



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities

HUMA • NUMBER 124 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Thursday, November 8, 2018

—
Chair

Mr. Bryan May

Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities

Thursday, November 8, 2018

• (0800)

[English]

The Vice-Chair (Mr. John Barlow (Foothills, CPC)): It's good to see everyone again. I missed all of you. It's been at least a minute since we saw each other.

Once again, I will go through the introductions for those who are new guests to our committee.

Today's meeting is on C-81, an act to ensure a barrier-free Canada. The objective of today's meeting is to resume the committee's clause-by-clause consideration of this bill.

I would like to take a moment to remind those participating in the proceedings as well as those observing the proceedings in person or on video that the committee adopted a motion on September 18 that included instructions for the clerk to explore options to allow for the full participation of all witnesses and members of the public on this study. As a result, the committee has made arrangements to make all meetings in relation to the study of Bill C-81 as accessible as possible in a variety of ways. This includes providing sign language interpretation and near real-time closed captioning in this room.

Please note that both American sign language and Quebec sign language are being offered to our audience. For those who would like to watch the American sign language interpretation, please sit on the benches to my left. For those who would like to watch the Quebec sign language interpretation, please sit on the benches to my right.

In addition, please note that the first two rows of benches have been reserved for those who wish to avail themselves of these interpretation services. Screens displaying a near real-time closed captioning have also been set up, with the English text to my left and the French text to my right. The sign language interpreters in the room are also being video recorded for the eventual broadcast of this meeting on ParlVu through the committee's website.

In light of these arrangements, the committee would like to ask, if you need to leave the room during the meeting, please do not walk in front of the sign language interpreters. Instead, please use the extremities of the room. In addition, we would ask that those in the room remain seated as much as possible during the meeting to ensure that everyone in the audience can clearly see the sign language interpretation. Finally, if a member of the audience requires

assistance at any time, please notify a member of the staff or the committee clerk.

Once again, I would like to welcome our officials from the Department of Employment and Social Development, James Van Raalte, director general, accessibility secretariat; Benoît Gendron, director, accessibility secretariat; and Erik Lapalme, senior policy analyst, accessibility secretariat.

We will now continue with the clause-by-clause consideration.

I want to let everyone on the committee know that we're going to try to get done by one or two o'clock, before question period. According to the clerk, our sign language interpreters will only be here until 6 p.m. today. That gives us a deadline there as well. I know we are going to try to finish earlier than that.

With that in mind, if you don't feel you have to read out some clauses in the amendments, if it's pretty straightforward, we'll try to move through those as quickly as possible.

We will now pick up where we left off.

(On clause 21)

The Chair: We were on clause 21, PV-6.

• (0805)

Mr. Dan Ruimy (Pitt Meadows—Maple Ridge, Lib.): Chair, just for confirmation, with the motion we passed that one o'clock was the deadline and after one o'clock we would just read and go through, is there a plan to stay until six o'clock?

The Vice-Chair (Mr. John Barlow): According to the motion, today is open. We have that motion on file.

Mr. Dan Ruimy: Maybe I'm misunderstanding.

The Vice-Chair (Mr. John Barlow): If we can be done by one... but we've only gone through 20 clauses.

Mr. Dan Ruimy: The debate on the amendments will go until one o'clock.

The Vice-Chair (Mr. John Barlow): Right, but the votes could take until past two, depending on how far we get.

It's not going to be open for debate or anything like that; it's just that the voting could take us past two.

Moving on to amendment PV-6 on clause 21, is there any discussion?

Mr. Diotte.

Mr. Kerry Diotte (Edmonton Griesbach, CPC): I was voting.

The Vice-Chair (Mr. John Barlow): The legal counsel was just telling me that CPC-20 is pretty much identical to the previous amendment. Because we would be voting on Green Party amendment PV-6, CPC-20 would not be tabled. If you wanted to comment on CPC-20, I would do it now.

Ms. Hardcastle.

Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP): Mr. Chair, it's important for us to have as much independence as possible for the organizations that are going to be established under Bill C-81. Some independence from the minister is important, and that's reflected in both of these amendments.

I just want to say, in regard to PV-6, that I know Ms. May would be here to speak to these motions herself, but she did have to get home for the Kristallnacht commemorations that are taking place.

It does reflect how important it is to all of the members here that we have some independence in the agencies that are going to be established for the work that they're going to do.

The Vice-Chair (Mr. John Barlow): Thank you, Ms. Hardcastle.

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

(Clause 21 agreed to)

(On clause 22)

The Vice-Chair (Mr. John Barlow): We now move to Green Party amendment PV-7.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Mr. Chair, once again we see the importance of having timelines reflected and our expectations for the mandate of Bill C-81 being carried out in a reasonable fashion with this amendment.

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

(Clause 22 agreed to)

(On clause 23)

The Vice-Chair (Mr. John Barlow): We have CPC-21.

Ms. Falk.

•(0810)

Mrs. Rosemarie Falk (Battlefords—Lloydminster, CPC): Basically, clause 23 would be amended by:

(1.1) The Chair is to be appointed on a full-time basis and the other directors are to be appointed on a part-time basis.

This is just to make sure that this is a full-time position, and it should be a full-time position with the substantial work that is involved.

The Vice-Chair (Mr. John Barlow): Again, Ms. Hardcastle, yours is identical.

Ms. Cheryl Hardcastle: Yes. I believe it is important for us to articulate in this bill that it is a full-time position due to the importance of that place.

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

The Vice-Chair (Mr. John Barlow): We move to Green Party amendment PV-8.

Ms. Falk.

Mrs. Rosemarie Falk: Is this going to cancel out other ones?

The Vice-Chair (Mr. John Barlow): Yes, it will, amendment CPC-22.

Mrs. Rosemarie Falk: Okay, based on that, may I speak to it, then?

The Vice-Chair (Mr. John Barlow): Absolutely.

Mrs. Rosemarie Falk: Basically, this would provide fixed-term appointments for CASDO directors, with removal based on behaviour or competence standard.

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

The Vice-Chair (Mr. John Barlow): On CPC-22.1, Ms. Falk.

Mrs. Rosemarie Falk: Basically the amendment is as follows:

The directors are to be appointed no later than six months after the day on which this subsection comes into force.

Again, as we reiterated last night, our stakeholders who have flown from all over the country to come as witnesses expressed their concern and the importance for timelines. This would just be respecting the testimony that we heard.

The Vice-Chair (Mr. John Barlow): Is there any other discussion?

Seeing none, I'll call the vote.

Mrs. Rosemarie Falk: Could we have a recorded vote, please.

(Amendment negated: nays 5; yeas 3 [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We will now move to CPC-23. If CPC-23 is moved, CPC-24 cannot be moved due to consistency.

Ms. Falk.

Mrs. Rosemarie Falk: I know from testimony we have heard there was a varying degree of recommendations from witnesses. Some organizations wanted to have full representation; others were okay with the 50.1. We are suggesting an amendment that two-thirds of all the directors of CASDO be persons with disabilities.

The Vice-Chair (Mr. John Barlow): Are there any further comments on CPC-23?

Ms. Falk again.

Mrs. Rosemarie Falk: Sorry, it's really early. My nap was short.

Also, with regard to testimony that we heard, the fact that 40% of indigenous people have or will have a disability within their lifetime, it is also, we believe, important there be at least one indigenous person on the board representing indigenous people with disabilities.

The Vice-Chair (Mr. John Barlow): Seeing no further comments, I'll call the vote.

Mrs. Rosemarie Falk: We'd like a recorded vote, please.

(Amendment negated: nays 5; yeas 3 [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We'll move to CPC-24.

Ms. Falk.

Mrs. Rosemarie Falk: The amendment states:

that at all times, as far as possible, one of the directors is an Indigenous person; and

Again, it's that we have at a minimum one person on the CASDO board who is an indigenous person who has a disability.

• (0815)

The Vice-Chair (Mr. John Barlow): Is there any further discussion on CPC-24?

Ms. Falk.

Mrs. Rosemarie Falk: I think that this is so important. We heard in testimony that indigenous people weren't even referenced in this bill. With all the consultation that was done and the nation-to-nation relationship this government has, I would think it's imperative that there be support for this amendment.

Thank you.

We would like a recorded vote, please.

(Amendment negated: nays 5; yeas 3 [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We will now move to LIB-12.

Mr. Long.

Mr. Wayne Long (Saint John—Rothesay, Lib.): Thank you, Mr. Chair, and good morning to everybody.

During our witnesses' presenting, I asked a lot about having a diversity of disabilities represented on the board. We would like to add:

(c) the importance of having directors that are representative of the diversity of disabilities faced by Canadians.

It's a separate lens, so we'd like it just as a paragraph (c), not added to paragraph (b).

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: Mr. Chair, this is more innocuous language added to innocuous language. We just defeated amendments that would have been more specific about the two-thirds and actually added indigenous peoples. The language that we actually need to enforce your intent here has been defeated and this is more innocuous language.

(Amendment agreed to [*See Minutes of Proceedings*])

(Clause 23 as amended agreed to)

The Vice-Chair (Mr. John Barlow): Is everybody okay with applying the vote on clauses 24 and 25?

Some hon. members: Agreed.

(Clauses 24 and 25 agreed to)

(On clause 26)

The Vice-Chair (Mr. John Barlow): We have amendment PV-9.

Are there any comments on PV-9? I'm seeing none.

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

The Vice-Chair (Mr. John Barlow): No amendments were made to clause 26, so could I get unanimous consent for clauses 26, 27, 28 and 29 to be done together?

Some hon. members: Agreed.

(Clauses 26 to 29 inclusive agreed to)

(On clause 30)

The Vice-Chair (Mr. John Barlow): That gets us to PV-10.

Are there any comments on PV-10?

Mr. Dan Ruimy: Did we do PV-9?

The Vice-Chair (Mr. John Barlow): We just did it. It was defeated.

We'll call the vote on PV-10.

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

The Vice-Chair (Mr. John Barlow): We're on CPC-25.

Ms. Falk.

Mrs. Rosemarie Falk: Basically, CPC-25 amends this clause for a term of up to eight years. This would provide that the CASDO chief executive officer's term, subject to renewal, is for up to eight years instead of five. To secure talented candidates, these candidates should be able to have an assurance of a longer term in office. Moreover, especially in the early years, the new CEO could acquire expertise that Canada won't want to lose.

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

(Clause 30 agreed to)

(On clause 31)

• (0820)

The Vice-Chair (Mr. John Barlow): We're on CPC-26.

Mr. Diotte.

Mr. Kerry Diotte: Is it clause 31 that we're looking at?

The Vice-Chair (Mr. John Barlow): That's the clause.

Mr. Kerry Diotte: Right. Basically, we feel that the bill should be amended to require the minister to designate an acting replacement for the CEO within 90 days of the CEO's absence or incapacity, unless the CEO is known to be returning to the office within 90 days. We would ask for a wording change there. It's pretty straightforward.

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

(Clause 31 agreed to)

(On clause 32)

The Vice-Chair (Mr. John Barlow): We're on to CPC-27.

Mr. Diotte.

Mr. Kerry Diotte: The amendment proposes subclause 32(1.1).

We feel the bill should be amended to require the CASDO CEO to consult with the CASDO board when selecting membership of an advisory committee to assist CASDO with developing accessibility standards. Again, it's pretty straightforward.

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

(Clause 32 agreed to)

(On clause 33)

The Vice-Chair (Mr. John Barlow): We're on to CPC-28.

Ms. Falk.

Mrs. Rosemarie Falk: The amendment states:

Officers and employees must be provided with appropriate training in matters related to accessibility.

I think this is a recurring theme. Even when this committee studied Bill C-65, we saw the importance of training. It's part of that education component. We should amend this clause so that all officers and employees receive training on accessibility. Even though it seems redundant, and a cliché, even, it's important to make sure we don't make any presumptions or assumptions that people have all the education they need. It's about being able to provide that extra top-up.

(Amendment negated)

(Clause 33 agreed to)

The Vice-Chair (Mr. John Barlow): We now have amendment CPC-29.

Ms. Falk.

Mrs. Rosemarie Falk: We're asking that Bill C-81 be amended by adding before line 18 on page 12 the following new clause:

33.1(1) In carrying out its mandate, the Standards Organization must, on a continuing basis,

(a) hold public consultations on the accessibility standard it should next develop and on any proposed accessibility standard; and

(b) make available to the public progress reports respecting the development of accessibility standards.

(2) The Standards Organization must make available to the public the minutes of meetings of the board of directors and of advisory or other committees.

(3) For the purposes of subsection (2), the minutes of meetings must include the text of all proposed accessibility standards considered at the meeting.

This is basically adding a level of transparency and accountability to the CASDO board.

● (0825)

The Vice-Chair (Mr. John Barlow): Again, Ms. Hardcastle, yours is very similar. Do you want to speak to this now?

Ms. Cheryl Hardcastle: Yes, Mr. Chair.

In order to increase or ensure the transparency, it's not unreasonable to expect the standards organization to have public meetings, to make public their minutes, to make public their progress reports and to include the text of any standards that are being deliberated on at meetings. That's very reasonable to expect. Unfortunately, unless it's articulated, it may not happen and that transparency may not be achieved.

(Amendment negated)

The Vice-Chair (Mr. John Barlow): I will now ask for unanimous consent for the vote to be applied for clauses 34 and 35 as is. Is everybody okay with that?

Mr. Wayne Long: Agreed.

Mrs. Rosemarie Falk: Clause 34 was not amended?

The Vice-Chair (Mr. John Barlow): It was not amended.

Mrs. Rosemarie Falk: We're running these two together?

The Vice-Chair (Mr. John Barlow): Yes, clauses 34 and 35 together.

Mrs. Rosemarie Falk: No.

The Vice-Chair (Mr. John Barlow): You want to do them separately?

Mrs. Rosemarie Falk: Yes.

(Clause 34 agreed to)

(Clause 35 agreed to)

(On clause 36)

The Vice-Chair (Mr. John Barlow): That brings us to clause 36 and NDP-7.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Here again, this amendment is a way for us to ensure transparency:

The Minister must publish the report on the departmental website within 10 days after the day on which the report is received by

(Amendment negated)

The Vice-Chair (Mr. John Barlow): We have clauses 36, 37, 38, 39, 40 and 41 that are as is. I'm going to ask for unanimous consent to apply the vote to all of those.

Some hon. members: Agreed.

(Clauses 36 to 41 inclusive agreed to)

The Vice-Chair (Mr. John Barlow): Look at what we can get done. There's not as much fight in everybody in the morning.

(On clause 42)

The Vice-Chair (Mr. John Barlow): We will go to LIB-13.

Mr. Morrissey.

Mr. Robert Morrissey (Egmont, Lib.): Mr. Chair, these are consequential as a result of the amendments made and approved in LIB-5 and LIB-6.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We have CPC-30.

Ms. Falk.

Mrs. Rosemarie Falk: This clause would be amended to say:

The accessibility plan must include a statement on how it will contribute to the realization of a Canada without barriers.

Basically, it's adding a provision requiring accessibility plans to relate to the purpose of the act and to be prepared and implemented in accordance with the principles of the act. Plans should address how they will contribute to achieving a Canada without barriers by the date specified in the act. These changes would strengthen the effectiveness of the accessibility plans and help to ensure that barrier identification, prevention and removal address issues of intersectionality and poverty.

