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Chair

Mr. Rodney Weston

Standing Committee on Fisheries and Oceans

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• (0850)

[English]

The Chair (Mr. Rodney Weston (Saint John, CPC)): I call the meeting to order.

I'd like to thank Mr. Dakins and Mr. Thompson for joining us here today. As you're well aware, we're discussing Bill C-555.

Mr. Dakins, we're certainly very anxious to hear your presentation this morning.

I'm sure the clerk has already informed you that we generally allow about 10 minutes for presentations, which are followed by questions and answers. If I cut you off at any time through the question and answer period, please forgive me. Members are constrained by certain time limits and in the interest of fairness, we try to keep as close to those timeframes as possible.

Whenever you're ready, Mr. Dakins, please proceed.

Mr. Dion Dakins (Chief Executive Officer, Carino Processing Ltd.): Thank you, Mr. Chairman.

First I want to thank the committee for this opportunity to appear before you to address Bill C-555. I am here representing the Seals and Sealing Network, which is a national non-profit organization promoting sustainable and wise use principles.

The network is made up of sealer associations, Inuit, processors, manufacturers and traders, veterinarians, provincial and territorial governments, among others.

Rather than just rely on my representation, I'd like to draw attention to the testimonials that are in the background, which we will leave behind. Those are testimonials by sealers related to interference they have experienced due to the observation regime we currently have.

The purpose of our presentation today is to provide you with our perspective on Bill C-555, and our recommendations for achieving the objectives that both the sealing sector and the government share. These shared objectives centre around worker health and safety, animal welfare, validation and enforcement to demonstrate the integrity of the industry, continuous improvement in management practices based on best science and experience. Bill C-555, which we support in principle, also provides the opportunity to revisit the rules and regulations related to Canadian seal hunt observers.

In its current form the bill proposes a change to the marine mammal regulations that would alter the minimum distance from one-half nautical mile to one nautical mile for unlicensed observers.

The Seals and Sealing Network strongly believes that Bill C-555 is not addressing the real problem. It is important for the committee to know that unlicensed observers are not the primary concern of the sector. Difficulties lie with the licensed observers. Our preferred recommendation is to change the regulations to apply to all observers.

We have provided you with a fuller description of our proposals, but I will describe them briefly in my presentation today. We have three recommendations.

Recommendation one is to establish a mechanism for developing and deploying a verified assurance program for the east coast Canadian seal hunt. This assurance program is to be conducted by objective third party qualified experts and to have such a program recognized under the marine mammal regulations.

Recommendation two is to eliminate the licensed observer category under proposed subsection 33(1) and apply the one nautical mile buffer zone to all observers unless otherwise directed by the minister, or failing that, extend the observation for licensed observers to a minimum of 500 metres, and that observers meet the same requirement as seal hunters and be required to carry an electronic locator, GPS, or DFO enforcement officer or recognized at-sea observer for the purpose of distance and activity enforcement.

Recommendation three is to update the regulation to clearly state that it applies to both a person fishing for seals as well as sealing vessels travelling to and from and at the seal harvest site, and that it apply to marine vessels and aircraft, including drones.

I would like to briefly explain each recommendation. I ask that you refer to the discussion paper for a complete description.

On recommendation one, a verified assurance program, the sealing sector has become highly regulated and is conducted in a responsible manner by sealers who are trained to operate under the highest standards of humane harvest and handling. The next step is to demonstrate that this high level of hunting is conducted by providing objective and fact-based data rather than the distorted misinformation campaigns of anti-seal hunt protesters.

The sealing community believes there is both a need and a demand to create a third party assurance program for sealing. This would be similar to programs in other animal use sectors. It would revolve around a third party audit and validation system performed by qualified independent validators. A transparent assurance program would satisfy the need for public accountability and would help to offset one-sided reporting by biased observers such as anti-sealing groups that do not prescribe to the basic principles of sustainable use of wildlife.

Such a program would also support regulatory responsibility, that the best practices are being followed by the sealing sector, and where necessary that corrective measures are identified and implemented. It would also provide quantifiable data and would identify needs and opportunities within the sealing sector.

It would provide market assurances for buyers of our seal products. The need for independent evaluation was identified by the European Food Safety Authority in its 2007 report to the Scientific Panel on Animal Health and Welfare related to the Canadian seal hunt. Such an assurance program would be tied to other ongoing activities by the sector, such as training and education, codes of practice, and best management practices.

Recommendation two is to change the observer licence.

Option A: The Seals and Sealing Network strongly believes that Bill C-555 is not addressing the real problem. The concerns revolve around the violations by observers under their licence. Such violations create risks to human safety, animal welfare, and the lawful right to conduct business unfettered. The sealing community submits that with the development of a verified assurance program, the public's interest can be realized and would eliminate the justification for close proximity observation. Sealers report that close proximity allowed under the licensed observer permit can interfere with their ability to conduct their work, including the need to dispatch animals as quickly and humanely as possible. It also poses a safety risk to sealers, enforcement personnel, and the observers themselves.

Furthermore, with today's advanced photographic and satellite capabilities, there is no longer a need for close proximity observations. Applying the proposed amendment to one nautical mile for all observers would still afford observers the ability to conduct their surveillance without impeding on the sealers' workplace.

Option B: Should licensed observers' permits be maintained, then the sealing community believes that the current regulated observation distance must be extended. The current distance of 10 metres, only 32 feet, does not provide adequate safety or security for sealers, observers, or enforcement officers.

In his testimony to the committee on June 11, 2014, Jean-François Sylvestre, chief of conservation and protection with DFO, confirmed that the current 10-metre observation limit is insufficient. He said:

There can be some confrontations between hunters and people with observer permits within 10 metres.

Actually, this prevents the hunters from doing their job. They cannot work as well when they have a camera filming them 10 metres ahead or next to them compared with when they are alone on

the ice. This is supported by Yves Richard, chief of regulations for Quebec, Department of Fisheries and Oceans, in his testimony to this committee. He said:

Having someone filming them with a camera can lead to additional stress for hunters.

Our own research at the Seals and Sealing Network has also found that from a safety aspect, the 10-metre limit is arbitrary and is inconsistent with limits set for other forms of hunting involving firearms. A cross-country analysis of municipal firearms discharge laws showed that 10 metres is insufficient for public safety when a firearm is used on stable land and even more so in an unstable sea and ice environment

For enforcement purposes, we also ask that these observers be required to be equipped with an electronic locator, GPS, as is required for the licensed hunters, in order for enforcement personnel to monitor their movements and locations.

Recommendation three is to clarify the regulations.

For better clarity, extending the observation distance one nautical mile should also state in regulations to apply to both a person fishing for seals as well as sealing vessels travelling to and from and at the seal harvest site. The extended observation distance should also be clearly stated in the regulation to apply to marine vessels, aircraft, and drones.

As I mentioned, there is a detailed brief on our recommendations and supporting evidence for the committee to consider.

In closing, I would like to thank the committee for considering our recommendations. I would be happy to answer any questions.

For further information we do have a website: www.sealsandsealing.net.

● (0855)

The Chair: Thank you very much, Mr. Dakins. I appreciate your presentation.

We're going to go into questions at this point in time. It's a 10-minute round.

