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# Standing Committee on Industry and Technology

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Chair: Mr. Joël Lightbound





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Thursday, September 28, 2023

• (1540)

[*Translation*]

**The Chair (Mr. Joël Lightbound (Louis-Hébert, Lib.)):** I call this meeting to order.

Good afternoon, everyone.

Welcome to meeting No. 87 of the House of Commons Standing Committee on Industry and Technology.

Today's meeting is taking place in a hybrid format, pursuant to the Standing Orders. Pursuant to the order of reference of Monday, April 24, 2023, the committee is resuming consideration of Bill C-27, An Act to Enact the Consumer Privacy Protection Act, the Personal Information and Data Protection Tribunal Act and the Artificial Intelligence and Data Act and to make consequential and related amendments to other acts.

I'd like to welcome our witnesses today, who honour us with their presence and who are here to answer our questions.

Joining us from the Office of the Privacy Commissioner of Canada is Mr. Philippe Dufresne, Privacy Commissioner of Canada, whom I now welcome. We are also welcoming Ms. Lara Ives, Executive Director, Policy, Research and Parliamentary Affairs Directorate, as well as Michael Maguire, Director, Personal Information Protection and Electronic Documents Act, Compliance Directorate.

We are pleased to have you with us. Thank you for taking the time to appear before the committee. On behalf of our committee, I apologize for the slight delay today.

Without further ado, Mr. Dufresne, you have the floor for your opening remarks.

**Mr. Philippe Dufresne (Privacy Commissioner of Canada, Office of the Privacy Commissioner of Canada):** Thank you, Mr. Chair.

Good afternoon, Mr. Chair, members of the committee, I am pleased to be here today to assist the committee in its study of Bill C-27, the Digital Charter Implementation Act, which would enact the Consumer Privacy Protection Act, the Personal Information and Data Protection Tribunal Act, and the Artificial Intelligence and Data Act.

I am accompanied by Michael Maguire, Director of PIPEDA Investigations, and Lara Ives, Executive Director, Policy, Research & Parliamentary Affairs.

I would like to begin by saying that I welcome the introduction of this bill. I view its introduction as an encouraging sign, as the act must be modernized to face challenges and to seize the opportunities presented by major technological advances, including artificial intelligence.

My office has long advocated for a modernization of both the Personal Information Protection and Electronic Documents Act and the Privacy Act, which applies to the public sector. Canadians expect modern privacy laws that will protect their fundamental right to privacy while supporting the public interest and innovation.

[*English*]

The bill addresses a number of concerns that were previously raised by my office and by others. For example, it requires that information used to obtain consent be in understandable language, it provides my office with order-making powers and it includes an expanded list of contraventions to which administrative monetary penalties may apply in cases of violations.

The introduction of the AIDA, the artificial intelligence and data act, could make Canada one of the first countries to regulate AI, which is important, given the technology's potential risks. Although the AIDA does not specifically address privacy risks, the CPPA, the consumer privacy protection act, would apply to the processing of personal information within AI systems.

Bill C-27 is a step in the right direction, but it can and must go further to protect the fundamental privacy rights of Canadians while supporting the public interest and innovation. I've tabled with the committee our written submission, setting out 15 key recommendations with the changes needed to improve and strengthen Bill C-27.

These are based on the three themes of my vision for privacy, which are, one, that privacy is a fundamental right; two, that privacy supports the public interest and innovation; and three, that privacy is an accelerator of Canadians' trust in their institutions and in their participation as digital citizens.

[Translation]

I will now highlight a few of our recommendations, but would invite committee members to also consult the full submission as well as our 15 recommendations.

Under the theme of privacy as a fundamental right, I recommend strengthening the preamble and purpose clause to explicitly recognize privacy as a fundamental right, and highlight the need to protect children's privacy and the best interest of the child, so that these important principles inform the interpretation of all aspects of the legislation. I understood from the minister's testimony earlier this week that the government agrees with this recommendation, and I'm delighted to hear it.