(Amendment negated)

• (0830)

The Vice-Chair (Mr. John Barlow): We have NDP-8.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Mr. Chair, once again, this amendment is just underscoring the need for the effectiveness of Bill C-81 moving forward, and the accessibility commissioner is the rightful office that should be notified, not the CRTC.

Basically the CRTC is enforcing and notifying itself where they need to be answerable to the accessibility commissioner.

The Vice-Chair (Mr. John Barlow): Thank you very much, Ms. Hardcastle.

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

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle, you get two in a row. We have NDP-9.

Ms. Cheryl Hardcastle: There are several of these.

I do want to underscore that the way it's articulated here, because it is federal jurisdictions, these will be people who work in the public sector and have a collective agreement so we need to be able to work that in just for the logistics of being able to carry out these specifics. For people who have collective agreements, these agreements also need to be included in the process.

The Vice-Chair (Mr. John Barlow): Is there any further discussion on NDP-9?

Ms. Cheryl Hardcastle: Could we have a recorded vote, please.

(Amendment negated: nays 7; yeas 1 [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We will now move to LIB-14.

Mr. Long.

Mr. Wayne Long: Mr. Chair, when we had witnesses before the committee, there was a concern expressed that regulated entities are not required to develop an effective accessibility plan. Even before regulations are in place, this amendment which I will read in a second will help ensure that accessibility plans developed under the act are effective and consistent with the principles that define our approach to accessibility.

I move that Bill C-81, in clause 42, be amended by adding after line 3 on page 17 the following:

(9) The regulated entity must take into account the principles set out in section 6 when it prepares an accessibility plan or an updated version of its accessibility plan.

(Amendment agreed to)

(Clause 42 as amended agreed to)

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: Mr. Chair, we're moving quite quickly. Is it okay if we have a three-minute suspension just so we can catch up?

The Vice-Chair (Mr. John Barlow): Sure. Is everybody okay with that?

Some hon. members: Agreed.

Mrs. Rosemarie Falk: Thank you.

The Vice-Chair (Mr. John Barlow): We'll suspend for three minutes.

• (0830)

(Pause)

• (0840)

The Vice-Chair (Mr. John Barlow): We're back.

I'm sure everybody is refreshed after a few minutes' break. Another handful of bacon will get everyone's energy up for sure.

(On clause 43)

The Vice-Chair (Mr. John Barlow): We now move to clause 43, on which we have NDP-10.

Ms. Cheryl Hardcastle: Once again, any regulated entity that is expected to comply with this accessibility act and seeks an exemption or is going to fall short of the mark doesn't report to the CRTC in this case but reports to the accessibility commissioner.

The Vice-Chair (Mr. John Barlow): Mr. Hogg.

Mr. Gordie Hogg (South Surrey—White Rock, Lib.): I'm in agreement with a number of the principles that have come forward, but the procedure or the placement of them becomes questionable, whether it's legislation, regulation, or as we heard yesterday, with respect to accreditation and the other areas and responsibilities that they fall in.

As a principle, a number of things that have been said are positive. I just don't believe they should be placed in the legislation. I believe they should be followed through another place. I just need to clarify that for my own sense of well-being—which, of course, goes with the bacon.

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

(Clause 43 agreed to)

(On clause 44)

The Vice-Chair (Mr. John Barlow): We have NDP-11.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Once again, I do appreciate that we're going to have nuanced and finessed regulations that are going to be constantly evolving. This is the foundation. This is historic legislation that needs to create the strong foundation of how this is going to take place.

Once again, it is extremely important that the accessibility commissioner be the one who is notified. That has to be in the legislation. That is foundational; that is not regulation.

•(0845)

The Vice-Chair (Mr. John Barlow): Is there any further discussion?

Do you want to wait until they have more bacon and then we'll see?

Ms. Cheryl Hardcastle: Good one.

The Vice-Chair (Mr. John Barlow): If not, I'll call the vote.

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

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle, on NDP-12.

Ms. Cheryl Hardcastle: I saw that this was not recognized throughout. As we heard from testimony and specifically from PSAC, sometimes what's happening with the public sector employees is that there are already collective agreements in place with a process. We need to include that in the legislation. It has to be recognized that there is a framework in place under collective agreements for most of these employees that creates a synergy.

When you include them, it does create that synergy. If you don't include them, it becomes conflict and confusion, and we don't need that when we have a new piece of legislation and new offices. It's better to be clear and articulate that collective agreements are part of the process; they're not separate.

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

(Clause 44 agreed to)

(On clause 45)

The Vice-Chair (Mr. John Barlow): We have LIB-15.

Mr. Long.

Mr. Wayne Long: Mr. Chair, this change is for clarity. The amendment ensures the bill is consistent and clear in the language it uses, particularly in granting regulation-making authority, regarding publication of feedback processes to the different regulators under this act.

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: They shouldn't be making any regulation. It should be the accessibility commissioner who does that. That's why this has to be articulated in legislation.

(Amendment agreed to [See *Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We will now move to LIB-16.

Mr. Ruimy.

Mr. Dan Ruimy: Currently, there is no regulation-making authority set out in Bill C-81 regarding requirements for feedback processes. This amendment will ensure regulators are granted the authority to make regulations in relation to feedback processes. (Amendment agreed to [See *Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We will move to LIB-16.1.

Mr. Long.

Mr. Wayne Long: Mr. Chair, this is about timelines. This amendment will address stakeholder concerns about the delayed regulations, by creating an obligation for all bodies with regulation-making authority under this act to have their first regulations under the act within two years of the act coming into force.

We think the amendment makes the bill stronger and gives—

Mrs. Rosemarie Falk: The CRTC—

Mr. Wayne Long: —there's going to be one for each.

We think this gives the bill a little more teeth for timely implementation.

(Amendment agreed to [See *Minutes of Proceedings*])

(Clause 45 as amended agreed to)

(On clause 46)

The Vice-Chair (Mr. John Barlow): I will start with LIB-17.

•(0850)

Ms. Cheryl Hardcastle: Excuse me, Mr. Chair.

The Vice-Chair (Mr. John Barlow): Yes, Ms. Hardcastle.

Ms. Cheryl Hardcastle: I believe that clause 46 must be omitted from the bill. My understanding in the procedure is that I could not put that in the form of an amendment, so I have to make that statement now. I hope I'm correct in this process now.

Clause 46 must be omitted from the bill. This clause permits the minister, the CRTC, or the CTA to exempt organizations from complying with requirements to prepare and publish accessibility plans, create feedback processes and develop progress reports.

For all of the stakeholders who have testified and given us their input and from consultation across the country, that speaks for itself.

I'd like that exempt please.

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle, you'll have your opportunity to make that vote when we vote on that clause.

Ms. Cheryl Hardcastle: Okay.

The Vice-Chair (Mr. John Barlow): Now, if LIB-17 is adopted, it will make CPC-31 unable to be moved because of consistency.

Mr. Long.

Mr. Wayne Long: We want to put a three-year limit on exemptions.

This amendment recognizes that accessibility solutions evolve over time. It also prevents entities from slipping through the cracks, thereby ensuring that everyone does their part to achieve an accessible Canada. Exemptions can't be unlimited, so that's why we want to move this one forward.

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: From what I understand, if LIB-17 is passed it will cancel out—

The Vice-Chair (Mr. John Barlow): CPC-31.

Mrs. Rosemarie Falk: Okay.

If the bill allows for regulated entities to be exempted from complying with accessibility requirements and if exemptions are to be granted, the reasons should be made public and they should be time-limited.

Mr. Wayne Long: Yes, we agree.

The Vice-Chair (Mr. John Barlow): LIB-17 and CPC-31 are quite similar. There's a difference in the timelines. The difference between the two is that the exemption is either five years or three years.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: I'd also like to clarify, Mr. Chair, there is nothing that says that the reasoning be made public.

The Vice-Chair (Mr. John Barlow): That is correct.

Ms. Falk.

Mrs. Rosemarie Falk: Through you, Mr. Chair, to the member who made mention of stronger.... I was wondering if he could explain why their amendment is stronger.

Mr. Wayne Long: We're saying that you can't have unlimited exemptions and that there's an automatic trigger after three years. I think yours said five.

Mrs. Rosemarie Falk: There's no mention of making anything public.

Mr. Dan Ruimy: We'll address that in the next one.

Mr. Wayne Long: Yes.

The Vice-Chair (Mr. John Barlow): For Ms. Falk's benefit, if one of the next two—LIB-17 or LIB-18—are adopted, CPC-31 will be inadmissible. If you want to try to make an amendment to LIB-17 or LIB-18, you would have to do that before.

Mr. Wayne Long: We're on LIB-17.

The Vice-Chair (Mr. John Barlow): Yes, but she can do it to LIB-18 as well. LIB-18 will be the same issue.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We'll move to LIB-18. If it is adopted, CPC-31 is inadmissible due to consistency.

● (0855)

Mr. Dan Ruimy: Mr. Chair, as we were just discussing, there's always a need for additional transparency. This seeks to require and make public why the exemptions are there. This ensures transparency. We heard that if there were going to be exemptions, they need to know why they're there and the rationale behind them. The two together actually make it stronger. It speaks directly to it.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: Mr. Chair, we will be voting down clause 46 in Bill C-81. The bill allows for regulated entities to be exempted from complying with accessibility requirements. There is no principled reason why some organizations should be exempted. Any exemptions will weaken the overall purpose of the act.

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: We don't believe in exemptions in this. This section needs to be eliminated entirely.

The Vice-Chair (Mr. John Barlow): Is there any further discussion before I call the vote on clause 46?

Mrs. Rosemarie Falk: I'd like a recorded vote.

(Clause 46 as amended agreed to: yeas 5; nays 3)

(On clause 47)

The Vice-Chair (Mr. John Barlow): The first amendment is LIB-19.

Mr. Morrissey.

Mr. Robert Morrissey: Mr. Chair, this is just a continuation of ensuring consistency with previous amendments.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We're on CPC-32.

Mr. Diotte.

Mr. Kerry Diotte: Mr. Chair, we feel the bill in clause 47 should be amended by adding after line 21 on page 19 the following:

(1.1) The accessibility plan must include a statement on how it will contribute to the realization of a Canada without barriers.(Amendment negated)

The Vice-Chair (Mr. John Barlow): We now move to LIB-20.

Mr. Sangha.

Mr. Ramesh Sangha (Brampton Centre, Lib.): Mr. Chair, we prefer to withdraw this motion.

The Vice-Chair (Mr. John Barlow): Thank you very much.

Is there any further discussion on LIB-20?

Oh, you want to withdraw it. Sorry, I thought you said you want to move on with the motion.

Mr. Ramesh Sangha: That's fine.

The Vice-Chair (Mr. John Barlow): Okay, we'll move to NDP-13.

Mr. Wayne Long: Can we suspend for just a minute?

The Vice-Chair (Mr. John Barlow): Yes, we'll suspend for a minute.

● (0855)

_____ (Pause) _____

● (0900)

The Vice-Chair (Mr. John Barlow): Okay, we'll reconvene.

Just so we're clear, LIB-20 has been withdrawn.

We're still on clause 47, but we move to NDP-13.

Mrs. Rosemarie Falk: Has LIB-20 been withdrawn?

The Vice-Chair (Mr. John Barlow): LIB-20 has been withdrawn, yes.

On NDP-13, Ms. Hardcastle.

Ms. Cheryl Hardcastle: Mr. Chair, the government claims to place importance on its relationship with labour. This is an example of having public service employees, from PSAC in particular, talk to us about this issue. In most cases, the people living with disabilities who are coming forward will be doing so through a bargaining agent, because they are part of a collective agreement. They are part of, for instance, the PSAC. Therefore, we need to acknowledge that collective agreements are a part of this.

The interface that will take place because of this legislation will include collective agreements, and it must be articulated.

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

The Vice-Chair (Mr. John Barlow): Next is LIB-21.

Mr. Long.

Mr. Wayne Long: Mr. Chair, this is consequential to the amendments we made in LIB-14. I can read it, but it's basically the same.

The Vice-Chair (Mr. John Barlow): No. I appreciate that.

(Amendment agreed to [See *Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): Mr. Morrissey.

Mr. Robert Morrissey: Chair, before we vote on clause 47, could I have consent to go back just to clarify on LIB-19, it was a subamendment? I'm not sure it that was clear when it was voted on. I can read in the exact text.

The Vice-Chair (Mr. John Barlow): There was a subamendment to LIB-19?

Mr. Robert Morrissey: It was referenced as a subamendment.

Mr. Wayne Long: We meant to do a subamendment, but we didn't. So we're looking for consent to—

The Vice-Chair (Mr. John Barlow): So you need unanimous consent to go back.

Mr. Robert Morrissey: Yes.

An hon. member: No.

The Vice-Chair (Mr. John Barlow): No, you don't have it. Sorry.

Mr. Wayne Long: Can we enter that as a separate amendment? No? Do we just leave it?

The Vice-Chair (Mr. John Barlow): We leave it if it is too similar.

• (0905)

Mr. Wayne Long: We'll withdraw it.

The Vice-Chair (Mr. John Barlow): Good decision.

Mr. Wayne Long: Thank you.

The Vice-Chair (Mr. John Barlow): You're welcome.

Now we'll have the vote to carry clause 47 as amended.

(Clause 47 as amended agreed to)

(Clause 48 agreed to)

(On clause 49)

The Vice-Chair (Mr. John Barlow): We have NDP-14.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Mr. Chair, once again, as I discussed earlier, we have an example where we have the opportunity for synergy without potential conflict. A regulated body in preparation of its progress report should be enlisting the collective agreement, should be enlisting the bargaining agent to prepare this report.

Otherwise, you're going against a current. If we're trying to move this legislation forward and have it be impactful and ensure that we are evolving, then we have to include a very important component of the employer-employee synergy, which is the bargaining agent, the collective agreement.

Under federal jurisdiction, the majority of the people we're talking to in this legislation have such relationships. These employer-employee relationships include public sector employees who have collective agreements.

I urge you once again to please look at this and let common sense reign and include the collective agreements in these stipulations.

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

(Clause 49 agreed to)

(On clause 50)

The Vice-Chair (Mr. John Barlow): We have LIB-22.

Mr. Long.

Mr. Wayne Long: Mr. Chair, again, this is consequential to LIB-17. It's the same thing for three-year time limits.

(Amendment agreed to [See *Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): Next is LIB-23.

Mr. Ruimy.

Mr. Dan Ruimy: Chair, this is the publication of rationales on exemptions, a consequential amendment to LIB-18.

(Amendment agreed to [See *Minutes of Proceedings*])

(Clause 50 as amended agreed to)

(On clause 51)

The Vice-Chair (Mr. John Barlow): Next is amendment LIB-24.

Mr. Morrissey.

Mr. Robert Morrissey: Again, this is consequential to the amendments made earlier.

(Amendment agreed to [See *Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): Next is amendment CPC-33.

Mr. Diotte.

Mr. Kerry Diotte: We'd like clause 51 amended by adding after line 2 on page 23, the following:

(1.1) The accessibility plan must include a statement on how it will contribute to the realization of a Canada without barriers.