We'll start off with Mr. Cleary.

Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP): Thank you very much, Mr. Dakins and Mr. Thompson, for the presentation.

My first question is pretty much a soft lob. Before I get into some deeper questions about your recommendations, I'm looking for an overview on the harp seal population off Newfoundland's northeast coast, off Labrador, and the grey seal in the Gulf of St. Lawrence. I'd like an overview of the health of the populations and the impact on stocks. Also, I'm interested in the impact on stocks off the northeast coast of the U.S. I know they have a complete cod stock collapse down there. Perhaps you could comment on whether seals have had an impact on those stocks as well.

Mr. Dion Dakins: I think it's clear that the populations have expanded—exploded, nearly—since the early 1980s when there was a conservation concern related to seals and seal populations. In the United States right now for the grey seal, the word out of the fishing sector in the United States is that the Canadian seals are coming down and eating the American fish. They are also providing an additional challenge to the recreational fishing sector, to the salmonid species, striped bass, and others, where conservation of those stocks now is clear. Striped bass is up for review. Whether or not it will be listed as a threatened species has yet to be decided.

The cod fishery has been closed in the Gulf of Maine, so it is believed by both American and Canadian counterparts that the grey seal is playing a significant role in this reduction of fisheries viability. The same is being seen on the east coast of Canada, where predation on shrimp, crab, cod, haddock, hake, and other groundfish species is more than evident.

We prefer to look at total biometric removals by grey seals or harp seals, rather than individuals, species by species, because we think that's where the answer will lie: in maintaining a complete balance in the ecosystem rather than in looking simply at the interactions of one species with another.

I don't know if I've missed anything in my response. Greg?

• (0900)

Mr. Ryan Cleary: To summarize then, from your perspective the seals are continuing to have a massive impact on fish stocks, on shellfish stocks, and the populations are unchecked. They're continuing to grow. Does that pretty much summarize it?

Mr. Dion Dakins: That would be the overall feeling of the industry, the sector, and it's also supported by some science from DFO, where we think we can do more work to help quantify and qualify the actual impacts.

Mr. Ryan Cleary: Do you have the total numbers for harp seal versus grey seal populations? Can you give us an estimate?

Mr. Dion Dakins: For the harp seal, it's currently estimated to be 7.4 million. Grey seals are currently estimated to be in excess of 500,000. Comparatively, in 1980 the harp seal population estimate was about two million, and for the grey seal it was at about 30,000.

The interesting thing is that within the seal populations themselves we are seeing stress indicators. Adult animals were carrying 20 kilos less fat in the month of February, as studied by the Department of Fisheries and Oceans, which shows that their health is deteriorating. Additionally, on average, harp seals are having their first pup 1.7 years later than they were when the population was under five million.

Mr. Ryan Cleary: Mr. Dakins, can you give us a breakdown on the number of hunters too?

Mr. Dion Dakins: On the books there were about 13,000 licensed hunters last year. We expect that there will be a correction in the figure, because this year everybody who wants to renew their fishing licence has to have participated in the humane harvesting and handling training courses that are being offered. We expect that this year there will be about 5,000 licensed sealers. How many will be active is unsure. It depends on market capabilities.

Mr. Ryan Cleary: One of the words you used piqued my interest, and that was “drones”. More and more in the news business, for example, in journalism, you're seeing drones used for everything from covering fires to whatever. Are you concerned that this bill may not cover drones and that where they're used more and more, they may be used by anti-sealing groups, say, to take pictures of the harvest?

Mr. Dion Dakins: The way we see it, it's an opportunity to have the regulations be robust and reflect future potential action by any group, or even for our own monitoring. It's clear that the ice floes and the waters are actually the workplace of our sealers, and within Canadian law, people are entitled to a safe and healthy workplace. We see drones or other mechanisms of observing the hunt as potentially disruptive and causing unnecessary stress in the hunters.

Mr. Ryan Cleary: I haven't had an opportunity to read the testimonials from the sealers at the back. I was somewhat surprised—I won't say shocked—by how you wanted your recommendation to cover not just unofficial observers, but official observers as well. In your own words, can you explain that? Can you elaborate on that?

Mr. Dion Dakins: Ten metres is the current restricted distance that a licensed observer can approach sealing activity. That distance is safe neither for the hunters nor for the observers themselves, or for the enforcement staff that are responsible to regulate.

Recently there was a story posted online about a hunter in Sweden who was talking about the difficulties they have in achieving their harvest levels because two nautical miles are required. They cannot discharge their firearms at a seal inside two nautical miles of a dwelling or another person doing either fishing activity or sealing activity.

We feel that two nautical miles is prohibitive and not necessarily required, but we feel that expanding the distance from 10 metres to 500 metres for all observers is more than adequate for safety. We feel that it would also still afford ample opportunity for observers to collect any video evidence they may require. The only people where we would see an exception being allowed closer than that would be an approved veterinary study that would be allowed to participate on sealing vessels.

Mr. Ryan Cleary: Mr. Dakins, what we're seeing off the northeast coast of Newfoundland right now is a decline in shellfish stocks, shrimp, for example. We're seeing an increase in groundfish stocks, cod, for example. Would you say the harp seal population is having an impact on the rise or fall of either of those stocks?

Mr. Dion Dakins: Most definitely.

Mr. Ryan Cleary: Could you elaborate?

Mr. Dion Dakins: This is from people who have the local knowledge and a historical context to understand the interactions of seals and fish. We need more science.

Additionally, there are problems now in the north with the ringed seal. The harp seal is a far more aggressive and more competitive seal. They are now showing up in the Davis Strait and in the communities in the north in higher numbers than they ever have before. In fact, they're displacing ringed seals from their breathing holes. Those are the stories we're hearing from the elders and the people on the land.

The interaction of not only the seals with the fish but also the seals with other seal species is quite alarming at this point, from the observations of the people who actually hunt and who live on the land.

● (0905)

Mr. Ryan Cleary: The stories you're telling are anecdotal. People always push for the hard and fast science. Is the science there to back it up? Is the science being carried out?

Mr. Dion Dakins: There is not enough science being carried out right now. The industry is very much in favour of further veterinarian inspection of the hunt, validation, and a lot of my representation was built on having third party validation. It has been required by international markets. It is required in other commodities. It's something we'd like to see.

We'd also like to see a further investigation around ecosystem-based management approaches to quantify and qualify the interactions between these populations of seals, which we have never seen at such high levels, and our commercial fish stocks, which we have never seen at such low levels.

Mr. Ryan Cleary: How immediate is the problem? I know that a few years ago the Senate came out with a report recommending a cull of grey seals in the gulf. What about harp seals? How immediately should this be addressed?

Mr. Dion Dakins: It's critical that we do this as soon as possible.

Mr. Ryan Cleary: "Do this"; can you elaborate on that? Are you talking about a cull?

Mr. Dion Dakins: Well, obviously the recommendation of the Senate standing committee was to cull 70,000 grey seals four years ago. Without having the benefit of further science, I'm sure that number of 70,000 is now outdated and needs to be much higher as the population has grown. I think we need to immediately shift our focus on to reviving markets. Part of that is having adequate regulations around how the hunt is observed.

