets their demands, and if it respects their desire to deal with certain matters in camera, or whether it meets their democratic instincts to some extent. Up till now, we have not had the opportunity to hear their point of view on this, but all is not lost. I think that a consensus is always possible. I

am a person who likes to get up every morning with hope in his heart, and I hope that that is true about everyone around the table. I was not a member of this committee previously, but even if cooperation was sometimes difficult in your relationships and work here, that does not mean that it is impossible today to do things differently.

In that spirit of cooperation, and to extend cooperation to Mr. Angus, I am pleased to support the addition submitted by Mr. Andrews.

• (0920)

[*English*]

The Chair: Thank you, Mr. Ravignat.

Charmaine Borg, please.

[*Translation*]

Ms. Charmaine Borg: Thank you, Mr. Chair.

During my last intervention, I forgot to congratulate you on being elected chair. I would like to do so now and also welcome the new members to the committee.

Like my two NDP colleagues, I think it is a good idea to add the technical briefings to the list of reasons why it would be appropriate to sit in camera. We were able to work well together in the last session. We managed to address important issues. We tabled a report on privacy and social networks, important work that I think Canadians appreciated because it is something they are concerned about.

We were able to study the Conflict of Interest Act, which was very interesting and very necessary. We were able to work together to do good things, even though we sat in camera. I do not think we should be afraid of sharing the work we do with Canadians.

I remember the consensus that technical briefings need to be held in camera. You know, we can come to a consensus on things like this. However, we are finding that we are too often deciding to sit in camera simply so people won't know we voted against something worthwhile. Asking to sit in camera has become automatic for government members.

When my colleague Mr. Andrews spoke about one technical briefing in particular, I believe it had to do with the Conflict of Interest Act, a very complex piece of legislation. I think about 100 amendments were suggested by the various witnesses. It is a good thing we were able to meet in camera to ask the commissioner questions in order to get some clarification because it was very complicated. However, we had a consensus on that. We were willing to work together.

I honestly hope that we—and this includes our new members and our new chair—can continue to work together in a more transparent way. That is what we are talking about today. The purpose of this motion is to move forward and continue to work together transparently. As I said, we should not be ashamed of what we are doing here. No, we should be very proud of it.

The amendment that my colleague proposed raises some concerns. Will there be abuse or not? I do not know, but I believe we will be able to work together, that there will be a consensus and that, when something very complex comes up and we will need to ask sometimes embarrassing questions, we will be able to proceed that way.

I would like to take this opportunity to respond to Mr. Gourde, who said that he would not support this motion because each committee should have the right to decide on its own how it will operate. What are we doing today? We are deciding how we will operate. By passing this motion, we can decide that our committee, which deals with ethics, will be transparent and that every meeting will not systematically take place in camera. If we want to decide on how we are going to operate, today is the day to do it. I invite Mr. Gourde to move forward with that in mind and to decide that the Standing Committee on Access to Information, Privacy and Ethics will operate transparently.

I reiterate my support for this motion. Adding technical briefings is a good idea, and we can include it in our motion, no problem. It respects the desire to work together, to move forward, to do good work and to share it with the public without systematically sitting in camera.

• (0925)

[English]

The Chair: Thank you very much, Charmaine.

Mr. Paul Calandra.

Mr. Paul Calandra: Briefly, I would like to thank Mr. Andrews for highlighting the problem with this motion. We've been debating it for about half an hour and already we've started to add things to the list. It highlights why the committees are in charge of their own destiny. As Mr. Gourde said, we will decide on a case-by-case basis what needs to go in camera. From what I understand, this committee has been pretty successful doing that in the past. I think we can be successful again going forward.

In the interest of making sure that we don't make mistakes, as Mr. Andrews highlighted, we'll certainly be voting against the amendment, because the amendment highlights why the main motion would pose a problem for this committee and other committees.

The Chair: Seeing no further speakers, before we proceed I'll ask for clarification, just so we know what we're voting on.

Could I ask the mover of the motion.... Well, we'll be dealing with the amendment first, but the last sentence of the motion, Mr. Angus, states, "That all votes taken in camera be recorded in the Minutes of Proceedings, including how each member voted when recorded votes are requested." Would you be saying that those results of votes taken in camera be made public?

Mr. Charlie Angus: Yes.

The Chair: So even if the committee is in camera, it's your position that the vote itself.... It would be only the debate that would be—

Mr. Charlie Angus: The debate would be in camera, but—

The Chair: You're suggesting that the ultimate vote should be made public, even in an in camera meeting.

Mr. Charlie Angus: That would be the level of transparency and accountability. The public would then know that whatever was said was said. We are tasked with taking positions and to hide from that task is certainly an abrogation of our fundamental responsibilities. We certainly believe that if we're in camera and we're discussing sensitive issues, but if we're asked to vote on something, then the public should know how we voted. As they say in the good book, let their yes mean yes and their no mean no.

The Chair: Very good. Thank you for that clarification, Mr. Angus.

Seeing as there are no further speakers, we'll deal with the amendment.

All those in favour of the amendment as put forward by Mr. Andrews?

Ms. Charmaine Borg: A recorded vote, please.

The Chair: It's a recorded vote. We'll ask the clerk to deal with it that way.

(Amendment negated [See *Minutes of Proceedings*])

The Chair: On the main motion, we'll be dealing with that accordingly.

Mr. Charlie Angus: A recorded vote, please.

The Chair: It will be a recorded vote again.

(Motion negated [See *Minutes of Proceedings*])

The Chair: Proceeding with the items of business under routine motions, we have, as circulated by the clerk, a list of the recommended routine motions for the consideration of the committee. As Mr. Gourde pointed out, we're free to amend those in any way we see fit.

Mr. Calandra.

Mr. Paul Calandra: Mr. Chair, I do have a couple of things I wanted to put on at the table, but I know that our researchers are waiting. Before I get to mine, could we pass a motion that we invite the researchers? Is that okay, or is that completely out of order?

The Chair: Mr. Calandra, it's one of the routine motions. In fact, it's the first one, so it might be in order to deal with that first paragraph first, and then the analysts can join us at the table instead of hovering at the back and getting tired from standing, I would think.

Mr. Paul Calandra: Yes, I imagine so. I'm not sure how we do that, but just on that part, I would move that we invite the analysts to join us.

The Chair: Let's deal with it in the language you see in the routine motions.

Mr. Calandra moves 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 in its work.

(Motion agreed to)

The Chair: Welcome to the table our wonderful analysts from the Library of Parliament.

A voice: It's nice to be here.

• (0930)

Mr. Mathieu Ravignat: I hope you're still getting paid.

The Chair: Yes, I hope you were on the meter even while you were standing back there. I would hate to think you weren't.

Would you like to introduce yourselves?

Mrs. Dara Lithwick (Committee Researcher): Bonjour. My name is Dara Lithwick. I'm one of the analysts here at the Library of Parliament and I've been with this committee since the fall of 2009. I very much look forward to working with you.

