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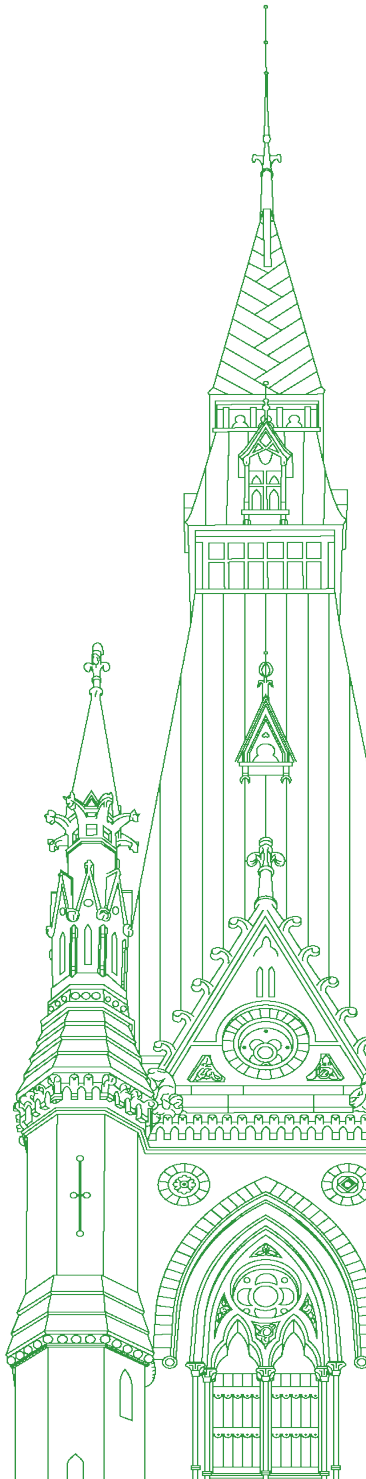

Chair: Mr. Scott Simms

Standing Committee on Canadian Heritage

Monday, May 3, 2021

● (1105)

[*English*]

The Chair (Mr. Scott Simms (Coast of Bays—Central—Notre Dame, Lib.)): I call the meeting to order.

Welcome back, everybody. Happy Monday to all.

There are a couple of very important points I want to start with before we get into the gist of what we're doing today.

Welcome to meeting number 29 of the House of Commons Standing Committee on Canadian Heritage.

Pursuant to the order of reference of Tuesday, February 16, the committee resumes clause-by-clause consideration of Bill C-10, an act to amend the Broadcasting Act and to make related and consequential amendments to other acts.

Today's meeting is taking place in a hybrid format, which we certainly are used to by now. I guess it's been over a year. I think we can call it that. As you know, there are a couple of rules to point out to everybody. They're not official rules in the book, but nevertheless they help us in our committee.

First, try to avoid talking over each other. If you want to get my attention, you know how to do it on the side here. Just raise your hand electronically. If you're not hearing interpretation or you're not getting the volume or you're not hearing the speaker, you can do that, or just wave your hand to get my attention if something technical goes wrong. If that happens, please get my attention, and obviously we'll try to fix it.

We've had some technical difficulties from the Ottawa side of things. I've had a few difficulties of my own with sound. I don't want to alert the IT people in Ottawa. This is a thing that's originating from my office here in Grand Falls-Windsor in Newfoundland and Labrador.

We have to address something that is extremely important to this committee, and we have to do it, I think, right away. It won't take too long, but we really have to wish a happy birthday to the member for Drummond, Mr. Champoux.

Happy birthday, Mr. Champoux.

[*Translation*]

Mr. Martin Champoux (Drummond, BQ): Thank you very much.

[*English*]

The Chair: Indeed.

[*Translation*]

Mr. Anthony Housefather (Mount Royal, Lib.): Is it your 35th birthday today, Mr. Champoux? [x]

Mr. Martin Champoux: No, it's my 34th.[x]

[*English*]

The Chair: Okay, okay, okay.

Some hon. members: Oh, oh!

The Chair: Happy birthday again, sir.

(On clause 7)

The Chair: Now, on Bill C-10, we last dealt with amendment G-10 and we're now going to deal with amendment G-11. There is just a quick note about G-11 that I want to bring to everybody's attention. If G-11 is adopted, amendment BQ-22 cannot be moved due to a line conflict.

I'll go to the speakers list, starting with Ms. Dabrusin.

Ms. Julie Dabrusin (Toronto—Danforth, Lib.): Thank you, Mr. Chair.

I am moving amendment G-11. This builds on the ownership clauses that we were working on earlier, and it would allow the CRTC to obtain ownership information from all types of undertakings. Bill C-10 as it was originally drafted didn't account for corporate structures such as co-operative trusts or partnerships, so this would allow for that broader ability to take into account different corporate structures.

The Chair: Go ahead, Ms. Harder.

Ms. Rachael Harder (Lethbridge, CPC): Thank you, Chair.

Chair, I actually want to move a dilatory motion that we would—

The Chair: Ms. Harder, I'm sorry to interrupt. I'll be just one second.

I have to deal with amendment G-11 first because it was just moved by Ms. Dabrusin.

Ms. Rachael Harder: Okay.

The Chair: However, I'll keep your name up there, because once we deal with G-11, then we can discuss....You're dealing with a motion that has nothing to do with G-11, correct?

Ms. Rachael Harder: I understand that, yes. Once G-11 has been dealt with, would you like me to raise my hand again, or would you like to just...?

The Chair: You can raise your hand or I'll circle back to you. Is that okay?

Ms. Rachael Harder: Thank you.

The Chair: On amendment G-11, I'll go to Mr. Rayes.

[*Translation*]

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Thank you, Mr. Chair.

I'd like the experts among us to explain the impact of this amendment.

[*English*]

The Chair: Go ahead, Mr. Olsen.

Mr. Drew Olsen (Senior Director, Marketplace and Legislative Policy, Department of Canadian Heritage): Thank you. Thank you for the question, Mr. Rayes.

The current wording in Bill C-10 would have allowed the CRTC to obtain ownership information related to corporations that hold licences, but there are some ownership structures out there that are not corporations, such as partnerships and trusts, so we are just trying to make sure this doesn't unintentionally limit the CRTC's ability to get ownership information from licensees that may not be corporations.

The Chair: Is there any further discussion on G-11?

Seeing none, we'll go to a vote.

(Amendment agreed to: yeas 7; nays 4 [*See Minutes of Proceedings*])

The Chair: As G-11 is now adopted, BQ-22 cannot be moved because of a line conflict.

Ms. Harder, you have the floor.

● (1110)

Ms. Rachael Harder: Thank you, Mr. Chair. I appreciate that.

I have a quick question before moving on to the motion that I wish to move.

On Friday, when we were in the midst of debate on the motion that was on the floor at that time, one of the members of the committee, Ms. Dabrusin, raised her hand. She put forward a dilatory motion that brought debate to an end. At that point in time, you said that because it was a dilatory motion, it superseded debate, and all other hands that were raised were not called upon. Just a moment ago I attempted to move another dilatory motion, and I was told the motion at hand needed to be taken care of first.

I'm wondering why on Friday a dilatory motion took precedence, but today it doesn't.

The Chair: It's for the simple reason that we had started the debate. Obviously we had commenced debate on that one, so things had to shut down and we had to dispense with it.

Are you saying that you have a dilatory motion now?

Ms. Rachael Harder: That's correct. Just a moment ago I indicated to you that I intended to bring forward a dilatory motion.

The Chair: Oh, I see.

Ms. Rachael Harder: You commented that G-11 needed to be taken care of first before you could hear from me. However, on Friday you gave the dilatory motion precedence, so I'm wondering why those two rulings are incongruent.

The Chair: I don't know. That's a good question. I'm going to talk to the clerk about that and see if it was done by mistake.

Nevertheless, you can certainly raise it. Do you want to do your dilatory motion now or do you want a ruling on that?

Ms. Rachael Harder: You can confer with the clerk, but I'm happy to move forward with my dilatory motion.

The Chair: Okay. I'll do the clerk thing first, and then I'll come back to you.

Ms. Rachael Harder: Okay. Thank you.

The Chair: We'll suspend for a couple minutes. It shouldn't take long.

● (1110)

_____(Pause)_____

● (1110)

The Chair: We are reconvening.

Ms. Harder, I had a little discussion about this, and you have a good point. You brought up a dilatory motion. I should have heard you out on that point, and I did not. I sincerely apologize for that. I started the other debate and I was focused on that one. It never registered that your motion was dilatory and I should have heard you out.

We dispensed with G-11, so if you wish, go ahead now and move your motion.

Ms. Rachael Harder: Thank you, Chair. I do.

The Chair: My apologies again for that. You were in the right.

Ms. Rachael Harder: Thank you for seeking clarification. I very much appreciate that.

Mr. Chair, I wish to return to a motion that was brought forward to the committee on Friday, at the last meeting.

The motion that I moved at that point in time was that we would request the Minister of Justice to produce an updated charter statement under section 4.2 of the Department of Justice Act with respect to the potential effects of Bill C-10, as amended to date, on the rights and freedoms that are guaranteed by the Canadian Charter of Rights and Freedoms.

This motion further said that we would invite the Minister of Canadian Heritage and the Minister of Justice to appear before the committee to discuss the implications of Bill C-10, as amended to date, for users of social media services, and that we would suspend clause-by-clause consideration of Bill C-10, notwithstanding the committee's decision of March 26, 2021, until it has received the updated charter statement requested under paragraph (a) and has heard from the ministers invited under paragraph (b) of this motion.

The reason I moved this motion on Friday was that the bill we are currently debating, Bill C-10, has undergone significant change since it was first brought forward in the fall, and at that point in time, in November, was provided with a charter statement. Of course, that charter statement was up to date at that time. However, because section 4.1 has been removed, and thereby protections for the content that an individual might post to their social media account is now subject to government scrutiny, I do believe that it is in the best interest of this committee to seek another charter statement in order to make sure that it is in compliance.

● (1115)

The Chair: Sorry, Ms. Harder, I need some clarification. You did say it was a dilatory motion.

Ms. Rachael Harder: Yes.

The Chair: You want to make a motion to resume the debate that commenced on Friday. Is that correct, just so I get that straight?

Ms. Rachael Harder: I do.