(Amendment negated)

● (0910)

The Vice-Chair (Mr. John Barlow): We now move to NDP-15.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Once again, what we're trying to do is make the accessibility commissioner the one who is responsible for this. Right now it's splintered. We have these different entities who have responsibility. It's very problematic for a variety of reasons that I don't need to go into because we heard a lot of testimony about it.

We have an opportunity here to make sure that we're moving the position of the accessibility commissioner into the position it should be in, in overseeing all of these different entities—not different entities in charge of themselves. The CRTC or the CTA shouldn't be notifying itself or enforcing itself, or entities within its jurisdiction. If it's carrying out direction from the accessibility commissioner, that's an entirely different matter. That is more in keeping with this legislation.

Right now, as it's splintered, it is extremely problematic.

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: I will follow up on those comments.

I think it's important, too, that within the accessibility commissioner there's that level of accountability and transparency. I think that sends a statement to the people in the disability community that we're taking this seriously.

We heard from witnesses, too, on the importance of having the one body being the accessibility commissioner. It was referenced over and over again.

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

The Vice-Chair (Mr. John Barlow): We now move to NDP-16.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Here's another example of where we need to be embracing our relationship within the labour community which has very clearly told us that they do see opportunity for synergy. Right now they can be included. The collective agreement, the bargaining agents of employees, can certainly be included in a very meaningful way in the preparation of an accessibility plan.

That just makes for smooth sailing for everybody, so include them. You have to prepare an accessibility plan. Why wouldn't you want your bargaining agent for your employees involved? It makes no sense to me to not include this.

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

The Vice-Chair (Mr. John Barlow): The final amendment for clause 51 is LIB-25.

Mr. Long.

Mr. Wayne Long: Mr. Chair, this is consequential to amendments LIB-14 and LIB-21.

(Amendment agreed to [*See Minutes of Proceedings*])

(Clause 51 as amended agreed to)

(On clause 52)

The Vice-Chair (Mr. John Barlow): We have NDP-17.

Ms. Hardcastle.

● (0915)

Ms. Cheryl Hardcastle: Once again we have an issue where it is the accessibility commissioner who should be in charge here, not the CRTC. The issue of splintering the regulatory oversight is a misguided approach and we can correct course with an amendment like this and the others that were already defeated.

I sound like I'm taking a defeatist attitude. But it is important that the accessibility commissioner is the entity that is in charge—truly in charge.

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

(Clause 52 agreed to)

(On clause 53)

The Vice-Chair (Mr. John Barlow): We now move to NDP-18.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Once again, this amendment reflects the importance of the accessibility commissioner and that we are not splintering enforcement and regulatory oversight.

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

The Vice-Chair (Mr. John Barlow): We now move to NDP-19.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Once again, it's important that this bill not undermine workers' rights and that we do include collective agreements in partnership with realizing our barrier-free Canada.

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

(Clause 53 agreed to)

(On clause 54)

The Vice-Chair (Mr. John Barlow): We now move to amendment LIB-26.

Mr. Long.

Mr. Wayne Long: Mr. Chair, again, this is consequential to amendment LIB-15. We want consistency in language.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): On LIB-27, we have Mr. Long.

Mr. Wayne Long: The amendment, Mr. Chair, ensures the bill is consistent and clear in the language it uses, particularly in granting regulation-making authority to the different regulators under this bill. The amendment prevents any uncertainty as to the authority of regulators to make regulations in relation to feedback processes by specifically establishing this authority. Regulators must be able to define, adjust and adapt requirements for the feedback process, as necessary, to ensure that all Canadians, especially persons with disabilities, have an effective tool to communicate with regulated entities on accessibility.

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: Don't we want the accessibility commissioner doing this job?

The Vice-Chair (Mr. John Barlow): Through the chair, yes.

Ms. Cheryl Hardcastle: I am trying to get more rationale for this. Shouldn't it be the accessibility commissioner?

Just going back to some of my arguments and my amendments, what is the accessibility commissioner going to do?

• (0920)

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: I just want to follow up with that, too, because in almost all of the testimony that we heard from stakeholders who either came to us by video or flew across the country to come to speak with us, they had said how their...

We consulted with the stakeholders, but the stakeholders consulted with their people, and they had all said that they wanted this to be a simpler process and the accessibility commissioner to just be in charge.

Through you, Mr. Chair, I am also confused with my colleague. What is the reasoning?

Through you, Mr. Chair, could the Liberals please give an explanation for this amendment as to why we wouldn't have the accessibility commissioner in charge?

The Vice-Chair (Mr. John Barlow): Mr. Long.

Mr. Wayne Long: Mr. Chair, we feel the sectoral approach is the best approach to move forward with this.

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: Through you, Mr. Chair, I feel that this actually goes against what stakeholder witnesses have testified to us.

The Vice-Chair (Mr. John Barlow): Thank you, Ms. Falk.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We now move to LIB-27.1.

Mr. Ruimy.

Mr. Dan Ruimy: Mr. Chair, again, this is just a consequential amendment to LIB-16.

LIB-27.1 makes timelines for regulations.

(Amendment agreed to [*See Minutes of Proceedings*])

(Clause 54 as amended agreed to)

(On clause 55)

The Vice-Chair (Mr. John Barlow): We'll start with LIB-28. If LIB-28 is adopted, CPC-34 cannot be moved due to consistency with LIB-28 and LIB-29. I just want to give the CPC members of the committee a heads up on that.

On LIB-28, we have Mr. Long.

Mr. Wayne Long: Mr. Chair, again, it's consequential to LIB-17 and LIB-22. It's the same discussion.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): On LIB-29, we have Mr. Ruimy.

Mr. Dan Ruimy: Mr. Chair, again, it relates to the publication of the rationale for exemptions, consequential to amendments LIB-18 and LIB-23.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): I'll now call the vote on clause 55 as amended.

Mrs. Rosemarie Falk: Mr. Chair.

The Vice-Chair (Mr. John Barlow): Sorry, Ms. Falk.

Mrs. Rosemarie Falk: We believe that clause 55 in Bill C-81 should be voted down. This bill allows entities to be exempted from complying with accessibility requirements, as Britain has regulated. There is no principled reason why some organizations should be exempted and not others. Any exemptions will weaken the overall purpose of the act, and we believe that there should be no exemptions in this bill.

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: Mr. Chair, I concur with my colleague. Clause 55 must be omitted from the bill. This clause permits the minister, the CRTC or the CTA to exempt organizations from complying with requirements to prepare and publish accessibility plans, create feedback processes and develop progress reports.

The Vice-Chair (Mr. John Barlow): Thank you very much, Ms. Hardcastle.

Ms. Cheryl Hardcastle: May I ask for a recorded vote, please.

The Vice-Chair (Mr. John Barlow): I figured you would.

(Clause 55 as amended agreed to: yeas 5; nays 3)

(On clause 56)

The Vice-Chair (Mr. John Barlow): The first amendment to clause 56 is LIB-30.

Mr. Morrissey.

• (0925)

Mr. Robert Morrissey: This is simply adding communication.

The Vice-Chair (Mr. John Barlow): Mr. Long.

Mr. Wayne Long: Mr. Chair, I'd like to propose a subamendment, please.

I want to ensure consistency with similar motions. May I read it?

The Vice-Chair (Mr. John Barlow): Yes.

Mr. Wayne Long: Please amend LIB-30 to read:

ferred to in paragraphs 5(a), (b), (f) and (g) and in the area referred to in paragraph 5(c.1) as it relates to the areas referred to in those paragraphs; and

The Vice-Chair (Mr. John Barlow): Is everybody clear on the subamendment to LIB-30?

Can you read it again, Mr. Long?

Mr. Wayne Long: It reads:

ferred to in paragraphs 5(a), (b), (f) and (g) and in the area referred to in paragraph 5(c.1) as it relates to the areas referred to in those paragraphs; and

The Vice-Chair (Mr. John Barlow): Thank you, Mr. Long.

Mr. Wayne Long: That's a subamendment.

The Vice-Chair (Mr. John Barlow): Yes.

Ms. Falk.

Mrs. Rosemarie Falk: I'm just wondering what that changes in this clause.

The Vice-Chair (Mr. John Barlow): Mr. Long, do you want to respond to that?

Mr. Wayne Long: I think it just adds more clarity to the amendment.

Mr. Robert Morrissey: Consistency with communication.

Mrs. Rosemarie Falk: Okay.

The Vice-Chair (Mr. John Barlow): Is there any further discussion on the subamendment?

(Subamendment agreed to)

(Amendment as amended agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): Next is CPC-35.

Mr. Diotte.

Mr. Kerry Diotte: We feel that clause 56 should be amended by adding, after line 21 on page 26, the following:

(1.1) The accessibility plan must include a statement on how it will contribute to the realization of a Canada without barriers.

The Vice-Chair (Mr. John Barlow): Mr. Ruimy.

Mr. Dan Ruimy: To clarify, LIB-14, LIB-21 and LIB-25, which we've already passed, are actually more comprehensive than what's being proposed right now. I just wanted to point that out.

The Vice-Chair (Mr. John Barlow): Thank you, Mr. Ruimy.

Ms. Falk.

Mrs. Rosemarie Falk: I just want to make a statement through you, Mr. Chair.

That contradicts a bit of what we've heard, We've heard that we want simplicity in the legislation and comprehension in the regulations. That's what we've been hearing from the government. I'm a little confused by that last statement.

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

The Vice-Chair (Mr. John Barlow): Next is NDP-20.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Once again, Mr. Chair, we have an opportunity where, if applicable, the bargaining agent of employees is included in the preparation of the accessibility plan.

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

The Vice-Chair (Mr. John Barlow): We now move to LIB-31.

Mr. Long.

● (0930)

Mr. Wayne Long: Mr. Chair, again, this one is consequential to amendments LIB-14, LIB-21 and LIB-25.

(Amendment agreed to [*See Minutes of Proceedings*])

(Clause 56 as amended agreed to)

(Clause 57 agreed to)

(On clause 58)

The Vice-Chair (Mr. John Barlow): The only amendment is NDP-21.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Mr. Chair, as you've noted, there are many clauses of this bill that need to be amended to recognize that many affected people will be public workers with collective agreements. It is important that their rights not be undermined, and it is important that we work in synchronicity in this foundational legislation.

Once again, this amendment is an example of areas where the bargaining agents of employees are included in the preparation of a progress report.

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

(Clause 58 agreed to)

(On clause 59)

The Vice-Chair (Mr. John Barlow): Again, we have three amendments proposed: LIB-32, LIB-33 and CPC-36. If LIB-32 and/or LIB-33 are adopted, CPC-36 cannot be moved due to consistency.

We will start with LIB-32 as put forward by Mr. Long.

Mr. Wayne Long: Mr. Chair, again, this is consequential to LIB-17, LIB-22 and LIB-28, previously discussed.

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: On this side of the table, we have spoken several times about exemptions and how we feel. That's all I'm going to say.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We will now move to LIB-33, submitted by Mr. Ruimy.

Mr. Dan Ruimy: Once again, this is regarding publication of rationales for exemptions and are amendments consequential to LIB-18, LIB-23 and LIB-29.

The Vice-Chair (Mr. John Barlow): Is there any further discussion on LIB-33? Seeing none, I will call the vote.

Ms. Falk?

Mrs. Rosemarie Falk: Go ahead.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): I will now ask if there are any discussion on clause 59 as amended.

Ms. Falk.

Mrs. Rosemarie Falk: Mr. Chair, thank you for assuming what I was going to do.

We believe that clause 59 of Bill C-81 should be voted down. Again, this bill allows for regulated entities to be exempted from complying with accessibility requirements. There is no principled reason why some organizations should be exempted. Any exemptions will weaken the overall purpose of this act.

Again, we do not agree with exemptions. There shouldn't be any in this act.

I would also request a recorded vote, please.

(Clause 59 as amended agreed to: yeas 5; nays 3)

(On clause 60)

● (0935)

The Vice-Chair (Mr. John Barlow): The first amendment is LIB-34, submitted by Mr. Morrissey.

Mr. Robert Morrissey: Mr. Chair, this amendment serves to bring this in line with amendments from the Liberal side: LIB-5, LIB-6, LIB-13, LIB-19, LIB-24 and LIB-30.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We now move to CPC-37.

Mr. Diotte.

Mr. Kerry Diotte: Mr. Chair, we feel that clause 60 should be amended by adding after line 31 on page 29 the following:

The accessibility plan must include a statement on how it will contribute to the realization of a Canada without barriers.

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: I feel like a broken record, but again, just to reiterate, these changes would strengthen the effectiveness of accessibility plans, which I'm sure we all believe is important and would help ensure that proper barrier identification is done, which I'm sure we all agree with. Also, the prevention and removal address issues of intersectionality and poverty, which I would assume—but I don't want to assume—we would all agree with.

Thank you.

(Amendment negated)

The Vice-Chair (Mr. John Barlow): We have NDP-22.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Mr. Chair, similar to our concerns about exemption with the CRTC, the Canadian Transportation Agency should not be the one that is notified by a regulated entity in terms of the publication and update of its accessibility plan. It should be the accessibility commissioner.

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: Mr. Chair, I just want to be on record that we also agree. We heard from the stakeholders in testimony here and also the ones who have reached out to our offices that this is important. They want that accessibility commissioner to be there and to be accessible to them so the process isn't confusing. So, again, on the record, I just want to say yes.

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

The Vice-Chair (Mr. John Barlow): We have NDP-23.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Once again, Mr. Chair, the bargaining agents of employees must be part of this legislative process; otherwise, you are not using synergy. You are undermining people's rights. You are splintering again, and you are not maximizing infrastructure and relationships that are already in place. You're not leveraging those relationships for this new bill.

Once again, bargaining agents of employees must be included as partners in preparing an accessibility plan.

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

The Vice-Chair (Mr. John Barlow): Our final amendment on clause 60 is LIB-35, submitted by Mr. Long.

● (0940)

Mr. Wayne Long: Mr. Chair, this is repetitive, but consequential to LIB-14, LIB-21, LIB-25 and recently LIB-31.

(Amendment agreed to [*See Minutes of Proceedings*])

(Clause 60 as amended agreed to)

(On clause 61)

The Vice-Chair (Mr. John Barlow): For clause 61 we have one amendment submitted, NDP-24.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Once again, Mr. Chair, this is another example of a problematic area when we don't have the accessibility commissioner being the authority that is notified. The regulated entity doesn't notify their own organization, in this case, the Canadian Transportation Agency. They notify the accessibility commissioner. It's pretty straightforward.

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

(Clause 61 agreed to)

(On clause 62)

The Vice-Chair (Mr. John Barlow): We have two amendments submitted, NDP-25 and NDP-26.

Ms. Hardcastle, let's start with NDP-25.

Ms. Cheryl Hardcastle: Mr. Chair, once again, I will just underscore the point that we are establishing with Bill C-81 an accessibility commissioner who needs to be given all of the strength and focus in order to be able to implement effectively. That's who should be notified when these organizations are going through the process to comply with Bill C-81. There's no other agency that should be in charge of that kind of compliance with Bill C-81.

As you'll see in further amendments, I keep underscoring this point of an accessibility commissioner. The importance of the accessibility commissioner needs to be bolstered. We have language here that does not substantiate the office and the mandate of the accessibility commissioner without these amendments.

