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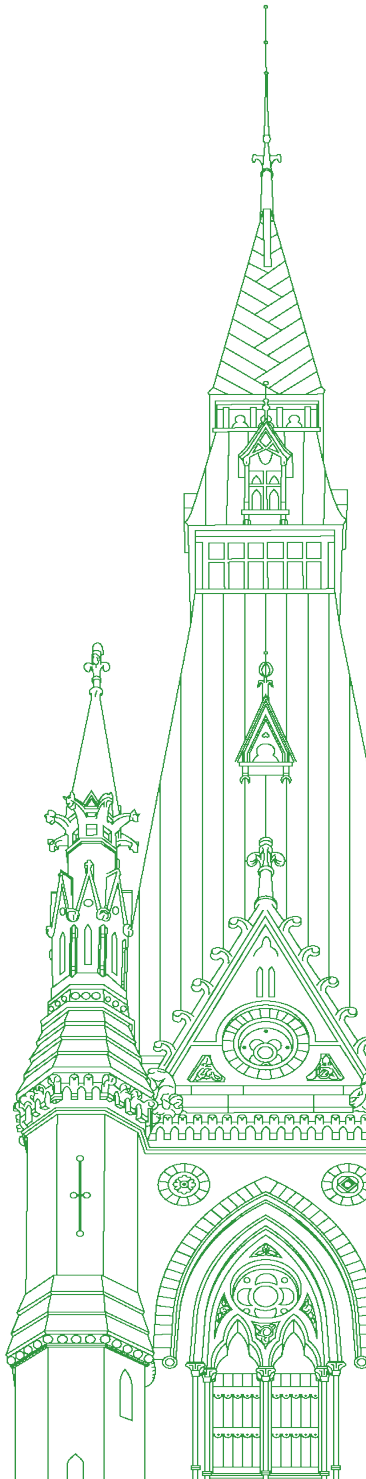

Chair: Mr. Scott Simms

Standing Committee on Canadian Heritage

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● (1535)

[*English*]

The Chair (Mr. Scott Simms (Coast of Bays—Central—Notre Dame, Lib.)): Welcome, everyone, to C-10's clause-by-clause consideration. Welcome back.

Before I get to resuming the debate we had, which was on CPC-9.5, I just wanted to let everybody know that there's been an addition. I think it's in your an inbox. A new amendment has been proposed that comes from Mr. Housefather.

If you look at the reference number, the last three numbers are 710. It's going to be labelled as LIB-9.1.

Now, where does that go? I'm glad you asked. I hope I get the page number right. It's going to be after CPC-11.2 and before the next clause, which is PV-26. I think that would now be page 106.

Mr. Maziade, did I get the page number right?

Mr. Jacques Maziade (Legislative Clerk): Yes and no. Page 105 would be G-14, but then we have three amendments in between, which are CPC-11, CPC-11.1 and CPC-11.2. LIB-9.1, which was just added this morning, should go at the end of the list. It's just before PV-26 and page 107.

The Chair: Thank you. I'll leave page numbers out, because it can be confusing, I know.

Again, that's a new LIB-9.1 from Mr. Housefather. It goes after CPC-11.2 and before PV-26.

Is there a need for any more clarification on that?

I have Mr. Shields. However, that being said, I think Mr. Aitchison had a question he wanted to raise.

Mr. Scott Aitchison (Parry Sound—Muskoka, CPC): Thank you, Mr. Chair.

I'm just wondering. At the end of this 54 minutes, does anything dramatic happen or do we just go back to what we were doing?

The Chair: I'll explain when we get there.

I'm going to recite what has been passed in the House and cite the instructions from the House. We'll go from there on the voting procedure. Is that okay?

Mr. Scott Aitchison: Okay, thank you.

The Chair: This is a learning process for all. I've been here 18 years and I haven't seen it.

(On clause 7)

The Chair: Mr. Shields, you have the floor.

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

We were in the middle of a debate on an amendment. I appreciated hearing from Mr. Louis—I really did—expressing his opinion and his desires for artists, performers and creators. It's great to hear opinions from committee members about the things that are meaningful to them.

I'm not sure of the reference about big tech. I like all performers, and whatever we can do.... The other side of it is performers, and I'm not one of them. I'm not a creator, but what I am is a person who buys tickets. I'm one of those people who really appreciate artists and creators of all different kinds, and I'm the one out there as a consumer who really supports them by buying tickets and wants to support them because I appreciate what they do. I purchase pieces of art, or admire the statue of David in Florence and line up for hours to do so.

Then there's the other side of it, those people who really want to support and appreciate art by buying the tickets to do it. We need to remember the consumers out there, because without those consumers to appreciate.... If the tree falls down in the forest and there's nobody there to hear it, did the tree make any noise when it fell?

I really do appreciate Mr. Louis bringing his opinions and concerns, though. On big tech, we've all agreed that there's going to be taxation. That hasn't been up for debate for a long time, and there's going to be a support of the culture side of it. We've done reports on how short a lot of that is out there in support, but we have a bill here that at times, I think, doesn't hit the mark. Big tech's money isn't the answer that we're working on with this amendment. It's freedom of speech for creators and performers, but again, I'm not one of those. I'm one of those who will pay the price to see, listen and appreciate those who do create. That's the part we have to remember that they drive, what it is that those people can do, and that's the part that facilitates their moving forward and being able to use their talents and express them in many different ways. Freedom of speech is very important for two sides: One is the consumer and the other is the artist.

Again, thank you, Mr. Louis, for expressing your opinion. I appreciate those people on the committee who will and do express them. We learn a lot more from each other when we take the time to talk about what is meaningful to us in our particular roles outside of this forum we are enclosed in at the moment.

Thank you, Mr. Chair.

● (1540)

The Chair: Ms. Harder, you have the floor.

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

I want to take a moment to speak to the motion. Obviously, there are a lot of things going on here, but at the heart of it, I think it has to do with artists or creators and discoverability online, and making sure that any regulations that are put in place do not infringe upon their charter rights or the charter rights of those who might view that content.

It's interesting to me that in this committee, when proposed section 4.1 was removed, there wasn't a unanimous call to hear from the artists. I think that's very sad because their voices have been ignored and they are going to be largely impacted by this piece of legislation. There's this whole world of digital first creators whose voices haven't been invited to the table. We are here at the 11th hour before this legislation gets rammed through and we haven't even heard from them.

How sad is it to not hear from this group that is going to be dramatically impacted by this legislation?

That being the case, I mentioned earlier at this committee that I've taken it upon myself to reach out to these individuals and hear their voices. There's one in particular who I would like to bring to this committee's attention as we continue to consider the amendment that is on the table by my colleague Mr. Rayes.

This is from an organization called Skyship Entertainment. This letter was written and submitted to me just within the last couple of days.

It is from someone by the name of Morghan Fortier. This individual is the CEO of Skyship Entertainment, which is an award-winning entertainment company owned and operated in Canada. Of course, they are using non-traditional media platforms.