Quite frankly, it's very hard to comprehend even a good seal kill when the person has no attachment with doing it. I think we need to stop erroneous observation and messaging around the seal hunt, get down to third party validation, recover our markets, and start to achieve our quotas annually.

Mr. Ryan Cleary: I don't want to put words in your mouth, but from your perspective then, does this bill not go nearly far enough in terms of tightening the restrictions around access to the seal hunt?

Mr. Dion Dakins: No, we don't think the bill itself goes far enough as it's currently drafted. We think it's a great starting point. It has opened a debate and a discussion around what we need to do as a sector, what we need to do as a nation, and what we need to do as a group of nations. Canada is not alone in this issue. America is also

having trouble with the seal populations, as are other nations around the world.

Mr. Ryan Cleary: You must realize, Mr. Dakins, that your recommendations would totally change this bill. Basically, you're asking government to go back to the starting point.

Mr. Dion Dakins: Bill C-555 is specifically focused on non-licensed observers. I think there is an opportunity to craft another set of legislation that would go where the industry sees it needing to go. This is a first step that certainly has opened a dialogue and a mechanism for the sector and others to voice their concerns.

Mr. Ryan Cleary: Thank you, Mr. Dakins.

The Chair: Thank you very much, Mr. Cleary.

Mr. Sopuck.

Mr. Robert Sopuck (Dauphin—Swan River—Marquette, CPC): I'm very pleased to talk with you today. One of my positions is chair of the Conservative hunting and angling caucus. My vice-chair, Mr. Leef, is here as well. Our caucus is fixated on protecting and preserving our hunting, angling, and trapping way of life.

I have a quick comment on the predator control topic which Mr. Cleary brought up. A recent report came out showing that the wolf kill in Alberta is having a measurable and positive effect on woodland caribou numbers. I think the science is there and getting better in terms of predator control to restore the balance. I think that's what we were talking about, restoring the balance.

I spent a fair bit of time in my previous life fighting the animal rights groups. You certainly recall the Liberal bill, Bill C-15B, which thankfully didn't see the light of day, that would have given animals rights. In terms of the sealing industry being used as a fundraising tool for radical animal rights groups, where these people wilfully distort the conversation on the seal hunt by using pictures of whitecoat seals which haven't been hunted since the 1980s, can you speak to this dishonest approach employed by these groups?

● (0910)

Mr. Dion Dakins: It's a very interesting period in the existence of this planet. We have a higher demand for proteins. We have a higher demand for omega-3 oils. We have a higher demand for eco-friendly textiles and other products. Yet we don't see an opportunity to position seal products for what they are. It's a conservation success for Canada. We have recovered our populations inside four decades to higher than virginal levels or at about maximum virginal levels at 7.4 million animals. But because of the positions of various groups that do not subscribe to the sustainable use of any wildlife species running falsified campaigns with misinformation in primary markets and in emerging markets, it has added a complication to the sealing sector because we're such a small commodity.

If you wanted to position the 4,000 tonnes yield from a 400,000 animal harvest into the omega-3 market comparatively, other marine-based omega-3s are about one million metric tonnes, so we represent 0.4% of the total global supply. It's very easy to single us out, and with a well-oiled false propaganda machine it's very difficult to reposition the hunt. That's why we see steps like having third party validation, veterinarian inspection, removal of the erroneous observations, the biased observations that are used to discredit the industry and destroy market capabilities. We need to remove that and we need to replace it with what consumers can buy into, which is a third party validation system.

That's why Bill C-555 in itself doesn't go far enough. However, it can be modified through future bills to achieve what we need to achieve.

Mr. Robert Sopuck: I'd like to follow up on the whole notion of animal rights. I'd like to read a couple of quotes from *Hansard* from a few weeks ago by a couple of NDP MPs. This was in the debate regarding Quanto's law, which is a law to protect service animals. The NDP quite obviously wants it to go a lot further.

I want to read from the October 27 *Hansard* what Jean Crowder from Nanaimo—Cowichan said regarding a private member's bill, Bill C-232, which was introduced by her colleague from Parkdale—High Park. That's Peggy Nash. She said, "This bill would remove animals from the section of the Criminal Code on property and create a new section for animal cruelty offences." As I said, this is an NDP-supported private member's bill. She went on to say, "In short, animals would be considered people and not just property."

Later in the debate, Françoise Boivin, the NDP MP for Gatineau, said regarding animals, "These harmless, defenceless creatures deserve the same protection that we afford to children and people with mental or physical disabilities."

As someone who's fought the animal rights wars as you and I have, the implications of these statements would be staggering if ever implemented. They would end all hunting, trapping, sealing, and most importantly, medical research, plus the raising of livestock.

How do you think these kinds of statements will be received in eastern Canada, specifically Newfoundland and Labrador?

Mr. Dion Dakins: I'm not well versed on the other proposed discussions, however I can say that our group subscribes very highly to good animal welfare standards. The sealing sector itself, the harvesters, requested that the professionalization program that's now in place become mandatory. Along with veterinarians they helped create the course into something that's useable and achievable to achieve a high animal welfare standard.

I think when we draw the line between...I think there's a great deal of confusion internationally about animal rights and animal welfare. To endow an animal with human rights is quite frankly quite dangerous and difficult for the world to manage. However, all animals that are going to be exploited, either if held in captivity or in the wild, are entitled to a good animal welfare outcome when they're being used or being raised by humans. That's where our group sees the greatest gains in improving animal welfare and third party validation.

Mr. Robert Sopuck: I could not agree more. People have to appreciate the distinction between animal welfare and animal rights. Many of these animal rights groups hide behind the notion of animal welfare, and they will play the game of talking about humane standards, sustainability, and so on.

When your industry in particular proved the point that you are humane and that the populations of seals are sustainable, these groups morphed into animal rights groups, which they always were—well-funded animals rights groups; most of them have budgets bigger than most small towns in Newfoundland and Labrador. Then they showed their true colours. These are fundraising tools to advance the cause of animal rights.

Mr. Dakins, I think your point, the distinction between animal rights and animal welfare, needs to be appreciated. We all believe in and strongly support the notion of animal welfare, but animal rights are completely another thing. I think you used the word "dangerous" and I think you're absolutely right.

I go back to the statements by Jean Crowder and Françoise Boivin, two NDP MPs who are on the record as stating very clearly that animals should be given the same rights as people, and I find that truly appalling. I go back to the question, once the people of Newfoundland and Labrador, and indeed all the sealing communities in Canada, understand the implications of this, what do you think they'll think about this?

● (0915)

Mr. Dion Dakins: Certainly I think it's clear how we—

A voice: We actually have a bill dealing with this.

The Chair: Order.

Please proceed—

A voice: What do you have that upsets you that much?

The Chair: Please proceed, Mr. Dakins.

A voice: It's not shocking to have a difference of opinion in the House of Commons.

The Chair: Order.

Mr. Dakins, please proceed.

Mr. Dion Dakins: I'm not versed in these other bills that are currently alive. I know we as a sector believe very strongly in animal welfare and animal welfare improvement. I think Bill C-555 is a start for a debate that's been long required around how we allow observation and evaluation of the Canadian seal hunt. I think our current structure does not allow for the consumers to feel that they've been given a robust enough traceability or verification system to allow them to comfortably purchase seal products. I think we need this tool to go forward. Again, I think Bill C-555 is a start, but we need to go further with how we control and validate our Canadian seal hunting, and not just the east coast one.