We also recommend that an organization's purposes for collecting, using or disclosing personal information be specific and explicit, and that penalties be available in cases where the personal information of Canadians is collected, used or disclosed for inappropriate purposes. Given the importance of the rules concerning appropriate purposes, effective remedies should be available to ensure compliance.

[English]

Under the theme of privacy in support of the public interest, we recommend that organizations be required to implement privacy by design and that privacy impact assessments be prepared in high-risk cases. This would be an important and necessary protection that would apply to high-impact AI systems. We also recommend that the definition of "de-identified information" be modified to include the risk of re-identification and that the government's authority to issue certain regulations be more narrowly defined. On this last point, I would note that the bill currently gives the government the unduly broad ability to completely remove activities from the scope of the act and to allow new exceptions to the consent requirement for business activities without having to show that those activities are necessary.

We also recommend that Canadians be given the right to request an explanation when an AI system makes a prediction, recommendation, decision or profiling about them.

Under the theme of privacy as an accelerator of Canadians' trust, and in order to ensure that most cases can be resolved quickly and without the need for lengthy legal processes, we recommend that my office have more flexibility in negotiating and enforcing compliance agreements and in co-operating and communicating with other regulators. Here again, the minister's testimony earlier this week suggests agreement with these points. It will be important to see the details of those proposals. This is important in many areas, but it will be crucial when dealing with AI and generative AI.

We also recommend that challenges to decisions of the proposed new data protection tribunal be brought directly to the Federal Court of Appeal in order to ensure timely and cost-effective resolutions for all parties. We note that as an alternative solution to achieve these goals, reviews of my office's decisions could be done by the Federal Court instead of the tribunal.

[Translation]

In the last budget, the government proposed temporary funding for my office of \$6 million over two years to undertake more in-depth investigations of privacy breaches and improve response rates to privacy complaints, as well as \$15 million over five years—this would be temporary funding—to operationalize new processes required to implement the proposed Consumer Privacy Protection Act. Should Parliament adopt Bill C-27, it will be essential that my office be properly resourced to fully and effectively take on important new responsibilities, especially those focusing on prevention. Otherwise, these costs will be borne by Canadians and by businesses themselves.

● (1545)

[English]

While our recommendations focus on the CPPA, some of them would also be relevant to AIDA. For instance, I note that AIDA provides significant authority to the government to define key aspects of the law by way of regulation. This would include, for example, determining what does and does not constitute justification to an otherwise discriminatory AI decision for the purposes of the definition of biased output. The government could also establish criteria through regulation for the purposes of defining a high-impact system or determining measures with respect to the way that data is anonymized and how that data can then be used and managed.

Given that all of these could potentially have privacy implications, it will be important to ensure that there is a formal mechanism for my office to be consulted in the drafting of these regulations. Our recommendation to allow for greater coordination and collaboration between my office and other regulators would also be essential in dealing with the privacy impacts of AI.

In conclusion, privacy law reform is overdue and must be achieved. Our recommendations aim to ensure that Canadians have privacy laws that recognize their fundamental right to privacy while allowing them to participate fully in the digital economy, support innovation and position Canada as a leader in this important and evolving area.

[Translation]

I note that many stakeholders are also putting forward submissions and I thank the committee in advance for the critical work that it will do in its review of this important bill and in ensuring the protection and promotion of the privacy of Canadians.

Thank you for your time. I would now be happy to answer any questions that you might have.

[*English*]

**The Chair:** Thank you very much, Mr. Dufresne.

To start the discussion, I'll turn to Mr. Vis for six minutes. Mr. Vis, the floor is yours.

**Mr. Brad Vis (Mission—Matsqui—Fraser Canyon, CPC):** Thank you, Mr. Chair.

I'd like to thank the witnesses for being here today.

Mr. Dufresne, I want to thank you for your excellent work, including the 15 key recommendations that you put forward with respect to Bill C-27. For what I am about to do today, I apologize. I know your time is very valuable, but I am about to move a motion with respect to the testimony that was given by the minister at the last meeting. I am doing so because the minister indicated that he would be making amendments to the bill, but he wouldn't provide the committee with those specific amendments.