Chair, I would move that we debate the motion that was originally brought forward on Friday.

The Chair: Just so that everybody is clear, the dilatory motion is the resumption of debate that took place on Friday. The reason that it's dilatory is for the same reason that a debate should be adjourned, so we have to go to the debate right away.

You've now heard the clarity around the motion. We're going to proceed to the vote on the resumption of the debate on the motion from Ms. Harder.

(Motion agreed to: yeas 6; nays 5 [*See Minutes of Proceedings*])

The Chair: We now go to the resumption of debate following that motion.

I have the list here. Ms. Harder, you're up first.

Ms. Rachael Harder: Thank you, Mr. Chair. I appreciate that very much. I also return my thanks to the committee for hearing me out on this.

Mr. Chair, as stated, this piece of legislation, Bill C-10, has undergone significant change with the removal of proposed section 4.1. As a result, it is questioned whether an individual will actually be allowed to put up content of their choice on their social media platform or use apps on their phone, based on Bill C-10. In other words, it is presumed—not just by me but by other experts—that individuals' rights will actually be brought under attack by this legislation.

It seems, then, very important for the members of this committee to receive an updated charter statement. Of course, what this would do is take the bill in front of us—Bill C-10 as it exists now, in its amended form—and put it up against the Charter of Rights and Freedoms. This charter statement would be delivered by the justice minister and it would state whether or not this bill holds up.

The reason this is so important is that the Charter of Rights and Freedoms is the supreme law of the land, and paragraph 2(b) protects freedom of expression, freedom of opinion and freedom of belief. When we are at a point in Canadian history where we are using social media platforms as the public square, it is important to protect the voices of Canadians and how they express themselves in those spaces.

The government has gone too far when it imposes itself—or empowers the CRTC, which of course is directed by the government, to impose itself—on people and their freedom of expression, freedom of belief and freedom of opinion and starts regulating what people are saying or posting.

Of course, I am offering my own take on it, as well as the takes of many other experts who have analyzed this piece of legislation. What I am asking is that this committee also request the take of the justice minister. Again, this would be accomplished by a charter statement.

One of the reasons this is so crucial is notwithstanding the most important one, which is to protect the fundamental rights and freedoms of Canadians. It's been interesting over the weekend as I watched as the Minister of Heritage responded to the concerns raised around Bill C-10. One of the accusations that was brought out by Minister Guilbeault is that all of the individuals expressing opposition or raising questions or concerns with regard to Bill C-10 are suddenly being called “extremists”. If you disagree with the government, if you have a question about a bill being brought forward by the governing party or are opposed in any way, you are now labelled an “extremist”. If that is happening in this small fraction of time, I can only imagine the types of stipulations that would be put in place by this same minister should the legislation be successful.

If he and his department are responsible for telling Canadians what they can and cannot post, then anything that might be against the ideology of this government would be flagged. Anything that would raise questions with regard to a government decision would be taken down. Any material that an individual posts that would make someone feel uncomfortable or at which someone might choose to take offence would be removed.

It has a silencing effect, and it's wrong. It must be stopped. Canadians must be protected. Their charter rights must be preserved.

I am asking for something that I believe is extremely reasonable, which is that we push the “pause” button on this committee for a very short time and that we seek this statement from the justice department. We would be looking for an opinion as to whether Bill C-10 does, in fact, align itself under the charter. If it does, okay, but if it doesn't, this committee has some work to do in terms of making sure the charter rights of Canadians are indeed protected.

● (1120)

With that, I have put a motion on the table asking for that statement and asking to hear from the Minister of Heritage. I would ask the members of this committee to vote in favour of it.

The Chair: Go ahead, Monsieur Rayes.

[*Translation*]

Mr. Alain Rayes: Thank you, Mr. Chair.

I'm pleased that the committee agreed to take the time today to continue to debate the motion put forward by my colleague, Ms. Harder. Her proposal is based on the main reason why we work here in Canada's Parliament, which is to defend the Canadian Charter of Rights and Freedoms.

Just over a week ago, at the meeting held on Friday, April 23, the government decided without any advance notice to do away with an entire clause in the bill...

[*English*]

Mr. Scott Aitchison (Parry Sound—Muskoka, CPC): I have a point of order, Mr. Chair.

The Chair: One moment, Monsieur Rayes.

I think I know what you're getting at, Mr. Aitchison. It's that we're not hearing the interpretation right now. Is that it?

Yes, it is. We're not hearing the interpretation right now.

[*Translation*]

Let's do a test.

Hello, everyone. My name is Scott Simms, the chair of the committee.

[*English*]

How are we doing?

[*Translation*]

Mr. Alain Rayes: Would you like me to speak in French to see if the interpretation is working?

[*English*]

The Chair: Are we okay now? No, we're not. I'm sorry, folks.

I'll give you the floor again, Mr. Rayes, once we get this fixed. Just hang in there one moment. Actually, tell us about your wonderful riding.

[*Translation*]

Mr. Alain Rayes: Gladly, Mr. Chair. I hope one day to have the opportunity to welcome you to my magnificent riding. It's very close to Mr. Champoux's riding, I should point out. Our two ridings are engaged in a battle that will never end, about the origins of poutine.

● (1125)

Mr. Martin Champoux: Okay, now we're raising the high-stake issues.

[*English*]

The Chair: Okay, look what I've started. Thank you for that.

It seems we are now back. I've just heard the interpretation, so we'll go back to Mr. Rayes.

You have the floor. Go ahead, sir.

[*Translation*]

Mr. Alain Rayes: Thank you, Mr. Chair.

I will now set aside the debate over poutine and return to Bill C-10. I'll start over more or less from the beginning because I don't know at what point the interpretation stopped.

First of all, I'd like to thank all the committee members for having agreed to continue to debate the motion put forward by my colleague, Ms. Harder. The principle she is defending in her motion—freedom of expression—underpins the Canadian Charter of Rights and Freedoms. I believe that it is an issue that all members of Parliament, whatever their political party may be, should take into consideration in any future plans.

Some people listening in may not know it, but for every bill, the Minister of Justice has to table recommendations, or at least an opinion, to ensure that the bill complies with the Canadian Charter of Rights and Freedoms, and freedom of expression.

That being the case, I would ask all committee members and those who are listening to consult the public statement published by the Minister of Justice on November 18, 2020, concerning BillC-10. He had done an analysis of the bill's proposed clause 4.1. However, now that the Liberals decided just over a week ago to delete this proposed clause, the minister's analysis of issues pertaining to freedom of expression and the Canadian Charter of Rights and Freedoms can no longer be applied in the same manner.

Last weekend, in the media and on social networks, the Liberals, in this instance Minister Guilbeault and his friends tried to convince Canadians and Quebeckers that the Conservatives were against culture, did not want to defend culture and were opposed to the bill to amend the Broadcasting Act. I want to emphasize that this is not at all the case. That's not what the debate is about.

On the contrary, from the very outset, I think everyone would agree that all members of the committee showed a genuine desire to move this admittedly imperfect bill forward. This is demonstrated by the fact that after various consultations, 118 amendments were put forward, including 27 by the government itself and by Liberal MPs on the committee. This shows just how poorly the bill had been cobbled together from the getgo.

According to our analysis, by deleting this clause from the bill without prior notice just over a week ago, the government gave the CRTC the power to regulate social network users who stream content, instead of going after the major players, the GAFAs of the world, as it claims to be doing. Basically, we agree that regulation is needed to make online undertakings subject to the Broadcasting Act, on the same basis as conventional broadcasters.

We're not at war against culture; the motion we're debating today has nothing to do with that. By deleting clause 4.1 as proposed in clause 3 of the bill, the government itself is in violation. We can now no longer continue our work without obtaining a new opinion from the Minister of Justice who, in passing, is a Liberal. I therefore have trouble understanding why my Liberal colleagues and the department are opposed to our request, which is that we obtain a new opinion from the Minister of Justice. We would like him to appear before our committee to clarify the matter and tell us whether the deletion of this clause from the bill constitutes a violation of freedom of expression

Furthermore, it's worrisome to see that the minister, while taking part in a broadcast over the weekend, was unable to explain why the bill had proposed the addition of this clause to the act initially, nor why he had afterwards decided to completely delete it without providing any other information or context.

If the opposition parties, namely the Conservative party, the NDP, the Bloc Québécois and the Green party, were the only ones to ask questions about it, then the people listening to us might think that they are only doing so on a partisan basis. However, numerous experts on freedom of expression or the Canadian Charter of Rights and Freedoms, including university professors and former CRTC commissioners and administrators, raised a red flag to say that a genuine violation had been created by the government itself.

Some previous quotes from the Prime Minister and the minister himself indicated that they were in favour of Internet regulation and Internet content. That, believe me, is scary. So when that in last Friday's debate on freedom of expression, the government tried to muzzle us by putting an end to the debate, it became even scarier.

● (1130)

We need to take the time to do things properly. Even if, in order to protect freedom of expression, we have to prolong our study of Bill C-10 by a week or two weeks or even three weeks, then we will be able to feel very proud of having done so.

We are not challenging culture. We want to protect our culture and our broadcasters. We all want to make sure that regulation is fair and equitable for online undertakings and conventional broadcasters. At the moment, a violation has occurred in the process through which we are ruling on amendments clause by clause. We will not be able to continue our work until we have received an answer on this matter.

As I said earlier, former CRTC commissioner Peter Menzies said in an interview that Bill C-10 not only contravened freedom of expression, but was also an all out attack on it, and consequently on the very foundations of democracy.

We also heard from Michael Geist, emeritus professor of law at the University of Ottawa. He is so well known in his field that the government funds his projects. He is anything but a Conservative or a Liberal; he is completely non-partisan. He was even very critical of the former Conservative government. Anyone who has done their homework properly and checked his comments on Google will know this. He said that he had never, in the history of Canada, seen a government that was so anti-Internet.

There were also all the other witnesses and groups that defend rights and freedoms that made public statements, including the director of OpenMedia.

I'm also thinking of James Turk, the director of Ryerson University's Centre for Free Expression, who said that the Trudeau government, by amending Bill C-10, was planning to give the CRTC the power to regulate content generated by users of websites like YouTube. He believed that this was dangerous, that the government was going too far, and that it had to be stopped.