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

The Vice-Chair (Mr. John Barlow): Next is NDP-26.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Briefly again, Mr. Chair, we have to leverage our partnerships and the collective bargaining agent for many of the employees who are going to be affected by Bill C-81. A partner needs to be included.

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

(Clause 62 agreed to)

(On clause 63)

The Vice-Chair (Mr. John Barlow): We have three amendments proposed. We'll begin with LIB-36 submitted by Mr. Long.

Mr. Wayne Long: Mr. Chair, this is consequential to LIB-16. It provides more clarity.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): On amendment LIB-37, Mr. Long.

● (0945)

Mr. Wayne Long: Mr. Chair, it's consequential to LIB-15.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): On LIB-37.1, Mr. Ruimy.

Mr. Dan Ruimy: It's a timeline to making regulations, consequential to amendments LIB-16.1 and LIB-27.1

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: I just have a question. It's to make at least one regulation—at least one regulation—within the period of two years.

Mr. Dan Ruimy: That's the trigger point.

Mrs. Rosemarie Falk: One.

Mr. Dan Ruimy: At least one, yes.

Mrs. Rosemarie Falk: One.

Mr. Dan Ruimy: At least one.

Mrs. Rosemarie Falk: I just wanted clarity to make sure I wasn't seeing wrong. It says to make at least one in two years.

Mr. Dan Ruimy: That's the trigger point. It has to be able to—

Mrs. Rosemarie Falk: Sure. Yes, okay.

Thanks, Mr. Chair.

Mr. Dan Ruimy: They can do more.

(Amendment agreed to [*See Minutes of Proceedings*])

(Clause 63 as amended agreed to)

(On clause 64)

The Vice-Chair (Mr. John Barlow): We have three amendments proposed, which we have seen previously. Again, LIB-38 and/or LIB-39, if they are adopted, CPC-38 cannot be moved due to consistency.

We will begin with LIB-38 submitted by Mr. Long.

Mr. Wayne Long: Mr. Chair, this one is as previously discussed with Liberal amendments LIB-17, LIB-22, LIB-28, and recently, LIB-32.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): Mr. Ruimy, you have LIB-39.

Mr. Dan Ruimy: Once again, this is regarding publication of the rationale for exemptions, consequential to LIB-18, LIB-23, LIB-29 and LIB-33.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): Is there any discussion on clause 64 as amended?

Ms. Falk.

Mrs. Rosemarie Falk: Mr. Chair, we believe that clause 64 in Bill C-81 should be voted down. We have heard from our witnesses over and over in the briefings that we have received that this bill as it allows for regulated entities to be exempted from complying—exempted from complying—with accessibility requirements. There is no principled reason—no principled reason—why some organizations should be exempted at all. Again, we don't believe there should be any exemptions.

We would request a recorded vote, please.

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: Mr. Chair, I too want to specify that my stance was that clause 64 should be omitted from the bill. Just in the order of the process, where we express those exemptions comes after....

I've seen a pattern of what's happening now in the meetings. I'm trying to keep myself engaged so that I don't become cynical. In reality, I did vote for the amendments to clause 64 because my colleagues across the way did propose some time limits on exemptions, and publication in the Canada Gazette, which is important transparency that I do support. It's the lesser of two evils.

I just want to clarify that for anybody else who actually is paying attention to how we are voting today. We actually have to move forward and make the best of this. I will continue trying to be engaged and put forth the amendments that I think will make this meaningful, but indeed clause 64 should be omitted entirely.

● (0950)

The Vice-Chair (Mr. John Barlow): We've had a request for a recorded vote.

(Clause 64 as amended agreed to: yeas 5; nays 3)

(On clause 65)

The Vice-Chair (Mr. John Barlow): We have several amendments proposed to clause 65.

We will begin with LIB-40, submitted by Mr. Morrissey.

Mr. Robert Morrissey: I move it as it is.

The Vice-Chair (Mr. John Barlow): Perfect.

Oh, Mr. Long. We were so close.

Mr. Wayne Long: I know.

Mr. Chair, I'd like to propose a subamendment, please. It's to address a drafting error.

I'd like to strike out the number "20" in line two of subparagraph 65(1)(a)(ii).

The Vice-Chair (Mr. John Barlow): Okay, so in "passenger 20 trains", you want to take that "20" out.

Mr. Wayne Long: Yes, please.

The Vice-Chair (Mr. John Barlow): You have a good eye.

(Subamendment agreed to [*See Minutes of Proceedings*])

(Amendment as amended agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): Next is CPC-39.

Mr. Diotte.

Mr. Kerry Diotte: We'd like clause 65 to be amended by adding after line 25 on page 33 the following:

(1.1) The accessibility plan must include a statement on how it will contribute to the realization of a Canada without barriers.

Basically, the rationale is that part 4 should include an additional provision requiring accessibility plans to relate to the purpose of the act, and to be prepared and implemented in accordance with the principles of the act.

Plans should address how they will contribute to achieving a Canada without barriers by the date specified in the act. These changes would strengthen the effectiveness of accessibility plans and help ensure that barrier identification, prevention and removal address issues of intersectionality and poverty. That's why we Conservatives believe that should be changed.

(Amendment negated)

The Vice-Chair (Mr. John Barlow): Next is NDP-27.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Mr. Chair, once again, the employees of the regulated entities of, in this case, the Canadian Transportation Agency, need to have the bargaining agents of those employees included in the preparation of its accessibility plan.

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

The Vice-Chair (Mr. John Barlow): Now we'll have the final amendment to clause 65, which is LIB-41, submitted by Mr. Long.

Mr. Wayne Long: Mr. Chair, I'm being repetitive and I apologize for that. This is consequential to amendments LIB-14, LIB-21, LIB-25, LIB-31, and recently, LIB-35.

(Amendment agreed to [*See Minutes of Proceedings*])

(Clause 65 as amended agreed to)

(Clause 66 agreed to)

(On clause 67)

The Vice-Chair (Mr. John Barlow): We have one amendment proposed, NDP-28.

Ms. Hardcastle.

• (0955)

Ms. Cheryl Hardcastle: Once again, Mr. Chair, in the preparation of a progress report, a regulated entity that has employees who have

bargaining agents, those bargaining agents need to be included. It's pretty straightforward.

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

(Clause 67 agreed to)

(On clause 68)

The Vice-Chair (Mr. John Barlow): Clause 68 is similar to what we have addressed a few times. We have LIB-42 and LIB-43. If they are both adopted, CPC-40 cannot be moved due to consistency.

We will start with LIB-42.

Mr. Long.

Mr. Wayne Long: Mr. Chair, again, this is consequential to LIB-17, LIB-22, LIB-28, LIB-32 and recently LIB-38.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We'll go to amendment LIB-43.

Mr. Ruimy.

Mr. Dan Ruimy: Mr. Chair, again, this is for the publication of rationale for exemptions, and is consequential to LIB-18, 23, 29, 33 and 39.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): Is there any discussion on clause 68 as amended?

Ms. Falk.

Mrs. Rosemarie Falk: Mr. Chair, I'm going to repeat myself, but that's okay; I'm on record.

We believe that clause 68 in Bill C-81 should be voted down. We just don't believe that exemptions should be granted. Again, there's no principled reason why some organizations should be exempted, especially if accessibility is the goal, and we're trying to shift the culture. I don't think that any federally regulated organization should be exempted.

Could we have a recorded vote, please.

The Vice-Chair (Mr. John Barlow): We'll have a recorded vote.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Mr. Chair, once again, clause 68 is one that gives the power to exempt to the minister on any terms that the minister considers necessary. That must be omitted from the bill.

(Clause 68 as amended agreed to: yeas 5; nays 3)

(On clause 69)

The Vice-Chair (Mr. John Barlow): We will finish this clause and then take a bit of a break at 10 o'clock.

We have three amendments proposed for clause 69, and we'll begin with CPC-41.

Mr. Diotte.

Mr. Kerry Diotte: Mr. Chair, this is all about strengthening CRTC accessibility plans. We propose that clause 69 be amended by adding after line 29 on page 36 the following:

(1.1) The accessibility plan must include a statement on how it will contribute to the realization of a Canada without barriers.

(Amendment negated)

The Vice-Chair (Mr. John Barlow): Next is NDP-29.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Once again, Mr. Chair, in the preparation of an accessibility plan, the collective agreement bargaining agents for the employees need to be included.

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

• (1000)

The Vice-Chair (Mr. John Barlow): The final amendment on clause 69 is LIB-44.

Mr. Long.

Mr. Wayne Long: Mr. Chair, this is consequential of LIB-14, LIB-21, LIB-25, LIB-31, LIB-35 and recently LIB-41.

(Amendment agreed to [*See Minutes of Proceedings*])

(Clause 69 as amended agreed to)

(Clause 70 agreed to)

The Vice-Chair (Mr. John Barlow): We will suspend for about five minutes.

• (1000)

(Pause)

• (1015)

The Vice-Chair (Mr. John Barlow): Thank you very much, everyone. We'll get back to it.

I've been looking through the rest of the clauses. There are quite a few that don't have amendments, so although it doesn't look like it, we are getting a bit closer.

I think the plan will be that we'll be pushing through until about 11:30 or 11:45, in there somewhere, and taking another five-minute break at that point. They are bringing lunch. Lunch will come and we'll grab it and come back to the table. We'll keep going through it and will not take a lunch break, if that's okay with everyone. We will take another five- or 10-minute break closer to noon. It will be for five or 10 minutes and that's all. We'll try to get done by that one o'clock deadline.

Mr. Gordie Hogg: The goal should be 12:30.

The Vice-Chair (Mr. John Barlow): The goal should be 12:30?

Mr. Gordie Hogg: Higher expectations.

The Vice-Chair (Mr. John Barlow): Well, that depends on you guys.

(On clause 71)

The Vice-Chair (Mr. John Barlow): The only amendment we have to clause 71 is NDP-30.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Mr. Chair, as you know, a lot of times in employer-employee relationships there are a lot of reasons why people are on two different sides of a fence, so to speak. This is a situation where we are removing barriers for people living with disabilities, and some of those people who are affected are indeed employees in these federal jurisdictions.

Why wouldn't we want to strengthen the relationship with labour? Why wouldn't we want to include them in some of the requirements that are laid out in the bill, for instance, to prepare a progress report? This amendment includes the bargaining agents of the employees in the preparation of the progress report. I can't see why that would be something that isn't embraced.

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

(Clause 71 agreed to)

(On clause 72)

The Vice-Chair (Mr. John Barlow): There are two amendments proposed, and we will begin with LIB-45.

Mr. Long.

Mr. Wayne Long: Mr. Chair, again, this has been discussed before. It is consequential to LIB-17, LIB-22, LIB-28, LIB-32, LIB-38 and recently, LIB-42.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We now have LIB-46.

Mr. Ruimy.

Mr. Dan Ruimy: Mr. Chair, this is referring back to the publication of rationales for exemptions and is consequential to amendments LIB-18, LIB-23, LIB-29, LIB-33, LIB-39 and LIB-43.

(Amendment agreed to [*See Minutes of Proceedings*])

(Clause 72 as amended agreed to)

The Vice-Chair (Mr. John Barlow): No amendments were proposed for clauses 73 and 74. Do I have unanimous consent to apply the vote? Is everybody okay with that?

Some hon. members: Agreed.

(Clauses 73 and 74 agreed to)

(On clause 75)

The Vice-Chair (Mr. John Barlow): We have amendment CPC-42.

Ms. Falk.

• (1020)

Mrs. Rosemarie Falk: This would just change some language, so it would be "must" instead of "may". This would ensure that the accessibility commissioner makes a compliance order every time there is reasonable grounds to believe that an organization is not complying.

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle, your amendment is identical.

Ms. Cheryl Hardcastle: Absolutely, Mr. Chair. Throughout the bill we have language such as “may” where we need to have the word “must”.

The Vice-Chair (Mr. John Barlow): Mr. Ruimy.

Mr. Dan Ruimy: As we saw last night, and as we heard from our officials, it's more that the language is consistent throughout.

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: Mr. Chair, I would like to respond.

With something like this, even though it has always been, sometimes we need to evolve if we're trying to shift a culture and make a statement and show we care about this. We have expectations and want to add accountability. I think the language we use is very important.

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

The Vice-Chair (Mr. John Barlow): Since clause 75 was not amended, I will ask for unanimous consent that the vote be applied on clauses 75 to 92 inclusive.

Some hon. members: Agreed.

Mrs. Rosemarie Falk: No.

The Vice-Chair (Mr. John Barlow): We will start with clause 75.

(Clause 75 agreed to)

The Vice-Chair (Mr. John Barlow): We will try that again. Is there unanimous consent to apply the vote to clause 76 to clause 92 inclusive?

Some hon. members: Agreed.

(Clauses 76 to 92 inclusive agreed to)

The Vice-Chair (Mr. John Barlow): Great, thank you.

(On clause 93)

The Vice-Chair (Mr. John Barlow): We have amendment CPC-43.

Ms. Falk.

Mrs. Rosemarie Falk: I have the same argument as before. The language used in this bill is going to set the tone for compliance and for people with disabilities to know we are serious about having this whole process be transparent and about keeping the accessibility commissioner transparent and accountable.

The Vice-Chair (Mr. John Barlow): Mr. Diotte.

Mr. Kerry Diotte: We have all heard the expression, “words matter”. These words very much matter. “May” should be changed to “must” so we can have some teeth in this bill.

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle, yours is an identical amendment.

Ms. Cheryl Hardcastle: Yes, Mr. Chair. I want to reword for the sake of stakeholders who are listening to the debate between the words “must” and “may”. Right now we're talking about the accessibility commissioner and enforcement, so the fact that the accessibility commissioner must make public certain notifications of violations and if a penalty were imposed on other information that's

already been specified, it is extremely reasonable to expect in any kind of legislation that they have to do it, which means we will be using the word “must”, not “may”.

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

(Clause 93 agreed to)

(On clause 94)

• (1025)

The Vice-Chair (Mr. John Barlow): We have amendment CPC-44.

Ms. Falk.

Mrs. Rosemarie Falk: Mr. Chair, I move that Bill C-81, in clause 94, be amended by replacing line 9 on page 51 to line 3 on page 52 with the following:

(2) For greater certainty, complaints in respect of a contravention of any provision of regulations made under subsection 117(1) may only be filed with the Accessibility Commissioner in accordance with subsection (1), and in the event of any inconsistency between the provisions of this Act and the provisions of the Federal Public Sector Labour Relations Act, the Royal Canadian Mounted Police Act, the Public Service Employment Act or any other Acts of Parliament, the provisions of this Act prevail to the extent of the inconsistency.

This amendment is to designate the accessibility commissioner as the one body to handle compliance with accessibility standards and adjudication of complaints. This bill as it stands does not designate one central agency to oversee compliance with accessibility requirements and adjudicate accessibility complaints. Instead, if this amendment is not passed, enforcement will be done by multiple agencies. These would include the accessibility commissioner, CRTC, CTA and the Federal Public Sector Labour Relations and Employment Board.

As we've heard from stakeholders, they requested that the process be simplified and that we have just one body to which complaints would be directed. Stakeholders testified that it would be easiest and more accessible for them if this was achieved through the accessibility commissioner.