Both I and my colleague, Maxime-Olivier, who will introduce himself, are available as usual on the subject matter of this government area. If you or your staff at any point in time wish to have staff or information briefings and that sort of thing as well, we are always available.

Thank you.

The Chair: Thank you, Dara.

[Translation]

Mr. Maxime-Olivier Thibodeau (Analyst, Library of Parliament): Thank you, Mr. Chair.

Good morning, everyone. My name is Maxime-Olivier Thibodeau. I have worked with a number of you already. I have been working for this committee for many years now, and I will be pleased to continue doing so. Thank you.

[English]

The Chair: Thank you both.

We feel very well served to have two such experienced analysts on our committee. I'm sure it will help us a great deal.

Paul, you had the floor and wished to suggest something.

Mr. Paul Calandra: Yes, I have a motion. I'll briefly speak to it. This is a motion that would invite those individuals who are not part of the committee and who are not in the caucus, the independents, the opportunity to be invited by you to present amendments, to propose legislation, and to speak on these subjects. This would give more members of Parliament the opportunity to speak, including those independents who have in the past been kept out.

I'll leave it at that. We will allow the members a couple of minutes to read it over.

The Chair: Mr. Calandra, you raise a very interesting subject. I think it will elicit broad interest, and it will probably trigger a fair amount of debate.

Would you like to read it into the record?

Mr. Paul Calandra: It will be put right into the record, but I can read it if you like.

The Chair: Yes, I think it would be worthwhile if there are people viewing. This meeting is held in public and is televised.

Mr. Paul Calandra: It's a good idea, Mr. Chair.

The motion reads:

That, in relation to the Orders of Reference from the House respecting Bills,

(a) the Clerk of the Committee shall, upon the Committee receiving such an Order of Reference, write to each Member who is not a member of a caucus represented on the Committee to invite those Members to file, in a letter to the Chair of the Committee, in both official languages, any amendments to the Bill, which is subject of the said Order, which they would suggest that Committee consider;

(b) suggested amendments filed, pursuant to paragraph (a), at least 48 hours prior to the start of clause-by-clause consideration of the Bill to which the amendments relate shall be deemed to be proposed during the said consideration, provided the Committee may, by motion, vary this deadline in respect of a given Bill; and

(c) during the clause-by-clause consideration of a Bill, the Chair shall allow a Member who filed suggested amendments, pursuant to paragraph (a), an opportunity to make brief representations in support of them.

We heard a lot, especially from some of the independents, that they felt they were being shut out of the committee process. This would give them an opportunity to be more involved.

The Chair: I know we have a speakers list, but before we get going, we should make it clear to committee members that currently independent members of Parliament can make amendments to a bill at report stage in the House of Commons. We've seen that done in the past. This would give them the opportunity to make amendments at the committee stage, where amendments should, in my view, properly come as a rule. Also, you contemplate giving them an opportunity to make representations in support of the amendments.

Just for clarification so that the debate is well guided, do you contemplate any time limits associated with making representations, or will you just be following the normal rules of order of the standing committee?

• (0935)

Mr. Paul Calandra: Mr. Chair, there would be some authority given to the chair. In my experience with the Canadian museum of history bill in the last session, Ms. May was invited, as were independents from the former Bloc Québécois. They were given an opportunity to present their amendments and then a minute or so to speak about each of them. The committee heard that and took it into consideration.

The Chair: For my own clarification, if you move an amendment at a committee, does that preclude you from moving it at report stage in the House of Commons, since you had your opportunity to move it already?

Perhaps I'll ask the clerk. Is that your understanding?

The Clerk of the Committee (Mr. Chad Mariage): Mr. Chair, obviously the committee would deal with what the committee deals with. I don't know that I am comfortable commenting on what the Speaker would decide. Ultimately it's up to the Speaker to determine whether the member has had an opportunity, as you say, to move the amendment in committee. I wouldn't substitute my judgment for his, obviously, but what you say is not.... That would go into the interpretation the Speaker would give to it at report stage. He would look at all of those elements, that included.

The Chair: My concern, and the only reason I'm not allowing debate to proceed, is that I don't know if it's in order for us to take any measures that may impact the Standing Orders of the House of Commons as they currently stand, which is that you can't submit a report stage amendment if you are able to present it at the committee stage. That would really be the jurisdiction of the House of Commons Standing Committee on Procedure and House Affairs, so I'm reluctant to wade into this if it's going to impact the decision-making ability of...

Let's see where it goes as a debate, and maybe we'll ask the clerk to consider if we're tromping on other jurisdictions.

The speaking list is Mr. Angus, Ms. Borg, Mr. Ravignat, and Mr. Andrews.

Mr. Charlie Angus: Mr. Chair, I'm very concerned by this motion. It speaks again to the attempt to strip the House of Parliament and the Westminster tradition of the rights of members of this House to represent their constituents and to be fully voting members in the House. It shows the overall contempt this government has for the traditions of the Westminster system, in which all members have rights.

I am speaking now of the members who are independents. I am actually appealing to my colleagues in the Conservative Party, because with the level of corruption that is within their government right now, they'll be looking at a Brian Mulroney fiasco and perhaps there will be only two of them next time. We had Elsie Wayne, and the other Conservative who survived the last deluge was Jean Charest. Canadians were fed up with a corrupt, tired, and rotten old Conservative government. Now we have another one.

I'm saying to my colleagues that when Canadians have had it with the abuse of the Senate and the illegal payouts that have come potentially out of the Prime Minister's Office, we might be looking at only two members coming back. I wonder if maybe it would be Rob Anders. Mr. Carmichael, I'm sure, would be the other one. If they come back as the only two members, they will still have basic rights as parliamentarians. One of the rights they don't have is to a position at committee. Committees are based on the parties. When you have a role in committee work, you have to be able to vote at committee, whereas independents don't have that. We've had independents who have been very interested in various committee issues over the last number of years, but they actually don't have any ability, unless the committee decides to allow them to sit in. On major issues, for example, during the copyright hearings, there were independents who felt they wanted to participate.

Let's deconstruct this so that the public back home knows what is being offered here. Actually under the guise of offering a bouquet to the independent members of the House, if you look through the flowers, you'll see all the little razor blades that are sitting on the flowers that are being passed around here.

The motion as it reads is as follows:

(a) the Clerk of the Committee shall, upon the Committee receiving such an Order of Reference, write to each Member who is not a member of a caucus represented on the Committee to invite those Members to file, in a letter to the Chair of the Committee, in both official languages, any amendments to the Bill, which is the subject of the said Order, which they would suggest that the Committee consider;

(b) suggested amendments filed, pursuant to paragraph (a), at least 48 hours prior to the start of clause-by-clause consideration of the Bill to which the amendments

relate shall be deemed to be proposed during the said consideration, provided that the Committee may, by motion, vary this deadline in respect of a given Bill; and

(c) during the clause-by-clause consideration of a Bill, the Chair shall allow a Member who filed suggested amendments pursuant to paragraph (a), an opportunity to make brief representations in support of them.