I'm not making any of this up. I'm not even citing all the policy analysts who deal in such issues. Unfortunately, I must say that we're not hearing much about this in Quebec yet. The idea is only beginning to percolate. However, I believe that analysts in English-speaking Canada have understood what the Liberal government tried to do.

I hope that my colleagues will be able to set partisan considerations aside. God knows that there ought not to be any when it's a matter of freedom of expression. We need to wait until we have a clear opinion on this matter before we can continue to do a clause-by-clause study of the bill.

If anyone should feel responsible for the fact that the process is taking a long time, it's the Minister of Canadian Heritage himself. To begin with, his government prorogued Parliament. Secondly, this government, which has been in power for almost six years now, spent all this time introducing a bill to enact broadcasting legislation. Thirdly, it decided on its own to delete an entire clause from the bill, the end result of which was an attack on freedom of expression.

For all these reasons, we need to take the time required to do things properly. The minister can attack us all he wants, but at least I'll be able to sleep at night because I know that I'll be working to protect the rights and freedoms of Canadians and Quebeckers. I can rest easy for having done so when faced with a government that is trying to attack these freedoms.

I hope that my colleagues will support us so that we can ask the Minister of Canadian Heritage and the Minister of Justice for clarification, on the one hand, and also ask the Minister of Justice for a new legal opinion so that we can continue to do our work as the Parliament of Canada's legislators.

[*English*]

The Chair: Go ahead, Ms. McPherson.

Ms. Heather McPherson (Edmonton Strathcona, NDP): Thank you, Mr. Chair. Thank you to my colleagues for bringing forward this conversation.

Obviously, for me as well the charter is one of the most important things to ensure that we are in alignment with and are supporting. The NDP has always fought for freedom of expression. It's very, very important that we protect that and work on that. I think it's also very important that we get this right. This is very important to broadcasters across the country. This is very important to all Canadians.

I agree very much with some of the things I've heard my colleague Mr. Rayes say today. I'd like to propose a subamendment to Ms. Harder's amendment. I think one of the things we need to ensure as a committee is that we are trying to move this bill forward as rapidly as we can, that we are doing our due diligence and that we are doing what we need to do to ensure that we have the best legislation coming forward. This is—

● (1135)

The Chair: Thank you, Ms. McPherson. I'm sorry to interrupt. I apologize.

Before you start, just as a matter of clarification, it's an amendment to a motion. You don't have to subamend, because we're not dealing with an amendment. It's Ms. Harder's motion, of course.

When you do the amendment, do you have a copy to send to the clerk?

Ms. Heather McPherson: I do. Would you like me to send it to the entire committee or just to the clerk, who will then forward it?

The Chair: How about to the clerk, and then we'll distribute it through the entire committee?

Ms. Heather McPherson: I can describe it to everyone. It is not terribly complicated.

The Chair: Please do. The only thing I ask—and again I'm sorry for the interruptions—is that you do it very slowly so it gives us time to write it down and take notes.

Ms. Heather McPherson: Mr. Simms, you wouldn't be saying that I speak too fast on a regular basis, would you?

The Chair: I'm from Newfoundland and Labrador. You all speak too slowly, so my apologies.

That said, if you could take your time with it, that would be great. Thank you.

Ms. Heather McPherson: Really all that I am looking at is imposing a bit of a time constraint on the request to the Minister of Justice to produce the charter statement so that the committee can continue to work once we have received the information back from the minister.

I would be proposing that we would request to have that information back within the next 10 days.

In paragraph (a) of Ms. Harder's motion, it would say:

> request that the Minister of Justice produce an updated “Charter Statement” in the next 10 days, under section 4.2 of the Department of Justice Act

In section (b), the addition would be:

> invite the Minister of Canadian Heritage and the Minister of Justice to appear before the Committee to discuss the implications of Bill C-10, as amended to date, for users of social media services, in the next 10 days

In section (c), I would be including:

> suspend clause-by-clause consideration of Bill C-10 for a maximum of 10 days, notwithstanding the Committee's decision of March 26, 2021, provided that it has received the updated “Charter Statement”

It's simply adding a time constraint, because I know everybody on this committee is very keen to get back to work to make sure that we are doing the job that our constituents have sent us to Ottawa to do and that we are in fact improving what I think we can all agree is a very imperfect bill that does need, as Mr. Rayes pointed out, almost 120 amendments from various parties.

That would be my recommendation. I certainly hope that we can move forward and continue to work.

I struggle, of course. I'm a new parliamentarian, Mr. Chair, and I struggle when I see filibustering within committees. Unfortunately, I've experienced it in a number of committees I sit on, so I would hope that we could move forward and make a decision on this and continue our work for the people of Canada.

The Chair: Ms. McPherson, there's no need to discuss your newness. I've been here 18 years and I started this meeting with a mistake, if that makes you feel any better.

I want to reiterate what you just said, so that everybody is clear.

In paragraph (a) of Ms. Harder's motion, you want to include the words “in the next 10 days”, following “Charter Statement”.

In (b), you want to end (b) by saying “in the next 10 days”.

In (c), you want it to say “suspend clause-by-clause consideration of Bill C-10 for a maximum of 10 days”. I missed the other part. There was another part to that.

Ms. Heather McPherson: It was to add after “decision of March 26, 2021,” the words “provided that it has received”.

The Chair: It is “provided that”. Okay.

I'm assuming that Aimée has received or is in the midst of receiving the wording.

Ms. Heather McPherson: It has been sent.

The Chair: It has been sent. Okay.

Folks, we're going to get that out to you ASAP if you haven't received it already.

That being said, is that it, Ms. McPherson? Do you want to add to that? You still have the floor.

● (1140)

Ms. Heather McPherson: I'm fine with moving on.

The Chair: Okay.

Ms. Dabrusin is next.

Ms. Julie Dabrusin: Thank you.

I'm waiting to see the exact wording of the proposed amendment to the motion, but I may be seeking to subamend that amendment once I actually see the proper wording.

There's been a lot of talk. I want to emphasize the importance of the charter right to freedom of expression, which I believe in very strongly, as I believe our government does as well. The 4.1 amendment dealt only with social media companies when they act as broadcasters. I think sometimes that when we're having this conversation, we're veering further away from that. That was originally what the exemption was. It would have prevented social media companies from ever being included as broadcasters, even if they were acting exactly as broadcasters. That was raised and flagged to us by a stakeholder, with the example of those in the music industry, who specifically said that to allow that to happen would actually put them at a disadvantage, specifically when we see that YouTube is the number one streaming service for music in Canada.

The change that was proposed was that social media companies—not their users, because their users are specifically excluded in 2.1—would be subjected to the same rules as other broadcasters if they're acting as broadcasters. As I mentioned with the YouTube example, this is really just about creating a fair platform and evenness in the way that we are treating different services that are doing the exact same thing and working in the same field.

I want to highlight the urgency of this bill. The cultural sector has been very clear that these changes are needed and that they want to see this bill passed. I am very concerned about the delays that are proposed by the Conservative motion.

I will add that having a charter statement before the bill is complete in its review and in all of the amendments doesn't really make sense because, as they know, there are amendments coming that will further address some of the concerns they have raised about user-generated content. There are amendments—for example, G-13—that will be going to some of the issues that they have raised. To have a charter statement in advance of that would be very tricky.

I'll just underline this because I'm having a bit of a tricky point with the Conservative upset about the removal of 4.1 and the statements about being taken by surprise. The Conservatives themselves proposed an amendment that would have brought social media companies in line and included as broadcasters if they were acting as broadcasters. The only difference was that they had a carve-out for the social media companies based on the number of users. CPC-5 clearly also covered that, so we would have the same impact of having social media being included as broadcasters when acting as broadcasters.

I'm not sure how they square that circle, if they started out also believing very much that social media companies acting as broadcasters should be included.

Again, I will need to see the exact wording before I can propose a subamendment. Just so people know—

The Chair: Ms. Dabrusin, I apologize for interrupting. I do this for a very sincere reason.

Ms. McPherson, we only received your amendment in one language. As you know, the normal course of things is that you can distribute in one language only with unanimous consent.

Ms. Dabrusin, I recognize that you still have the floor; no worries. Ms. McPherson, do you want to clarify there? Do you have it in French as well?

Ms. Heather McPherson: As it is about six words, I can very easily provide that. I am not confident with my own language, but I can tell you that I know how to say *dix jours*.

The Chair: Congratulations. That was very good, but I do need permission. I need unanimous consent in order to have your email distributed from the clerk.

I will get back to you in a second, Ms. Dabrusin. I'm looking for—

● (1145)

Ms. Heather McPherson: I can send you an updated version in the next minute, if that's appropriate.

The Chair: Send it with the French, please, and then we can distribute it. Does everybody have an understanding of what Ms. McPherson wants to do with the language that she's proposing and putting on the table?

I see a nodding of heads.

Ms. Dabrusin, I understand you would like to propose something as well. You have the floor.

Ms. Julie Dabrusin: Thank you.

I'll present what I'm seeking to do, and then perhaps Ms. McPherson and I might be able to strike something on the wording. We can see.

Given that there are amendments still relevant that need to be considered, if we were going to be getting the charter statement, we do not actually have to suspend clause-by-clause consideration. We should ask for the charter statement once the review is complete so that we are putting the full amended bill before the lawyers for review.

Without the full amendments, they would not be providing us with.... They wouldn't have a a full picture on which to assess the charter statement. That was the first part. I would suggest that instead we put it to the end and not suspend the clause-by-clause study. That's because of the haste that is being asked of us by the cultural industries; they're very concerned about anything that will add any further delay in going ahead with this bill.

We want to be assured that we do it right, absolutely. We absolutely should be aiming to get it right, but all of these moves to suspend clause-by-clause consideration go contrary to what the stakeholders are asking us to do, which is to move this along as quickly as we can.

I would suggest that we strike out paragraph (c) in its entirety, rather than follow the amendment proposed by Ms. McPherson, if I understand correctly what she said, and then ask for the charter statement to be provided after the complete review of the bill.

[*Translation*]

Mr. Alain Rayes: I have a point of order, Mr. Chair.

[*English*]

The Chair: I recognize Mr. Rayes on a point of order.

[*Translation*]

Mr. Alain Rayes: Mr. Chair, with all due respect to Ms. Dabrusin, I'd like clarification from you on something. There was already an amendment put forward by Ms. McPherson. Now, it's a question of another amendment. It seems to me that we should end consideration of the first amendment, go to a vote, and then Ms. Dabrusin could put forward her subamendment, as she is entitled to do. Once again, with all due respect to her.