Mr. Robert Sopuck: In terms of the grey seal cull that the Senate recommended—indeed, the study we did on snow crab came to the same conclusion—how close are we to finding markets for grey seals? It's not a commercial species right now, is it? Also, what do you think the potential is to develop markets for grey seals?

Mr. Dion Dakins: We believe the challenges to the grey seal products are the same as they are for the ringed seal product and Namibian fur seal product. A seal is a seal is a seal when it comes down to the marketplace. Regulations and international laws that afford derogations for products of certain origin are, at best, window dressing for addressing the real issue.

We see an absolute requirement to manage the populations of seals wherever they exist, with the exception of a few small species that have been hunted to the brink of extinction and are still struggling to recover. Overall, Canada can be a leader with harp, grey, and ringed seal.

We are seen as world leaders, because we do have the world's largest hunt, because we have the world's largest populations. Interestingly enough, we don't harvest our animals at any higher level than any other jurisdiction that's harvesting seals. We are taking about 7% of the available biomass for harvest.

To answer your question more clearly, I think there are substantial challenges not only to the harp seal industry but also to the potential to revive or to create a grey seal commodity, because the challenges are the same.

The Chair: Thank you, Mr. Sopuck.

Mr. MacAulay, go ahead please.

Hon. Lawrence MacAulay (Cardigan, Lib.): Welcome, Mr. Dakins and Mr. Thompson.

It's an interesting committee. There were a few barbs, but I think we're all concerned about animal welfare.

I would like you to give the committee a view of what you think is going to happen if we continue on the same path as we are on at the moment, looking at what's happened to your markets over the last number of years. Also, you mentioned 0.4% of the protein, if I understood correctly. Were you referring to seal at that time?

• (0920)

Mr. Dion Dakins: I was referring to the omega-3s from the fat of the seal.

Hon. Lawrence MacAulay: Looking at the value of and the requirement for protein worldwide, what is wrong; what is going on in the world community; what's wrong with us; what's wrong with you; what's wrong with the government when we have a product...? You talked about animal welfare. I'd like you to indicate what's going to happen if we do nothing and the population has exploded as you have indicated? What's going to happen to the seal population itself? Generally things happen if there are too many animals. There will be disease within the herd itself. We have a pretty small harvest at the moment.

I also believe that seals are among the biggest, if not the biggest, consumers of fish in the world today. Looking at the value of protein worldwide—and I'd like to give you some time to answer this—

what's going to take place? I'd just like you expand on that and on what we need to do here.

Obviously we're on the wrong track. Either the government is on the wrong track or you're on the wrong track. We have a bunch of people who can put erroneous pictures out worldwide, pictures of things that haven't happened for years and years. You're hurt and I'm hurt as a citizen of this country because of what's going on. I'd like you to take some time to give a general observation of what direction....

I agree that people are too handy to hunt. If your nose is right up where they're doing the shooting of the seal, that's not safe. We do need to do something.

I'd like you to expand a bit on what I have said, understanding that the seal is one of the biggest if not the biggest consumer of fish in the world, and the value and the need for protein in the world today.

Mr. Dion Dakins: Thank you very much for your question.

I'd like to rely on someone who perhaps said it best, and that was Albert Einstein. He said the definition of insanity was doing the same thing repeatedly and expecting a different outcome.

Sometimes I find, related to this issue, that we have been on a little bit of a treadmill, grappling with how we are going to reshape our future as it relates to the harvesting and utilization of our marine resources, not just seals but also seabirds and whales. Our challenges are enormous

I would like to think, Mr. MacAulay, that perhaps we have been on the wrong track, but I would like to see this as the beginning of the right track—

Hon. Lawrence MacAulay: So would I.

Mr. Dion Dakins: —a discussion that can lead us forward to structuring ourselves internally, such that we can approach international markets to allow value-added trade in our commodities. As you've recognized, right now the world is struggling with how it's going to manage itself as it relates to global food security.

Proteins have never been in higher demand. Omega-3 oils have never been in higher demand. The pressures on these resources are only being exaggerated.

Not only does the seal provide an adequate commodity to go in and fill those market demands, but it also adds a value-added ecosystem service, whereby we control seal populations to allow for the sustainability of fisheries.

Unless we achieve the scientifically allocated quotas, we're going to continue to experience imbalance in the ecosystem.

As I described earlier, the seals are already showing the stress indicators. They're having pups later in life, which is an indication that they're stressed. Adult seals are carrying 20 kilograms less fat at maturity than they used to when the population was under five million.

DFO itself recognizes through its science that perhaps we've reached the carrying capacity of the marine ecosystem, because it has stabilized now. We've been at 7.4 million to 7.6 million for two years with essentially no harvesting pressure. The pressure of the harvesting itself has been minimal over the last five years.

I think the ecosystem—the seal populations and the fish populations—is telling us that we need to do something different, because we have been doing the wrong things. I think we're now at a very interesting point, and a unique opportunity exists for Canada, because other countries—including America, since the Canadian seals are eating the American fish—are perhaps more agreeable to having a discussion to help solve what is now a common problem manifested and created by falsified campaigns around what the Canadian seal hunt is.

I'm very proud to be a part of this industry. The hunters and the veterinarians who do the continual science in this industry are very proud to be a part of it. I think it's a model for conservation of marine mammal species internationally and one that we should further support with correct bills like Bill C-555 and where it's leading. I think we should create a validation system so consumers can have the confidence that Canada is doing the right things to make sure we meet global food security challenges and adhere to high animal welfare standards.

• (0925)

Hon. Lawrence MacAulay: Have you indicated that the herd itself is going to be in great difficulty if we do not manage the herd properly?

Mr. Dion Dakins: From my perspective, it would only be speculation. I'm not a scientist, I can't—

Hon. Lawrence MacAulay: You're talking about two million.... If I understand correctly, it was recommended that the population needed to be about two million to sustain and it's at about 7.5 million today. I'm far from a scientist, but it would indicate to me that there's going to be some difficulty somewhere with the large increase in the herd. What you said about the pups carrying less fat, there's great difficulty coming in the herd itself.

Also, I would like you to expand a bit on this third party validation to validate the herd. I would expect that you're going to try to put something in place to indicate to the public how the herd is generally managed. In fact, it's the most humane harvest in the world. I'd like you to expand on that.

Mr. Dion Dakins: I'd like to come to back to the point about the European Food Safety Authority. When the EU was considering the ban on seal products, they evaluated seal hunting practices in all the range states where seal hunting was conducted for commercial purposes. Canada was actually identified as having quite a high level of animal welfare standards compared to other hunts. We are on the right track and we continue to be on the right track.

The validation is strictly what is required by consumers to understand that it needs to be an ISO certification. It has to be third party. EFSA, the European Food Safety Authority, themselves identified that there was bias in the science that existed. There is no way that videos secured by animal rights groups that are strictly there to end the hunt can be considered unbiased. Even when submitted

for regulatory purposes within Canada, there are problems with the continuity, the starting and stopping.

As I mentioned earlier, it's very difficult for veterinarians, let alone lay people, to witness the harvesting or dispatching of a marine mammal or any other animal when they have no attachment to it, and then decide whether or not it's good or bad.