The Vice-Chair (Mr. John Barlow): Seeing no further discussion, I will call the vote on CPC-44.

Mrs. Rosemarie Falk: Could we have a recorded vote, please.

(Amendment negated: nays 5; yeas 3)

(Clause 94 agreed to)

(On clause 95)

The Vice-Chair (Mr. John Barlow): We have a few amendments.

Again, Ms. Hardcastle, amendments CPC-45 and NDP-32 are identical.

We'll start with amendment CPC-45.

Mr. Diotte.

Mr. Kerry Diotte: Mr. Chair, again, it's very similar. We Conservatives believe that in order to give this bill some teeth, the word "may" should be changed to "must" in clause 95. This change would ensure that the accessibility commissioner does investigate all complaints that fall within its purview. There is no justification for the accessibility commissioner to decline to investigate if all the criteria described in the bill are met, since there would be no other legal mechanism available for pursuing the complaint.

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: Mr. Chair, I would like to reinforce that this language change to the more assertive use of the word "must" is under investigation under the section for investigation when there is no other recourse. We're saying that the accessibility commissioner must investigate when someone has no other recourse under the provisions that are outlined in this section.

• (1030)

The Vice-Chair (Mr. John Barlow): Mr. Diotte.

Mr. Kerry Diotte: We'd like a recorded vote on this as well.

(Amendment negated: nays 5; yeas 3)

The Vice-Chair (Mr. John Barlow): We will now move to amendment CPC-46.

Mr. Diotte.

Mr. Kerry Diotte: We Conservatives believe that clause 95 must be amended to make it clear that the one-year limitation period to file an accessibility complaint begins from the time the complainant became aware of the act or omission that caused them to suffer a loss.

This change will ensure that people are not prevented from filing an accessibility complaint because they were not aware of the organization's failure to comply with that act that occurred more than one year ago.

(Amendment agreed to)

(Clause 95 as amended agreed to)

The Vice-Chair (Mr. John Barlow): I will now ask for unanimous consent to group the votes on clauses 96 to 102. No amendments were proposed.

Some hon. members: Agreed.

(Clauses 96 to 102 inclusive agreed to)

(On clause 103)

The Vice-Chair (Mr. John Barlow): We will now move to clause 103 and amendment CPC-47.

Ms. Falk.

Ms. Rosemarie Falk: Thank you, Mr. Chair. We propose:

That Bill C-81, in Clause 103, be amended by adding after line 6 on page 56 the following:

The review must be conducted by a different officer or employee than the one who made the decision under review.

The complainant must be given the opportunity to make representations to the officer or employee conducting the review in a manner that is accessible to the complainant.

With this amendment we are asking to require that the person who reviews the decision not to investigate or to discontinue an investigation of a complaint is not the same person who had made the original decision. Part 6 must include a section that provides that complainants who request a review of the accessibility commissioner's decisions will have an opportunity to make submissions in a manner and form that is accessible to them.

The Vice-Chair (Mr. John Barlow): Mr. Long.

Mr. Wayne Long: We'd like to propose a subamendment where we will remove the text in subclause (1.1) and replace it with the text currently in subclause (1.2), so subclause (1.2) becomes subclause (1.1).

• (1035)

The Vice-Chair (Mr. John Barlow): Is there any discussion on the proposed subamendment to CPC-47?

Ms. Falk.

Ms. Rosemarie Falk: Subclause (1.1), as it is, states:

(1.1) The review must be conducted by a different officer or employee than the one who made the decision under review.

That seems like common sense to me. That's keeping impartiality. There is no conflict of interest in this. What is the reasoning for this amendment? I feel that this subamendment would actually weaken what is trying to be accomplished with this amendment.

The Vice-Chair (Mr. John Barlow): Mr. Long.

Mr. Wayne Long: We want the Human Rights Commission to keep its independence. It's just a suggestion. If you would strike (1.1), we would support it.

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Ms. Rosemarie Falk: Do you guys have a comment down at the other end? I thought yesterday that the Human Rights Commission already had that right. They're above this. I don't understand, because yesterday, I'm pretty sure, unless I dreamt it in my short nap last night, I understood that the Human Rights Commission would already have the final say.

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: I understood that the Human Rights Commission was already immune to having its independence eroded, so I don't understand. I think it's redundant then.

The Vice-Chair (Mr. John Barlow): Because we have the interpretation, I'm asking you to go one at a time.

Mr. Long.

Mr. Wayne Long: We don't want to bind the Human Rights Commission's hands, but again, we can certainly go back to your proposal if you want.

The Vice-Chair (Mr. John Barlow): We have the subamendment on the floor.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: That, to me, implies that there are aspects that could be potentially binding the Human Rights Commission's hands, then. I thought the Human Rights Commission was untouchable. I need to clarify some of this, because we're going to need another lens to look at this through, if it is true that we indeed can tie its hands.

Mr. Wayne Long: I'll defer to the department.

• (1040)

Mr. John Barlow: Mr. Van Raalte.

Mr. James Van Raalte (Director General, Accessibility Secretariat, Department of Employment and Social Development): Mr. Chair, maybe I'll just clarify the point.

The Human Rights Act will always prevail. This is an administrative procedure amendment. The Human Rights Commission has a great deal of independence in how it operates and how it sets its rules from an administrative justice perspective. The distinction, I believe, if I'm hearing things correctly, and I could be wrong.... This is about telling the Human Rights Commission how to conduct its business as opposed to how it applies human rights laws and its human rights lens to different decisions.

The Vice-Chair (Mr. John Barlow): Thank you very much, Mr. Van Raalte.

(Subamendment agreed to [*See Minutes of Proceedings*])

(Amendment as amended agreed to [*See Minutes of Proceedings*])

(Clause 103 as amended agreed to)

(On clause 104)

The Vice-Chair (Mr. John Barlow): On clause 104, we have several amendments proposed, beginning with LIB-47.

Mr. Ruimy.

Mr. Dan Ruimy: The Canadian Human Rights Tribunal expressed concern that there might be insufficient detail set out in Bill C-81 in relation to appeals and that there was a risk there could be future legal challenges regarding what the tribunal can do and cannot do with an appeal.

It has also been raised by the Department of Justice that 30 days may not be a sufficient amount of time for persons with disabilities who are self-represented to file an appeal.

The effects of this motion would amend clause 104 to provide greater detail for the appeal power of the Canadian Human Rights Tribunal and provide the tribunal with the ability to extend an individual's time to make an appeal if the circumstances warrant it.

The Vice-Chair (Mr. John Barlow): Is there any discussion on LIB-47?

Ms. Falk.

Mrs. Rosemarie Falk: Is this giving a suggestion to the Human Rights Tribunal? I thought we had heard discussion in the last one, in which we had the subamendment debate, from the department about telling CHRT what to do.

The Vice-Chair (Mr. John Barlow): Mr. Ruimy.

Mr. Dan Ruimy: The CHRT, in consultations on all of this, are the ones who are actually recommending this to avoid future legal challenges regarding what the tribunal can or cannot do. It's something they feel they need to have in there to protect their process.

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: Just to clarify, because I don't feel my question was answered, in discussion of the subamendment to the previous clause, we somewhat were told that the Canadian Human Rights Tribunal does not want to be told how to do its job, but this amendment here would suggest to it what to do. I'm just trying to understand, because I'm feeling there's not a consistency.

The Vice-Chair (Mr. John Barlow): Mr. Ruimy.

Mr. Dan Ruimy: This actually comes from the Canadian Human Rights Tribunal. I will say it again. They are the ones who feel that, without this amendment, it could create problems down the line. This is just trying to speak to where they feel there may be court challenges. It gives them the ability to continue doing what they are doing.

• (1045)

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: I find it quite interesting that there was reason before not to change something, or to change something, whatever it was. There's this inconsistency. I don't understand.

The Vice-Chair (Mr. John Barlow): Mr. Van Raalte.

Mr. James Van Raalte: I hope I can make the distinction.

The previous amendment concerned the review process carried out by the Canadian Human Rights Commission. Your first level of recourse is through a process within the commission. It was an amendment that would prescribe how the commission was to conduct its work. There are always concerns about the independence of the commission and telling the commission how to undertake its work.

This is an amendment to the Canadian Human Rights Tribunal, which is the appeal body to the Canadian Human Rights Commission. It is my understanding from the testimony and the submission that they have requested flexibility in their appeal powers.

Mrs. Rosemarie Falk: Okay, thank you. That clarifies some things. It's interesting that we're taking some things we hear and we're not taking other things we hear, for example, timelines. We're cherry-picking what we want to take.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We now move LIB-48 submitted by Mr. Hogg.

Mr. Gordie Hogg: This is consistent with the discussion we've just had. It puts us in line with the Canadian Human Rights Tribunal and subclause 104(1.1) would read:

The appeal lies on any ground of appeal that involves a question of law or fact alone, or a question of mixed law and fact, including a principle of natural justice.

This is to go in alignment with the CHRT and their actions, so it's to come into compliance and alignment with them.

(Amendment agreed to)

The Vice-Chair (Mr. John Barlow): We are on LIB-49.

Mr. Ruimy.

Mr. Dan Ruimy: We're suggesting adding in:

the grounds of appeal and set out the evidence that supports those grounds.

It's just keeping in line with the Canadian Human Rights Tribunal.

The Vice-Chair (Mr. John Barlow): Is there any discussion on LIB-49?

(Amendment agreed to)

(Clause 104 as amended agreed to)

(Clause 105 agreed to)

(On clause 106)

The Vice-Chair (Mr. John Barlow): I understand that there will be some changes to the amendments in clause 106. We'll start with LIB-50.

Mr. Dan Ruimy: I would like to withdraw LIB-50 and replace it with a new amendment, reference 10151430. Copies have been distributed.

Clause 106 would be amended by replacing lines 9 and 10 on page 57 with the following:

may, by order, confirm, vary, give the decision that the Accessibility Commissioner should have given or rescind the decision or order to which the appeal relates or refer the complaint back to the Accessibility Commissioner for reconsideration in accordance with any direction the Human Rights Tribunal may give.

• (1050)

The Vice-Chair (Mr. John Barlow): I will call the vote on the new reference 10151430.

(Amendment agreed to)

The Vice-Chair (Mr. John Barlow): Now we move to LIB-51.

Mr. Hogg, that was submitted by you.

Mr. Gordie Hogg: Despite the principles and brilliance of the original intent, it has been pointed out to me that it is not consistent with the Canadian Human Rights Tribunal.

I would recommend that we withdraw and replace.

The Vice-Chair (Mr. John Barlow): Does everybody have a copy of the replacement amendment, reference 10151332? No.

Mr. Hogg, I'll get you to read your new amendment, please.

Mr. Gordie Hogg: It would be subclause 106(1.1):

An appeal shall be on the merits based on the record of the proceedings before the Accessibility Commissioner, but the member or panel of members of the Canadian Human Rights Tribunal shall allow oral argument and, if he, she or it considers it necessary for the purpose of the appeal, shall hear evidence not previously available.

That is wording to put us in alignment with the CHRT.

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: It says, "allow oral argument". What about deaf persons?

The Vice-Chair (Mr. John Barlow): Mr. Hogg.

Mr. Gordie Hogg: My belief is that sign language will be accepted within that, as part of that.

The Vice-Chair (Mr. John Barlow): Mr. Van Raalte, I know it's not your amendment.

Does that stipulate other options being used, or is it being very specific that only oral arguments—

Mrs. Rosemarie Falk: Or I would assume, written arguments.

Mr. James Van Raalte: Mr. Chairman, may I have a moment to confer?

The Vice-Chair (Mr. John Barlow): Yes, absolutely.

While they're conferring, we'll have Ms. Falk.

• (1055)

Mrs. Rosemarie Falk: I was just assuming that it would be written, and then say, "including oral".

If this is coming from the tribunal, have they used an accessibility lens? Are they already using an accessibility lens? I don't know if that makes sense, but it would be a shame to take something, and then if somebody comes who is deaf and has to sign....

It would be unfortunate if in the bureaucracy they're not able to—

The Vice-Chair (Mr. John Barlow): It seems that the focus of the amendment is new evidence not previously available. If that is the focus, maybe we can play with that oral part, that it's being overly specific.

Mr. Sangha.

Mr. Ramesh Sangha: Mr. Chair, the word here is, shall "hear". It's not just to hear with the ears. It's the word used technically for the term, legally, to give them an opportunity to represent. It's to give him, her or it an opportunity to represent.

The Vice-Chair (Mr. John Barlow): I see what you're saying, but the concern here is that it's very specific with "oral" arguments and I don't think that's necessarily the goal from the discussions on the Liberal side.

Mr. Van Raalte, do you have any input?

Mr. James Van Raalte: Thank you for your patience, Mr. Chair.

From an inclusion perspective, I believe "oral" would be better, more inclusive, if it were "in person", which can be by video conference or by telephone. The person doesn't have to appear physically. The words "in person" would facilitate the accommodation necessary for anybody who was appearing in person.

The Vice-Chair (Mr. John Barlow): Thank you very much, Mr. Van Raalte.

Mr. Diotte.

Mr. Kerry Diotte: When I hear "in person" that means a person with disabilities has to appear in person, so I think "or by video conference" should be spelled out. That's very specific.

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: Can't we just change "oral" to "appropriate format"? "Shall allow alternate"....

“Appropriate formatted arguments” sounds wordy. How do they word that? “Braille and alternate formats in oral and alternative formats”.... “Accessible”.... Yes, whatever is accessible to the person. Maybe we should change “shall allow”.

What happens if you take out the word “oral”? I think the chair mentioned that. “Shall allow argument”.... If “oral” limits us, in saying “argument”, does it then imply sufficiently in the context of accessibility legislation that all appropriate accessible formats are acceptable?

The Vice-Chair (Mr. John Barlow): Mr. Sangha.

Mr. Ramesh Sangha: There are technically two ways to express yourself in the courts or in the tribunals: written and oral. Written is a written presentation. Oral can be speaking directly to the court or presenting where you want to present to the court. I think “oral” is technically for every other thing except the written representation.

• (1100)

The Vice-Chair (Mr. John Barlow): Is “oral” a legal term?

Mr. Ramesh Sangha: I said two terms only: “oral” and “written”.

The Vice-Chair (Mr. John Barlow): I appreciate that feedback. That concern with the disability accessibility act is where we—

Mr. Ramesh Sangha: “Oral” will include everything.

You can't give one specific term for every...not even to listen, not even to speak and not even to see. Orally using other instruments...to express to the tribunal.

The Vice-Chair (Mr. John Barlow): I don't want to get too involved but because we're dealing with a disability accessibility act, we don't want to be very specific on “oral”. I think that's where the confusion is coming from, even if it may be a legal term. That's great input. I appreciate that.

Ms. Falk.

Mrs. Rosemarie Falk: I find that comment a little ironic because we had witnesses here who couldn't speak and they signed. That was their language.

This is obviously a greater problem if our only two definitions are “oral” and “written”. This is much deeper and bigger than this act.

I'm really concerned about that, because, as I said yesterday, to have this pass and look 20 years down the road and have people not being able to access because we didn't do our job here would do an injustice to people who need accessibility.