I may be wrong, but I'd like some clarification.

[*English*]

The Chair: Mr. Rayes, for clarification, you can propose a subamendment to what we are doing. We're mixing clause-by-clause machination. Remember we're doing a motion right now. It might give you more clarity if I describe what is happening.

We had the motion from Ms. Harder, and we had a few changes proposed by Ms. McPherson as an amendment. Ms. Dabrusin now wants to subamend the amendment to eliminate paragraph (c), but she hasn't moved it yet.

Let me go back for clarification. Ms. Dabrusin, are you moving a subamendment to eliminate part (c) in its entirety?

Ms. Julie Dabrusin: That is correct.

The Chair: We now have the subamendment with which we are dealing.

Ms. Dabrusin, you mentioned something along the lines of talking with Ms. McPherson with regard to this issue. Would you like me to suspend for a short period of time?

[*Translation*]

Mr. Martin Champoux: I have a point of order, Mr. Chair.

[*English*]

The Chair: Mr. Champoux, go ahead.

[*Translation*]

Mr. Martin Champoux: I'd like to make sure I've understood correctly. We are indeed talking about amending an amendment that has not yet been voted upon. I'd like to clarify the procedure. The amendment has not yet been carried, and yet a subamendment is being put forward. I simply want to make sure that's how it works. Should we not first rule on Ms. McPherson's amendment before bringing a subamendment?

I'd like to know for my own edification.

Thank you.

● (1150)

[*English*]

Ms. Heather McPherson: I have sent it to the clerk in both languages.

The Chair: The clarification is this. Ms. Dabrusin is clarifying the motion. I'm going to suspend for a couple of minutes so that I can look at the language part. I'm concerned about the language part of it, because we respectfully distribute motions in both languages. I want to make sure we got that right.

In a couple of minutes, I'll get back to you, and Mr. Champoux, I'll address your situation as well. Please give me a couple of minutes.

Ms. McPherson, go ahead.

Ms. Heather McPherson: The French version has been sent to the clerk. I have also sent the English version to at least one member of each team, because I don't have everybody's—

The Chair: Okay. Please allow me these couple of minutes. I'm going to clarify this, just so that we're respectful of our rules. Thank you very much.

● (1150)

_____(Pause)_____

● (1150)

The Chair: We do have the other language. It's being distributed as we speak.

Mr. Champoux, you had a question about connectivity and losing your spot. I believe you are next in line. That's not according to what's on the screen, but since you did lose connectivity for a short period of time, I will give you the floor.

In re-examining the amendment put forward by Ms. Dabrusin, I see that it's substantially different enough that it does make a change, so it has to be ruled as an amendment, not a subamendment. My apologies.

Therefore, we are still on the amendment put forward by Ms. McPherson. We have to dispense with it before we get to the other one. Again, I say that because it's substantially different from the other. My apologies.

Mr. Champoux, go ahead. The floor is yours.

[*Translation*]

Mr. Martin Champoux: Thank you, Mr. Chair.

I'd like to go back to the fact that it's been frequently said that it was a very imperfect bill when it was tabled, hence the 120 amendments, including several from the government itself. Now when we decided to agree to study the bill in committee, we were also committed to improving it, and that's what we did. I think we have a responsibility to people in the cultural industry, who need Bill C-10 to become a reality. My view is that we ought to keep forging ahead to achieve that. We need to put our energy in the right place and do what we can.

I suspect there might be some political manoeuvring going on behind the Conservatives' comments about the deletion of proposed clause 4.1 from the bill. I think everyone knew that amendment G-13 would dispel any concerns that might arise. Nevertheless, when we are asked to deal with questions as fundamental as a charter statement, we have no choice but to listen to what's being said and to ask the appropriate questions.

This motion was introduced on Friday. The rumour was that the NDP and the Bloc Québécois would very likely support it. We might do so reluctantly, but it's nevertheless legitimate to do so. The Liberals might get the opportunity to speed the process up on Friday by agreeing for one of the two ministers to appear today. In short, there are, as it turns out, ways to avoid slowing down the process.

Today is the second time we are spending an entire meeting discussing this amendment, when there are ways of considerably speeding up the process without slowing down or suspending the work. We have before us a legitimate request for ministers to come and clarify the situation, and we need to show that we are willing, because there are options available.

For example, in the discussions I had over the weekend, the possibility was even raised of once again considering the clause in the bill under which the addition of clause 4.1 was proposed. Our friends in the Liberal party did not really like this idea much, but it remains an option that is perfectly conceivable. It would also be possible to propose considering amendment G-13 a little earlier to see if that would dispel the concerns of people around the table.

In any event, I'd like to remind everyone of how important it is not to slow down the work unduly. If there is still hope that Bill C-10 might be adopted before the end of the parliamentary session, we have a duty to make every possible effort to get there.

Well, Mr. Chair, I think that we should rule quickly on the amendment proposed by Ms. McPherson, so that we can move on to the next question as soon as possible. We need to show the best of intentions and respond to this legitimate request. We could then continue with the urgent work required on Bill C-10.

Thank you.

● (1155)

[*English*]

The Chair: Ms. Harder, are you there? No?

Go ahead, Mr. Housefather.

Mr. Anthony Housefather: Thank you, Mr. Chairman, but I see Ms. Harder has returned, so I'll wait for her.

The Chair: Yes. We're in a technical world. We can be forgiving.

Go ahead, Ms. Harder.

Ms. Rachael Harder: I'm so sorry.

Mr. Chair, with regard to the amendment on the floor, I am, of course, the member who moved the motion, so I would like to convey my support for Ms. McPherson's request. I think it's very reasonable.

I would also like to comment on what Ms. Dabrusin has said. One of the comments she made is that the Conservatives were in support of the regulation for social media companies that act as broadcasters. That's a fair statement. However, the context in which she is making that statement is unfair and makes the statement incredibly false, because right now we're not talking about that. We're not talking about social media companies acting as broadcasters. We're talking about individuals who are posting videos of their kids or their dogs or their cats on social media platforms. We're talking about user-generated content. That is what we are discussing when we talk about proposed section 4.1. That being the case, let's maintain truth when we're talking about the terms on the table.

The Chair: Mr. Housefather is next.

Mr. Anthony Housefather: Thank you, Mr. Chair.

As a member who rarely gets riled up or rarely tries to be very partisan, I have to express some discomfort as to some of what has been said already today.

The idea that somehow Liberals—and in this case also the Bloc and the NDP, because all three parties voted to remove clause 3—are somehow less dedicated to freedom of expression than the Conservatives is somewhat shocking to me. I can point to numerous examples over time of the Conservatives being less charter-prone than the other parties, but I won't right now. I find that to have been an unfortunate type of allegation that really should be withdrawn, and if I wanted to point to support of a law that was recently adopted that uses the notwithstanding clause, I could.

With respect to the question of what happened the other day, we had a clause that is going to be dealt with by other amendments to the bill. There's an original clause in the bill that deals with user-generated content. There's G-13. There's another amendment that we intend to introduce. They all deal with user-generated content and ensuring that users are not subject to CRTC regulations. They are not broadcasters.

The Conservatives suddenly have raised the issue of the removal of section 4.1 and argue that this is potentially the ultimate violation of freedom of expression in the charter. They fail to acknowledge exactly what Ms. Dabrusin said: When we came up with section 4.1, the Conservatives proposed their own amendment, which Mr. Rayes put forward—CPC-5—which would in itself have eliminated the provisions of 4.1 for those people who are using online undertakings that have more than 250,000 subscribers in Canada or receive more than $50 million per year in advertising, like Facebook, for example.

This section would have thus said that Facebook, with 24 million users in Canada, was not covered by proposed section 4.1. Essentially, they're saying if you are a larger undertaking, you could be a broadcaster and yet you'd be outside 4.1. If this was such a violation of freedom of expression, why would they say that a larger online undertaking could then be outside the exemption?

It's a frustrating type of thing to hear. I just feel that it was a manufactured issue to try to scare and confuse Canadians about something that is not the case.

Personally, I think a reasonable solution would be to do a charter statement once we have all of the amendments adopted in the bill. Then we stop. We don't put the bill back to the House. We wait. Once all the amendments are adopted, we have a charter statement that then calls upon the Department of Justice to review their initial charter statement. We say that in light of everything that's been adopted as amendments to the bill, we direct them to amend the charter statement and then either confirm to us that there's been no impact or else tell us what the impact has been. We don't send the bill back to the House until we get that.

If that charter statement causes us to rethink things, we then go back and review those clauses in the bill. However, I don't believe that it makes sense to have a charter statement in the middle of amendments on the bill. That essentially says that although we're halfway through our work and we don't have amendments that cover this subject, they're asking us in the interim to give a charter statement. It's very strange to me.

Therefore, I don't think we should suspend work. I think clause 3 should be eliminated for sure. I know Ms. Dabrusin has to put that forward at a future date. I have no problem that there's a time limit for charter statements when it's the time to do it, or a time limit for the ministers to appear when it's time to do it, but it does seem weird that we're accepting the premise that somehow the removal of this one clause, without considering other amendments coming forward, should halt the work of the committee.

● (1200)

I find this to be an exceptionally partisan manoeuvre and a really unfortunate one, given the good collaboration on this committee up until now. It doesn't seek any type of consensus whatsoever, but instead assumes the worst for something that was never intended that way and that three of the four parties on the committee supported. The members of the fourth party themselves did not propose to include everyone, but rather, they proposed something that would exempt people from section 4.1.

It is not fair where we are now; I get it, but I also want to work with my colleagues to find a solution. To be honest, I think the right solution would be to go through the bill, adopt whatever amendments we want to adopt, and stop. Don't send the bill back to the House. Don't approve the bill. Ask for a charter statement from the department at that point and say that we want to know what the effect is of all the amendments, and then call the ministers to appear before the committee at that point. If we're satisfied, we go on and send the bill back. If we're not satisfied, we go back in the bill and fix whatever we think we need to fix.

That would be my humble request to committee members. I just don't see why we're accepting a false premise, and I think this is taking us on a false premise.

Thank you very much.

[*Translation*]

The Chair: Monsieur Rayes, you have the floor.