We've worked with a lot of veterinarians and they always recognize that it takes thorough investigation to understand on the videotape whether or not an animal is experiencing pain, distress, or suffering. Just because there's an involuntary swimming reflex does not mean the seal is alive, but to the lay person witnessing this, it's very difficult to understand.

Most importantly, the sealing community, the people who do the hunting, are very much in favour of improving the animal welfare standard where they can, recognizing that Canada currently has perhaps the highest animal welfare standard of any wildlife hunt in the world. Validation of that is required by someone else other than the Canadian government saying, "Well, we're great. Trust us; we know what we're doing" or for a processor to say, "Trust me; it's okay what we're doing".

We need that third party validation and we need to stop video that's taken just to undermine all the efforts that we've made collectively to improve the animal welfare standard and the viability of the Canadian seal hunt.

Hon. Lawrence MacAulay: You also indicated in one of your recommendations that all observers should be 500 metres clear, if I understand correctly, and you feel that would give the hunter the proper clearance in order to do his job.

Mr. Dion Dakins: Currently, it's recognized that the video cameras being used by the animal rights groups that are out there—because there are no animal welfare groups out there—are good for distances up to five nautical miles. The 500-metre zone is strictly for the safety of both the observer and the hunter, and also for the enforcement people who are out there.

• (0930)

Hon. Lawrence MacAulay: I would like to add one more thing.

It's so unfair what's going on. It's such a big problem to deal with. In fact, we have to deal with inappropriate erroneous information on tape. If you videotaped the butchering of animals, people would be horrified. I wonder where we're coming to.

The Chair: Mr. Leef.

Mr. Ryan Leef (Yukon, CPC): I'm sure my time is reduced a little, but that was worth hearing, so thank you for that.

Mr. Dakins, I think you've done a great a job of talking about the need for market and social confidence coming from that third party validation so that domestically and internationally there's confidence in the ethics and sustainability of the seal hunt.

My question isn't really relating to the bill. When we deal with the licensed observers, if I'm reading this correctly, the intention is that licensed observers are there presumably because they have a level of training, skills, and expertise to observe, there's quality in their ability to observe something, to provide that validation and confidence. So they're an important component of the hunt to be there, licensed with quality management control, and able to observe and then provide some unbiased commentary on the hunt itself. The unlicensed observers don't necessarily have that. They can be there for whatever intent and purpose, and it's that group that we regulate away from it and they can be there as long as there is safety and security.

My question is twofold. You did touch on it a bit in your recommendations, that moving the licensed observer category to farther out is needed as well for purely a safety reason. Correct me if I'm wrong here, but I'm taking from that point that you're really focused on the safety angle and that there isn't an element of obstruction of the hunt going on by the licensed observers. Are there cases though where the licensed observers have been obstructionist, have been interfering, and have intentionally caused safety concerns—not the unintentional safety concern, because your point is taken that when you have firearms in close proximity and the stress of that, the hunters are paying attention to something going on when they should be focused on the issue and it can generate some safety issues.

My focus on the question though is the intentional obstruction of the hunt by licensed observers.

Mr. Dion Dakins: In the testimonials that we've provided, our examples of licensed observers that have disrupted the hunting environment are by flying too close to the vessel itself, or putting themselves between the vessel and seals that are to be targeted, or by flying ahead and scaring the animals off the ice. The testimonials exist.

To come back to your point about the groups that are out there, in our submission as well as in the written document, Randy Jenkins, who's the director of DFO's national fisheries intelligence service, had the following to say: "The majority of individuals who request a permit to observe the hunt"—these are licensed observers—"are those who have an interest in animal rights. The regular media, CBC or CTV for example, may also request a permit to get footage for their news shows. But the regular observers are largely from the organized animal rights groups...". I draw clear attention to that because whether it's an animal rights or animal welfare group or the standard media, they're still due to correct safety protocols.

Reviewing the municipal regulations as it relates to discharging firearms within a safe proximity, the seal hunting environment, which is the most dangerous occupation—fishing is too, but sealing is certainly a higher risk than any other fishing activity—you're in an environment where bullets can ricochet off ice and water, which is much higher than any on land anywhere. We feel that the minimum distance for anybody to observe the hunt, including between hunters themselves, should be 500 metres. To discharge firearms any closer is causing a risk to public safety and health.

The other point I would make is that within Canada, we have acts and regulations regarding the workplace. People are entitled to a

healthy workplace environment. It has been recognized by both the hunters and the enforcement officers themselves that when observation is occurring inside these distances, especially at 10 metres, there's a high level of stress and interference incurred by the hunters themselves. We're actually not providing them with a healthy and safe work environment.

• (0935)

Mr. Ryan Leef: It would seem to me that the licensed observer intention really should be that qualified, experienced, and capable observation group and the licences should really be handed out in that regard. The intention and focus should be squarely on the market and the social confidence and validation that you would gain through transparency. As you mentioned earlier, that needs to come from an objective, unbiased position, and it needs to come from a position of experience, people actually having the skills, knowledge, and ability to assess that. I'd be inclined to be looking more towards a regulation that said the way in which licences are administered and handed out should be more carefully crafted than the distance at which you put those people and that the revocation and enforcement of obstruction should be something that should be fully focused on.

I can tell you, as a former conservation officer in Yukon Territory, that we have regulations about impeding or obstructing a hunt. We also have regulations around the safe distance to discharge a firearm. In that territory it's one kilometre from a dwelling house, whether it's occupied or not, because of the obvious safety concerns with centrefire rifles and the distance at which they can be deadly.

In that respect, in the safety angle, you're pushing on an open door of people who truly know the safety and security things around that. As regulators, typically we focus on ethics, safety, and the sustainability of both of the species being hunted and, as you've heard in the questioning by parliamentarians today, the sustainability of other species that are impacted by the growth of a particular population.

When we're talking about the issue of having folks at a distance, and you want that validation, you did mention that even though cameras can shoot up to five nautical miles, would there not be some value to having high-quality, licensed, unbiased observers with skills, knowledge, and ability there working jointly with the sealers to help provide that confidence? In doing so, five miles or three miles or even 500 metres, at times, as you say, it's hard to pick apart whether or not that video is producing the transparency that the industry's asking for.

Mr. Dion Dakins: Absolutely. That is the whole purpose of our intervention here. That third party validation system should replace... and in fact, one of our recommendations—I believe it's recommendation two, option B—is to remove licensed observers altogether. Let's not make this observation. Let's make it scientific evaluation of Canadian hunting methods.

It's interesting. If we all recall back to when we were in our earliest days of education and we were doing science, the basics were that you had to have the hypothesis and materials and methods. We don't see that in the observations of the groups that are currently out there. There is no scientific.... There is nothing robust there. It has been identified by the European Food Safety Authority itself that it was biased observation and it's not science.

The only animal welfare true science that exists is that which has been done and supported by the sector and has been supported by the Canadian government. We need to bring more of this to the table. We need to show the world that we take animal welfare very seriously. We take the conservation management of our marine mammal resources as well as our fisheries resources very seriously, and we're willing to have third party validation about what we do and how we do it and let it stand for scientific scrutiny. That is the most important.