The fiction here is that we would invite independents to write a letter to a committee, perhaps on a budget bill. We have seen under this government how they have shut down debate time and time again. We always hear, "Why are we debating this? We have a mandate. We got elected." Well, the fundamental democratic responsibility is debate in the House. They have shut that down.

We have massive omnibus bills that have nothing to do with finance but have all manner to do with stripping environmental protections for lakes and rivers across this country, stripping basic safety rights for workers who may put themselves in danger. All manner of ugly, nasty, ideological little booby traps are put into these supposed finance bills, and then we don't ever get to debate them or study them.

The work of committees is very important. This government seems to think that committees are some kind of rubber stamp committees in some politburo.

I was thinking of my honourable colleague John Vanthof, the excellent New Democrat MPP for Timiskaming—Cochrane. He was telling me that the other day they had the estimates committee at the provincial level dealing with the agriculture minister. They had 13 hours within the agriculture committee to look at the estimates at the provincial level.

● (0940)

I was thinking that here we are now at the federal level with a budget that may be 10 times that size. We're not given any chance to really study it. Our committees whip it through as fast as they can. Our independent officers, our Parliamentary Budget Officer, are attacked and undermined. They're not given the basic data.

The Canadian people are given the situation where the people who are there to represent them and to represent fiscal accountability and democratic accountability are supposed to be marionettes of the Prime Minister's Office for whatever bizarre little voodoo they want to enact ideologically at a given time. What we're dealing with are the rights that we're guaranteed under the Westminster system: the rights of members to represent their people, regardless of whatever the king decreed. The king unfortunately in this case would be the little goobers in the PMO these days. It seems that they have taken on that role.

We have a number of independents. Some have left their parties over ideological issues. That's their issue. Some have lost party status. My colleagues in the Conservative Party, who after 2015 will most certainly lose their party status as Canadians rise up against the corruption that's happened under them, but the ones who do come back, will come back with certain inalienable rights. One of those fundamental rights is the ability at report stage, as an independent, to make amendments to a bill. There's nothing facetious about this. This is their fundamental, democratic, accountable right, yet we're seeing a government that is so obsessed with control that they would even go to the length of stripping the independent members of this House of that right.

I certainly think you're absolutely correct, Mr. Chair, in that what's happening here is the attempt to use the committee process to undermine the rights of parliamentarians. I certainly think it's a breach of privilege of the independent members, who are not allowed to even be heard at this committee.

I certainly think that if I were an independent, I'd be asking the law clerk for an opinion about the use of committees, where independents are not allowed standing, to have their rights stripped from them. I think we're getting into very, very distorted and disturbing territory. I would like to say that I'm shocked and appalled, but unfortunately I'm not surprised, given the behaviour in what's happened with this government.

I also want to put it into context for the folks who are watching this. We haven't even got to the routine motions of our committee. What they're saying to us is this: "We don't care how this committee works; we don't care about a functioning committee; we're so obsessed with robbing the ability of some person on the backbench who has no party apparatus, who's there only representing their local constituency, so obsessed with taking their ability to speak away from them that we won't even bother worrying about issues like quorum or 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 of the opposition and one member of the government." We could have voted on that first, but they chose not to.

As for the distribution of documents, it's that only the clerk of the committee be authorized to distribute documents to members of the committee and only when such documents exist in both official languages. That's an important function. I would think that my honourable colleagues would come in and say, "Let's set up this committee to be a proper, functioning committee." The distribution of documents in both official languages would certainly be one of the first steps they would take, but if you're only interested in running a kangaroo court, it probably doesn't matter to you whether they'll distribute any documents, because the records and the work of a committee are now just being thrown out the window. What we're creating here, once again, is my honourable colleague from Markham, Mr. Paul Calandra's, kangaroo court where the rights of independent members will be stripped, so let's get on to working meals.

● (0945)

The Chair: Point of order, Mr. Calandra.

Mr. Paul Calandra: Mr. Chair, on a point of order, clearly, the spirit of honey and making tea is no longer here. The honourable member for Timmins—James Bay is reverting to the old NDP strategy of being very, very angry when I'm trying to allow independent members their voice on this committee.

Alternately, Mr. Chair, he just said some words that I think were inappropriate of a member of Parliament, and I would hope that he would show a little bit of decorum around the table and withdraw those comments.

The Chair: Mr. Angus, we ask you to be moderate in your remarks, little bit more sunshine and a little less vinegar, I suppose.

Mr. Charlie Angus: I thank you, Mr. Chair, but I think that when we're talking about an attempt to take away the democratic rights of

independent members of this House, this isn't about being angry; this is about stating facts. When you are actually trying to use a committee to undermine the rights of members within the House of Parliament and you don't even bother to get to the routine motions, I think the use of the term "kangaroo court" is fair. I think that's a reasonable term. I don't think you would find that to be unparliamentary. In fact, if you compare it to many of the terms that we've seen in the Westminster tradition over the last 400 years, I would blush if I said them.

I'm actually very, very concerned about the democratic erosion that we've seen under this government and that we're seeing at this committee.

I'd like to get back to the fact that they aren't even interested in the routine motions. This is what I'm talking about. These are the routine motions that we would normally debate today to establish the ability of this committee to work together, but they've decided that they're not interested in even a working committee because they want to get at the right of the independent members of this House to be able to make amendments at report stage.

There would be another motion that we would have taken, which is working meals.

Mr. Paul Calandra: Point of order.

The Chair: Mr. Calandra.

Mr. Paul Calandra: I thought the first motion we had to deal with today was the motion from the honourable member with respect to going in camera. Am I right on that? I was a couple of minutes late, but I know we were—

The Chair: Mr. Angus did get the floor first and moved a motion on in camera rules.

Mr. Paul Calandra: Before we debated quorum and documents, Mr. Angus actually tabled a motion on in camera. He actually hadn't even passed the motion to bring the analysts back to the table, Mr. Chair, so it's kind of odd now to hear the rage that the member has. In respect of my question—

● (0950)

Mr. Charlie Angus: That's a point of debate.

Mr. Paul Calandra: My question, Mr. Chair, is outside of the fact that the committee for today ends in an hour or so, are we under some time constraints with respect to dealing with the rest of the routine proceedings?

The Chair: No.

Mr. Paul Calandra: Okay, that was my only question. We will have time to get to those as well then, right?

The Chair: That was the plan, that we would deal with routine motions today, Mr. Calandra.

Mr. Paul Calandra: I just wanted to make sure. I was uncertain. The honourable member seems to—

The Chair: It was more of a point of information than a point of order.

Mr. Paul Calandra: Well, a point of information. He seems to be nervous that we might not get to it, so I'm prepared to vote on this motion right now.

Mr. Charlie Angus: I have the floor.

Mr. Paul Calandra: In the spirit of honey, Mr. Chair, I won't put up any members on our side so that we can deal with this, and then we can get on to the other routine proceedings that are so important to the honourable member.