Mr. Alain Rayes: Thank you, Mr. Chair.

Before asking my question, I'd like, if I may, to make two brief comments.

I'd like to begin by answering Ms. Dabrusin. It's true that the cultural sector says that it is urgent to approve this bill to amend the Broadcasting Act, but it shouldn't be done at any price. Just because there is some urgency doesn't mean we should adopt a bad bill. We were being criticized for asking questions in the House of Commons about this bill on second reading. However, the many amendments introduced clearly indicate that the initial bill had some serious shortcomings, even before we got to the deletion of proposed clause 4.1, which we have been discussing for a while.

I have a great deal of respect for all my Liberal colleagues, who have been fighting like the devil to reject this legitimate motion, which requires a new legal opinion from their own Minister of Justice. In fact, although he may be a member of the Liberal party, he's the Minister of Justice for Canada, and hence also my Minister of Justice.

For a week now, I've watched all these experts and university professors raise red flags to say that a violation has occurred. I apologize for saying so, but the fact that the Liberal experts are saying the opposite of what these experts are saying shows unequivocally that we need to have a look at the issue we are currently considering. The Liberals have continued to argue that we have to listen to the experts and the senior officials, and everyone who sent us messages. Well, we have seen these messages. All you have to do is go out on social networks to see that credible people have raised red, not orange, flags to say that there has been a violation.

All the motion does is ask the Minister of Justice to come up with a new charter statement. To the best of my knowledge, Ms. McPherson's amendment, which allows an additional 10 days, is altogether legitimate. If the minister were to file his legal opinion and come and see us before the end of this time period, things would move along much more quickly. We're talking about a few days. The Liberals are making a show of rending their garments as if everything was going to fall apart if it takes a few extra days, whereas we've been waiting for this bill for 30 years. They've been in power for six years and it took them that long to introduce it. Not only that, but they prorogued Parliament, which slowed things down even more. The government and the Liberal members of the committee themselves introduced 27 amendments out of a total of approximately 120. The bill was flawed from the beginning, and that's why the process has been taking so long and why we're still talking about it now.

Ms. McPherson, congratulations on your amendment or subamendment—I don't know which term to use—in which you suggested adding some time. It will be all to the good if this additional time reassures members of the committee and puts pressure on the Minister of Justice to give us a new legal opinion on this matter, on the one hand, and to put pressure on him and the Minister of Canadian Heritage to come and explain everything to us. It would better prepare us for our legislative work given the expertise each of us has in our respective fields.

Mr. Housefather, you're aware of the high esteem in which I hold you. You were educated as a lawyer. I have no schooling as a lawyer, but I have been trained as in administrattion. I come from the world of education and, like you I'm sure, I'm a fierce defender of rights, freedoms, and freedom of expression.

When I hear other credible experts raise red flags, I feel legitimately entitled to request further details. I don't think that what the motion is asking for is out of line. Moreover, Ms. McPherson's amendment would give an additional10 days to the Minister of Justice to produce his new charter statement and come and speak to us about it, after which we could continue with our work. I'm pleased that she added this detail, because God knows that the deadline might have been stretched out otherwise. So once the 10 day deadline is up, it will be out of our hands.

If the Minister of Justice wants everything to go smoothly, I believe that he will be able, thanks to support from all the experts and senior officials available to him, to come up very soon with a solid opinion. I don't think that we will draw out the process excessively.

As my colleague Mr. Champoux said, this is the second meeting at which we've been discussing our motion, which is asking for clarification about the status of freedom of expression in the Canadian Charter of Rights and Freedoms. I don't know what else we could say. Let's stop talking, adopt the amendment, and then adopt the motion we introduced. Let's ask the Minister of Justice to give us his opinion and to come and explain it to us, together with the Minister of Canadian Heritage. We could then get on with our work, as we have pointed out clearly, by working collaboratively as we have been from the outset, by trying to find accommodations to ultimately come up with the best possible bill. In the end, we might not all vote for the bill, and there might be dissent, but that's all part of Parliament. We represent Canadians with differing opinions from all walks of life, and from every part of the country. That's what democracy is. That's why I'm proud to be a Canadian and a Quebecker. That's why my parents left Egypt to settle here. Every day that they had the opportunity to do so, my parents repeatedly told us that they had moved to Canada so that we would have the right to express ourselves freely. That was the main reason why my father, my mother and their whole family came to Canada. It's also why I am now an MP who was elected to Canada's Parliament by citizens in my riding.

● (1205)

People can say whatever they want and call Conservative MPs all kinds of names, but I sincerely believe that we've spoken long enough about Ms. Harder's motion. In the name of freedom of expression, it seems clear to me that we should ask for a new legal opinion. Ms. Harder's motion, improved by Ms. McPherson's amendment, is totally legitimate. We've had the opinion of experts of all kinds, and they raised red flags. In view of our own modest areas of expertise, and out of respect for our work and concern for professionalism, we should adopt the motion on behalf of Canadians.

I will conclude, Mr. Chair, because I don't want to draw out the debate unnecessarily.

One sometimes hears it said that Conservative party MPs are demagogues and try to get people to believe certain things. If I were sitting where my Liberal colleagues are, I'd be a little bit embarrassed, because they are attacking legal experts, outstanding university professors and experts in freedom of expression who fiercely defend, with public funds no less, issues that are extremely important to us. They should therefore feel just a little bit uncomfortable.

Let's forge ahead, request this new opinion and do our work afterwards.

Thank you, Mr. Chair.

● (1210)

[*English*]

The Chair: Before I go to Mr. Shields, I just want to update everybody on where we are right now.

We had a motion from Ms. Harder. Then we didn't have a subamendment by Ms. McPherson, but rather another amendment. To paraphrase, it talks about the maximum of 10 days. Then Ms. Dabrusin wanted to move a subamendment on that, but because it was materially different from the amendment of Ms. McPherson, I had to rule it out of order.

Right now, we are still on Ms. McPherson's amendment to the main motion of Ms. Harder, just so everybody is clear. We're still on that amendment.

Go ahead, Mr. Shields.

Mr. Martin Shields (Bow River, CPC): Thank you, Mr. Chair.

Firstly, I must apologize for last Friday. Normally we had been, for many years, sitting in committees, and all sorts of MPs sitting around tables might not have been the official ones. Mr. Chair, I apologize for my mistake and not remembering that under this video world that we're in of Zoom, we are in a different practice.

Moving on, I appreciate a lot of the information that has been shared, and the debate and the emotion. We have a lot of smart people sitting around the table, and usually I like to listen to a lot of the smart people we have on this committee. I would agree that there's been a lot of conciliatory work done, and lots of votes that may not agree, but it's been done professionally. I always appreciate working with people who want to do it in that way.

I'm a little concerned about the delays that supposedly this is creating. It's been mentioned that it's taken six years to write a piece of legislation. That's a long time, so there's been lots of time. I'm not sure there's a reason that we won't be here next week, next month, this fall, next spring. I don't see anything about an election being proposed, so I don't think we're going anywhere, so we have some time. Ten days, maximum, is not a lot of time in that framework.

What is astounding to me and a lot of other people is that there were so many amendments. Sure, I've been in situations in which people have written policy without thinking of all the consequences, and that's why you share it, work it through and find the consequences of the policies. It's so you can make those corrections. However, in my history in the House, I've never seen a piece of legislation come from the government with the number of amendments that they've brought here. These are huge numbers. Who was drafting this thing?

We were conciliatory to a point, but the reaction that I have seen since Friday in the media.... This is not me, but all the various media out there reporting it. This precipitated, then, my inbox just filling up with things that people had read in the media. I wasn't causing it; the media were reporting on this, and the experts were then quoted. A lot of people who have responded to this particular amendment didn't feel it was right, and a lot of media have been reporting. There's been a lot of attention.

I haven't had this much attention in a committee over an amendment in the number of years that I've been here. This is huge in the sense of responses that I've received, but it was because of the media that they were seeing this. It's just a real challenge. When you talk about stakeholders pushing it, I have 115,000 stakeholders, and trust me, I heard from a lot of them. I think a 10-day maximum that MP McPherson has put forward gives us an opportunity to deal a little more with this, because the public isn't seeing it as something that makes sense.

We've had goodwill, and I think this is a motion that continues to give us goodwill in proceeding in a very volatile situation. There are lots of opinions. I have nine to 10 weekly newspapers in my riding, and those letters to the editor are pretty volatile on both sides of many issues. Somebody asked if those newspapers that have digital formats are going to be at risk of being taken off because of letters they produce in a digital format? I have no answer for that. We have people who are expressing their opinions in the weekly newspapers in my riding who are the owners of those papers. They are independent, many of them. They are a little concerned that when they put that on social media platforms—that's where they're putting their digital papers—they're at risk. I don't have an answer for that.

These are some more of the questions that we haven't had a chance to discuss and to get a legal opinion on.

● (1215)

We have a motion here. I know Ms. Dabrusin, whom I've known for some time, has a further motion that she's going to make, but I think the one that we have on the table now is a positive one, and I hope that we pass it. I'm not sure that the one that Ms. Dabrusin is considering putting on next does what needs to be done now. We need to take a break and take some time to get an expert opinion. We need to have some time to get things clarified. If we don't, we are not going to get good, rational thoughts and questions answered. It's time we do exactly what this motion says.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. Shields.

Go ahead, Mr. Aitchison.

Mr. Scott Aitchison: Thank you, Mr. Chair. I appreciate the opportunity to speak. I want to comment briefly on some of the language I've heard today.

I will admit that I am not a lawyer like Mr. Housefather or Ms. Dabrusin; I'm just an old small-town mayor. One thing I do know is that language matters. Language counts. The way clauses are worded matters and what people say in committee matters.

I would suggest quite strongly, to what Ms. Dabrusin said about aiming to get this right, that it's not good enough to aim to get it right; we have to get this right. The concern that's been raised, and not by me, because I certainly didn't catch it, but by other people who are far smarter and more knowledgeable on this issue than I am, is that taking proposed section 4.1 out opens a window for the potential to regulate individual users' content by regulating the forums they use or the platforms they use to post their content.

Despite Minister Guilbeault's rather fumbling attempt at trying say he didn't want to do that, the intention to not want to do it isn't enough. We have to make sure that this window is not opened in any way. This has to be airtight. This is a fundamental freedom. The freedom of expression has to be protected.