I'm going to read it into the record, because again, I believe it's very important for this committee to consider the words of this individual. She writes:

> As one of Canada's top two YouTube creators, we are a proud example of how Canadian content can be successfully exported to the rest of the world. Our educational content enriches the lives of over 30 million viewers around the world every single day—

[*Translation*]

Mr. Alain Rayes (Richmond—Arthabaska, CPC): I have a point of order, Mr. Chair.

The Chair: One moment, please, Ms. Harder.

[*English*]

Mr. Rayes.

[*Translation*]

Mr. Alain Rayes: Excuse me, Mr. Chair.

The last thing I want to do is interrupt my colleague, but I want to make sure I understand the interpretation. Since the interpreters don't have the document in front of them, would it be possible for my colleague to read a little slower?

Mr. Martin Champoux (Drummond, BQ): I have a point of order, Mr. Chair.

[*English*]

The Chair: Mr. Champoux, go ahead.

[*Translation*]

Mr. Martin Champoux: Mr. Chair, in the same vein, I would invite my colleague Mr. Rayes to wear his headset and use the appropriate equipment to facilitate the interpreters' work.

Thank you, Mr. Chair.

[*English*]

The Chair: Indeed. That's sage advice on both counts.

Mr. Rayes, I didn't even notice whether you had it on.

Thank you, Mr. Champoux.

Mr. Rayes also brings up a good point about the pace of the reading.

Ms. Harder, please go ahead.

● (1545)

Ms. Rachael Harder: Thank you, Chair.

Again, Morghan Fortier writes:

> Our educational content enriches the lives of over 30 million viewers around the world every single day on YouTube alone. Additionally, we're one of the world's top children's music artists and our content can be found on streaming services such as Amazon Prime, Roku and Tubi to name a few.
>
> We produce nearly all of our content in-house at our Toronto production studio where we employ over 30 writers, musicians, designers, animators and puppeteers. We operate with no debt, no investors, and to date we have never received any of the government support that traditional Canadian TV broadcasters and producers benefit from.
>
> I am a proud supporter of Canadian content and have seen first-hand the quality that we can produce here. However, I am greatly distressed by Bill C-10.
>
> Despite our prominence we have been given zero opportunity to participate in any discussions regarding this legislation, and neither have any of our digital content contemporaries. This is distressing because Bill C-10 directly affects digital content creators, but it is being written by people who don't understand how digital platforms work and without any consultation of those it directly impacts. The proposed bill gives no consideration to the long-term growth of the companies that have evolved from the digital landscape.
>
> I worked for close to fifteen years producing series for TV broadcasters - the traditional broadcast industry. Having moved to the digital side of the industry in 2015, I understand how overwhelming this sector can be. But your lack of understanding cannot be an excuse to inhibit our industry's growth. Digital content creators are a vital and growing part of the broadcast industry, and our input should be mandatory.
>
> I do believe that government investment in quality content could lead to a strengthened Canadian Broadcast industry, but Bill C-10 does not do this. Rather than the promotion and elevation, it focuses on restriction and isolation. Rather than introducing Canadian content to a global audience abroad, it focuses on removing choice from our Canadian audience here at home.
>
> You have an opportunity to raise our traditional media companies to the standard of success our digital producers are experiencing. Instead you are choosing to antiquate digital companies. This is a step back, a step inward, and a step in the wrong direction.

Mr. Chair, this letter was written to members of this committee, and I was asked to share it today. It is with pleasure that I do so because this individual and this company raise a really valid point, and it's one that needs to be considered by all members of this committee.

I understand that we've had our squabbles, and I understand that this process might feel frustrated, but I think what needs to be rightly understood and stated here is that there is a legislative process in place within the House of Commons by which a bill is considered, clause by clause, statement by statement, and it is evaluated to see whether or not it makes for good legislation. That standard, of course, is going to be somewhat different for each party, because each individual comes to the table and views this legislation through a different lens. I understand that.

What needs to also, I believe, be carried with due weight is the fact that there are tens of thousands of creators who are going to be impacted by this legislation and their voices have not been considered.

It has been said that this legislation is going to level the playing field. I would propose to the committee that it will indeed level the playing field, but rather than calling traditional broadcasters up to the higher standard where digital first creators exist, it instead insists that those digital first creators be punished for their success and be diminished, that they actually be put down to a lower standard.

I don't think that's what it means to be Canadian. I don't think that is or should be the purpose of putting legislation in place, that we would downgrade people, that we would enforce a standard that lessens their ability to create and access an audience. Instead, why wouldn't we insist on the traditional broadcasters becoming better, coming up and learning from digital first creators.

● (1550)

Doesn't that seem innovative and creative, and doesn't that contribute to the e-commerce world the current government said it's committed to creating and supporting?

Right now, this legislation goes after those individuals who have talent, who have exercised an entrepreneurial spirit, who have been innovative and creative, who have taken risks and who have put themselves out there and found new ways to promote their skill, their talent, their ability and their ideas and to elicit an audience organically.

This legislation will empower the CRTC, or even call upon the CRTC, to put regulations in place that will impose algorithms on these artists. These algorithms will move their content or their creativity up or down in a queue. It will determine whether they get showed favouritism. Do they get to be in first place or do they get to be in 20th place? Maybe they get to be in 200th place. Maybe they appear on the first page when you search something on YouTube, or maybe they just get to be on page 27 where they'll never be found.

For the government to dictate that is extremely detrimental to the industry and to those artists who have so effectively invested their skill, their time, their talent and their money in order to be successful on these new platforms, this new way of being able to promote material, ideas or a skill, talent or ability.

Ms. Julie Dabrusin (Toronto—Danforth, Lib.): Mr. Chair, I have a point of order. We're discussing an amendment about independent legal opinions. I wonder when we're going to get to the part about independent legal opinions, because we are nowhere close at this point.

The Chair: Thank you, Ms. Dabrusin.

There are no time constraints as to when people take the floor, as we all now know. I appreciate that, yes, it is about independent legal opinions tying into the Canadian Charter of Rights and Freedoms, particularly section 2(b). Ms. Harder is talking about online undertakings per se. I can only assume that this will tie into the amendment as we go further, but again, there are no time limits as to when she can do that.

Ms. Harder, with that in mind, the floor is yours.

Ms. Rachael Harder: Mr. Chair, thank you for being so gracious with Ms. Dabrusin and helping her understand the credibility of my argument.

This has to do with charter rights. This has to do with discoverability. This has to do with algorithms. This has to do with regulations. I'm talking about creators, and I understand that the members of this committee seem to be uncomfortable, for whatever reason, talking about the greatness that exists within the Canadian people who have determined to be creators on these digital first platforms.

I'm unsure as to why that discomfort exists. I'm unsure as to why the members of this committee have refused to hear their voices. I'm unsure as to why the members of the government would like to force this piece of legislation through without first considering those who are going to be impacted by it in negative ways.

I can only assume that there is some alternative agenda at play here, because I don't know why else a government would wish to punish a good section of our population who, again, have invested the time, talent, money and energy into being productive citizens, into being able to promote material that Canadians are accessing freely and enjoying.

I'll also mention that they're creating an income for themselves, many of them a full-time income. More than 25,000 of those individuals who are Canadian are producing an income of over $100,000 a year. It's amazing. I'm just so baffled by the fact that we're not actually celebrating that as a committee. I'm baffled by a government that started out by saying they were all for seeing the expansion of e-commerce, yet this bill is a direct attack on that. It's a mystery to me.