The Chair: We've ranged from a point of order to a point of information to a personal view or opinion.

Mr. Angus does have the floor.

Mr. Charlie Angus: Thank you, Mr. Chair.

I'm appealing here to my honourable colleague. This committee shouldn't be a joke. We're dealing with a very serious issue that I believe breaches the rights of members within the House of Commons, so I'm going to go through this. Some members might not want to debate it; in fact, I would be surprised if they did want to debate it, because when they're trying to take away rights of the members, they'd certainly want to move it as fast as they could.

In terms of the issue of in camera, that would be part of the regular issues of routine motions, so we were certainly willing to work with them on that. There's a real difference between ensuring accountability and transparency and voting in camera, and using the committee to strip the rights of independent members.

We're going to get to those rights in a moment, but I first want to go through what we're not dealing with, such as working meals and witnesses' expenses. It's reasonable that requests for travel, accommodation and living expenses be reimbursed to witnesses, not exceeding two representatives per organization. Also, under exceptional circumstances, payment for more representatives should be made at the discretion of the chair, including if requested, reimbursement for reasonable child care expenses. I thought we could have dealt with that.

Regarding staff at in camera meetings, unless otherwise allowed, each committee member may be accompanied by one staff person at an in camera meeting. In addition, each party shall be permitted to have one party staff member in attendance. That seems perfectly reasonable. I would have thought we would have had that. As our staff can probably point out, we would all be pretty lost without them, like sailors at sea, even in our in camera meetings.

With respect to in camera meeting transcripts, one copy of the transcript of each in camera meeting should be kept in the committee clerk's office for consultations by members of the committee. That's a routine motion.

What I'm doing for the folks back home is to say that these are the normal things you set up. You set up the ground rules of the committee and then you get into the discussion. What we're seeing is that our colleagues on the government side are not interested in discussing how we set up a working committee, because again, their orders from the Prime Minister's Office—it's no longer Nigel Wright; I don't know who's calling the shots there right now—are to undermine the rights of the independent members. We're going to get to the undermining of those rights.

The notice of motions is another thing we would normally be dealing with this morning: that notice be required for any substantive motion to be considered by the committee, unless the substantive

motion relates directly to business then under consideration; that the notice of motion be filed with the clerk of the committee and distributed to members in both official languages at least 48 hours prior to the start time of a meeting where the motion may be moved. I would have thought we would have dealt with that by now.

In regard to the rounds of questioning, the order of questions for the first round of questioning shall be as follows: New Democratic Party, Conservative, Liberal, Conservative; during the second round it shall alternate between government members and opposition members in the following fashion: New Democrat, Conservative, New Democrat, Conservative, New Democrat, Conservative, Liberal, and then Conservative. Based on the principle that each committee member shall have 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.

You'll notice in this issue of the round of questioning, which is very interesting, independents have no standing at our committees. Independents have no right to question witnesses. Independents have no right to bring motions to our committee for debate. Independents exist in the shadows at the committees. This is a very important issue here.

Independent members of the House of Commons, and there are a number of them now, do not have the right to bring motions, to vote on motions, or to question witnesses. What they're now being offered is to write a letter to the committee if they have potential amendments on a bill. Once they've brought that letter to committee, the committee then decides, and I believe they are allowed to make a brief presentation in support of it. They have no ability to direct the committee. They have no ability to vote in committee. What this government is doing, Mr. Chairman, by sleight of hand, is saying to the independent, "If you have any concerns, write to the committee", a committee where they have no standing, where they are a shadow person. It strips them of their right as an independent member of the House of Commons to bring amendments for a vote. That's the issue here. They're not being offered anything to come to our committee or to be part of our committee.

• (0955)

It would be a fascinating exercise if my colleagues in the Conservative Party had any kind of democratic notion to allow the independents to participate or bring a motion, if they wanted to. We could debate it. That would be an interesting discussion in democracy, but that's not what they're offering.

They're offering the poison chalice to the independents, saying they'll let them write a letter to the committee. This will strip the ability of an independent member, who is elected by people in this country, to bring forward amendments at report stage in the House. It's just another attempt to steamroll our democracy.

I want to go to the actual problems with this motion and why it's such a poisonous thing to bring forward.

Mr. Paul Calandra: You must be clear and concise in your arguments. That's my advice.

Mr. Charlie Angus: Let's call it a procedural rattlesnake in a bag. Perhaps a poison chalice isn't correct. We're offering a procedural rattlesnake in a bag with a little flower attached to it and giving it to the independent members. Is that better? Okay, I'm going to work on these metaphors. When I go over the line, I'll pull them back and say they're just similes. I think procedurally I can use similes more than metaphors.

The Chair: Similize all you like.

Mr. Charlie Angus: I will certainly similize.

Mr. Chair, we strongly oppose this motion. This is another attempt originating in the Prime Minister's Office. I certainly don't think my colleagues on the other side have any backing on something as odious as this. This is coming out of the Prime Minister's Office, the notion of absolute control. It's frustrating them that the few independents we have actually have a right in the House to stand up and make amendments at report stage.

I certainly agree with you, Mr. Chair, and I think you will find that this is completely out of order. I would invite my independent colleagues to get an independent opinion from the law clerk on whether or not their privileges as members are being undermined by not having the right to be heard here. I think this is a breach of the privileges of the members of this House. They are not allowed standing and their rights are being taken away. I certainly will be trying to get a legal opinion from the law clerk on the legality of what is being done here. Of course, the issue of legality is something that hasn't bothered the Prime Minister's Office of late, as we've seen.

Let's continue on with the problem with this motion. The proposed motion that will be voted on here without the representation of the independent members of Parliament would result in a significant change in the way the House operates. It would also undermine the rights of specific members of Parliament. O'Brien and Bosc make it clear that:

It is the House, and the House alone, that appoints the members and associate members of its committees, as well as the Members who represent it on joint committees.

The Speaker has ruled that this is a fundamental right of the House.

The Chair: Mr. Angus, could you please quote the chapter and verse so that we can follow along with you.

Mr. Charlie Angus: It is on page 1019 in the parliamentary good book, my honourable Chair.

The Chair: Thank you. I was on another reference.

Mr. Charlie Angus: If you want to interrupt me with your reference, I certainly don't mind giving the floor to you for a few minutes, as long as I have it back. I would like to continue on page 1019.

All my colleagues, if you have the hymnal, it is page 1019 that we are reading from.

•(1000)

The Chair: Thank you.

Mr. Charlie Angus: It is the House, and the House alone, that appoints the members and associate members of its committees, as well as the Members who

will represent it on joint committees. The Speaker has ruled that this is a fundamental right of the House. The committees themselves have no powers at all in this regard.

Further, going back one page to page 1018—actually I think “further” sounds odd if we're going backwards—it says:

The Standing Orders specifically exclude a non-member from voting, moving motions or being counted for purposes of a quorum.

In other words, the committee has no power to make this sort of procedural change on its own. The powers lie within the House and its Speaker, because the independent members have no standing at committee. So a move to take away the rights that they have in the House at committee is a breach of their fundamental rights as members of this House.