I think Ms. McPherson has proposed an excellent amendment to our motion by proposing some time frames to this. We agree with that. We're not trying to delay things. We're not trying to filibuster, as we've seen go on in so many other committees. This committee has worked really well. I like all of you. Mr. Housefather and I have been on television together, talking about how we can disagree without being disagreeable. We're not trying to be disagreeable. We're trying to make sure we get what all Canadians want, what I think all members of this committee want, which is to make sure that we get this right so that those protections are there and there's no wiggle room anywhere to affect Canadians' rights online.

I recognize the comments that have been made about waiting until the very end and we've done clause-by-clause study, but my concern is that this is fundamental enough in terms of changing the intent of the bill. What we hear from the minister of Justice, the legal decision and the legal opinion on this change, I think is substantive enough. The charter statement may affect some of our decisions going forward on some of these other amendments, so it's well worth taking 10 days to make sure we get it right, because we're not merely “aiming” to protect Canadians' freedoms of expression; it is an absolute. We must do it.

To my friend Mr. Housefather, who suggests that this is a manufactured crisis, respectfully, it's not manufactured. You, as a former mayor.... This is something we do have in common. When you hear concerns raised by your constituents, you don't just dismiss them as manufactured; you address them. That's what we have heard as Conservatives. I've heard over and over again about this, so it's important for us to address those concerns. That's what we're doing. That's my approach to this issue, and I think it's the approach of every other member. I think Ms. McPherson's amendment is a respectful approach to it as well in that it keeps the ball rolling, because we all recognize the importance of getting this done. We all want to level the playing field. We all want to protect that Canadian cultural industry, and not just protect it but enhance it.

I'd love to see the rhetoric toned down a little bit and see us work together. I love Ms. McPherson's very constructive amendment. I think this is the way committees are supposed to work—constructively, across party lines, to make sure we get this right and that we protect Canadians while also ensuring that there is a level playing field and that Canadian culture is not lost in the mix.

Thank you, Mr. Chair.

● (1220)

The Chair: Thank you.

Go ahead, Mr. Housefather.

Mr. Anthony Housefather: Thank you, Mr. Chair. I appreciate my colleague's thoughts and comments. I agree with him that we can definitely disagree without being disagreeable, and this committee has shown that in the past.

What I want to say, because people have raised the issue of law, is that what you wouldn't do is ask for a charter statement in the middle of amending a contract. This is the real issue here.

We have a clause that has come out. We have other clauses that might go in or might not go in, depending on the vote of the committee. I'm totally okay with the idea that at the end of the committee's work, when all the amendments that the committee wants to consider go forward, we ask for an amended charter statement and we don't send the bill back to the House, and in the event that we find that there is an incongruity of what we have done vis-à-vis the charter statement, we go back and fix that. It does not make sense to say that the charter statement should come right now, before we've adopted all the amendments that we intend to adopt on the bill, because then we're not considering what might come in after something else has gone out.

I'm going to vote for Ms. McPherson's amendments to put a 10-day time limit because I believe it's an improvement over the initial motion that had no time limit. However, I still will support further amendments to change this motion to actually make sense. One would be to remove the stopping of the clause-by-clause study and to continue clause-by-clause study so that we get to a point where there can actually be a proper review by the Department of Justice of what the end result of the bill is, instead of looking at the bill with half of the work done and half of the work not done. All that means again, of course, is that we can adopt another amendment and then somebody can say that there should be a charter statement now because that amendment changes the previous charter statement.

I will support this amendment, but I will support and propose other amendments until we get to a place where, to me, this makes sense, which is a charter statement that comes after all the amendments to the bill are actually adopted and we learn what the overall effect is, not what the effect is in the middle of the process.

Thank you, Mr. Chair.

● (1225)

The Chair: Ms. Harder is next.

Ms. Rachael Harder: I understand the argument that is being made by the party opposite in terms of putting this off until the very end. However, there's a problem there.

Former CRTC commissioner Peter Menzies already said that this legislation “doesn't just infringe on free expression, it constitutes a full-blown assault upon it and, through it, the foundations of democracy.” That's pretty clear from a former CRTC commissioner, who I believe is probably one of the most qualified individuals in this country to comment on this legislation.

That said, the argument that we should just put it off until the end is like saying the legislation might already be bad, but let's make it worse, and then once it's really bad, we can go and seek out a charter opinion or a charter statement.

Why not just get it now? Why not get the charter statement now so that we can be building on a solid foundation as we go forward, rather than continuing to build on a weak foundation? It makes no sense to keep going. This is absolutely fundamental. We're talking about the charter rights protected under paragraph 2(b), and we absolutely should seek that advice from those experts before moving forward.

The Chair: As a reminder, folks, we're still on the amendment proposed by Ms. McPherson.

Go ahead, Mr. Aitchison.

Mr. Scott Aitchison: To that point that Mr. Housefather raised, and I think Ms. Harder actually addressed it a bit as well, the concern has arisen based on the removal of this clause. In regard to asking for an updated charter statement based on the removal of a clause that has caused such consternation among people who are far smarter than I am, I agree fundamentally that it's well worth making sure, before spending any more time going through it clause by clause, that we haven't made some fatal flaw in the legislation. If this is some fatal flaw in the legislation that we're reviewing, we'll waste an awful lot of time going through other amendments if this negates the whole thing.

As well, I fundamentally believe an updated charter statement, an updated analysis from the country's top lawyer, might actually inform many of the discussions on these next clauses. It's well worth taking the time to get it right, as opposed to potentially wasting time that we didn't need to waste.

The Chair: Mr. Louis, please go ahead.

Mr. Tim Louis (Kitchener—Conestoga, Lib.): Thank you, Mr. Chair.

We need to move forward as fast as possible. We have amendments proposed from all sides that will improve this bill. What the opposition is doing here, especially in studying this motion with no time limits, is literally stalling, when we need to be working together. We have been working together. We have amendments from all sides. We need to move faster on this bill and work together.

As for the idea that we need a charter statement now, I don't understand that. We have amendments protecting user-generated content. That's not the intent of this bill. That's not what's going to happen. We have further amendments coming that are going to further protect user-generated content. That's not the scope of this bill. We have an arts community that needs our support, and these stall tactics are not helping. I wish we would move together.

I don't understand the idea of getting a charter statement now. A rough analogy would be that of a restaurant critic trying to get a review on a meal, and after every ingredient is added, you wouldn't bring it to the restaurant critic and say, “Here, review this meal”.

We have a chance to fix and improve this bill. We have a chance to work together to do this. I'm concerned that the opposition will do this every step of the way before these amendments are done. Let's wait until these amendments are fixed, and then bring in the charter statement.

● (1230)

The Chair: Ms. McPherson, go ahead.

Ms. Heather McPherson: Thank you, Mr. Chair.

It's important to recognize that the 10 days is the maximum. The Minister of Justice could bring back information sooner. We could continue on with our work. As many of the members have said before me, we have a lot of work to do on this. It's vitally important. I want this to happen as quickly as possible. I would urge that we vote on this, that the justice minister bring that back as fast as he possibly can for our consideration, and that then we continue doing the important work this committee was mandated to do.

The Chair: Seeing no further debate, we're going to go to a vote.

I'm going to recap what we're voting on. I'm not going to go through the whole thing. Suffice to say, from the main motion by Ms. Harder, we are voting on the amendment proposed by Ms. McPherson. To paragraph (a), she adds “in the next 10 days”. In paragraph (b), again she adds “in the next 10 days”. In part (c), there are two changes: “suspend clause-by-clause consideration of Bill C-10 for a maximum of 10 days” and “provided that it has received the updated charter statement.”

Is everyone clear on what we are voting on?

Let's go to a recorded vote.

(Amendment agreed to: yeas 11; nays 0 [*See Minutes of Proceedings*])

The Chair: We're back to the main motion by Ms. Harder, as amended.

Ms. Dabrusin, go ahead.

Ms. Julie Dabrusin: Thank you, Mr. Chair.

As I mentioned at the outset, I had a few amendments to this motion that I was going to be proposing as well.

The first part would be to strike the (c) part to this motion, which would suspend our clause-by-clause study. We have further amendments, as I have mentioned several times, including G-13 and others, that would be relevant to this, and stakeholders have indicated that they want us to continue working on this and to get this done. To show that we are still doing the work that needs to be done, that we are ready to roll up our sleeves and keep doing the work and that we absolutely believe a charter statement is helpful but that we want to make sure we are not stopping the important work we're doing, I would propose removing paragraph (c).

In addition, I would propose the removal of the preamble, which is the “That, given that the deletion of section 4.1” sentence. The reason is that if we are sending for a legal opinion without presupposing what the legal opinion would be, they know what they need to do with a charter statement. I would remove that.

In paragraph (a), the proposal would “request that the Minister of Justice produce an updated charter statement as soon as possible after clause-by clause is completed.”

That wording would be repeated again in paragraph (b). Instead of “to appear before the Committee to discuss”, it would be “to explain in writing the implications of Bill C-10 for users of social media services as soon as possible after clause-by clause is completed”.

It would be changing it to “as soon as possible”, allowing us to continue the work while we do it, and removing the preamble.

The Chair: I think I got most of it.

The only thing is that the wording becomes a little awkward. When you look at the second paragraph, if that's your opening paragraph, for the second one we'd have to tighten up the language at the very beginning.

● (1235)

Ms. Julie Dabrusin: I think that you could just write “that given”. You could just insert “that”.

The Chair: Instead of saying “and given that”, you would just say “that the current”. Just start with the word “that” and eliminate “and given”.

Sorry; that may seem small, but I have to be sure about this.

In addition to that, you're proposing to eliminate paragraph 1 as well as part (c) in Ms. Harder's motion. Then within part (a), you're proposing that it be to “provide an updated charter statement as soon as possible”, and in (b), you're saying it would be to provide a written explanation instead of appearing before the committee.

Ms. Julie Dabrusin: That is correct.

The Chair: Do you have anything to pass to the clerk?

Ms. Julie Dabrusin: I am sending it in both official languages to the clerk right now.

The Chair: That is great. Thank you very much. In the meantime, you still have the floor if you wish to discuss it further.

Ms. Julie Dabrusin: As much as I would enjoy continuing, I think the points have been made. The short form is that it is important. I have no issue with getting a charter review of it; I think that is fine. I think the fundamental freedoms, such as freedom of expression, are extremely important, so I'm absolutely fine with that.