Here we are, with a few minutes left before the five hours are up, before the gag order takes full effect, before my voice and the voices of my Conservative colleagues on this committee are quelched, but most importantly, we have a few minutes left before the voices of these tens of thousands of creators are wiped out, silenced, put into a black hole, before the government implements regulatory measures that are either going to move them up in the queue or down in the queue, show them favouritism or punish them for their success, determine who gets to succeed and who doesn't. It's a sad day. I'll end there.

● (1555)

[*Translation*]

The Chair: Mr. Champoux, you have the floor.

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

I will take a few moments to offer my opinion on this amendment. We are indeed discussing an amendment.

I'm going to have a question or two for our friends in the department, particularly Mr. Ripley.

First of all, I want to commend the member for Lethbridge for listening to the artists. We can see that she's sensitive to the artists' cause.

However, when she says that we haven't listened to the artists, that we haven't heard them, I'd like to point out that the artists we're talking to are represented by associations such as the Union des artistes, the Association québécoise de l'industrie du disque and the Association des professionnels de l'édition musicale. These are recognized and important associations. They are not lobbies; they are also unions and groups representing artists.

She talks about artists who, in her view, are in niches and stuck in the nineties. Yet the vast majority of these artists are using electronic platforms to distribute their art. So these artists are not so out of touch, these artists are not so far removed from the ones she's talking about, who she feels we should have listened to.

Furthermore, the artists she's talking about who she feels we should have listened to are often YouTubers, people who have platforms or channels on which they post content. Yet, these folks are not subject to the regulation proposed in Bill C-10. That's one of the questions Mr. Ripley has answered a number of times.

It's easy to build a series of arguments out of falsehoods, to spin it all out of proportion and make a big deal of it. You have to be careful, you have to say real things too, and you have to speak to the real world.

We're talking about 200,000 artists represented by associations like the ones I just mentioned. These 200,000 artists do not have niches and are not stuck in the nineties. These are artists who would have deserved a much more heartfelt apology than what we just heard from the member for Lethbridge, based on the comments.

Having said that, I'd like to once again ask Mr. Ripley about the amendment we're talking about here.

Isn't this request that we would make in adopting CPC-9.5 simply a way to make the CRTC's job much more cumbersome? Won't this amendment only complicate things, when they are already pretty clear in the bill we're in the process of passing?

[*English*]

The Chair: Go ahead, Mr. Ripley.

[*Translation*]

Mr. Thomas Owen Ripley (Director General, Broadcasting, Copyright and Creative Marketplace Branch, Department of Canadian Heritage): Thank you for the question, Mr. Champoux.

I would say that the proposed amendment will put a heavier burden on the CRTC, because for every decision, every order and every regulation, the CRTC will have to seek an outside legal opinion and then publish it on its website and in the *Canada Gazette*. I believe that's what is proposed.

Again, it's not a question of whether or not the CRTC is subject to the Charter; obviously it is. Obviously, too, recourse is available should anyone wish to challenge a decision made by the CRTC.

If this amendment carries, it will surely increase the burden on the CRTC, because it will require it to seek a legal opinion for each of its decisions and then publish it in the*Canada Gazette*.

● (1600)

Mr. Martin Champoux: May I ask another question, Mr. Chair?

[*English*]

The Chair: Yes, indeed.

[*Translation*]

Mr. Martin Champoux: Mr. Ripley, I don't want to make you repeat things you've already said over and over again, but I submit the following. Let's take the example of the CRTC issuing a directive or replacing a regulation, and inadvertently, this could potentially have the effect of violating the Canadian Charter of Rights and Freedoms, namely infringing on the freedom of expression of Canadians. First, is that possible? Second, would the decision be final?

What procedure would need to be followed, starting from the moment a Quebecer or Canadian feels that the decision rendered by the CRTC infringes upon their rights and freedoms or penalizes them in their freedom of expression?

Mr. Thomas Owen Ripley: Thank you for the question, Mr. Champoux.

I will point out two things.

First, because the CRTC is an administrative tribunal, every decision it makes is subject to judicial review. That means people can use judicial review to challenge a decision made by the CRTC. We know that CRTC decisions sometimes go to judicial review.

Second, section 31 of the Broadcasting Act already provides the right to appeal a CRTC decision on a question of law or jurisdiction. Again, section 31 provides a right of appeal that can be exercised if one believes that the CRTC has misinterpreted the act in a decision it has made.

Mr. Martin Champoux: You have raised a good point: if someone feels that the CRTC has misinterpreted the act, they have recourse.

I don't want you to think that I'm making you repeat yourself, Mr. Ripley. In fact, I've been listening to you very carefully over the past few weeks. I'd like you to tell us whether you feel there is any cause for concern that the current wording of Bill C-10 could allow the CRTC to misinterpret the act and violate the Canadian Charter of Rights and Freedoms in its regulations. Based on your interpretation of Bill C-10 and the Broadcasting Act, do you see any cause for concern?

Mr. Thomas Owen Ripley: Thank you for the question.

We know that, since the Broadcasting Act came into force, it has included a section indicating that the act must be interpreted with respect for freedom of expression and freedom of creation, among other things. Therefore, the government considers that this obligation is already included in the act.

Could a CRTC decision possibly violate the Canadian Charter of Rights and Freedoms? Yes, it's possible. Again, that is why the act provides certain remedies so that there is oversight by the court system. That's why we have federal courts that can ensure that decisions made by administrative tribunals like the CRTC obey the law.

For example, if there is a suspicion that a regulation on the issue of discoverability is not consistent with the Charter, a mechanism exists to go the court and get a response on that issue.

● (1605)

Mr. Martin Champoux: I want to take advantage of your presence to ask you for some clarifications, Mr. Ripley. There is little time left in the five hours we have to close debate on this bill.

In recent weeks, our Conservative colleagues have repeatedly said that people are earning income from their activities on the Web, such as YouTube channels. They may be influencers or simply artists who use the new platforms to make a living from their art. Indeed, some of them make a very good living, and that's quite admirable.

These individuals are obviously not broadcasting undertakings per se. Is that how you understand the situation as well, Mr. Ripley? Could you be clear on whether a YouTuber, even if they are generating revenue through artistic, creative or other online activities, will be subject to regulation?

Mr. Thomas Owen Ripley: Thank you for the question.

Under proposed subsection 2(2.1), which is still in the bill, an individual who uses social media to disseminate content is not considered a broadcaster. They are therefore not subject to CRTC regulation.

There is no need here to consider whether that individual can participate in CRTC processes or whether they must comply with CRTC regulations or orders, as proposed subsection 2(2.1) is quite clear: An individual, unless they are affiliated with a social media outlet, is not considered a broadcaster, regardless of how many subscribers they have or how much annual income they earn from the content they post on social media.

Mr. Martin Champoux: I'm glad you said that again, because that's exactly what I have understood from the beginning. I feel like the debate that's been going on for the last six weeks may have been unnecessary and that this committee could have resolved this issue long ago, if only we had taken the time to really listen to what the people we were talking to were saying.