Mr. Chair, the Conservatives claim there would be no infringement on their rights as independent members, but that's clearly not the case, because once they submit motions, they would be excluded from voting on those motions. Within the House itself now when an independent member brings forward an amendment at report stage, they have the right to vote on their own amendment, but that right is not given to them within the committee process.

In addition, Mr. Chair, during last spring's committee study of Bill C-60, the committee members were given a choice with regard to including independent members, but the independent members were prohibited from participating in the debate and study on the content of the bill unless an opposition member was willing to give them their seat. What we are seeing again is that even if the committee were attempting to include the independent members, it would certainly infringe on rights that existed, the rights of the members who were sitting at the table.

Surely it can be argued that independent members cannot be required to submit amendments to the committee when they are not permitted to participate in the study, or that opposition committee members should be required to give up their seats in participation in order to accommodate independents. That would certainly trample on their rights as well as those of committee members.

Mr. Chair, as the official opposition, we've attempted to work with this government numerous times, despite the fact that in the House they continually abrogate our rights to represent the people we were elected to represent. They continually shut down debate on form. They continually use in camera and abuse it to get their way, but when we see the attempt to breach the fundamental rights of a member in the House and to use a back door like this, well, Mr. Chair, it's just not acceptable.

I have to say that politically I have very little in common with the independent members. I'm a proud member of the New Democratic Party. I'm proud to be in the caucus. I don't share the particular viewpoints of the independent members who are sitting on the back benches. Nonetheless, they were democratically elected by people in this country and they have as much right to be in the House as I do. I might not agree with them, just as I don't agree with many of my Conservative colleagues on very much, except maybe that it is still morning, if they're willing to concede that to me.

But Mr. Chair, I certainly am willing to defend the right of any member of this House, because if we do not stand up for the privileges of the members, then we are betraying the long history of the Westminster tradition. I think this is what my colleagues in the Conservatives need to understand. They have all the nasty little apparatchiks in the Prime Minister's Office who believe that politics is some kind of perennial war game. It's about who wins. Believing that the rules don't matter is what's gotten our Prime Minister into the deep, deep, deep trouble he's in right now.

I was astounded. Probably the clearest thing we've ever heard from our Prime Minister, we heard second-hand through Mike Duffy, and that was that the base don't understand rules and they're not interested in them. Well, the rule is the rule of law, Mr. Chair, which is why perhaps they did think they could break the law, because to them, the base doesn't understand rules; they don't understand procedures. Well, procedures are how we ensure democratic accountability.

• (1005)

When it comes to moving motions, independents in the House have the right to move motions for amendments and to speak to them. That's their right, Mr. Chair, but in committee, if they are offered this, that right will be taken away from them.

What will also be taken away from them is their ability to.... Well, the right that they will not have is the right to vote on their own amendments. How can they bring forward an amendment and have to be a second-class parliamentarian, such that you would have to come in and hope someone would take your case for you? Then—and my honourable colleague from the Liberal Party talked this morning about how partisan this committee is—you're having to be at the mercy of the political parties sitting around the table. That's not right for an independent.

As I said, I certainly don't have much in common politically with any of the independents, and I don't feel that it's my job to have to press their case on an amendment to a bill at report stage. I might not agree with any of their amendments, or I might agree with some of them, but I do believe they have a right to bring forward those amendments, and they have a right to vote on those amendments. Otherwise, what is being offered are no rights at all.

Mr. Chair, our experience with this process so far is very concerning, because we're talking about the infringement of rights. I think it is particularly undemocratic of the Conservatives to bring this motion to committee, which has no power to actually make this procedural change and where the members, in question and motion, are excluded from both debate and voting.

Mr. Chair, I would ask you again, so that this is not a kangaroo court and that our rights as members are not infringed upon by having to participate in another bully court of the Conservative PMO.... I believe that our fundamental rights as members are being infringed upon by being asked to take away the rights of members in the House of Commons. I do not believe that this is proper. I believe it's an abuse of this standing committee, particularly when this is the committee that is entrusted with the issues of ethics and accountability.

For us to be using this committee, of all committees, to take away that right of an independent member, I believe, is absolutely unconscionable, Mr. Chair. I'm asking you to get a legal opinion for us from the clerk's office, because you could rule this out of order, but we again will see that the members on the other side will just overrule you. This is how they.... They're not interested in the long-standing traditions. They will get what they want because they're being told from the boys upstairs how to act.

What happens, Mr. Chair, if these committees establish a precedent? It's not just for the Canadian parliamentary system that it's at stake. We're talking about the Westminster tradition. These are rules that come into effect and then are judged, just as in a court of law, in other jurisdictions. The other parliamentary traditions will ask, "What did they do in Canada?" They will say that in Canada it was considered okay for a committee to be used to take away the rights of members in the House.

For the concern over the issue of precedent, Mr. Chair, this is simply not acceptable, so I'm asking you before we vote on this.... I'm certainly not willing to vote on this until we have a legal opinion, because I'm not willing to sit here and have my rights as a member undermined by this kind of bogus representation.

I'd like to know, Mr. Chair, if it's possible for us to get this opinion. I certainly will be seeking it myself, and I will be encouraging my independent colleagues, who are not here and who have no right to speak here, in that they have a right to have that legal opinion heard before any kind of vote like this proceeds.

The Chair: Thank you, Mr. Angus.

In answer to that request, I don't think I have the right or the ability to hold up the vote while waiting for a legal opinion from the House of Commons law clerk. There are ample precedents. You pointed to one. You might want to refer to page 783 of the same document as well and also to the Speaker's ruling. The Speaker ruled on a similar one on June 6, 2013. You might find that useful as a reference as well.

We have three other speakers on the list. Next is Charmaine Borg.

• (1010)

[*Translation*]

Ms. Charmaine Borg: Thank you, Mr. Chair.

The first problem that this motion raises is how it was presented. Mr. Calandra presented it by saying that he wanted to give more authority to independent members of the House. How he presented it is all fine, but in concrete terms, the motion before us does not give the independent members of Parliament more power. It does exactly the opposite by taking a very important power away from them, namely, the ability to suggest amendments at the report stage in the House of Commons. That means that they would not have the right to explain their amendments to the House of Commons. More significantly, they will not be able to vote when their own amendments are brought to a vote, because they obviously do not have the authority to vote in committee.

When an independent member of Parliament sends a letter to indicate that he or she wants to suggest an amendment, the MP can provide explanations. However, the MP will not even be able to vote when his or her own amendments are brought to a vote. We obviously don't know details about every position of the independent MPs. But we will be required to vote on amendments that they themselves suggested, that will reflect their thinking and that will show their desire to represent their constituents, while they themselves will not be able to.

The second problem with this motion is that it fundamentally changes how the House of Commons operates. As my colleague, Mr. Angus, mentioned a few times, the legality of this motion is seriously questionable. This committee cannot change the parliamentary process, which is based on the Westminster system. It does not have this power, and I highly doubt that this respects the procedures and Standing Orders of the House of Commons.