The key issues I have here are about the amendments, which I have referred to several times. I think they would be a key part of that consideration and to making sure we provide a thorough record. If you're going to get a legal opinion, you have to give them the full record to analyze, or else you're not getting a full legal opinion. It's making sure that we can try to get that information, keep working and do what the stakeholders and the cultural industries have asked us to do, which is get it right and get it done. We're trying to get it done. That allows us to continue to do the hard work that we have ahead of us while getting that charter review.

The Chair: Go ahead, Ms. Harder.

Ms. Rachael Harder: Thank you, Mr. Chair.

Mr. Chair, the amendment that has been made to the motion that I presented on Friday substantially changes its intent. The intent is to get the charter statement sooner rather than later, and that, of course, is so that we know the foundation on which we are debating this legislation. Does it hold up to the charter, given that proposed section 4.1 has now been removed from the bill? I believe that the only way we can answer this question is by submitting it for review and requesting the statement.

Given that the member opposite has asked for that request to be removed, I cannot support the amendment that she has brought forward.

In addition to that, if I understood her amendment correctly, it says “as soon as possible” rather than “the next 10 days”. I'm not sure, and maybe I misunderstood it, but if that is the case, I'm confused as to why we would move in the direction of removing the amendment that was just approved, which is the 10-day clause. I think it's appropriate. The previous amendment strengthened my motion, so I was more than happy to support the 10 days, and it has already been passed.

Again I'll draw attention to the fact that this charter statement is of great importance. A number of qualified individuals have indicated that they have significant concerns. Indeed, I believe that Canadians are rightly concerned, as we have heard over the last number of days and seen reported in the media.

We can also see that the minister, Mr. Guilbeault, is clearly unable to defend the removal of proposed section 4.1 and is unable to communicate to Canadians clearly why that would be necessary. He's also unable to communicate to them where their individual rights to post content of their choice still remain protected. That being the case, I again ask that this review be done.

● (1240)

The Chair: Mr. Aitchison is next.

Mr. Scott Aitchison: Thank you, Mr. Chair.

I take the government and Ms. Dabrusin at their word when they say they want to get this done quickly. If that is in fact true, her motion doesn't really.... It's not required. What guarantees that the committee will get back to the clause-by-clause review and get this done is by keeping part (c) in particular and suspending clause-by-clause consideration. If it's that important to the minister, he'll get here quickly. If we take that part out and just keep going, he can drag his feet and this will become a war of words. This holds the government's feet to the fire, which I think we need to do so that we can get back to getting this work done.

I do not support Ms. Dabrusin's amendment. I might have been able to support parts of it, but not removing part (c), and since she's bunched them all together, I'm stuck with not being able to support it.

The Chair: As you may have noticed many times in our deliberations, I sometimes get slightly confused. To avoid that, if you've asked a question or you've made a contribution, could you please lower your electronic hand? I have a bunch of legacy hands everywhere.

Mr. Rayes, go ahead.

[*Translation*]

Mr. Alain Rayes: Thank you, Mr. Chair, for giving me the floor to discuss the new amendment, the one put forward by Ms. Dabrusin.

I don't understand. We're being asked to speed things up, while introducing a new amendment just when we finally achieved a compromise. Everyone voted in favour of Ms. McPherson's amendment.

We can move quickly. As I was saying earlier, the Minister of Justice has access to a wide range of legal and other experts. If everything is so clear for the Liberal government, they should come and explain it to us as soon as possible. We have a meeting on Friday. If the minister were to give us a legal opinion, we could stop talking about it. The minister could come and answer our questions, which would clarify the situation for everyone, and not just for the committee members.

We have an important decision to make about a bill which was flawed from the very outset. Allow me to repeat that there were 118 amendments. That's why everything is taking so long.

With our small teams, we consulted organizations, people in the field and people from the cultural sector, all of whom submitted reports. Basically, the bill was not doing what they wanted. The government also ignored some of the warnings that had been sent. We're not talking here about a minor detail that could be dealt with later, at the end of the process, as we are being told. We're talking about an entire clause in the bill that the government deleted without prior warning on a Friday, hoping that no one would notice.

Ms. Harder's motion is simple. We want a new legal opinion and we want the minister to answer our questions about it. We, the opposition MPs, are not the only ones to request this. Allow me to repeat that some outstanding university professors, legal experts, policy analysts and experts in freedom of expression and the Canadian Charter of Rights and Freedoms, sounded the alarm following a government decision. It therefore seems to me that the very least we can do would be to wait for this opinion before continuing our work.

I think the Liberals are trying to remove everything that might be harmful to the minister. I'm sorry, but the minister doesn't have to deal with it alone. He has access to all the resources needed. He's the one who introduced the bill that he took so much pride in. And yet, in an interview over the weekend, he was not even able to explain why the bill had initially included this proposed clause, nor why it's no longer there.

In November, the Minister ofJustice tabled an opinion according to which the bill was supposedly compliant with the Canadian Charter of Rights and Freedoms. In spite of this, there were shortcomings. The Liberals deleted an entire clause that had been proposed, which upset all kinds of people. It was not something minor. Many people condemned it, saying that it was a direct attack on the freedom of social network and Internet users who streamed content. Not everyone was aware of this, because the language is highly technical. We ourselves were sometimes confused about it. We've been asking experts to clarify things for us and we've asking a number of organizations some questions to help us understand the issue. The people being targeted are influencers, people who have a YouTube channel, or who download content from social networks. We're not talking about companies like Facebook, Google, YouTube or TikTok. We're talking about ordinary Canadians who use these networks to speak to one another and to share content. Some artists share their own performances directly over these networks and use them to get exposure. Now, these people are being directly affected by the deletion of proposed clause 4.1 of the Broadcasting Act under clause 3 of the bill, because the CRTC has just been given the power to subject these people to regulation on the same basis as the major digital sector broadcasters and players. We don't know whether it will use this power, but it has it now. That's the door that the government has opened by deleting this proposed clause.

So we can't carry on with our own work while waiting for an opinion from the minister. We need clarification on this point. It's not just a minor amendment or clause that has been deleted. It's not true that the required changes could be made at the very end. We have already gathered some opinions. If some of the other amendments studied previously had been so urgent, red flags would have been raised. In this instance, it was clearly an ill-advised decision by the government. That's clear, because it doesn't even want us to review its decision.

● (1245)

I repeat that Ms. Harder's motion is altogether legitimate. Ms. McPherson proposed an amendment to prescribe a time limit. As she pointed out so correctly, there is nothing to prevent the minister from responding even more quickly so that we can move forward. If he wants to table his legal opinion sooner, then so much the better, because it will speed up the process of helping our cultural sector.

The Minister of Justice needs to do his work and the Minister of Canadian Heritage should appear beside him to explain the ins and outs of this decision to us. The minister needs to give us a legal opinion so that all of the experts and we can analyse the situation that we are currently going through, which constitutes an attack. It's not Alain Rayes who is saying so. If you want to attribute these comments to me, feel free to do so, but they are more than anything else comments from Professor Geist, from the University of Ottawa. He said that he had never seen a government as anti-Internet as this one. That was also the opinion of several former CRTC commissioners, administrators and policy analysts. For the past five or six days, all these people have been publicly making a fuss and telling us to stop.

I'm not even talking about all the Canadians who have been writing to our offices. I'll admit to being a minor player on Twitter, and I don't have as many followers as the Prime Minister, and my tweets had never ever got 400 likes before until I talked about this issue. In my 15 years in politics, I've never seen so many people share the political information I publish.

So it's not just a minor mistake being made by the government, but rather a major one. To set things right, we need accurate information.

I hope that we will stop talking and adopt Ms. Harder's motion. I hope that the minister is listening to us. At the very least, I hope that some policy advisors and senior officials are monitoring our work and are already busy writing the requested legal opinion and preparing speeches for the ministers who are going to appear, so that we can do our work properly.

I'd like to send a final message to everyone listening, and God knows that people in the cultural sector are listening. We all want to adopt a good bill. From the very beginning, that's what we all wanted. The problem is basically that this bill was not a good one. The MPs who sit on the committee, from all political parties, have been trying everything to come up with amendments and subamendments to fix things and make the bill better, before ruling on it and sending it back to the House of Commons.

However, in view of what's been going on for just over a week now, we can't continue our work without having a clear legal opinion on the matter. I hope that we'll adopt Ms. Harder's motion and retain its essence. Ms. Dabrusin suggested amending the motion to ensure that the legal opinion and the appearance of the ministers would occur as soon as possible, so that they could provide clarification not only to the members of the committee, but to all the experts as well. Only the government can get things moving as quickly as possible. Believe me, the more time goes by, the greater the number of experts who are listening. Everyone will be commenting on what the two ministers have to say and on the opinion that will be tabled.

It's almost 1 p.m. I usually suggest a short break, but debates today were too heated and expansive. I trust that we'll be able to finish with this topic today and that we will not return to it Friday. At the rate things are going, we will still not have ruled on Ms. Harder's motion by the end of the meeting and will have to debate it again on Friday.

Thank you, Mr. Chair.

● (1250)

[*English*]

The Chair: Mr. Shields is next.

Mr. Martin Shields: Thank you, Mr. Chair.

It was interesting listening to the amendments that MP Dabrusin made. I might have been like Scott Aitchison, my colleague, in the sense that he thought maybe there was something there that he might have supported, but when she lumped them all in, it became just untenable.

I thought I might have seen a motion that said we would guarantee that once this was done, it would not be sent to the House and that we would guarantee a review, but that motion wasn't there. She had mentioned it many times, and Mr. Housefather had mentioned it many times, but it wasn't there. I got a little concerned. What she was saying didn't happen, yet she did numerous amendments, a number of them.

As to the urgency aspect, you know, I'm an old guy. I remember when the Prime Minister implemented the War Measures Act in 1970. That was an emergency. A few years earlier than that, I was on Parliament Hill, and there was a Vietnam War protest. There wasn't urgency, but it was allowed as free speech. Yes, I go back a day or two, so when I see the movie *The Trial of the Chicago 7*, that brings back real concerns that I have about free speech.