Mr. Ripley, I have a question for you.

Personally, I worked for about 30 years in the media, in radio and television. Like other colleagues who have had a career in the media, I've followed the CRTC's activities and have seen its decisions. I may not have followed it all closely, but I took an interest in it. I've also been aware of the regulations and the changes that have been made to them over the years, even though they didn't always go the way we would have liked, particularly with respect to radio.

When it comes to regulations, the CRTC operates through hearings. When the CRTC puts regulations in place, it's as a result of hearings. The various stakeholders who wish to participate in these hearings send in their briefs or requests to appear. Subsequently, some are invited to appear to make their views known during the process. In the end, it works relatively the same way as a parliamentary committee.

Do you agree that if people who use online platforms to make a living from their art and creations feel challenged by this bill and by the introduction of these new regulations, they are free to participate in the CRTC's public hearings, in this case? Am I wrong in making that interpretation?

Mr. Thomas Owen Ripley: Thank you for the question.

As my colleague Drew Olsen explained earlier, the CRTC will be launching public hearings where people will have a chance to submit their views as well as documentation related to the regulatory process.

With respect to discoverability requirements that may apply to social media companies, anyone will have the opportunity to express their views on the subject. It's expected that digital creators and the associations representing those creators will have a keen interest in these regulatory issues and will participate in the process.

● (1610)

Mr. Martin Champoux: Let me summarize how we interpret Bill C-10 and the measures we want to put in place. I agree with my colleagues that we should not presume how the CRTC will interpret the act on which it will have to base its regulations. However, the current version of the bill doesn't raise concerns for users of online platforms, contrary to what some experts have suggested. According to several other experts, it doesn't represent an infringement of freedom of expression or of other principles in the Canadian Charter of Rights and Freedoms in general.

Furthermore, if by any chance people we did not have the opportunity to hear from are concerned and want to give their opinion, they could participate in the CRTC public hearing process.

Ultimately, if a decision made by the CRTC violates the principles of the Canadian Charter of Rights and Freedoms, including freedom of expression, there is recourse to the courts.

So there are several layers of protection, in my view.

Actually, this is not a question for you, Mr. Ripley. Rather, it is the conclusion I draw from the many responses you just gave me, for which I thank you very much.

I will try to stick to the amendment that we're talking about, Mr. Chair. I want to avoid doing what some of my colleagues seem to be doing, as you like to say, venturing off the playing field. We're talking about freedom of expression and adherence to the Canadian Charter of Rights and Freedoms and the tools we put in place to do that.

I believe we have listened carefully to everyone and we haven't muzzled anyone. I don't think we have censored anyone in the last six weeks. We've clearly heard the concerns of our Conservative colleagues. In fact, I think it's very unfortunate that we've come to a process like the one in place. Ultimately, we urgently need regulations to level the playing field in the Canadian broadcasting system.

We have artists in Quebec and in Canada who are anxiously awaiting this bill. It's urgent that it be passed. All these individuals are also eager to take advantage of the digital world, just as much as those who are already there or who have been discovered through digital media.

I very much hope that we will conclude this debate in a cordial and productive manner, and that we will all move forward with the best will in the world. As I said earlier, more than 200,000 artists, creators, craftspeople, technicians and authors, to name but a few, are represented by the handful of associations we've been in contact with over the past few months. They are imploring us to pass this bill before the end of the session.

I'm going to stop there, Mr. Chair. I know those individuals are listening. I just want to tell them that we stand firmly with them and we sincerely hope that we can deliver Bill C-10, for which they have been waiting far too long.

Thank you, Mr. Chair.

The Chair: Thank you very much.

[*English*]

Before I go to Mr. Rayes, for the sake of transparency, we've already referenced the fact that we are under a five-hour debate instruction from the House. This is just to give you an idea of where we are as we get closer to the landing mark. Can everybody see the time? There you have it.

Monsieur Rayes, you have the floor, sir.

[*Translation*]

Mr. Alain Rayes: Mr. Chair, thank you for allowing me to speak to my amendment once again.

Let me go back to what my colleague Mr. Champoux from the Bloc Québécois said: all's well with the world as long as there are no problems. I know that Mr. Ripley says that freedom of expression is protected; he's giving us the department's take on it. However, as Mr. Champoux has correctly pointed out, there are many voices in this country, including credible experts, who are expressing an opinion that is completely opposite to the department's vision.

At the heart of this issue is the CRTC, an agency whose approach is, in some respects, challenged by a number of people, including former senior CRTC officials. They are strongly questioning this bill.

I want to make something clear: I am not trying to digress from the subject, but I want to talk about an article that was published this week in *La Presse*, which is one of the most credible media outlets in the country. The reporter Philippe Mercure wrote this piece about a decision the CRTC made on Internet rates. Some may say that this is not relevant to the topic, but I simply want to illustrate how the CRTC works. Prime Minister Justin Trudeau had clearly said in 2015 that he wanted to lower people's Internet bills. Despite clear government directives, the CRTC went back on its 2018 calculation and made a decision that helped the big players, to the detriment of the public.

According to the reporter who is an expert on this issue, the CRTC made “a 180-degree about-face, which the federal agency explains... by 'errors' made in 2019” in its own calculations. As a result of this decision, people's future Internet bills will more than double, because of an error that the CRTC apparently made in 2019. The reporter adds: “They ask us to just believe them. Except that the CRTC refuses to present a new calculation to justify its pro-industry shift.”

Toward the end of the article, he writes: “So the regulator is simply choosing to cancel the rate cuts and keep the current ones in place. In a stunningly casual manner, it states that, in any event, the new calculations would 'probably' arrive at rates that 'might approach' those currently in use.” The CRTC decides of its own accord to say that it will not even do the rigorous, scientific exercise that is required.

When I see such things happening with respect to people's Internet costs, I am led to wonder. What does this have to do with Bill C-10, you might ask? Well, I'm talking about the organization that will be given all these powers tomorrow morning, when we don't even know how the CRTC will read the bill, as Mr. Champoux pointed out. The CRTC has nine months to tell us how it will read the bill and how it will apply it, because there are no guidelines. All of us on the committee, not just the Conservatives, added guidelines to the bill for francophone content, Canadian content, and so on, because none of those things were there initially.

It is all very well to say that, based on how the bill reads, freedom of expression is protected. However, it seems to me that amendment CPC-9.5 that I am proposing provides an additional safeguard to ensure that the CRTC respects freedom of expression, which is fundamental and which many experts have called for. I am not just talking about regular Canadians, but also about recognized experts from various universities and the legal field across the country.

My amendment simply requires that the CRTC publish the legal opinion on its website confirming that the Canadian Charter of Rights and Freedoms is respected, and that this opinion be published in the *Canada Gazette*.

My colleague Mr. Waugh was saying that he had never read the *Canada Gazette,* and that's why we want the legal opinion to be published on the CRTC website as well. I understand not wanting to add unnecessary paperwork, but this is not too complicated. It would just take a fairly simple little 101 course. We can all relay the information afterwards on our web pages and social media.

Given the CRTC's track record, this requirement is just one more protective measure we are taking as a country, as Canadians. This will be good for artists, both those in associations and those who are independent and work from home.