Mr. Ryan Leef: You were probably pleased to see that the Conference of Parliamentarians of the Arctic Region which this year was held in Whitehorse, Yukon, made it clear in their conference statement—and of course it's the international community of parliamentarians who made it clear in that conference statement—that they encourage all governments to find ways to support the traditional products market and specifically identified seal in that conference statement as a way to do that.

Obviously, the Government of Canada and also international governments are aware that seal is a traditional product and a viable market for that is important. Some of these bands of radicals that are out there on the ice making a heyday for their own political agendas, that needs to start ending and it needs to start ending by way of regulation and enforcement.

● (0940)

Mr. Dion Dakins: I would agree 100%.

Mr. Ryan Leef: Is my time up?

The Chair: Your time is up, sir.

Mr. Ryan Leef: I'll have the MacAulay minute.

The Chair: I included Mr. MacAulay's comments in your time.

Thank you very much, Mr. Leef.

Thank you, Mr. Dakins and Mr. Thompson, on behalf of the committee for appearing before us today and making your presentation and taking the time to answer members' questions. We certainly do appreciate that.

We'll take a brief recess before we move on with our meeting.

Thank you once again.

Mr. Dion Dakins: Thank you again for the opportunity.

● (0940)

_____ (Pause) _____

● (0945)

The Chair: I will call this meeting back to order.

As you're all aware, we are moving into clause-by-clause study of Bill C-555. I believe you all have a copy of the bill in front of you.

(On clause 1)

The Chair: We have one amendment, which is by our colleague, Ms. May.

Ms. May, I think this is the first time we've had the pleasure of your company at our committee. I appreciate your coming here this morning. I'll give you a minute or so to explain your amendment.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you, Mr. Chair.

Of course the reason you don't see much of me is that I'm not allowed to be a member of this committee, and I am summoned by the committee due to the round of identical motions that were passed in every committee last fall to impinge on my rights to present such amendments at report stage. I am sure this was a PMO directive to make sure I showed up and had my amendments routinely slaughtered before committee. But I'm hoping that this one is so reasonable that my colleagues on the Conservative side will agree that this is an amendment that will help the bill and help the process for people who live near the seal hunt.

I want to raise one concern, and I'm not sure it has come up in any of your hearings. A number of court cases have examined whether the limitation on observing and access to and being near seal hunts as they take place violates section 2 of the Charter of Rights and Freedoms, particularly 2(c), in respect of the right to freedom of expression.

In 1988 the Federal Court of Appeal ruled in the International Fund for Animal Welfare v. Minister of Fisheries and Oceans case that the limitation on being near the hunt was, as they call it, the locus limitation impinges on freedom of expression as protected by paragraph 2(b) of the charter.

They've gone on to examine whether that was a reasonable limitation on freedom of expression. Our charter rights are not absolute. You can have a reasonable limitation.

This question of reasonable limitation was also taken up by the Prince Edward Island Court of Appeal in the Biroc case, which is sometimes known as the Watson case.

I flag this because I think unless there's very good and substantial evidence that one nautical mile is a reasonable limitation on freedom of expression, this bill may, and I think quite accidentally, end up creating additional litigation, which the bill will not survive.

My amendment is not going to address that entire problem, but will at least eliminate problems for people who happen to live near, or frequent rather, the area in which the hunt takes place. It's a pretty straightforward amendment. Obviously, it's not a long bill. The amendment would change paragraph 33(2)(e), which currently reads that there's an exception to this one nautical mile limit "to a person who resides on land within one nautical mile of a person who is fishing for seals".

My amendment is really very sensible and straightforward, and it would then read, "to a person who resides on or frequents, in the normal course of their daily activities, lands within"....

That's an amendment to avoid criminalizing the behaviour of people who are habitually and for normal reasons in the area in which the hunt may be taking place, but don't own or reside on land within the one nautical mile.

● (0950)

The Chair: Thank you very much, Ms. May.

As Ms. May stated, her amendment is that Bill C-555, in clause 1, be amended by replacing line 1 on page 2 with the following:

(e) to a person who resides on or frequents, in the normal course of their daily activities, land within

We'll go to questions.

Mr. MacAulay.

Hon. Lawrence MacAulay: Mr. Chair, what would “a person who resides” mean? Would you reside for a day, a week? I'd like that clarified.

Ms. Elizabeth May: I can respond. In a normal statutory interpretation, “resides on” would mean that's where you live, as opposed to that's where you visit, which is why I wanted to amend this to incorporate those who would be frequenting that territory for other reasons than to try to observe the seal hunt. They would be criminalized by this law.

The Chair: Thank you, Ms. May.

Mr. Kamp.

Mr. Randy Kamp (Pitt Meadows—Maple Ridge—Mission, CPC): Mr. Chair, I have to confess that I'm having a hard time knowing whether we should take this proposed amendment seriously, knowing that the Green Party opposes the seal hunt and would like no seal hunt at all. Whether my colleague sincerely wants somehow with the amendment to make it safer, I'm not entirely sure. But I know she's an honourable colleague and friend, so I'll take her at her word on this.

My problem with the amendment is that it adds another level of protection. Basically the regulation as currently amended by Mr. Kerr's bill would say that the prohibition, the regulation, does not apply to somebody who happens to live within one nautical mile of somebody who's conducting a seal hunt activity. This amendment would say that if somebody in their daily activities happens to be on this land that's one nautical mile away, it won't apply to them either.

My problem with it is there's so much in the amendment that is unclear to me. What does “to frequent” mean? How often do you have to do that thing in order to be within this caveat? Or what is your normal course, what is a daily activity, and how would that be interpreted by the courts?

I just think there's so much here that is too fuzzy for a regulation and that it would need more thought than we have time for here, so at this point, we're inclined not to be supportive of this.

The Chair: Thank you.

Ms. May, did you want to comment?

Ms. Elizabeth May: Thank you, Mr. Chair.

I think it's very straightforward. I appreciate that my friend the parliamentary secretary understands that anything I do in this place would be honourable. This is a legitimate attempt to improve legislation that is already overreaching, may violate the charter, and at the least, it shouldn't criminalize people.

I look to the evidence in the testimonial that we just received from the Seals and Sealing Network that the 2012 ice conditions brought seals and the Newfoundland seal hunt closer to shore than in normal years. It's very possible that it brought it within one nautical mile, which would mean that the people who lived in and around Herring Neck, Newfoundland and Labrador might find themselves even

when just going back and forth to the post office within one nautical mile of the seal hunt, thus violating this law. It doesn't make sense to have it be so restrictive that you're exempted only if you actually reside within one nautical mile of the seal hunt; your activity is exempted from being criminalized by this act.

I just think it's a very modest amendment. You're quite right, Parliamentary Secretary, my amendment doesn't go to the extent of our concerns about the hunt, but it is a legitimate.... This is the purpose of parliamentary committees, to fix laws that have been put forward without adequate study, and to avoid unintended consequences such as criminalizing people who accidentally, through their normal day-to-day activities, find themselves within one nautical mile of a seal hunt.

• (0955)

The Chair: Thank you, Ms. May.

Mr. Chisholm.

Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP): I would just say, with respect to Ms. May's comments about the constitutional concerns, that this certainly hasn't stopped this government on any other piece of legislation. I've heard that concern as well. We'll see how that plays out.

I am curious, though. This is a concern that I've heard as well, given the conditions that the herd in some cases is in close proximity to and certainly within one nautical mile of where people are living. I'm wondering, in terms of the concerns Ms. May just mentioned and that I've heard as well, what prohibits people who in the normal course of their activities are within one nautical mile just because the herd has moved closer to them, rather than otherwise.... What prevents them from being interfered with in their normal course of living, or perhaps apprehended or moved away or whatever? I wonder if the parliamentary secretary could give me some understanding of what happens in that case.

I think that's what the amendment goes to. If we don't agree on the amendment, then what's to stop people in their normal course of going outside their door, walking to the store or whatever, from getting apprehended or charged, or pushed away and told they can't go to the store because they're within one nautical mile?

I wonder if the parliamentary secretary could give us some idea of how that would be dealt with.

Mr. Randy Kamp: I'm not here to answer that, but I think it's a solution looking for a problem.

Mr. Kerr's bill amends the marine mammal regulations, which say that you can't come within half a nautical mile. It's a very simple bill that changes the distance to one nautical mile. The same sort of exceptions apply. He hasn't changed any of those. Currently the way the regulations read is that it doesn't apply to you if you reside within half a nautical mile. He's now changing it to a mile.

Even with this half a nautical mile, I don't think there has been a problem for people who happen to be wandering in the course of their daily activities with being charged by a DFO officer for interfering with the seal hunt because they happen to be within half a nautical mile. I think that's even less likely to happen with a full nautical mile, so I don't think there is a problem that Ms. May is trying to solve here.

[*Translation*]

The Chair: Mr. Lapointe, did you want to comment on this?

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): I can perhaps help my colleague with this question.

Mr. Kamp, I think you are looking at this from the wrong angle. If the distance is expanded to one mile and, as my two colleagues mentioned, snow melts like it did last year, this problem is more likely to occur—in other words, someone could be conducting activities on the shore with less than one nautical mile of ice. That seems to make sense.

I am not only thinking about merchants or individuals conducting activities that are unrelated to seal monitoring being within a nautical mile, I am also thinking about hunters.

Everyone knows everyone in those small communities. A hunter may realize that they are within one mile and that their brother-in-law is conducting activities a bit further. They will wonder whether they are allowed to hunt and will be uncomfortable because they will worry about their brother-in-law getting in trouble. They will not be able to go further because there will be no ice.

Mr. Kamp, your interpretation is sort of inverted. Considering that there is sometimes less ice, if the distance is increased to one mile, the probability of something like this happening increases. It does not decrease. I don't understand your reasoning on this. The logic of the situation is inverted. I think something is not quite right here.

• (1000)

[*English*]

The Chair: Is there anything further?

Mr. Leef.

Mr. Ryan Leef: I think Mr. Kamp touched on this quite well. When you have an act or a regulation, they outline the elements of the offence, and the elements need to be defined. These are very subjective variables, as Mr. Kamp pointed out. What constitutes “frequent”? What constitutes “somebody's normal course”? What constitutes “a daily activity”? What you create when you do that is an enforcement problem in trying to define those things. They get sorted out through court interpretation. As he noted, we have a solution here looking for a problem.

We can go to the nth degree in the “what if” scenarios, and try to create environmental conditions and our own interpretation of how law enforcement will apply the regulations. But whether it's provincial or federal law, we task our enforcement and compliance personnel with understanding the spirit and intention of the regulation, which is clear. It's to move people away from the hunt so that there isn't a safety concern, an obstruction concern, and an ethics concern. This isn't designed to target people living in a

community, nor people going about the normal course of their daily lives.

While I appreciate Ms. May's intention here, when we try to get prescriptive with what we're doing, we can actually create some unintended consequences by adding more to the language than we really initially intended to. We need to rely on the law enforcement personnel in Canada to work within the scope of their discretionary powers, work within the scope of their discretionary application of the law. That includes understanding the spirit and intent in which the law was written, which clearly isn't to penalize, criminalize, prosecute, or investigate anybody who's heading to the post office, anybody who's walking within their community, anybody who's participating in the normal course of their daily life and not participating in intentionally obstructing or intentionally trying to observe the hunt for which they're not licensed to do, whereby there's already a regulation to do that.

If somebody finds themselves in the crossfire, so to speak, of being within one nautical mile of a hunt without a licence or without intention, I think we can leave it in the hands of the good people of Canada's law enforcement agencies to find out what their intentions were, and to apply the appropriate level of discretion to that particular scenario without getting prescriptive by way of law with this particular piece. I think if we do, what we're going to end up with is a number of assessments and investigations and court interpretations of what constitutes “frequent”, what constitutes “normal course”. Without exception, what we'll end up with is people who have full intention of obstructing the hunt, who have full intention of putting themselves in harm's way for an illegitimate purpose, trying to use the benefit of these words and say, “I'm frequently here for three months of the year to observe this hunt. It's a normal course of my daily activity. I'm hired by this group, an organization, to be here. It is a part of my daily activity, therefore, this doesn't apply to me.” Then we're going to end up in a perpetual court battle over that, which will invite us back to this committee to create more regulations and laws to tighten up that language and start licensing what “frequent” and “normal course of daily activities” becomes for people.

I think we have to be cautious on this, and from that point of view, I can't support the amendment.

• (1005)

The Chair: Thank you, Mr. Leef.

Ms. May.

Ms. Elizabeth May: I just have to say, full marks to Ryan for being very creative, but I can't imagine that scenario. This is for local people who happen to be.... I'd like to remind this committee that this is a private member's bill, and it's being defended as though it had been developed through the justice department and had been properly scrutinized, but it hasn't. Mr. Kerr, who brought this private member's bill forward, isn't here today to explain himself. I find that unusual, but in any case, it's a private member's bill, which means it was never subjected to the same degree of analysis as if it had been a government bill.

It is not a bill that relies on *mens rea*. It's entirely a question of physical location. If you're within one nautical mile of a hunt, and you happen to be a person from the community who doesn't reside within one nautical mile, you're going to be violating this. We'd like to think there might be judgment calls, but this will criminalize people who happen to be within one nautical mile, whether they reside within one nautical mile or not.

I submit to you, again, that this bill is overreaching and likely unconstitutional. It's a private member's bill, as has been the trend. I think today's hearing, for me, satisfies a question that I've had. How many of the private members' bills we've seen from Conservative members of Parliament are actually government bills put forward to avoid the same level of scrutiny that they would get if they were government bills?

In any case, I don't think I have support from my colleagues, although I really had hoped that my friends on the Conservative side would think this was a reasonable, modest improvement to avoid unintentionally criminalizing people who happen to live near seal hunts.

Thank you, Mr. Chair.

The Chair: Thank you, Ms. May, and to your point about Mr. Kerr's presence here, Mr. Kerr did appear before this committee to explain this bill fully in the initial stages of this committee's consideration of Bill C-555.

Are we ready for the question on the amendment? This is amendment PV-1.

It has been moved by Ms. May that Bill C-555, in clause 1, be amended by replacing line 1 on page 2 with the following:

(e) to a person who resides on or frequents, in the normal course of their daily activities, land within

(Amendment negated)

The Chair: Shall clause 1 carry?