As such, I am going to move a motion right now, Mr. Chair. I move "That pursuant to Standing Order 108(1), the committee order the Minister of Innovation, Science and Industry and his department to produce the amendments, briefing notes and memos referencing the amendments discussed by the minister in his opening remarks to the committee on September 26, 2023, provided that these documents be provided to the clerk of the committee within five business days." I believe that was just sent to the clerk to be sent around.

I am tabling that because I believe the minister came forward in good faith with those changes, largely based on the recommendations from our witness here today, and I believe it is in the interest of Canada and all members of this committee to have that information before we proceed accordingly.

Thank you, Mr. Chair.

**The Chair:** Thank you, Mr. Vis.

Mr. Vis's motion is on the floor. I believe it's about to be sent around by email by the clerk.

I see Mr. Perkins and then Mr. Turnbull.

**Mr. Rick Perkins (South Shore—St. Margarets, CPC):** Thank you, Mr. Chair.

The minister made very specific reference to 10 amendments. He was very detailed in his description. He made reference to the fact, in conversations around the table, that they exist. That was not in testimony but in the conversations. I think it is an insult to this committee, which is going to embark on quite an extensive study of probably one of the most important bills we'll see, both from the privacy perspective and from the perspective of the artificial intelligence act, which some have claimed may be an existential threat to humanity.

We should have the amendments so that the testimony we are going to embark on in the next 13-plus meetings—it's at least 13—enables the witnesses to adequately assess the latest version of the bill that the minister intends to present to Parliament. I think it is a dis-

service to every witness who has spent over a year and a half considering this bill since it was tabled in Parliament to reference at this stage that he is amending the bill, going into the specific details—I can repeat from his speaking notes what he said—on those amendments, but then say, "Oh, no, they'll come during clause-by-clause study."

That is unacceptable, because witnesses will adjust their testimony based on how the government intends to make sure that a fundamental right is in section 5—as mentioned in the Privacy Commissioner's brief, as well as his discussions on this bill elsewhere—and worded in such a way that it has teeth. We do not know that, because the minister wouldn't even say that this is where it would go when asked about it.

I believe it's incumbent upon us to have those amendments in order to have a very fruitful and knowledgeable discussion with witnesses over the next 13-plus meetings.

● (1550)

**The Chair:** Thank you, Mr. Perkins.

Mr. Turnbull, you have the floor.

**Mr. Ryan Turnbull (Whitby, Lib.):** Thanks, Chair.

Thanks to Mr. Dufresne and his team for being here today. I think you're an extremely valuable witnesses on this important piece of legislation.

I understand that, for whatever reason, people have got the wrong impression here. They think, for some reason, that because the minister has been listening to stakeholders and experts and has provided some ideas in his testimony about where there may be some amendments, somehow all of this is pre-empting the study, and that is not the case. That is not the intention.

I think it is about process, and we can have that debate, but today's time was dedicated to hearing from witnesses who have lot to offer this study, and I think we should hear from them today without further delay.

I would move to adjourn debate on this matter, and I hope we can return to it later.

**The Chair:** There's a motion to adjourn to debate, which calls for a vote without further ado.

**Mr. Brian Masse (Windsor West, NDP):** I have a point of order.

I just want the record to know that I had my hand up and would have preferred to participate and that with the public rhetoric, I got shut down without even having a chance to offer comments, so thank you very much.

**The Chair:** Thank you, Mr. Masse.

However, as you know, the motion to adjourn debate stops it and calls for an immediate vote, so we'll proceed to the vote.

(Motion negated: nays 6; yeas 5)

**The Chair:** The motion to adjourn debate is defeated, which brings us back to the matter at hand.

I recognize you, Mr. Masse.

**Mr. Brian Masse:** Thank you, Mr. Chair. I appreciate it. I just want to make sure, because when you're attending virtually, sometimes you don't get seen. I know you're diligent on that.