In the amendments that have been put forward, what she has put forward is just not good enough to fix what she says, and there has been no explanation of the urgency. We have co-operated in the House on a number of things to do with the pandemic, when things had to be passed quickly—absolutely, you bet. Nobody from that party has talked about why it's so urgent and why this has to be done today or tomorrow with a flawed bill.

I don't see a house burning down. I don't see the War Measures Act needing to be implemented. This is not a pandemic piece of legislation to provide funding for people who need it. There has been no explanation of the urgency that they continue to mention. I am absolutely a huge supporter of culture, and we have great culture in this country, but when someone talks about urgency with no rationale as to why it's urgent, that really leaves it vacant.

Again, freedom of speech to me is a personal thing, and I learned how valuable it is a long time ago, when I stood in front of the Parliament Buildings in 1967 and when I saw what happened in our country in the sixties and seventies. This is really important to me.

Thank you, Mr. Chairman.

The Chair: Thank you, sir.

Mr. Housefather, go ahead, please.

[*Translation*]

Mr. Anthony Housefather: Thank you, Mr. Chair.

I just wanted to set things straight on a number of facts.

My colleague and friend Mr. Rayes said several times that the government had made a mistake. It's not the government that rejected clause 3 of the bill, but rather the committee members. We are all independent members of the committee. All MPs on the committee, whether from the Liberal party, the Conservative party, the NDP or the Bloc Québécois, voted in favour of removing clause 3.

And then even the Conservatives wanted to amend clause 3 of the bill to limit the scope of the proposed clause to certain users, while ensuring that others were not subject to it. Now if the proposed clause was so terrible that the Conservatives wanted to introduce amendment CPC-5, why do they feel so strongly about the deletion of this clause?

It's too bad that the debate has taken this turn.

● (1255)

[*English*]

The other thing I want to say is that regardless of the scope of the amendment that is proposed, I maintain the position that I stated. I'm not seeing that it is absolutely desperate to finish things in one or two days. I am saying that without seeing the scope of all the amendments on the section that has been amended, it would be impossible to make sense of a new charter statement.

We need to finish the amendments and continue the clause-by-clause study so that at the end of the results.... We know there are other amendments coming forward that have not yet been debated that deal with the exact issue of the removal of section 3. There are other amendments that deal with exemptions from the CRTC for users of social media and posts that are put up. How can any attorney then give a charter statement without having the full scope of those amendments? It doesn't make sense.

The reason to continue with clause-by-clause consideration is to finish all the amendments so that the person doing the charter review can then look at the overall context of the bill, including any and all amendments and including those amendments that are still to come forward that deal with this very same issue. It makes no sense to say that we're stopping now, that we can't consider further amendments that we know are coming forward, but we want a charter statement.

I support what Mr. Shields said, which is that we stop at the end of the amendments. We don't send the bill back to the House. We then get a charter statement taking into consideration everything that happened during clause-by-clause study. From my perspective, we do whatever we want with the ministers and their presence or non-presence. Then, if need be, because we haven't sent it back, we return to other clauses of the bill if the charter statement tells us something that I don't expect it to tell us.

However, it doesn't make sense to stop clause-by-clause consideration to get an interim charter statement when there are other relevant amendments that deal with the very same issues.

That is my perspective. I just don't understand why there's such a desperate need to have the charter statement before those amendments are brought forward and before the public and, most importantly, the lawyers drafting the revised charter statement can consider those amendments vis-à-vis the deletion of clause 3 of the bill.

If there were no other amendments coming forward on this issue it might make sense, but amendments are coming forward on the very same issue that would definitely change the position of any lawyer reviewing the bill.

I'm not going to speak to the wording of this particular amendment, but that is what I think should happen.

Mr. Chairman, I would like a brief word from you. Are we continuing past 1:00? If we are, perhaps we could have a suspension so we could all just take a brief break and come back.

Thank you, Mr. Chairman.

The Chair: Thank you, Mr. Housefather.

Well, as you know, when we conclude a meeting and adjourn—or suspend, for that matter—it's usually done on implied consent from everyone. If someone doesn't want to end this particular session, then we will continue on, but that time is.... Okay, we're a minute away.

I'm going to have to go back to the committee here and ask for your input as to whether you want to continue this meeting or whether we're going to stop here and reconvene on Friday, as put out in the schedule for the business of the committee.

I'm not looking for a point of order or anything like that. I'm just looking for your input. Did I hear that someone wants to speak on what I just mentioned? Could you raise your hand?

Go ahead, Mr. Rayes.

[*Translation*]

Mr. Alain Rayes: Mr. Chair, in about an hour, the statements by members will begin, followed by question period in the House.

In the course of our meeting, we haven't had the opportunity to do our work, we haven't taken a health break, and we haven't eaten. Given the time remaining, I think we should put an end to this meeting and resume on Friday.

● (1300)

[*English*]

The Chair: Okay.

I see we have a bunch of hands. That's because you want to engage in the current debate. If you want to weigh in on whether you want this meeting to continue or you want to keep to our original schedule and end now, can you please indicate?

Seeing no further comments after Mr. Rayes, I'm going to assume that implied consent is still with us and that we are going to conclude the meeting right now and reconvene on Friday as scheduled.

We'll reconvene on Friday at one o'clock Eastern Time. We'll be resuming debate once again on the amendment proposed by Ms. Dabrusin to the main motion put forward by Ms. Harder.

Go ahead, Mr. Champoux.

[*Translation*]

Mr. Martin Champoux: Mr. Chair, I may have missed a few moments from the debate and no longer know where we got to exactly, but I'd like to tell you what I think.

We discussed this topic today and went around in circles. We could take the five minutes needed to put the amendment to the vote, and then do the same for the motion, and move on to something else on Friday. That would give the government time to prepare the legal opinion requested, and for us to prepare for the appearance of the ministers and other witnesses if need be. We should therefore take five or 10 minutes to vote, and stop going around in circles, stop dithering and slowing down the work that needs to be done.

[*English*]

The Chair: Okay, Mr. Champoux. I get it. Yes.

I'm going to go to Ms. McPherson. Ms. McPherson, could you be very quick, please?

Ms. Heather McPherson: I was just waiting for Mr. Champoux to speak. He had put his hand up and expressed that he wanted to speak. That's why I waited.

I agree. I understand Mr. Rayes' concern. Let's take a few moments now to do the vote. Then we can actually continue on with the work and continue to do what we were sent here to do, please.

The Chair: Well, I wouldn't mind going to a vote, but the problem is that I have a speakers list here. I can only go to a vote when the speakers list has collapsed. I still have hands up from people who want to speak on this point, including Ms. Dabrusin. I'm in a position where we can continue for another five minutes, but I can't guarantee you that there will be a vote.

That said, let's do another five minutes, if you wish. We'll do five to 10 minutes.

Go ahead, Ms. Dabrusin.

Ms. Julie Dabrusin: Thank you, Mr. Chair.

The hope I had—actually, it's why I believe Mr. Housefather was suggesting a suspension—was to be able to see if we can talk among the parties to come to a resolution so that we can figure something out. I still feel very strongly, most strongly, that a charter review partway through is not a proper charter review. If we want to be able to get a useful and helpful charter review....

This is important. We're talking about freedom of expression. We want to make sure that the lawyers who are giving that advice have all of the best information so that they are able to do it right. I think that's the most important piece to all of this, so I would suggest that we take some time—we have until Friday—to talk among the parties and see if we can reach a resolution.

It seems as though we all fundamentally agree that we would like a charter review on this question of freedom of expression and that we would like that certainty going forward. The question is about what full information we need to get to the lawyers to be able to get that, and how we do it in a way that no longer delays what we're trying to do. How do we manage to get those points covered?

I would suggest that the best option for us now is to adjourn. I'm not bringing it as a dilatory motion; I'm just proposing that we do that so that we can have a conversation among the parties and work together, as I'm sure we all want to, and get to the best result on this one.

The Chair: Okay. You're not moving a motion.

Ms. Harder is next.

Ms. Rachael Harder: Thank you.

I believe it's important to point out something that Ms. Dabrusin neglected to say verbally. As to whether or not it was a sneaky attempt to get this through or just an oversight, I leave that to her.

Nevertheless Ms. Dabrusin, in her written form of the amendment, makes it clear that she is replacing the obligation for ministers to appear with an obligation to explain in writing. I find that problematic. We are asking the ministers to come. We are asking for the opportunity to ask them questions. We are asking for an opportunity to engage with them. It would have been really nice for that to have been made clear from the beginning, because it makes it look like the wool is trying to be pulled over our eyes, which certainly doesn't give me a lot of faith, even in terms of making sure that we review or ask for that charter statement at the end of the study as opposed to now.

Again, I absolutely cannot vote in favour of this motion. The fact that ministers would not be asked to come and testify in person and that we would not have the opportunity to ask questions seems unacceptable to me. Further to that, unfortunately, I think faith is waning in this process and in the understanding that a charter statement might be done at the end. I'd prefer to have it done at the beginning, please.

Thank you.

● (1305)

The Chair: Mr. Rayes is next.

[*Translation*]

Mr. Alain Rayes: Thank you, Mr. Chair.

I'll be quick about it, because I don't want to draw out the meeting any longer. We've already gone past the scheduled time.

In her proposal, Ms. Dabrusin removed the requirement for the minister to come and explain his position on this fundamental issue. It's an indirect way of keeping the minister from having to reply to questions from our committee, to be accountable and to clarify matters for all Canadians and experts in the country who are wondering about this aspect of the bill. What I'm talking about here is the Liberal government's attempt to intervene in the regulatory process and to decide on behalf of users what they are attempting to do when they stream content on the various social networks. That's what it is trying to do by giving the CRTC more power to control content streamed over the Internet.

I really have trouble believing that we still have to talk about this today and that we will have to return to it Friday. We should have already voted on Ms. Harder's motion by now, as requested by Mr. Champoux. Unfortunately, it would appear that we will have to continue to discuss the matter on Friday, because of this intransigence.

[*English*]

The Chair: Go ahead, Mr. Shields.

Mr. Martin Shields: I move to adjourn.

The Chair: All right, let's go to a vote, Madam Clerk.

Just so I'm clear, adjourn what?

Mr. Martin Shields: The meeting.

The Chair: Madam Clerk, we will have a vote.

(Motion agreed to: yeas 9; nays 2 [*See Minutes of Proceedings*])

The Chair: The meeting is adjourned.