● (1615)

Honestly, I do not believe that amendment CPC-9.5 is asking for anything excessive at all. With respect, even if it required a little more paperwork, as Mr. Ripley said in response to a question from Mr. Champoux, would that be too high a price to pay to protect our freedom of expression? I'm sorry, but freedom of expression is priceless.

I move this amendment with all due respect to my colleagues, to the officials who are here and to all those who have worked on this issue. Regardless of the expertise of each of us, we are all human beings. We have tried as best we can to improve the bill. It was not perfect at the outset, which explains the multitude of amendments that have been introduced. In fact, many of them are going to be squeezed through without our having had a chance to discuss them.

One way or another, the bill will be challenged in court. It is actually not true that things will go smoothly tomorrow morning, despite what people would have us believe. The Conservatives will not be the ones responsible for blocking the bill, the courts will provide us with justice. In this case, law professors or those in this specific area will challenge aspects of Bill C-10. I think that they too are entitled to have their expertise recognized whenever and wherever they comment.

I don't want to go any further, because I really want to see the vote on amendment CPC-9.5. I would also like to have the opportunity to introduce amendment CPC-9.6 afterwards, if we are not yet at the end of the five-hour period we have.

Thank you, Mr. Chair.

● (1620)

[*English*]

The Chair: Thank you.

Mr. Shields.

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

I appreciate Mr. Champoux's intervention and his opinions.

One of the things that he got from Mr. Ripley was the position that, yes, there are legal opinions. The second level they get, which they contract out, is legal opinions via the CRTC paying these people for those legal opinions.

As we've heard, this will be challenged in court for those people who, as you say and as I believe, are in disastrous need of support for moving on. This particular legislation, however, is going to keep that from happening because legal opinions are legal opinions, and there will be legal opinions on all sides.

I've been in elected positions where we would try with legal opinions to make legislation. At the municipal level, you do that, and you think that you've created the best, legally right legislation. Then you find out quickly that you haven't, but at a municipal level, you can change that legislation very quickly. You can amend it at the next meeting, or you can change the legislation at the municipal level.

I've been on provincial appointed boards—a health board—and we had lots of provincial lawyers, lots of them, but guess what? When somebody wants to challenge it, there are lawyers that they can buy for any legal opinion they want. When you put legislation in like we're going to, without as many safeguards as you can get, it's going to get challenged.

This amendment is attempting to add another layer of that legal opinion protection. That's what this is about, because the lawyers that they have, in house and contracted, are paid for by the government and the CRTC under their mandate, so their voice is for them. The outside legal voices will have differences of opinions. When you make a law federally—it's been 30 years since this one was touched—you don't change it next week, you don't change it next month and you can't fix it for many years, sometimes decades. You can do that at the municipal level. It's harder at the provincial level, and drastically difficult at the federal level.

These are legal opinions, both in house and contracted. With this legislation, they will be challenged because of problems with this legislation. It's going to tie this thing up in court. That's why you try, as with this amendment, to bring as much protection to decisions that are made as possible because those decisions, as we know, are made behind closed doors. There is no transparency, and there are no notes.

That's a field that's wide open for lawyers to get into—it really is. Yes, I wandered through law school one time and then came to my senses and said, no, I don't want to be doing this.

This type of thing makes it just a wide-open door for other legal opinions—it really does. When I say that word, “opinions”, that's what they are. They are in-house and contracted opinions for those who are paying their bills. For those on the outside, they will contract looking for opinions to support them, and that's why this will be tied up in court and delayed longer.

With this amendment, this is on a positive side trying to make it in a better place before it hits those opposition lawyers that will be there. This gives them more due cause to say, “This is grounds to challenge it.” If we see more transparency, if we see more legal opinions there will be fewer lawyers who want to challenge this because it's narrowed the field for more legal opinions to challenge it.

That's what this amendment is about. It's trying to protect this so that the legislation can move on and be enacted and protect those people in it. It protects the CRTC and their decisions. It adds another layer of validity to what they're doing. The more you leave it open, the more you leave it open for challenges, and if you don't understand how the legal field works, this is one that they're going to be able to see is more open to challenge without that extra layer.

● (1625)

Mr. Champoux, you want to get this done. People are waiting for it. I don't understand why you wouldn't want to put something in that more guarantees it is likely they'll get it, even a little slower, than its being challenged, with it more wide open for legal challenges to happen. They're all opinions until a judge makes a final ruling or a panel of judges makes a ruling. This is how the legal practice works. They all have opinions and they are people who are paid for those opinions. That's who they work for, the people who pay them, just like the ones in house work for the CRTC and the contracted ones.

I believe it's a good piece. Yes, it's going to slow the process down a bit, but it narrows the field for legal challenges by doing it, so we can get through this. It's a challenging piece of legislation. It could have been done much more quickly the other way, with fewer problems, if the amendment hadn't been made, but it's going to go forward. However, this is an amendment that could have helped.

Thanks, Mr. Chair.

The Chair: Thank you, Mr. Shields.

I'm going to go to Ms. McPherson.

Before I do, Ms. McPherson, the good news is that you have the floor. The bad news might be, as you can see, that time is dwindling. However, the floor is yours.

Ms. Heather McPherson (Edmonton Strathcona, NDP): I will be as fast as I can. Thank you.

I just want to respond and say that I think this is a good amendment. I'm happy to support this extra oversight. I think that's great and I'm very thankful to Mr. Rayes for bringing this amendment forward.

However, I want to also just bring up the idea and to flag that when Mr. Shields spoke about legal opinions, and the legal opinions being those of the ministry or the government or of those who are contracted by the CRTC, it's important that we recognize that there was a letter sent to the Prime Minister by 14 of Canada's preeminent broadcasting, telecommunications and entertainment lawyers, with decades of experience, who spoke very clearly about the concerns that have been raised by some of the Conservatives.

They made it very clear that the commission is not being given any powers to infringe on Canadians' charter rights, that this is clearly outlined in the Department of Justice's update to the charter statement and that these lawyers agree with the conclusion. They say:

> Bill C-10 would restrict the powers the Commission would have over social media services to: mandating financial contributions to support Canadian programming or the recovery of regulatory costs; discoverability, so Canadian creators can be more easily discovered and promoted online; registration, so the Commission knows which services are operating in Canada; and audit powers, to ensure compliance with all of these powers....

They also said it is simply false and completely ignores that:

> Users who upload content to these social media services would not be subject to the Act, as specified in proposed Section 2.1. Moreover, the Commission would not have the power to constrain the content on social media services, set program standards for these services or the proportion of programs on these services that must be Canadian.

Also some very smart legal opinion around this country has come forward and said some of the concerns that are being raised by certain members of this committee are completely unfounded. I think it's important that we get that on the record.

I realize I'm at the very last and at the tail end here, but I do want to make sure that that gets put into the record.

● (1630)

The Chair: Thank you, Ms. McPherson.

Everyone, that concludes our five-hour debate.