I support this motion. It's been pretty interesting, what's taken place over the last number of hours. The minister has been actively lobbying me to move this bill as quickly as possible, and I do support that, but I also support a proper process. Mr. Dufresne and his team are very valuable pieces of what needs to be done even outside of Bill C-27, which is updating the Privacy Act in several different ways, and it's the same with the Competition Bureau.

I find it hard to accept that the minister sat across the table from us.... He talked about amendments. Government members even referred to them as amendments. I actually did a point of order, if you remember, Mr. Chair, with regard to whether they were ideas or amendments. We know that right now they're just ideas that were presented in front of the committee, despite having over a year. I'm glad that we had the context of them, and some of the stuff that was floated about is important, but I don't know how it's reasonable to expect people to come in front of us in this speculative process that we have, when the minister says he is actually going to fix his bill, which he already acknowledged is flawed and has errors. We discussed that in the House of Commons and now we have come here. This committee also passed a request to the witnesses coming forward on whether they could bring amendments to us as well so that we could properly vet them and also share them with other presenters so that people could look at those things.

How do you start something so important and so critical with only a speculative process? I know that right now I would have a motion to bring back the Privacy Commissioner's team after we know exactly what is there.

There's also the process of respect that Mr. Perkins mentioned. The minister sat right there, and then the next day went out to the public and provided new information that he didn't provide to us as members of Parliament. He went to basically a public event and disclosed new information that he wasn't willing to provide to his own committee the day before. It's pretty hard to accept that and also to be responsible for one of the most important pieces of legislation.

I would point out that some of the groups coming forth will be from the not-for-profit sector or the private sector. They actually have to use time, resources and in some cases money to draft their amendments into a legal form and context to present them to us. They also sit there, in front of the world, with their reputations on the line over what they present to us, and it's a mockery to them when they don't even know exactly what they're presenting to.

I can't believe that we're proceeding in such a way and that the government doesn't have the amendments to table in front of us so that we can also make sure that they'll be in a context that will be accepted within the bill. I spoke at the last meeting about how the government had amendments to my legislation. The government brought them forth, the minister himself, and then the Liberals not only did that but also ruled them out of order themselves.

We don't know exactly where this is going, but I'd like to have the proper context of how we're going to analyze the bill. I think it's

bad, when we have our guests in front of us, that we have to go on the fly about what the minister may or may not have and whether he's serious on all the points that were raised. Are they actually going to be ones that will be collectively put together? I don't know. What's the point of our spending resources, time and energy and then treating our guests so poorly? They have to come here and wing it in terms of what the minister and the government have as legislation.

To wrap up, we know two things. One, there's a high degree of interest in this bill. It's very technical. Part of it is new. The second thing we know is that when we invite people to come in front of us, we know that the bill right now is critically flawed. It's had one debate in the House already, and it's our job to fix it. The minister has indicated that it needs fixing, but we don't know what parts they're supportive of or not supportive of. That's unfortunate. Again, I've been open to trying to move this legislation along as quickly as possible, but I'm not going to be part of a broken process from the very beginning.

● (1555)

That's just unfortunate, because I think we all want to move on this.

[*Translation*]

**The Chair:** Thank you very much, Mr. Masse.

Mr. Lemire, you have the floor.

**Mr. Sébastien Lemire (Abitibi—Témiscamingue, BQ):** Thank you, Mr. Chair.

Our parliamentary system is obviously based on trust and respect between parliamentarians, particularly in the context of a minority government. However, I can't consider last Tuesday's exercise to be a model of trust and respect, particularly with regard to these aspects, especially in a context where we're being told about the urgency of passing Bill C-27 and bringing ourselves in line with European law, specifically with regard to data protection.

This is a bill that was tabled in June 2022, I remind you, that the government only addressed three or four times in the House over one year, last year. We can't claim it's because the legislative agenda was particularly heavy last year.