(Clause 1 agreed to)

The Chair: Shall the title carry?

Some hon. members: Agreed.

The Chair: Shall the bill carry?

Some hon. members: Agreed.

The Chair: Shall I report the bill to the House?

Some hon. members: Agreed.

The Chair: Thank you very much. That completes clause-by-clause study.

Mr. Chisholm, you wanted to move your motion, I believe.

Mr. Robert Chisholm: Thank you, Mr. Chairman.

I would like to move the following motions. A notice of motion was provided on November 21.

I move:

That the Committee invite the Minister of Fisheries and Oceans to appear before the Committee regarding the Supplementary Estimates (B) 2014-2015 before November 28, 2014 and that this meeting be televised.

• (1010)

The Chair: The motion has been moved by Mr. Chisholm. I don't have a copy of the motion here, but it's as read by Mr. Chisholm.

Mr. Robert Chisholm: Mr. Chairman, as usual there are important items in supplementary estimates (B), and it would be very worthwhile to have the minister before our committee. It's been some time. I don't know if we even saw the minister in 2014—maybe for a short time in January. Anyway, at the very least I think it would be fitting with the rules that we be able to deal with the supplementary (B)s with her before us so we can ask her questions. I believe Thursday is the last day before the supplementary (B)s have to be reported back. I think it would certainly be of value if we could have her come forward and answer some questions.

The Chair: Thank you, Mr. Chisholm.

Mr. Kamp.

Mr. Randy Kamp: Mr. Chair, I thank my colleague for the motion. I see there's going to be a second one—at least we think there will be—asking the officials to come to update us on a variety of things.

With respect to this motion with respect to the minister, clearly in my view it's not fair to pass a motion on a Tuesday—if we pass this as is—asking her to come on a Thursday, if it's the only way to get it before November 28. My suggestion would be, given my understanding that there is no firm date yet—I could be wrong—for the supply motion and the end of the supply period, that we'd likely have a little longer than November 28, and a week from now would probably be all right as well, based on my information, so.... How we would do this, I'm not quite sure. I would be prepared, I think, to amend the motion to ask the minister and officials to come a week from now to talk about the supplementary (B)s and other issues, including the list of issues that are in the second motion.

Now, I have to say, just to be up front, knowing the minister's schedule, I wouldn't be confident that she will be able to come even between now and the Christmas break. I think it looks difficult, but obviously I'm fairly confident that the officials would be able to come, and perhaps she will. I can't speak for her. I just know that it's very busy between now and then.

I'm not sure what Mr. Chisholm would think of that direction, but I have some wording, Mr. Chair, if you would like this amendment put at this point. Or would you perhaps like a little more discussion?

The Chair: I just noted what you were saying here, Mr. Kamp. Correct me if I'm wrong, but you're asking to amend Mr. Chisholm's motion to add to “the Minister of Fisheries and Oceans” the words “and officials”, and to change the date to “before December 2, 2014”.

Mr. Randy Kamp: Without moving it at this point, just for discussion's sake, what I was thinking is an amended motion that would read something like this: "That the committee invite the Minister of Fisheries and Oceans and her officials to appear before the committee on December 2, 2014, regarding the supplementary estimates (B) 2014-15 and other issues, including the recent regulatory changes on the use of deleterious substances, the signature of the Beaufort Sea integrated fisheries management framework, the recent increase to bluefin tuna quotas, and an update on the status of the 2014 British Columbia salmon run."

That was all on the list from the second motion that I see we have notice for. That is kind of the direction I was thinking of, Mr. Chair.

The Chair: Thank you, Mr. Kamp.

Mr. Chisholm, do you want to comment?

Mr. Robert Chisholm: I appreciate that suggestion. I have to say, though, the minister has been around this file for some time. She is very competent, good on her feet, and she has good senior officials.

We are pressed for time. I don't think it's being unfair that we ask her to come in on Thursday. That having been said, if we can't get her on Thursday and we can get her next Tuesday, then that's fine. I'd like the minister to be here.

I find it insulting that the minister hasn't been before this committee and doesn't take time to come to sit with the Standing Committee on Fisheries and Oceans to share with us her vision for her department and to engage in dialogue with us, members who are clearly very interested in this issue and would benefit from her answers and from her insights. I can't understand how a standing committee can be allowed to function without some participation from the minister. I find that seriously unfortunate, Mr. Chair.

That's our position. I'd like to see the minister appear; I'd like to see the senior officials appear to deal with the supp (B)s and to answer some questions. I'm not going to get into it with the government. They'll vote me down either way; it doesn't matter. Maybe it would be easier for the minister to come in on Thursday than it would be to come in next Tuesday if there is a concern about her schedule. Let's amend the motion to say, "at the earliest opportunity, no later than December 2". We all understand why it's important for us to have the minister appear before the committee, Mr. Chair.

•(1015)

The Chair: Thank you, Mr. Chisholm.

Mr. Kamp.

Mr. Randy Kamp: I return to my original point, that it's not fair or even respectful to ask a minister to appear before a standing committee with little notice. Given that there are some time constraints, due to the supplementary estimates (B) supply period,

I think inviting her and her officials no later than December 2 does make some sense. Like all our invitations to all the ministers, they have the right to say yes or no.

The Chair: I have to interrupt you at this time. The bells are ringing for a vote and we have to suspend, unless we have unanimous consent to continue.

Mr. Robert Chisholm: Mr. Chair, why don't we at least agree to dispose of this motion?

The Chair: Is there agreement here?

Mr. Randy Kamp: Yes, if it's the motion as printed, we'll be voting against it.

Mr. Robert Chisholm: Let's agree, then... I think we were coming to an agreement that we would amend it to read, "no later than December 2".

The Chair: Mr. Chisholm is proposing that you agree to amend it to "no later than December 2". Mr. Kamp was suggesting amending it to "Minister of Fisheries and Oceans and officials be invited December 2".

Mr. Randy Kamp: Yes, I'm not sure who is proposing the amendment.

The Chair: I'm looking for agreement. I think we're close to—

Mr. Robert Chisholm: Mr. Kamp suggested that we combine the two motions that I'm proposing about the minister and the supplementary estimates (B), and the officials, and that list of items, and that we change it to December 2.

Let's provide the minister with the option of coming on Thursday or Tuesday.

Mr. Randy Kamp: We could say in the motion, "appear before the committee no later than December 2".

Mr. Robert Chisholm: Right. That's perfect.

Mr. Randy Kamp: The laundry list helps the officials if they are coming, so perhaps something like this—

The Chair: All right, so Mr. Kamp is proposing that we amend Mr. Chisholm's motion to the following:

That the Committee invite the Minister of Fisheries and Oceans and her officials to appear before the Committee no later than December 2, 2014 regarding the Supplementary Estimates (B) 2014-15 and other issues, including the recent regulatory changes on the use of deleterious substances; the signature of the Beaufort Sea Integrated Fisheries Management Framework; the recent increase to Bluefin tuna quotas; and an update on the status of the 2014 British Columbia salmon run.

(Amendment agreed to)

(Motion as amended agreed to)

•(1020)

The Chair: The meeting is adjourned at this point in time for the House votes.

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