Before we take our health break, I'll be bold enough to say that I can represent everybody, all colleagues on this committee, and thank Thomas Owen Ripley, director general of the broadcasting, copyright and creative marketplace branch; Drew Olsen, senior director of marketplace and legislative policy; Kathy Tsui, who's the manager of industry and social policy in the broadcasting, copyright and creative marketplace branch; and Patrick Smith, senior analyst, marketplace and legislative policy.

Mr. Ripley, if I have left anybody out, please pass on my thanks. Indeed, you've been very gracious. We thank you.

Folks, following that, we now get to clause-by-clause as instructed by the House. We're going to go on a health break. I'd like to hold out for five minutes, please. When you're back on screen, turn your video on so that I can get a critical mass of MPs to begin once more.

Let's suspend for five minutes.

● (1630)

_____(Pause)_____

● (1640)

The Chair: Welcome back, everybody.

As you know, we are now within the confines of Bill C-10, clause by clause.

What I am going to do right now is explain the process in relation to the order that we received from the House of Commons. It goes like this:

> That, in relation to Bill C–10, An Act to amend the Broadcasting Act and to make related and consequential amendments to other Acts, not more than five further hours shall be allotted to the consideration of the committee stage of the bill....

That is what we have just completed. It continues:

> That, at the expiry of the time provided in this order...any proceedings before the Standing Committee on Canadian Heritage on the said bill shall be interrupted—

We've just done that:

> —if required for the purpose of this order, and, in turn, every question necessary for the disposal of the said stage of the bill shall be put forthwith and successively, without further debate or amendment.

What we're going to do is go through this clause by clause. There are three things to remember. Because of the orders from the House of Commons, voted on by a majority of the members, for these clauses there can be no debates, no amendments from the floor or subamendments pertaining to any amendment that is possible. This is a voting exercise that I am sure you have done before, and I don't need to explain how that goes.

Here is an important part. I have two rulings to make regarding the package of amendments that we have. For those folks who are listening at home, we as members propose amendments in advance to be studied and distributed amongst committee members, but they are not officially moved. We have gone through several. We still have several on the schedule here, but I have to get to two rulings before discussing any further.

Before I do the rulings, remember, whenever this chair makes any ruling, there is no debate on that ruling, but there is a process of appeal in a challenge. It has to be done following the ruling that is made. Again, I have two rulings, so let me deal with number one first.

Pursuant to the routine motion adopted by the committee, I have an obligation to put to a vote amendments from any member who is not a member of a caucus represented on the committee left to deal with in the package of amendments. These amendments will be deemed moved.

What I am saying to you is this: Orders that were adopted a few years ago—and I mentioned this during the committee—deem that motions by any unrecognized party on the committee are deemed to have been moved. In this particular case, it comes from one source, which would be the Green Party. These are all the amendments that say PV, *Parti vert*, so they are PV-26 and PV-27.

According to the routine motions that we have adopted, those motions made by Mr. Manly, PV, have been deemed moved. That means we will be voting on *Parti vert*, Green Party amendments that were proposed, because they have been deemed moved. This is a rule in place.

Now, again, Mr. Manly does not have the right to vote, but he does have the right to propose amendments, and once those are in our packages, those are deemed moved. Therefore, we will be voting on those.

That is the first ruling.

By the way, there's something else I should mention. I'm going to go very slowly with this, because I want everyone to understand what we're doing and I want to make sure that everyone is aware of how the process goes. I'll probably go at the pace of the heartbeat of a hibernating bear, and I apologize if you find that frustrating, but I truly want everyone to understand.

Mr. Rayes, I see your hand up.

● (1645)

[*Translation*]

Mr. Alain Rayes: Mr. Chair, I don't know if this is a valid point of order or if it's just a request for clarification, but it seems to me that the time allocation motion adopted by the House of Commons clearly states that no new amendments can be introduced once the committee has reached the five hours of debate, as we just did.

So I would like a clarification from you, Mr. Chair. I was under the impression that after that time, only those amendments that had already been introduced would be voted on, not the others that were added later.

[*English*]

The Chair: The clarification is this: It's about what motions have been moved. The package you have contains all of them, from LIB to CPC to NDP to PV. In order for it to be considered, it has to be moved.

We adopted a motion at the beginning of this session that stated that motions put forward by any party that is not recognized on committee are deemed moved, so all of the PV amendments that you see in your package are deemed moved on day one of the clause-by-clause consideration.

If it's not moved, then it's not on the table to be dealt with. If you recall, I couldn't do anything about a lot of the other amendments because they weren't deemed moved, but because of the rules adopted at the beginning of the session, any party that is not recognized has the ability to put these in, to submit them to the chair, to the committee, and they are automatically deemed move.

That is a ruling that I made based on the standing orders.

Mr. Aitchison.

Mr. Scott Aitchison: I'd like some clarification as well then, Mr. Chair.

Based on that, the only remaining amendments that are moved are those Green—

The Chair: Mr. Aitchison, you may find an answer to what you're asking when I do my second ruling.

Mr. Scott Aitchison: Thanks. I'm sorry. I got ahead of you.

The Chair: I don't mean to prejudge what you're about to ask. It's just that I think I might be able to answer your question.

Right now I'm still dealing with the first ruling, so now that is done.

That brings me to my second ruling.

All the rest of the amendments here have not been moved. Therefore, under the guidance—and in this case it's fairly strict guidance—of the standing orders, we will not be able to vote on the amendments by the parties.

Does everybody now understand why? It's because they're not moved. I am under strict orders to look at clause-by-clause on Bill C-10. These amendments have not been moved, and we cannot vote on something that has not been moved.

Mr. Housefather.

● (1650)

Mr. Anthony Housefather (Mount Royal, Lib.): Thank you, Mr. Chairman.

As always we benefit from your wisdom.

The Chair: I'd say that opinion is accepted on division, but go ahead.

Mr. Anthony Housefather: Because I believe that all of the amendments by all of the parties should indeed be considered and voted on, I challenge the ruling.

The Chair: Absolutely. When there's a challenge to a ruling, we go straight to a vote.

I just want everyone to understand what's being done, which is that I ruled that the amendments that we have not dealt with, which are CPC-9.5 and on, are not moved and we cannot vote on them.

Mr. Housefather has now challenged that ruling, and I'm going to turn to the clerk for the vote.

[*Translation*]

Mr. Martin Champoux: Mr. Chair, I'd like some clarification.

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

[*English*]

The Chair: Unfortunately I have to go straight to a vote, but if you're asking for clarification....

[*Translation*]

Mr. Alain Rayes: That's right, I'd like some clarification.

Since this is an important decision, could you give us five minutes to consult with our respective party colleagues to decide how we are going to vote?

[*English*]

The Chair: Yes, since we are in uncharted territories, Mr. Rayes, I think that's a fair request. However, I ask everyone to please keep this break to five minutes or less.

Be very quick, Mr. Champoux.

[*Translation*]

Mr. Martin Champoux: I will be brief, Mr. Chair.

If your decision is overturned as a result of the vote of the committee, do we have to vote on all the remaining amendments that we have not debated, or could some of the amendments be removed from the list?

[*English*]

The Chair: Yes, it is just strictly a reversal.

Is everybody okay?

We'll see you in five minutes. Don't forget to turn your video off and then turn it back on when you're ready to come back.