The government claims that this motion gives the independent members more power by allowing them to submit a letter to explain their amendments but it's the opposite: it is taking power away from them.

What this government is doing today is particularly contradictory. When the big omnibus Bill C-60 was tabled, independent MPs wanted to attend the committee meeting and be heard. We know that the government loves omnibus bills and that it has very little respect for democracy. The government prohibited independent parliamentarians to sit on the committee and attend the meeting. Instead, the government told the official opposition and other opposition members that if they wanted an independent member to be present, they had to give up one of their own seats.

In the past, the government never wanted to give the independent members any power or give them the right to sit on this committee. Today it claims it wants to give them more power. In concrete terms, that is exactly the opposite of what is going to happen. The independent members will no longer have the power to suggest amendments at the report stage, a fundamental power that has always been granted them in our parliamentary system, which is based on the Westminster system. What the government is actually presenting here makes no sense.

I would like to again quote from page 1019 of O'Brien and Bosc:

... It is the House, and the House alone, that appoints the members and associate members of its committees, as well as the Members who will represent it on joint committees. The Speaker has ruled that this is a fundamental right of the House. The committees themselves have no powers at all in this regard.

I repeat: we have no power here to decide how the House of Commons operates. Another committee, the Standing Committee on Procedure and House Affairs, might be able to, but this is the Standing Committee on Access to Information, Privacy and Ethics. Why are we debating an issue that would change how the House of Commons operates? It's really out of line, Madam Chair.

• (1015)

I would like to point out something else, since our motion to oppose meeting in camera was just defeated. The clause-by-clause study of bills is usually done in camera. Therefore, the independent members are now going to submit letters and they might get a quick minute to explain their amendments, but they will not even be seen

by the public. The constituents of these MPs will not know what the MPs have presented. This aspect is very important. It explains why we are so opposed to this motion. The independent members already have very little power in the House of Commons, and we want to reduce it even further.

This is the only place they can give an opinion on a bill or show their constituents that they have stood up to defend an important issue for them. We are suggesting they submit a letter and then appear for a quick minute to talk about the reasoning behind their amendments, but that will be done in camera. Basically, the MPs' constituents will not know whether they oppose it. These members will not even be able to speak about the fact that they submitted amendments. I find that fundamentally problematic. They will no longer be able to rise in the House to say that they are submitting amendments and show that they are standing up for their constituents. They already have so little opportunity to do so, not counting voting when their own amendments are brought to a vote.

I would also like to point out, as my colleagues have already, that our Westminster-based system includes rules and procedures that are not always clear. They often depend on our interpretation of them. It is largely the responsibility of the Speaker of the House and the committee chairs to ensure that the standing orders are interpreted correctly.

Having said that, there are precedents. I quoted O'Brien and Bosc in that respect. In this case, we would be changing a fundamental principle of the tradition and operation of our Parliament, which operates based on the Westminster system. As my colleague mentioned, will that create a precedent? Once other countries see that Canada's House of Commons committees have taken away the ability of independent MPs to submit amendments during report stage in the House of Commons, will they say that they can as well? There would be a precedent. I think all members of this committee should be extremely concerned about the idea of creating a precedent as significant as this.

I don't want to impute motives, but I sincerely wonder whether this motion is a way of punishing former Conservative MPs who left because they were being very controlled by the Prime Minister. I sincerely wonder. If that is the case, I think it is really sad. That is not an appropriate way of doing things. It does not reflect a willingness to co-operate, to consider how things are done or to respect the members and former colleagues of the Conservative Party.

Madam Chair, I have already given the example of Bill C-60, which prevented independent MPs from participating. However, we often see that this government is changing how things are done, for example, presenting closure motions to limit debate or going in camera. The government regularly shows a lack of respect for democratic processes.

This is another example that shows us that these Conservative members have no respect for democracy or parliamentary procedure and regulations, which are fundamental for the functioning of the House of Commons and the way we do things.

We should be seriously concerned seeing such a motion. It will change how we do things and the House of Commons procedures. Basically, it will take away a very important right from independent members.

●(1020)

Furthermore, the independent members of Parliament are not here today and do not have the right to speak. We are discussing their rights, their future and how they will represent their constituents, without even having them present. I highly doubt that the Conservative members who moved this motion consulted them. I highly doubt that any independent members of Parliament were consulted about the content of the motion and said they were in favour of it. Can we stop deciding how other members of Parliament are going to represent their constituents? We are in the process of taking away that essential power.

So I invite my Conservative colleagues to consult the independent members of Parliament to see what they think of the motion. Since they aren't here, they can't vote against the motion or say that it will take away a fundamental right and influence how they represent the Canadians who elected them. I doubt they support how things are being done in this committee and how this motion was presented. We are claiming that we are giving them more power, but that is not true. We are in the process of taking away a fundamental right, and in its place, letting them submit a simple letter and speak for one minute to explain why they are suggesting amendments, which will probably take place in camera in any case. As a result, no one will know that these independent members spoke about an important matter.

Mr. Chair, I issued an invitation to the members of the Conservative Party. I invite them to consult their former colleagues and the other independent members of the House of Commons to see what they think about it. We cannot make a decision about their future and how they are going to represent their constituents.

Moreover, I emphatically demand that we get a legal opinion on this, because I highly doubt that this motion is in order. As members of this committee, we cannot decide how the House of Commons will operate nor can we fundamentally change the Westminster tradition here, in the Standing Committee on Access to Information, Privacy and Ethics. That is not our role. That would exceed our mandate. I highly doubt that it is in order. So I ask you to seek a legal opinion.

I again invite the Conservative members of the committee to go and ask their former colleagues and the other independent members of Parliament what they think about the motion. I guarantee you that they will take issue and will not see it as a way of giving them more power. It is exactly the opposite. They will see it as taking away a fundamental right, the right to express their opinion at the report stage of a bill, to submit amendments to the House of Commons publicly, and to debate and vote when their own amendments are brought to a vote.

[*English*]

The Chair: Thank you, Ms. Borg.

While we can't provide here a legal opinion from the law clerk of the House of Commons, we fortunately do have a very competent

and capable and highly respected clerk who may have an opinion as to whether or not this motion is in order.

Could we ask Chad to give us a brief opinion on the motion as we see it? Is it properly before this committee, and is there anything that he sees as an obstacle to our dealing with this motion at this committee?

Mr. Mathieu Ravignat: Mr. Chair, could I say one thing? We're dealing with a fundamental sea change to the way our parliamentary institutions function and the rights of certain parliamentarians, both in the House and in committee.

The opinion of our clerk, with all due respect to his expertise, may very well be the changing fact as to whether or not we can actually vote on this. I don't think it's particularly right for us to be putting this decision on the shoulders of our clerk.