The Vice-Chair (Mr. John Barlow): Mr. Hogg.

Mr. Gordie Hogg: If we were to replace “allow oral” with “accommodate or accept arguments” that would accommodate arguments that he or she considers necessary for the purpose of the appeal.

The Vice-Chair (Mr. John Barlow): Mr. Long.

Mr. Wayne Long: Maybe we could get some clarification from the legislative clerk regarding their opinion on whether “hear” suffices for “accept”.

The Vice-Chair (Mr. John Barlow): Thus far they don't believe that “oral” is sufficient to include everything. The feeling is that “oral” is specific.

Mr. Wayne Long: It does.

The Vice-Chair (Mr. John Barlow): They don't want to give advice on that. It's a legal question, not a procedural one, but we do have another suggestion on the table.

Mr. Sangha.

Mr. Ramesh Sangha: As Mr. Hogg says, it can be “oral, with accommodations, and written”.

The Vice-Chair (Mr. John Barlow): That's not what I heard from Mr. Hogg.

Mr. Wayne Long: Can we just take one minute?

The Vice-Chair (Mr. John Barlow): Sure, we'll suspend for one minute.

• (1100)

(Pause)

• (1105)

The Vice-Chair (Mr. John Barlow): We have a couple of different suggestions. Mr. Hogg had put a bit of a change forward.

Do you have a new suggestion?

Mr. Gordie Hogg: If we were to take out “oral” and just say “allow arguments”, make that plural, then I think that's probably the simplest way of addressing it and allowing the intent that Ms. Falk put forward.

The Vice-Chair (Mr. John Barlow): Thank you very much. That was a roundabout way of getting to where we started.

Mr. Gordie Hogg: We're not exactly where we started.

The Vice-Chair (Mr. John Barlow): No, we added the plural.

Mr. Gordie Hogg: And we took “oral” out.

The Vice-Chair (Mr. John Barlow): That's right. That's the most important part. It's a huge leap.

Mrs. Rosemarie Falk: Thank you.

Mr. Gordie Hogg: Thank you for bringing that up.

The Vice-Chair (Mr. John Barlow): I will call the vote on reference 10151332.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): Thank you, everyone. That was a good discussion.

We now move to amendment LIB-52. That was put forward by Mr. Ruimy.

Mr. Dan Ruimy: This refers back to the appeals of the CHRT and is consequential to amendments LIB-47, LIB-49 and LIB-50.

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: I'm just wondering if it has to state “in accessible format”, because pending even the accessibility commissioner..., and if they are somebody who has disabilities, that's just so that it would be in a format that's accessible.

The Vice-Chair (Mr. John Barlow): So you're adding that as a suggestion for subclause 106(3) and that's after "and the parties to the appeal"? So it's "A copy of the order...must be...in accessible format".

Mrs. Rosemarie Falk: Yes.

The Vice-Chair (Mr. John Barlow): Mr. Ruimy.

Mr. Dan Ruimy: It would be "A copy of the order made by the"—

The Vice-Chair (Mr. John Barlow):—"must be provided in accessible format" is what I think they are—

Mr. Dan Ruimy: I think that's implied.

The Vice-Chair (Mr. John Barlow): Mr. Sangha.

Mr. Ramesh Sangha: When we read the definitions at clause 2 of the bill, I think it's totally described there who is in need of the benefits and how they are to be provided. If it is not, that has to be in the definitions. The rest, everything, will flow throughout the whole act.

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: I think right now we're looking at everything through an accessibility lens. But even, for example, with the prior amendment, we can't assume that it's implied, because it clearly wasn't previously. I think that we just have to be extra cautious that we are looking through the lens and putting that accessibility hat on, and looking through every one of these clauses just so we don't become complacent.

The Vice-Chair (Mr. John Barlow): It hasn't been put forward as a subamendment. I think it's just a discussion right now.

Mr. Ruimy.

Mr. Dan Ruimy: No, no. What we're trying, number one, is to keep it consistent with the rest of the motions we have been putting through on the CHRT. This motion will facilitate by clearly setting out what the Canadian Human Rights Tribunal can and cannot do in dealing with an appeal, avoiding confusion and uncertainty in the process.

Perhaps James can help us here, because from my recollection of the Canadian Human Rights Commission, 60% of complaints came from disability.

We need to keep consistent throughout the whole bill with this. What can you tell us about that?

• (1110)

Mr. James Van Raalte: Apologies, Mr. Chair, I'm not clear on the question.

Mr. Dan Ruimy: Yes, I'm not clear on the question either.

The Vice-Chair (Mr. John Barlow): Does it have to be specific in the wording, James, that submissions to the commission or the tribunal have to be accessible documents that can be accessed by people with various disabilities?

Mr. James Van Raalte: No it does not. Further, I would say the tribunal's administrative structure that sits in behind it would be a regulated entity, and so it would be subject to the regulations and standards brought forward under the act.

The Vice-Chair (Mr. John Barlow): Thank you.

Mrs. Falk.

Mrs. Rosemarie Falk: I guess this goes back to my question. If this is coming from other departments or the tribunal or whatever it is, I don't see them looking at something with the disability or accessibility lens. Again, I just really hope that there is not going to be a hole in there, and 10 or 20 years down the road we find out that, oh look, they're providing inaccessible documents, and the commissioner can't even access them, maybe because of their disability or accessibility requirements.

The Vice-Chair (Mr. John Barlow): Mr. Sangha.

Mr. Ramesh Sangha: Again, the big lens is this act. This act provides everything about barriers: how to be barrier-free, what a disability is, what a barrier is. Everything is explained in clause 2. Let's leave everything for subclause 117(1) to form the regulations and bylaws under that. That's where things will be regulated.

(Amendment agreed to [*See Minutes of Proceedings*])

(Clause 106 as amended agreed to)

The Vice-Chair (Mr. John Barlow): I will ask for unanimous consent to group the votes on clauses 107 to 110.

Some hon. members: Agreed.

(Clauses 107 to 110 inclusive agreed to)

(On clause 111)

The Vice-Chair (Mr. John Barlow): On clause 111, the first amendment is NDP-33.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Just for the record, this section deals with the appointment of the chief accessibility officer. It says, "the Governor in Council may appoint". We propose to change the wording to "must appoint".

(Amendment negatived)

The Vice-Chair (Mr. John Barlow): We now move on to CPC-47.1.

Mrs. Falk.

Mrs. Rosemarie Falk: Bill C-81 must include timelines for when the chief accessibility officer is to be appointed. The amendment proposes to add:

The Chief Accessibility Officer is to be appointed no later than six months after the day on which this subsection comes into force.

I think that by agreeing to this amendment, it's not only going to show our stakeholders that this is something the government cares about, but also that it's something the government will take action on immediately after it receives royal assent.

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: I think it's important to note that, throughout our amendments, we've been talking about the chief accessibility officer based on the premise that this officer exists. With the previous motion being defeated, we don't have decisive language that says "must".

I would hope that my honourable colleagues would at least consider a timeline. This chief accessibility officer isn't going to exist without that language. We're discussing based on the fact that the officer does exist. Let's give it a timeline. The way it stands now, if the Governor in Council doesn't have to appoint a chief accessibility officer... They may, but there's no timeline.

It's too precarious for this legislation. This is foundational legislation

• (1115)

The Vice-Chair (Mr. John Barlow): We'll have a recorded vote.

(Amendment negated: nays 5; yeas 3)

(Clause 111 agreed to)

(Clause 112 agreed to)

(On clause 113)

The Vice-Chair (Mr. John Barlow): For clause 113, we have LIB-53.

Mr. Ruimy.

Mr. Dan Ruimy: In effect, this motion would create an amendment to the existing duty to the chief accessibility officer. It will provide the officer with the authority to give information and advice to the minister.

(Amendment agreed to)

(Clause 113 as amended agreed to)

The Vice-Chair (Mr. John Barlow): Is there any discussion on PV-11?

(Amendment negated)

The Vice-Chair (Mr. John Barlow): I'm going to ask for unanimous consent to group the vote on clauses 114 to 116.

Some hon. members: Agreed.

(Clauses 114 to 116 inclusive agreed to)

(On clause 117)

The Vice-Chair (Mr. John Barlow): We have several amendments on clause 117. I will begin with LIB-54, which was submitted by Mr. Long.

Mr. Wayne Long: This is consequential to amendments already discussed: LIB-15, LIB-37.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We now move to CPC-48.

Whatever the vote is on CPC-48 will also apply to CPC-53, which is on page 136 of your package. The vote is consequential and it deals with both clauses.

Ms. Hardcastle, on this one, your NDP-33.1 is identical.

• (1120)

Ms. Cheryl Hardcastle: Yes.

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: We are suggesting with CPC-48:

That Bill C-81, in Clause 117, be amended by deleting lines 3 to 15 on page 61.

These should be omitted from the bill. This section permits the government to exempt certain organizations or undertakings from producing and publishing accessibility plans, feedback processes and progress reports.

This is just another opportunity for transparency and accountability.

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: As we heard again and again from our witnesses, there is simply no good reason why any parliament or obligated organization should be exempted from these requirements or any requirements imposed under the bill.

Mrs. Rosemarie Falk: I'd like a recorded vote, please.

(Amendment negated: nays 5; yeas 3)

The Vice-Chair (Mr. John Barlow): We now move to Liberal amendment 54.1, submitted by Mr. Ruimy.

Mr. Dan Ruimy: Again, this is just referencing back to the timeline to making regulations in the consequential amendments of LIB-16.1, LIB-27.1 and LIB-54.1.

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: Mr. Chair, last night in our discussion I believe the timeline described to us was that it would be the summer of 2020. Is this the same timeline? No?

Okay. Never mind.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We now move to CPC-49.

Mr. Diotte.

Mr. Kerry Diotte: With this proposal from the Conservatives, Parliament would see every regulation to be made under paragraph 117(1)(c) providing more oversight. We suggest amending clause 117 by adding, after line 28 on page 61, the following:

(5) The Minister must table in each House of Parliament every regulation that the Governor in Council proposes to make under paragraph 117(1)(c).

(6) Each House may refer the proposed regulation to any committee that is appropriate under the rules of that House and, if the proposed regulation is so referred, the committee may review it and report its recommendations to the House.

(7) A regulation may not be made before the earliest of

(a) 30 sitting days after the proposed regulation is tabled in both Houses;

(b) 160 calendar days after the proposed regulation is tabled in both Houses; and

(c) the day after the committee reports its recommendations or, if the proposed regulation was referred to more than one committee, the day after the last report.

(8) For the purposes of subsection (7), sitting day means a day on which either House sits.

(9) The Minister must take into account any report of the committee of either House. If a regulation does not incorporate a recommendation of the committee of either House, the Minister must table before that House a statement of the reason for not incorporating it.

(10) A proposed regulation that has been tabled in Parliament need not be tabled again before the regulation is made, whether or not it has been altered.

•(1125)

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: I believe I have a similar or the same amendment, so I would just like to concur with my colleague, who spoke before me on his amendment and underscore a few added points to that.

This amendment is under general regulations. That is part 8, for those people who are listening and following along today. Under general regulations, right now, it is the Governor in Council. This amendment creates transparency and some independence by providing stipulations that these documents be tabled in Parliament, independently of the Governor in Council. That way we do have some transparency as well, which is extremely important in building the indoctrinated support that we need in this legislation.

Mr. Kerry Diotte: We'd like a recorded vote.

(Amendment negatived: nays 4; yeas 3)

(Clause 117 as amended agreed to)

(On clause 118)

The Vice-Chair (Mr. John Barlow): We now move to clause 118. There is one amendment proposed, LIB-55.

Go ahead, Mr. Morrissey.

Mr. Robert Morrissey: We need to ensure consistency with a subamendment.

The Vice-Chair (Mr. John Barlow): Mr. Long.

Mr. Wayne Long: I'd like to propose a subamendment, please, to ensure consistency with similar motions. Please amend LIB-55 to read: "paragraphs 5(a), (b), (f) and (g) and in the area referred to in paragraph 5(c.i) as it relates to the areas referred to in those paragraphs.

(Subamendment agreed to [*See Minutes of Proceedings*])

(Amendment agreed to as amended [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: Clause 118, and incidentally clauses 118 to 121, of the bill should be removed along with any similar provisions in the bill, where they limit federal regulations under this act from reaching all aspects of all obligated organizations under this act. The bill should be amended to repose all power to make accessibility standard regulations in the federal cabinet and to remove the bill's grant of the power to make some accessibility standard regulations to the Canadian Transportation Agency and the Canadian Radio and Telecommunications Commission.

Once again, I will repeat that clause 118 should be removed.

•(1130)

Mr. Dan Ruimy: Is it the communication part that you want removed?

The Vice-Chair (Mr. John Barlow): No, she doesn't want clause 118 in the legislation.

Mr. Dan Ruimy: The communication part.

(Clause 118 as amended agreed to)

(On clause 119)

The Vice-Chair (Mr. John Barlow): On clause 119, there is one amendment proposed, LIB-56.

Mr. Morrissey.

Mr. Robert Morrissey: Again, it's to ensure consistency with similar motions, and it will be subamended.

Mr. Wayne Long: I have a subamendment.

The Vice-Chair (Mr. John Barlow): For crying out loud.

Mr. Wayne Long: Do you want me to read this or can we all mouth it together here? Please amend Liberal—

The Vice-Chair (Mr. John Barlow): Sorry, Mr. Long, just one second.

Are you going to have a few of these throughout as we go?

Mr. Wayne Long: I have one more.

The Vice-Chair (Mr. John Barlow): One more? Okay, then we'll just carry on.

I'm assuming it's the same. Okay.

Mr. Wayne Long: "As it relates to".

(Subamendment agreed to [*See Minutes of Proceedings*])

(Amendment agreed to as amended [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: I just want to note that clause 119 is another one of these provisions in the bill that should be removed because it limits federal regulations under this act from reaching all aspects of all obligated organizations that are supposed to be under this act.

(Clause 119 as amended agreed to)

The Vice-Chair (Mr. John Barlow): (On clause 120)

We're into clause 120. There are two amendments proposed.

The first is LIB-57, by Mr. Morrissey.

Mr. Robert Morrissey: Mr. Chair, these are consequential to amendments LIB-5, 6, 13, 19, 24, 30, 34, 40, 55 and 56.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We now turn to LIB-58.

Mr. Morrissey again.

Mr. Robert Morrissey: This is to ensure consistency with similar motions related to the mobility of persons, with a subamendment.

The Vice-Chair (Mr. John Barlow): Mr. Long, the same subamendment?

Mr. Wayne Long: The same subamendment, yes.

(Subamendment agreed to [*See Minutes of Proceedings*])

(Amendment as amended agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: Clause 120 of the bill should also be removed. It is another one of those provisions in the bill that limits federal regulations under this act. It limits them from reaching all aspects of all obligated organizations.

(Clause 120 as amended agreed to)

•(1135)

The Vice-Chair (Mr. John Barlow): (On clause 121)

I'll move to clause 121. Again, there are two amendments proposed, beginning with LIB-59.

Mr. Long.

Mr. Wayne Long: Again, exemptions can't be unlimited, so we propose what we proposed in 17, 22, 28, 32, 38, 42 and recently 45.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): On LIB-60, Mr. Ruimy.