We are suspended.

● (1650)

_____(Pause)_____

● (1655)

The Chair: Welcome back, everybody. Once again, this is clause-by-clause on Bill C-10.

I'm going to clarify once more what we're doing right now. The ruling was such that—

Mr. Anthony Housefather: Mr. Chair, on a point of order, Mr. Champoux is not there.

The Chair: Thank you for that, Mr. Housefather. I thought I saw him.

There he is.

Mr. Champoux, it's good to see you back.

Let me describe this one more time so that we're all on the same page.

The second ruling I made was that any motion that's not been moved cannot be voted upon. Mr. Housefather has challenged the ruling, so the vote will be on whether the chair's ruling should stand. In other words, if you agree with me that we shouldn't deal with these amendments, then you vote yes. If you think I'm wrong in my judgment, or by the standing orders, then you vote no and the amendments go back into play. They will be voted on again.

There's one more thing I'd like to point out, though. If the ruling is overturned, the amendments go back in—all that are there. If you wish to remove one, you can do it at any time, until I say, for example, now we're doing this G-12. Once I say that, G-12 has been moved and, therefore, you would need unanimous consent to withdraw it.

Is that clear?

Monsieur Rayes.

● (1700)

[*Translation*]

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

I have two questions.

First, do we need unanimity to overturn your decision? In other words, does your decision stand as soon as one person says they support you?

Second, does the committee have the power to change a decision of the House of Commons that has been referred to it?

[*English*]

The Chair: The quick answers are no and no.

On the first question, no, you don't need unanimous consent. A majority can overturn the decision. On the second part, no, the instructions from the House were clear—they were passed by a majority of the House—and we have to go through with that.

Did I hear someone else?

Go ahead, Mr. Rayes.

[*Translation*]

Mr. Alain Rayes: Mr. Chair, if we cannot change the decision of the House of Commons, how can we vote to allow the amendments that have not been introduced to be voted on? The motion of the House of Commons is clear: we must vote only on the amendments that have already been introduced.

[*English*]

The Chair: That's correct to a certain degree, but keep in mind, under normal circumstances, what they're asking.... The instruction from the House is that you then proceed to what you were normally doing, except you don't propose amendments or you don't debate. Whatever is moved can be voted on in clause-by-clause, and because these are not moved, then we cannot vote on them.

However, if you overrule my ruling, then they're back in play—we do just the other thing—and that is the will of the committee to do that.

Mr. Scott Aitchison: I have a point of order, Mr. Chair.

I respectfully have to disagree. We've not overturning your ruling if we vote against you. We're trying to overturn a ruling of the House of Commons. I don't think we can do that.

The Chair: No, I think.... Okay, here's what I will do. Maybe I'm not explaining this well.

Monsieur Méla, are you there, or Aimée?

Either one of you, please go ahead.

Mr. Philippe Méla (Legislative Clerk): I am here, Mr. Chair.

The Chair: Go ahead. I think you heard Mr. Aitchison's concern.

Mr. Philippe Méla: Mr. Aitchison, the motion of the House is silent as to what to take into consideration. We have the package that's here, and the motion says, “every question necessary for the disposal of the said stage of the bill shall be put forthwith and successively without further debate or amendment.”

Basically, the interpretation that's being given by the chair is that there are the amendments from the *Parti vert* that are deemed moved, according to the motion that was passed by the committee, so those are going to be voted upon. The others—that's the interpretation of the motion by the chair of the committee—will not, because there is no motion adopted by the committee that designates them as deemed moved.

Since this is an interpretation by the chair of the motion by the House, it is up to the committee to decide if the committee agrees with this interpretation or not. We have had a few examples of that happening in the past.

It's an interpretation that the chair is giving on the motion by the House, and after that, it's up to the committee to decide if it agrees or disagrees with the ruling of the chair.

The Chair: That being said, I see Mr. Rayes's hand up, but, folks, the other thing I'm supposed to be doing right now is going directly to a vote on the challenge. Let's just say I've been stepping all over that particular rule and I really don't want to do that anymore.

I see everyone's hand down, so we're going to the vote. Once again this is to sustain or to agree with my ruling.

(Ruling of the chair overturned: nays 7; yeas 4)

The Chair: There you have it. You don't have to worry about my being offended—trust me.

Now that the rulings have been made, we're now going to dive into it.

Let me just say this before we go any further. It means that all of the amendments you've handed in, which are in our huge package—or, as I like to call it, the hymn book—are now back. We will vote not only on the *Parti vert* ones, the PV amendments, but also on the CPC ones.

For the people watching us at home, I understand that you are not able to see these particular amendments or hear about them. I'm sure someone who's watching this closely may find that frustrating. This is my own opinion, dare I say it, but maybe at some time in the future we can talk to procedure and House affairs, since people watch online, on computer, and we can have some type of split-screen whereby they can actually see the amendments. That's just my opinion. I'm putting it out there, colleagues, for the sake of people who are watching. A lot of people are watching this right now, and we welcome them.

As we go through the clauses, we're going to do the amendments. When I say "CPC" that's an amendment put forward by the Conservative Party. When I say "LIB", that is one put forward by the Liberal Party. When I say "BQ" that's one put forward by the Bloc. NDP and the number means one put forward by the New Democrats. "PV" will be *Parti vert*, the Green Party; and, finally, "G" means an amendment by the government.

That being said, because all of these amendments are back in, I still have the ability and should make rulings on each of these amendments. Some may be inadmissible. Primarily, usually, that's because they're beyond the principle and scope of the bill. If I do rule that an amendment is inadmissible, I will explain why. You still have the option of challenging that ruling, but it's a straight vote; it's not a debate. I will call for that. I will explain my ruling, and then you have the choice of either challenging it or not, and then we move on to the next one, but there is no debate.

Again I remind everyone that there is no debate and no amendment or subamendment in this exercise.

All that being said, we left off on—

● (1705)

Mr. Scott Aitchison: I have a point of clarification, Mr. Chair.

The Chair: Go ahead, Mr. Aitchison.

Mr. Scott Aitchison: There's no debate—I understand that—but are we permitted to ask questions of clarification about the amendments or is that considered debate? Can we ask staff to make sure we understand what we're voting on?

The Chair: I'm afraid not, Mr. Aitchison. I feel for the process. I feel for you—I do—but no. That's part of the debate as well, the normal course of debate. This is strictly now getting to each of the clauses and amendments that we've reinstated.

We left off with CPC-9.5 That's from the Conservative Party, amendment CPC-9.5.

(Amendment negatived: nays 6; yeas 5 [*See Minutes of Proceedings*])

The Chair: Before I go to the next one, when we do the voting, folks, I just want to be clear that when I call "shall it carry", there are a couple of options that we've worked out. You can say "no"; however, if you agree with it, you don't have to say anything.

If nobody says anything, I'm going to let it carry. If you say "no", I will go to a vote. If you wish to suggest that it carry on division or be defeated on division, you can make that suggestion at the same time. I can go back to the committee to find out if that is the way you wish to proceed.

Okay? If you agree with it, you don't have to say anything.

This brings us to CPC-9.6, and I have something a little different.