The fundamental question that I have is on whose role it is to deliberate on such an issue. Is it the committee or the Speaker? I think we need clarity on those two roles, on the relationship between the committee and the Speaker when we're dealing with the rights of parliamentarians. Therefore, I'm hesitant to put the burden of this opinion on our clerk.

●(1025)

The Chair: Thank you, Mr. Ravignat.

I understand your point, but I think I would still benefit from the clerk's advice as to his opinion. It doesn't preclude us from seeking others' advice or taking guidance from the two references that have been cited, from the current O'Brien and Bosc, and also from the Speaker's ruling from June 2013 when the NDP House leader raised similar objections in the House because of the occurrences at the finance committee on Bill C-60. Many of the same points you're raising were brought to the attention of the Speaker at the time, and he ruled on them. I have the ruling here if you're interested in seeing it.

The clerk is aware of those three aspects, and perhaps he could comment briefly on his view as to whether it's appropriately before this committee.

Go ahead, Chad.

The Clerk: Thank you, Mr. Chair.

I'm going to be careful in the way I answer. As members know, the clerk's role is simply to provide advice to the committee and not to provide his or her opinion on something.

Procedurally, the motion before us has been properly moved, and procedurally the motion is properly before the committee.

As members know, the committee is the master of its own proceedings and how it manages its own business. Whether adopting this motion would have an impact on the House, as I stated before, it's hard for me to determine what the Speaker would say if such a report.... What would the Speaker do after we report a bill back if this were in place? I wouldn't be in a position to substitute my judgment for his.

Strictly procedurally speaking, Mr. Chair, my opinion is that it's properly before the committee and the committee can make a decision on the motion as it's worded.

Obviously, as I stated, I can't comment on what the impact would be beyond this committee, as my role is simply to advise the committee within these four walls. What ultimately happens in the House is up to the Speaker and his advisers, who will advise him throughout the legislative process.

The Chair: That's very tactfully put, Chad.

Could I ask you a question, though? In your reading of O'Brien and Bosc, and in the reference you gave to me, it says clearly that "the Speaker will normally only select motions in amendment that could not have been presented in committee."

A voice: What page is that?

The Chair: This is on page 783 of O'Brien and Bosc. It's the last sentence on the page.

In your opinion, does that mean if a motion was placed at committee or if the independent member had the ability to have the motion dealt with at committee, it would preclude the Speaker from entertaining it at report stage?

The Clerk: Again, thank you, Mr. Chair.

Obviously, my job is to provide you with the reference and to outline the fact that it has been the practice up until now. Humbly, it's up to members and the Speaker to determine what that means. As is stated in O'Brien and Bosc, if a motion could have been moved in committee, typically the Speaker wouldn't select it at report stage. What "could have been moved" means is where the interpretation comes in, and I don't feel I should substitute my interpretation for that of the Speaker.

The Chair: Can you confirm that the most recent ruling of the Speaker in June 2013 upholds the view that, if you had the ability to move the motion at committee, you are not allowed to move it at report stage? Is that your understanding of the Speaker's most recent ruling?

•(1030)

The Clerk: I think the Speaker has been pretty consistent in rulings along those lines. I would leave it at that, without treading into an area where I wouldn't be comfortable. I think the Speaker has been pretty consistent in his selection and in the criteria he uses to select motions at report stage or amendments at report stage. Ultimately, what he judges to be an opportunity to have been presented at committee may vary, but he has been pretty consistent in his application of the rule that you've mentioned.

I'm sorry for the vagueness. I just do not want to substitute my decision for the Speaker's.

The Chair: I think that's helpful.

Mr. Ravnat, I'm sorry. You have the floor.

Mr. Angus, are you raising a point of order?

Mr. Charlie Angus: Yes.

I thank the clerk for his intervention. In light of that, the problem we're dealing with is that the Westminster tradition is unlike the U.S. system. The U.S. system believed there would be all manner of skullduggery, so they put in so many checks and balances they can't seem to get their legislative car started on any morning anymore.

We're based on a different thing, which is sort of a...well, it's a sexist term now, but it was a gentleman's code. There was a way parliamentarians were supposed to behave: gentlemen, gentlewomen. The Speaker would normally say that the committees are the masters of their own houses. That would be the Speaker's ruling, because there's a sense that we're all here to act in the larger interest, and then our committees would also take up on that. But when you see that the committee is being used as a back door to undermine the independent rights of members in this House, this isn't the gentleman's code anymore; it's very much the parcel of rogues in a nation.

The Chair: You'll have to make your point of order. I've given you the floor to make a point of order.

Mr. Charlie Angus: The point of order is that I think we're going to need an independent opinion, and I will certainly be asking for an independent opinion. I'll be suggesting my independent colleagues get an independent legal opinion from the law clerk, because we are in very untested waters, and the old precedents are being clearly broken.

I thank the clerk for his intervention, but the issue here is that because this is such an affront to the rights of independent members, we believe that our privileges are actually being undermined in even being asked to vote to take away those rights.

The Chair: I understand your point, and you don't have a point of

Mr. Charlie Angus: Is that a point of order? No, it wasn't?

The Chair: No, it's not. It's not even close, not even remotely.

Mr. Charlie Angus: I'll work on it.

The Chair: Okay, you come back when that gels a bit.

Mr. Ravnat.

Mr. Mathieu Ravnat: I fully understand the clerk's reticence to give his opinion on this issue, and I thank him for giving an opinion, no matter how vague. I think it actually has to be vague because we're putting the question to the wrong person.

In fact, Mr. Chair, the way you put the question to the clerk is a good indication of that. Would the Speaker rule that way? We don't know. We do know that we have his rulings, so we can tell in a way what perhaps the consistency would be, and that consistency is what, frankly, our Conservative colleagues are relying on. It's that consistency that's going to take away the rights of independents to move motions at report stage.

To be very clear with Canadians who are watching, one of my political mentors told me that pedagogy is all that politics is; education is all that politics is.

Perhaps I can be as clear as possible. The Speaker has generally ruled that if you can move a motion in committee, then you shouldn't move it in the House. The problem is that right now, independents don't have the right to move motions in committee, and therefore, they need to move them in the House. When they move them in the House, they have a right to speak.

There is a snake in the grass here in the sense that what the government is trying to do is to move that right into committee so they can control it and therefore basically shut up independents so that they can reduce their impact on Parliament. That is not only an affront to a duly elected member of Parliament, it is an affront to democracy, frankly.

I'm rather shocked by this kind of underhanded way of going about doing this. Let's not hide behind anything. This government has unprecedentedly concentrated power in the hands of the Prime Minister's Office. The PMO controls what goes on in committee. We know that. The PMO keeps apprised of everything. This motion comes from the Prime Minister's Office.

Fundamentally, what will happen.... The rules of the committee could be changed. We could adopt this now and then adopt something later, and then precedence is given and independents lose their right to present motions either at committee or at report stage.

Let's consider a little bit of the history. I'm sure the government is very annoyed by the amount of motions it receives at report stage, particularly on budgetary bills, from independent members. Well, I'm sorry that democracy is inconvenient, but it is democracy.