Mr. Dan Ruimy: Again, it's just referring back to publication of rationale for exemptions, consequential amendments to LIB-18, 23, 29, 33, 39, 43 and 46.

(Amendment agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: Clause 121 of the bill should be removed, and any other similar provisions in the bill should be removed because they limit federal regulations under the act. They limit these regulations from reaching all aspects of all obligated organizations under this act.

(Clause 121 as amended agreed to)

The Vice-Chair (Mr. John Barlow): We have two amendments, PV-12 and PV-13.

I will begin with PV-12. PV-12 is identical to CPC-54, page 137. If the decision on PV-12 will impact CPC-54, it would not be admissible.

Ms. Cheryl Hardcastle: Do we have to make comments on that now?

The Vice-Chair (Mr. John Barlow): It's the same amendment. It's being added to a different part of the bill, but because it's the same amendment, the Green Party has put theirs ahead of the CPC. Therefore it's dealt with first. So any decision on PV-12 will be reciprocated on CPC-54.

Mrs. Rosemarie Falk: So if it fails, does CPC-54 fail?

The Vice-Chair (Mr. John Barlow): If it fails, CPC-54 fails.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: I'm going to speak in support of this amendment as put forth by the member from Saanich—Gulf Islands. I know that she wanted to be here today but can't be, because she had an important event in her riding for Kristallnacht.

I do concur with my colleagues in their similar amendment. It is extremely important that we have accountability and transparency worked into this bill in a more substantial way and that we have timelines. This does help us do that, and it rolls in the independence aspect in answering to Parliament rather than to the Governor in

Council. I think it's a very significant amendment and an improvement that I welcome.

•(1140)

The Vice-Chair (Mr. John Barlow): Mr. Diotte.

Mr. Kerry Diotte: Mr. Chair, we Conservatives agree, for instance, that if no regulations are made under paragraph 117(1)(c) within 12 months after the day on which this clause comes into force, the minister must cause a report to be tabled before each House of Parliament, on any of the first 10 days on which that House is sitting after the expiry of that 12-month period.

Two, if no such regulations are made within 12 months after tabling the report referred to in subclause (1), the minister must cause a report to be tabled before each House of Parliament on any of the first 10 days on which the House is sitting after the expiry of the 12-month period, and at least once every subsequent 12-month period, as long as no regulations have been made.

Three, the reports must include an explanation for regulations not being made and must establish a schedule for the making of such regulations.

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: I just want to add, too, that I don't believe that this is partisan legislation. I think we should all have the best intentions for people who need accessibility. That being said, I want to somewhat repeat my colleague's comments yesterday. We don't know who the government is going to be in 10 or 20 years, and this ensures that accessibility is going to be a priority and that it's not going to be something that is overlooked. It holds that level of accountability and transparency.

We request a recorded vote.

(Amendment negated: nays 5; yeas 3 [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We now move to PV-13.

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

The Vice-Chair (Mr. John Barlow): No amendments were made to clause 122, so I'm going to ask for unanimous consent to group the votes on clauses 122 to 130. Do I have unanimous consent to do so?

Mrs. Rosemarie Falk: No.

(Clause 122 agreed to)

The Vice-Chair (Mr. John Barlow): I'll give it one more try and ask for unanimous consent to group the votes on clauses 123 to 130.

Some hon. members: Agreed.

(Clauses 123 to 130 inclusive agreed to)

(On clause 131)

The Vice-Chair (Mr. John Barlow): On clause 131, the first amendment is PV-14. Again, if this one is adopted, CPC-50 cannot be moved due to a conflict, as the Green Party amendment will change the same lines as CPC-50. That's only if it's adopted.

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

●(1145)

The Vice-Chair (Mr. John Barlow): We will move on to CPC-50.

Ms. Falk.

Mrs. Rosemarie Falk: We are requesting an amendment stating, "Five years after the day on which this Act receives royal assent, or as soon as feasible after that day, a comprehensive review of its provisions and operation is to be commenced by a".

What we're saying is that clause 131 should be amended to require that the committee conduct its first review five years after the date on which the act is proclaimed into law. This change will prevent the review from being delayed if the regulations are not promptly passed.

We request a recorded vote.

(Amendment negatived: nays 5; yeas 3 [*See Minutes of Proceedings*])

(Clause 131 agreed to)

(On clause 132)

The Vice-Chair (Mr. John Barlow): On clause 132, we'll start with PV-15, which is identical to amendments put forward as CPC-51 and NDP-34, so whatever decision is made on PV-15 will be reciprocal on CPC-51 and NDP-34.

Ms. Falk.

Mrs. Rosemarie Falk: I think that what we heard from witnesses and testimony was that timelines were important. It is important to measure how well the government is doing with accessibility. It is important to make sure that there's direction given that will prompt people to move forward and want to move forward.

This amendment would require the first independent review of the act to be held in 2025 and every four years thereafter. This will coincide with Canada's reporting obligations under the Convention of the Rights of Persons with Disabilities.

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: We know that a timeline for independent review is an important component, not only to our stakeholders but to ready us for the day when we implement the UN Convention on the Rights of Persons with Disabilities, which we are signatories to, but this bill falls short of implementing.

It will position us so that we can evolve into that position. I think all of us here want to see this legislation be effectual. I would hope that we're all prepared for a compromise here. If there is a compromise on a specific date that would provide for the passing of this amendment, then I think we should discuss that. I'm open to that.

I'll like a recorded vote, please.

(Amendment negatived: nays 5; yeas 3 [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): We will move to LIB-61 put forward by Mr. Ruimy.

●(1150)

Mr. Dan Ruimy: This motion would provide an amendment to the independent review of the act to ensure that the person or persons conducting the independent review is required to consult all implicated parties.

With this amendment, we make sure that the minister responsible under this act is not limited in executing their responsibility to appoint a single independent reviewer.

(Amendment agreed to [*See Minutes of Proceedings*])

(Clause 132 as amended agreed to)

(Clause 133 agreed to)

The Vice-Chair (Mr. John Barlow): We go to Green Party-16. The feeling is that it is inadmissible due to making specific declaration on the specifics of sign language that is beyond the scope of the bill. It introduces new concepts that were not included in other parts of the bill. That would include PV-16 and CPC-52 as inadmissible.

I'll now be asking for unanimous consent to group the votes on clause 134 to clause 141.

Ms. Hardcastle.

Ms. Cheryl Hardcastle: No. I have something to say about clause 138.

The Vice-Chair (Mr. John Barlow): Okay, do I have unanimous consent to group clauses 134 to 137?

Some hon. members: Agreed.

(Clauses 134 to 137 inclusive agreed to)

(On clause 138)

The Vice-Chair (Mr. John Barlow): We will now go to clause 138. Is there any discussion?

Ms. Hardcastle.

Ms. Cheryl Hardcastle: Clause 138 of the bill should be removed because it gives the Speaker of the Senate or the Speaker of the House of Commons the power to exempt a parliamentary entity from certain aspects of the bill's requirements.

That's not good.

(Clause 138 agreed to)

The Vice-Chair (Mr. John Barlow): I'm asking for unanimous consent to group the votes on clauses 139 to 141.

Some hon. members: Agreed.

(Clauses 139 to 141 inclusive agreed to)

The Vice-Chair (Mr. John Barlow): That takes us to clause 142.

Because these two amendments were dealt with in previous proposals, can I get unanimous consent to group the votes on clauses 142 to 146?

Some hon. members: Agreed.

(Clauses 142 to 146 inclusive agreed to)

The Vice-Chair (Mr. John Barlow): New clause 146.1 has already been dealt with.

(Clause 147 agreed to)

(On clause 148)

The Vice-Chair (Mr. John Barlow): We'll now move to clause 148. We have two amendments proposed. We'll begin with CPC-54.1, on page 137.2.

Ms. Falk.

•(1155)

Mrs. Rosemarie Falk: Basically, this amendment is again on timelines:

The Accessibility Commissioner is to be appointed no later than six months after the day on which this subsection comes into force.

It's pretty straightforward, just timelines, accountability.

Can we have a recorded vote?

(Amendment negated: nays 5; yeas 3)

The Vice-Chair (Mr. John Barlow): Now we'll go to amendment CPC-55.

Ms. Falk.

Mrs. Rosemarie Falk: The amendment is:

Section 26 of the Act is amended by adding the following after subsection (5):

(6) The Accessibility Commissioner must receive appropriate training in matters related to accessibility and discrimination.

I know I spoke to something such as this earlier. Knowledge is power. Sometimes it's just even having a conversation or some type of additional training that makes people more aware of their words and actions.

Thank you.

The Vice-Chair (Mr. John Barlow): Is there any further discussion on CPC-55?

Mrs. Falk.

Mrs. Rosemarie Falk: The accessibility commissioner should receive anti-racism, anti-oppression and cultural competency training to ensure that a complaint process does not perpetuate systematic discrimination experienced by ethno-racial persons with disabilities, or even indigenous persons with disabilities.

It's just becoming aware that different things have different meaning in different cultures. In some cultures, you don't make eye contact with people—it's actually disrespectful to do that. Unless people are educated and aware, they are causing more harm than good.

(Amendment negated)

(Clause 148 agreed to)

The Vice-Chair (Mr. John Barlow): As you can see, lunch is being set up now. We have a bunch we can carry here. If we can get

through those really quickly in the next two minutes before noon, we'll do that. Then we'll break for 10 minutes to grab lunch.

(On clause 149)

On clause 149, we have CPC-56.

Mrs. Falk.

Mrs. Rosemarie Falk: Clause 149 should ensure that persons with disabilities participate meaningfully in the monitoring and implementation of the CRPD. Such participation is required under article 33(3) of the CRPD.

Clause 149 must be amended to require the Canadian Human Rights Commission to monitor in accordance with articles 33(2) and 33(3) of the CRPD.

Sufficient resources must be provided to the commission and disability communities to support them in their roles.

(Amendment negated)

•(1200)

The Vice-Chair (Mr. John Barlow): Can I have unanimous consent to group the votes on clauses 149 to 153?

Mrs. Rosemarie Falk: No.

(Clause 149 agreed to)

The Vice-Chair (Mr. John Barlow): I'm asking for unanimous consent to group the votes on clauses 150 to 153.

Some hon. members: Agreed.

(Clauses 150 to 153 inclusive agreed to)

(On clause 154)

The Vice-Chair (Mr. John Barlow): Mr. Ruimy, please present LIB-62.

Mr. Dan Ruimy: This is replacing the word “emotional” with the word “psychological”. The bill generally refers to psychological harm, except in two instances where it interchangeably refers to emotional harm. This amendment will ensure the bill consistently uses the term “psychological harm”.

The Vice-Chair (Mr. John Barlow): Mrs. Falk.

Mrs. Rosemarie Falk: I understand consistency, but why can't it be psychological and emotional harm?

The Vice-Chair (Mr. John Barlow): Mr. Ruimy.

Mr. Dan Ruimy: I know we had conversations. I'm just trying to think of what the witnesses were telling us.

Honestly, it's because there are two instances of “emotional harm”. We're making it more consistent throughout the entire act. Why would you have two sections referring to it as “emotional harm”, when we're referring to it as “psychological harm”?

The Vice-Chair (Mr. John Barlow): Mrs. Falk.

Mrs. Rosemarie Falk: I see psychological and emotional as two different things.

Is the government proposing that we specifically remove “emotional harm”?

Mr. Dan Ruimy: Yes. We're replacing "emotional" with "psychological" to make it consistent throughout.

Mrs. Rosemarie Falk: They're two different things, I'm just wondering about this. Is psychological harm more important than emotional harm? I'm just trying to understand.

The Vice-Chair (Mr. John Barlow): Can I ask Mr. Van Raalte to chime in here a bit?

Mr. James Van Raalte: Our apologies to the committee. It is a drafting error. The intent all the way through was to use "psychological". It is a broader and more accepted term and it encompasses the emotional aspect.

Mrs. Rosemarie Falk: That's how the department sees it.

The Vice-Chair (Mr. John Barlow): Thank you very much for your intervention.

(Amendment agreed to [See Minutes of Proceedings])

(Clause 154 as amended agreed to)

(On clause 155)

The Vice-Chair (Mr. John Barlow): We'll move to clause 155. If we get through this, you can go and have lunch, probably, by the looks of it.

We have LIB-63, with Mr. Ruimy.

Mr. Dan Ruimy: Again, this is referring back to replacing "emotional" with "psychological" as a consequential amendment to LIB-62.

The Vice-Chair (Mr. John Barlow): Again, it's just changing "emotional" to "psychological".

(Amendment agreed to [See Minutes of Proceedings])

(Clause 155 as amended agreed to)

The Vice-Chair (Mr. John Barlow): Can I have unanimous consent to group the votes on clauses 156 to 162?

Some hon. members: Agreed.

(Clauses 156 to 162 inclusive agreed to)

The Vice-Chair (Mr. John Barlow): We'll take a 10-minute recess to grab some food and take a break. We're now suspended.

• (1205) _____ (Pause) _____

• (1220)

The Vice-Chair (Mr. John Barlow): Thank you. We'll come back in session.

We will start back at clause 163. I appreciate everybody's diligence in getting through this. I feel very good about our finishing this by one o'clock, so we'll see how well we do.

We're on LIB-64.

Mr. Ruimy.

Mr. Dan Ruimy: The bill incorrectly refers to the accessible Canada act in French as *La loi sur l'accessibilité fédérale*. The amendment will ensure that the bill is consistent and correct by

referring to the correct title, which should be *La loi canadienne sur l'accessibilité*.

[Translation]

The Vice-Chair (Mr. John Barlow): Thank you.

[English]

Mr. Dan Ruimy: They gave it to me because of my French.

The Vice-Chair (Mr. John Barlow): Yes, I could tell.

[Translation]

Me too.

[English]

Are there any comments?

(Amendment agreed to [See Minutes of Proceedings])

(Clause 163 as amended agreed to)

The Vice-Chair (Mr. John Barlow): Could I get unanimous consent to group the votes on clauses 164 to 168?

Some hon. members: Agreed.

(Clauses 164 to 168 inclusive agreed to)

(On clause 169)

The Vice-Chair (Mr. John Barlow): We'll now move to clause 169. Two amendments are proposed. We'll begin with LIB-65.

Mr. Morrissey.

Mr. Robert Morrissey: LIB-65 is a consequential amendment in reference to LIB-1 and LIB-2, which have already been approved.

(Amendment agreed to)

The Vice-Chair (Mr. John Barlow): We're on to LIB-66.

Mr. Morrissey.

Mr. Robert Morrissey: Many stakeholder groups have reacted positively to the definition of "disability" in Bill C-81, and some have stated that the definition advances beyond the United Nations Convention on the Rights of Persons with Disabilities by recognizing that certain impairments may cause the experience of barriers to be episodic. This amendment recognizes that.

(Amendment agreed to [See Minutes of Proceedings])

(Clause 169 as amended agreed to)

(On clause 170)

• (1225)

The Vice-Chair (Mr. John Barlow): We now move to clause 170 with proposed amendment LIB-67.

Mr. Morrissey.