In reviewing CPC-9.6, it says it would add, in proposed section 9.2, in clause 7, after line 19 on page 8: "The Auditor General of Canada shall annually audit all the orders, conditions, regulations and decisions of the Commission"—meaning the CRTC—"with respect to the discoverability of programs".

I don't need to proceed any further.

The reason I say that is that, if you look to page 770 in the third edition of *House of Commons Procedure and Practice*, it talks about "beyond the scope and principle of the bill". In second reading, the House passed the bill, which means we accepted it in principle and scope, or at least the House did. I understand that not all of you do, but the majority of the House accepts the principle of it.

If we propose things that go beyond the scope of the bill, then it's my responsibility, as chair, to deem it inadmissible. What is going on here is that this particular amendment, CPC-9.6, calls on the Auditor General to do the work, but nowhere in Bill C-10 does it call on the Auditor General to do that. Not only that, it doesn't even require in the Broadcasting Act for the Auditor General to do that.

I'm not ruling on the intent of the amendment. In other words, I'm not saying I don't like the Auditor General. I'm saying that because Bill C-10 does not specify any function for the Auditor General to be involved, I have to rule it to be inadmissible. That's the ruling.

Mr. Rayes.

● (1710)

[*Translation*]

Mr. Alain Rayes: May I challenge your ruling, Mr. Chair?

The Chair: Yes.

Mr. Alain Rayes: Mr. Chair, I still love you, but I challenge your ruling.

[*English*]

The Chair: Thank you, sir.

Now, we go through the same process again. Should the decision stand?

(Ruling of the chair sustained: yeas 6, nays 5)

● (1715)

The Chair: I have news for you. We're actually done with clause 7. How about that? We have to check to see if that's the longest clause in our history of Parliament. Probably not, but I digress.

We are finished with clause 7, which brings us to the vote.

(Clause 7 as amended agreed to: yeas 7; nays 4)

The Chair: If I ask for something to carry and you don't wish to chime in, you can do a thumbs-down if you wish, or make it quite obvious that you're not pleased. That will give me a good indication that I should go to the clerk for a vote.

(On clause 8)

The Chair: We'll start with LIB-7(N).

[*Translation*]

Mr. Alain Rayes: Are we at clause 9 or clause 8, Mr. Chair?

[*English*]

The Chair: This is clause 8.

[*Translation*]

Mr. Alain Rayes: Thank you.

[*English*]

The Chair: Shall LIB-7(N) carry?

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

The Chair: We'll now go to BQ-26(N).

[*Translation*]

Mr. Alain Rayes: Mr. Chair, I would like to have some clarification.

[*English*]

The Chair: Go ahead, Monsieur Rayes.

[*Translation*]

Mr. Alain Rayes: At the beginning, you were reading the amendments, so that everyone listening to us would know what was being discussed. Now, no one knows what the votes are about. Is it possible to continue as you did before and at least read the amendment? I know we can't debate it, but it would be helpful to read the amendment, if only to allow the people listening to us to understand why we are voting for or against. That's just my suggestion to you.

[*English*]

The Chair: The problem with that is that I would be engaging in debate, because it is admissible. The reason I started by talking about the amendment is that I was ruling it inadmissible. I could probably go as far as saying that BQ-26(N) replaces lines 12 and 13 on page 9, but that's probably not going to help you much. I can't engage in the introduction of it because we have to keep moving with what is admissible and keep voting on it.

I apologize, Mr. Rayes. As I said, I'll take this up with.... Actually, if everyone could give me a few minutes, let me clarify that. I'll see how far I can go on this. I apologize for the delay, folks.

Go ahead, Mr. Rayes.

● (1720)

[*Translation*]

Mr. Alain Rayes: I would appreciate it, Mr. Chair.

I don't want to have a debate, and I will defer to your decision. However, for the sake of the public interest and transparency, a good option would be to at least hear the heading of the amendment before the members of each party vote.

[*English*]

The Chair: I appreciate that, Mr. Rayes, and I think you might have a point there. I'm going to break for just a moment to discuss this with our legislative clerks.

● (1720)

_____(Pause)_____

● (1720)

The Chair: We're back and out of suspension.

Mr. Rayes, I feel for you on this one. Like I said earlier, I would love it for people watching. It probably would be a nice marker to look at. However, technically, our rules state that once I start reading the amendment, it becomes officially a part of debate. The instructions from the House say we cannot engage in debate, so technically I can't even read it.

The only consolation I have for you is that, when the minutes are printed, when this is done, they will include all the amendments and the wording of them. Whether they're defeated or accepted, they will be in the minutes, so that people can see exactly what was voted on, the language of it and the whole thing, but as of right now, I'm afraid that, no, I cannot read it. I can only give you a title of what we are voting on. In this case, that would be amendment BQ-26(N).

I appreciate your weighing in on that, because that's clarification for all of us.

Okay, folks, back we go. The question is on amendment BQ-26(N).

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

The Chair: We now go to amendment PV-22. We're still on clause 8.

(Amendment negatived: nays 9: yeas 2 [*See Minutes of Proceedings*])

The Chair: Now we go to amendment G-12.

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

● (1725)

The Chair: That brings us to PV-23.

(Amendment negatived: nays 8; yeas 2 [*See Minutes of Proceedings*])

The Chair: That would have brought us to CPC-10. However, based on a ruling that was made on CPC-9, it is no longer at play.

Is that correct, Mr. Méla?

Mr. Philippe Méla: I think you skipped BQ-27.

The Chair: I knew that would happen. That is correct and I sincerely apologize. I was ahead of myself.

Mr. Champoux, that's no reflection on the value of what you're proposing.

Shall BQ-27 carry?

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

The Chair: I did mention that, because of the ruling on CPC-9, CPC-10 is no longer in.

We'll now go to G-13(N).

● (1730)

Mr. Martin Shields: Mr. Chair, I move to adjourn.

The Chair: Mr. Shields, we can always depend on you.

We will have a vote on the motion to adjourn.

(Motion agreed to: yeas 9; nays 2)

The Chair: We will see you tomorrow.

Ms. Julie Dabrusin: Mr. Chair, can I ask a question of the clerk, quickly?

The Chair: Do so very quickly.

Ms. Julie Dabrusin: How long will it take, from the time we complete this bill, to send it back to the House?

The Chair: Are you asking how long...?

Ms. Julie Dabrusin: Yes. Once a bill is completed, is it an immediate thing, or is there a period of time between the time it's completed here and gets back to the House?

The Chair: Can we get back to you on that?

Ms. Julie Dabrusin: That would be great. I would appreciate that.

The Chair: I have a mandate here to adjourn....

I'm sorry, Mr. Méla. I know that we just voted on adjournment, but go ahead—it's the chair's prerogative—if you wish to respond.

Mr. Philippe Méla: Yes, if permitted. Thank you.

It depends, really. In this case, it's going to take quite a few days because of the number of amendments. I suspect either Monday or Tuesday for reporting to the House if we finish tomorrow.

Ms. Julie Dabrusin: Thank you.

The Chair: All right. We'll see you tomorrow, folks, at our usual time and place—our virtual place—on Friday afternoon.

Have yourselves a wonderful day.