A delegation from Kenya visited me, as the Treasury Board critic. They wanted to talk about the shining example Canada serves for the democratic process. They came to my office. They wanted to know how committees worked. I laid it out for them and talked about in camera. I laid it out to them and talked about majority. The Kenyans were shocked, to say the least, at the weakness of committees as a democratic institution. In fact, when their house has a majority, the majority of committee members are not the majority. They actually have a built-in check and balance for the power of the majority government.

If we want to remain this kind of shining example of democracy, we're going to have to pay attention to what we do. It may seem like petty and unimportant rules but, as Mr. Angus pointed out, the Prime Minister believes that Canadians don't care about rules, or at least their base doesn't care about rules, but there is a slippery slope here. I quote Merriam-Webster's online dictionary:

conservatism

: belief in the value of established and traditional practices in politics and society:

: dislike of change or new ideas...

in a political setting and of revolution.

An hon. member: Look up Toryism.

● (1035)

Mr. Mathieu Ravignat: There's a very fine line between conservatism and—

The Chair: Mr. Ravignat, excuse me, we have a point of order.

Mr. Paul Calandra: On a point of order, did he say that was the online edition? I just want to know what version. Was it the online version—

The Chair: Would you mind quoting your reference?

Mr. Mathieu Ravignat: It's the Merriam-Webster Dictionary.

Mr. Paul Calandra: You said it's the online version?

Mr. Mathieu Ravignat: Yes, it's the online version.

Mr. Paul Calandra: Could you repeat the quote, because I didn't get it.

Mr. Mathieu Ravignat: I'd be happy to repeat it, yes.

Essentially, under the rubric of “conservatism”:

- belief in the value of established and traditional practices in politics and society
- dislike of change or new ideas....

in a political setting.

Mr. Paul Calandra: Just one more point of clarification.

I know the member ran for the Marxist–Leninist Party. I wonder if he has a definition of that as well which he might be able to read out.

Mr. Mathieu Ravignat: I actually didn't. You've got the wrong party, but—

Mr. Paul Calandra: Was it the Communist Party? I'm not sure which it was, but I wonder if he has that definition handy as well.

An hon. member: Bolsheviks.

Mr. Paul Calandra: Is that what it was? Oh, okay.

The Chair: Mr. Calandra, you don't have a point of order.

Mr. Mathieu Ravignat: If I may continue, there's—

Mr. Paul Calandra: Sorry, Mr. Angus's point has got me—

The Chair: Yes, I know. Well, we're setting the bar kind of—

Mr. Mathieu Ravignat: Red-baiting went out of style with McCarthyism, by the way.

It only points to the fact that what you are is not a conservative party, you're an authoritarian party. That was my point, and thank you for making that so obvious.

Mr. Paul Calandra: A point of order.

Mr. Mathieu Ravignat: By the way, I'm not in front of the committee—

The Chair: Order.

Excuse me, Mr. Ravignat, we have a—

Mr. Mathieu Ravignat: —being called out on a witch hunt.

The Chair: Excuse me, Mr. Ravignat—

Mr. Mathieu Ravignat: I'm speaking as a member of Parliament.

The Chair: Order. We have a point of order.

Mr. Calandra.

Mr. Paul Calandra: Mr. Chair, I respect your judgment. Certainly the NDP opposition—I don't want to say the Liberal opposition because they're not—have become very angry, and the language they're using is, I think, very offensive—

● (1040)

Mr. Charlie Angus: That's not a point of order. That's just a silly intervention.

Mr. Paul Calandra: —to committee. I wonder if you would just watch the inappropriate language that they're using—

Mr. Mathieu Ravignat: I had the floor. Could—

Mr. Charlie Angus: It's not a point of order.

Mr. Paul Calandra: —so that Canadians don't have to be subjected to such inappropriate language, because, as they say, they are watching at home.

The Chair: I'm hearing inappropriate—

Mr. Mathieu Ravignat: I think most—

The Chair: If you don't mind, the chair is going to entertain the point of order.

In fact, calling for parliamentary language is a legitimate point of order. Mr. Calandra has a point, so we're going to keep the language within the realm of accepted norms.

Mr. Ravignat, go ahead.

Mr. Mathieu Ravignat: All I did was point out the definition of “conservatism”. That's quite parliamentary. In fact, I'll continue to do the same thing.

This is “Toryism”:

mid 17th century: probably from Irish *toraidhe*—

My Irish is not very good. Mr. Angus could probably correct me on that.

—'outlaw, highwayman', from *tóir* 'pursue'. The word was used of Irish peasants dispossessed by English settlers and living as robbers, and extended to other marauders—

Mr. Charlie Angus: Nothing has changed. My grandmother was right.

Mr. Mathieu Ravignat: The definition continues:

—especially in the Scottish Highlands. It was then adopted *circa* 1679 as an abusive nickname for supporters of the Catholic James II

The point is that I don't know where the soul of the Conservative Party is. Obviously, I'm not a member of the Conservative Party, so maybe that's not my business, but there is a very fine line between conservatism and authoritarianism.

This motion is in the spirit of the highly concentrated politics of this particular government. When we look at the motions in the House to shut down debate, the abuse of in camera motions in committee, and just their general secrecy and the PMO's unavailability to the media and to Canadians, we're seeing a pattern.

Unfortunately, this motion has come to a committee, where I think it doesn't belong. This kind of motion needs to be debated in the House of Commons, where the duly elected people are represented.

Also, I would like to point out that the independent members of our Parliament play an important role. They always have. In fact, the ability to cry from the wilderness, to quote the New Testament and Saint John, was a very important function, that function of consciousness that can scream from the wilderness and challenge authority. It is a very important role to play. Some of my independent colleagues play it very well, in my opinion, and I think that our House is all the richer for their presence, for their impact, and for their intelligence.

An hon. member: Oh, oh!

Mr. Mathieu Ravignat: There's a contradiction between your applause and your motion, sir.

Mr. Chair, the idea that we would exile them to the will of the committee in order for them to be able to present amendments to a bill is really unconscionable. Frankly, I think Canadians can see through this quite easily. I keep having visions of the delegation from Kenya that was in my office. What would they think of this? I think they would shake their heads and wonder where Canada is on this and how healthy our democracy truly is under this government. They would be right to ask. I don't think they're the only ones who would be asking that question.

The other issue I have, which I think is fundamental, is that of due process. I've mentioned that this should probably be debated in the House. We're talking about a major change in the way our democratic institutions function in the role of a member of Parliament and the privileges of a member of Parliament. We have no clarity at this point—

●(1045)

The Chair: Mr. Ravignat, I have to interrupt you now. I see that the clock is at 10:45 a.m. and that's the end, unless there's unanimous consent to extend the meeting beyond this, in which case we'll have to find another room.

Is there consent to continue the meeting?

There is none. Therefore, the meeting is adjourned. At the next scheduled meeting of the committee, we'll continue where we left off.

Thank you. We're adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>