Mr. Robert Morrissey: This is a consequential amendment resulting from amendments LIB-5, LIB-6, LIB-13, LIB-19, LIB-24, LIB-30, LIB-34, LIB-40, LIB-55, LIB-56, LIB-57 and LIB-58. They broaden the scope by including communication.

(Amendment agreed to [See Minutes of Proceedings])

The Vice-Chair (Mr. John Barlow): We're on to LIB-68.

Mr. Long.

Mr. Wayne Long: Exemptions can't be unlimited, and consequential to previous amendments, we'd like to change this part.

(Amendment agreed to [*See Minutes of Proceedings*])

(Clause 170 as amended agreed to)

The Vice-Chair (Mr. John Barlow): Can I get unanimous consent to group the votes on clauses 171 to 206?

Some hon. members: Agreed.

(Clauses 171 to 206 inclusive agreed to)

(On clause 207)

The Vice-Chair (Mr. John Barlow): Is there any discussion on CPC-57?

Mrs. Rosemarie Falk: This amendment basically would make it so that "on the 90th day after the day on which this Act receives royal assent" it would come into force. It's giving 90 days for this act to come into force.

The current coming into force provision does not require the government to act. Additionally, if this clause is left as is, according to the Statutes Repeal Act, this act would be automatically repealed within 10 years of receiving royal assent.

I would like a recorded vote, please.

(Amendment negatived: nays 5; yeas 3 [*See Minutes of Proceedings*])

Mrs. Rosemarie Falk: Can I move an amendment, if possible?

The Vice-Chair (Mr. John Barlow): Yes.

Mrs. Rosemarie Falk: It's that Bill C-81, in clause 207, be amended by replacing lines 28 and 29 on page 301 with the following, "206, come into force on the 60th day after the day on which this Act receives royal assent."

The Vice-Chair (Mr. John Barlow): Sorry, I'll just say, it's the same amendment, different day.

• (1230)

Mrs. Rosemarie Falk: I would like a recorded vote, please.

(Amendment negatived: nays 5; yeas 3 [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): Mrs. Falk.

Mrs. Rosemarie Falk: May I move another amendment?

The Vice-Chair (Mr. John Barlow): Yes.

Mrs. Rosemarie Falk: It's that Bill C-81, in clause 207, be amended by replacing lines 28 and 29 on page 301 with the following, "206, come into force on the 30th day after the day on which this Act receives royal assent."

Again, the current coming into force provision does not require the government to act. Additionally, if the clause is left as is, according to the Statutes Repeal Act, this act would be automatically repealed within 10 years of receiving royal assent.

The Vice-Chair (Mr. John Barlow): Mr. Hogg.

Mr. Gordie Hogg: Can we ask Mr. Van Raalte what the practices normally are in these instances in terms of the dates coming into effect and whether there's a rationale for this?

Mr. James Van Raalte: There are a range of practices. Some pieces of legislation are left to the discretion of the Governor in Council. Some pieces of legislation have different coming into force dates for different sections, depending on the requirements.

Mr. Gordie Hogg: That will remain silent on it now?

Mr. James Van Raalte: The Governor in Council will come forward with a coming into force date.

Mr. Gordie Hogg: Make a determination, thank you.

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: Further to that, is there a timeline when the Governor in Council does bring forward that timeline or that date? Do we have that, then?

The Vice-Chair (Mr. John Barlow): No, as the bill sits now, my understanding is there is no timeline.

Ms. Cheryl Hardcastle: Right, that's how I understand it too, but we just heard in an explanation that this was going to be provided later, a timeline.

Is that not what you just said, Mr. Van Raalte, that a timeline would be provided later?

Mr. James Van Raalte: The Governor in Council will have to come forward, publish through the Canada Gazette, with the coming into force date.

Ms. Cheryl Hardcastle: There is no requirement right now. Nothing changes. That explanation doesn't change our situation at all. We still have nothing. We still don't have any dates for anything required.

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle, as it sits now, the bill will sunset in 10 years if there are no steps taken or regulations or anything in force. However, from Mr. Van Raalte, that possibly could change.

Ms. Cheryl Hardcastle: Okay, that's all. I wanted to make sure we heard.

Mrs. Rosemarie Falk: We request a recorded vote.

(Amendment negatived: nays 5; yeas 3 [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): Ms. Falk.

Mrs. Rosemarie Falk: We believe that clause 207 in Bill C-81 should be voted down. We have tried to improve it, through a few amendments here, and that didn't work so we weren't able to improve it. Again, the current coming into force provision does not require the government to act. Additionally, if the clause is left as is, according to the Statutes Repeal Act this act would be automatically repealed within 10 years of receiving royal assent.

• (1235)

The Vice-Chair (Mr. John Barlow): It will be a recorded vote.

(Clause 207 agreed to: yeas 5; nays 3)

The Vice-Chair (Mr. John Barlow): Yes, Mr. Long.

Mr. Wayne Long: I'd like to ask my colleagues if we could get unanimous consent for a subamendment to LIB-19, which we missed earlier, just for consistency.

A voice: No.

The Vice-Chair (Mr. John Barlow): We will move on to the preamble. We had a couple of amendments proposed earlier in the process last night that were withdrawn, dealing specifically with the interpretation of indigenous peoples of Canada. That was LIB-3, so it was very early on in the process.

We have two proposed amendments as part of the preamble, LIB-69 and CPC-58, but they are deemed to be inadmissible because they deal with the preamble but there is no coordinating part of the bill itself. You can't have something in the preamble that doesn't have a coordinating portion or amendment within the bill itself.

Does anybody need any additional clarification on that?

Mr. Morrissey.

Mr. Robert Morrissey: Mr. Chair, I think we need clarification. What about paragraphs (b) and (c) of amendment LIB-69?

The Vice-Chair (Mr. John Barlow): That amendment is coming up next as CPC-59, which would be almost identical to what you're proposing, but that CPC amendment would have precedence over yours because it was submitted prior. It would have to be a new amendment.

Mr. Robert Morrissey: Can we just have a moment?

The Vice-Chair (Mr. John Barlow): Yes, we'll suspend for one minute.

•(1235) _____ (Pause) _____

•(1240)

The Vice-Chair (Mr. John Barlow): The Liberal amendment is inadmissible, as well as CPC-58.

You could not make an amendment to that one as CPC-59 is pretty much identical and would have precedence.

We now move to CPC-59.

Mr. Diotte.

Mr. Kerry Diotte: This is an amendment to the preamble to change “Canadians” to “persons in Canada”. The change is necessary to help ensure that everyone in Canada, regardless of their citizenship, status or identification with Canada, gets benefits from accessibility requirements under the act.

The Vice-Chair (Mr. John Barlow): Again, Ms. Hardcastle, this amendment is identical to yours right after. If you want to make a comment, I would suggest you do it now.

Ms. Cheryl Hardcastle: Okay. As it reads now, somebody could interpret that if they're in Canada but are not a Canadian, the rules don't apply to them either way. I think it's pretty simple and straightforward.

The Vice-Chair (Mr. John Barlow): Mr. Morrissey.

Mr. Robert Morrissey: I would move a subamendment to strike “abilities or” in part (b) of CPC-59.

The Vice-Chair (Mr. John Barlow): Okay, so it would just be “regardless of their disabilities”.

Is there any discussion on the proposed subamendment?

Ms. Hardcastle.

Ms. Cheryl Hardcastle: I had a similar amendment early on, and there was some debate. Didn't we keep that in? We kept “abilities” in for some reason, or did that...?

Mrs. Rosemarie Falk: We took it out.

Ms. Cheryl Hardcastle: We did? Okay.

The Vice-Chair (Mr. John Barlow): I believe that we were keeping “disabilities” throughout the bill to retain that consistency, so “abilities” was removed in favour of “disabilities”, if I recall correctly.

(Subamendment agreed to [*See Minutes of Proceedings*])

(Amendment as amended agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): I have to commend all of you on your diligence. We're almost there. We just have the last few to go.

(Preamble as amended agreed to [*See Minutes of Proceedings*])

The Vice-Chair (Mr. John Barlow): Shall the short title carry?

Some hon. members: Agreed.

The Vice-Chair (Mr. John Barlow): Shall the title carry?

Some hon. members: Agreed.

The Vice-Chair (Mr. John Barlow): Shall the bill as amended carry?

Mrs. Falk.

Mrs. Rosemarie Falk: First of all, I am very disappointed that this bill does not have teeth. We heard very clearly from our stakeholders that they cared about timelines, about accountability, about transparency, about ease of accessibility, about having one body to oversee complaints, about enforcement—all of that. Two amendments were adopted that weren't Liberal amendments, but I'm disappointed that this seemed to turn into a partisan issue and what the minister wanted—we heard that a couple of times, that “the minister wanted this”.

We serve Canadians. We serve our stakeholders. I'm terribly disappointed that we brought them in here. We heard them speak passionately. These are people who have lived with disabilities. They lack accessibility to the majority of everything. That they were being heard at the table was historical, in the sense of groundbreaking. I'm just so disappointed that we as a committee couldn't add more teeth.

•(1245)

The Vice-Chair (Mr. John Barlow): Ms. Hardcastle.

Ms. Cheryl Hardcastle: I know intimately that in the disabilities community people are very pleased to be asked and to be engaged, and they are actually very easy to please. They've done without so much and they have so many struggles; they take what they can get.

They are watching closely today. They know some of the fundamental problems with this bill, one of them being that the government can exempt itself from many of these regulations; another being the splintering of implementation and enforcement, which is really insensitive to the actual, lived experience of people living with disabilities. The bill needed to be greatly simplified. However, I know that people are going to be ecstatic. They're going to want to see us be diligent in moving forward on this.

I'm feeling very mixed emotions right now for people, just because we had expected that in earnest we were going to come here to debate these amendments. It was very clear that there was a preconceived notion of what should be happening and an agenda, which has been realized, that really didn't take into account that testimony.

I know it sounds harsh, but I need to say this in a very clear and concise way, because we have stakeholders listening who are very frustrated and who want to have an acknowledgement that we know that they know that we know that they know that these amendments and the language in this bill do not meet their needs sufficiently.

The Vice-Chair (Mr. John Barlow): Mr. Ruimy.

Mr. Dan Ruimy: Since we're all having a say here, I first of all want to thank all the stakeholders in the disability community for the months of consultations that went on to get us to where we are today. We heard testimony and recommendations for amendments from multitudes of people, and we put forward 69 of our own amendments. Many of them were very similar to what the opposition had put forward, but which were improved upon.

While it's easy to say right now that there's disappointment, I think there's excitement for what we have accomplished.

We heard from every witness who came through that while they wanted to see amendments, they were excited that we were moving forward. This is the end result. On our side we heard, we listened and we made adjustments to the legislation.

I want to thank everybody for all their hard work and for getting us to where we are today.

The Vice-Chair (Mr. John Barlow): Mr. Diotte.

Mr. Kerry Diotte: It is a start, I would say, but it falls far below the bar. We could have done far better. I think we Conservatives fought very hard to try to get some real teeth, but this is really like a toothless guard dog.

I believe that the Liberals are failing Canadians with disabilities. I think the fact that there are no implementation timelines is a huge thing. It's just unacceptable. We certainly heard some pretty strong language from the countless witnesses who came here. I was quite shocked at how strong their language was, but they're the people we are trying to serve. We listened to them and I truly don't think that, overall, they were heard.

It is not nearly as good as it could be, and I'm quite disappointed. The very fact that there are no timelines and there are exemptions where entities can get out of even having to deal with the bill is shameful, I think.

Of the amendments, how many were taken? Two or three, perhaps, were taken of the 60 amendments that I think would have

improved the bill. It's quite disappointing. As I say, it's a start, but it falls far below the bar.

• (1250)

The Vice-Chair (Mr. John Barlow): Mr. Hogg.

Mr. Gordie Hogg: The timelines and extensions have been referenced a number of times, and I think there's a lot more commonality than is being portrayed.

There are a number of principles that we talked about, and the principles can be implemented in a number of different fashions. Not everything should be in legislation. We've referred to the standards, the practices and to accreditation. All of those are important variables in the provision of any types of disabilities.

I was an active participant in the development of disabilities legislation in British Columbia, where we created Community Living B.C. We went through a very similar process and we relied heavily upon input from the people who were part of it. Any good public policy has to have the people who it impacts having not just an important say in it, but also a say in the process by which it becomes implemented.

I believe we have followed the majority of principles that have been put forward. I think there is pretty good agreement on both sides of the House, or all around the House, in terms of those principles. I think there's a disagreement in terms of how they can best be implemented to respond most effectively to the needs of making our country most accessible.

We heard many people coming before us say that we are leading the world in terms of moving forward with this legislation. We're really at the forefront and I think we should be relying on those people who have the ability and the skills within the framework of the legislation, and the practices and the accreditation that we have available to us. I think we have come to a very good balance in terms of being able to do that.

I'm very pleased, delighted and darned excited about what we've been able to achieve.

An hon. member: Hear, hear!

The Vice-Chair (Mr. John Barlow): Mr. Long.

Mr. Wayne Long: Chair, thank you for your leadership over the last two days. It's very much appreciated.

Certainly on behalf of my riding and on behalf of countless groups across New Brunswick, and in particular southern New Brunswick, we are absolutely thrilled to move forward with Bill C-81.

I'm proud to be part of a government that is moving forward with this legislation after what I would call the previous government's 10 years of non-action—no action. I'm very proud of Bill C-81 and the movements we are taking to move this forward.

Thank you.

The Vice-Chair (Mr. John Barlow): Is there any further discussion?

Mr. Gordie Hogg: I'd like to add that you did a marvellous job as the chairperson. You handled that extremely well.

The Vice-Chair (Mr. John Barlow): Thanks very much.

Now we will continue on with the vote.

Shall the bill as amended carry?

Some hon. members: Agreed.

The Vice-Chair (Mr. John Barlow): Shall the chair report the bill as amended to the House?

Some hon. members: Agreed.

The Vice-Chair (Mr. John Barlow): Shall the committee order a reprint of the bill as amended for the House at report stage?

Some hon. members: Agreed.

The Vice-Chair (Mr. John Barlow): Excellent.

Well done, everyone.

I appreciate everyone's support to get us through what I have to say is probably a pleasant surprise to all of us, to get this done as expediently as we did.

Certainly, my final comments would be that our thoughts are with Bryan May and his family. I know he was watching last night. Apparently, he is a glutton for punishment.

But, again, just on the number of amendments that were brought through on Bill C-81, I think all of us saw that there was work to do on this bill to ensure it met the goals that were brought forward by our stakeholders. I think as parliamentarians, and as this committee, it now behooves us to ensure that we hold this government, and whatever the next government is, accountable to ensure that they follow through with what we heard from our stakeholders and certainly from the discussions we had here among us as a committee.

Thank you very much for everyone's commitment to this.

Thank you very much to the staff, the clerk and our legislative clerks who guided me through this over the last two days.

I hope everybody has a great constituency week and spends some time with their family and friends.

The meeting is adjourned.

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

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its Committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its Committees is nonetheless reserved. All copyrights therein are also reserved.

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 House of Commons website at the following address: <http://www.ourcommons.ca>

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

PERMISSION DU PRÉSIDENT

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

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 de la Chambre des communes à l'adresse suivante : <http://www.noscommunes.ca>