So I find it worrying that the government is pressuring us and, on top of that, pulling these amendments out of its hat as though they were a done deal upon which we were to rely. If only that were all. We learned through the media—and not through parliamentary collegiality, since the minister was not transparent with his fellow MPs—that there would be a voluntary code of conduct pending legislation. In my opinion, a voluntary code of conduct, given what we are to debate, is the opposite of the highest industry standards. By not announcing this news to his colleagues before it reached the media, the minister has not been transparent.

Of course, in front of industry, it might be a fine show and elicit applause, but the minister is accountable to parliamentarians. I cannot understand why he didn't tell us the day before, on Tuesday. It's another element that adds to the context in which we feel that the bill we will be debating is now obsolete, for obvious reasons. Chat-GPT didn't previously exist. Technology has evolved. They talk about fundamental principles, saying that the law they want to replace is over 25 years old, and that Facebook and the iPhone didn't exist back then. Where is Facebook, or Meta, now? These are the people who have taken control of our democracy, who prevent our local media from functioning and who laugh at Canada's Parliament and parliamentarians. They boast about legislation that lasted so long, when it has actually caused major setbacks.

So it seems rather irresponsible to allow things to continue in this manner. We began this study on the wrong footing, and I think there needs to be more transparency and collegiality. Not only will we be asking people for about fifteen meetings to react and draw on their expertise to tell us about the repercussions, but companies also need predictability, and we don't know what we'll be debating.

I therefore urge that we obtain these documents as quickly as possible, and even make them public, because we need to be able to do our job. Right now, however, we're not equipped to do so.

Thank you.

• (1600)

**The Chair:** Thank you, Mr. Lemire.

Mr. Vis, you have the floor.

[*English*]

**Mr. Brad Vis:** Thank you, Mr. Chair.

This is as per our briefing note: “During his opening remarks, [the minister] announced that the government would be proposing amendments...that would, among other things, recognize the right to privacy as a fundamental human right, increase protection afforded to children's personal information—”

[*Translation*]

**Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.):** That's normal. They are—

**The Chair:** Mr. Drouin, you don't have the floor. If you wish to speak, just let us know.

[*English*]

**Mr. Brad Vis:** “—provide the Commissioner with greater flexibility to enter compliance agreements with companies that fail to comply with privacy legislation, and implement a broader right to data mobility.”

As my colleague Mr. Lemire mentioned, these are massive changes to this bill. They are also very consequential with respect to children. When we had the minister here the other day, if we'd had more time, then my line of questioning would have been focused on ensuring that our shared objective of protecting children from online threats is, first and foremost, a priority on this legislation.

I move this motion today because if we start this bill on the wrong footing, then we are doing a disservice to all of the Canadians who are asking us to be really mindful of some very serious issues. What bothers parents the most? It's what their kids are seeing on their iPads. That's one of the biggest concerns of any parent with young kids.

I'm glad the minister is moving in the direction that he is, but it disturbs me that he couldn't just send us a copy of the amendments in good faith. Nobody around this table disagrees that we have to do more for our kids to protect them from online threats.

I really hope that we can have a vote on this motion pretty soon. The minister can provide this in good faith. With the legal team we have here at Parliament, it doesn't take long for any of us to draft that material into proposed amendments and get them on the record so that we can work in good faith to get these things done.

I've been around this place for a long time. I have never seen a minister do what he did this week. It is contrary to the precedent established in our standing orders, which is that we hear witnesses and debate among colleagues in a collegial format at the committee stage of a bill. Then, if we have amendments in the meantime, we table them for the public and other committee members to see, based on the witness testimony that is coming in droves from across Canada on this legislation.

We don't disagree with the intention of the minister. The official opposition is asking in good faith that he just put it forward so that we can give respect to the hundreds of people we have literally invited here to appear over this fall session. Then we can do something positive to update legislation that all of us agree needs a lot of attention from our Parliament.

I will note that in the haste of writing what I did, I wrote three days instead of five in the French version. It's meant to be five days.

Thank you, Mr. Chair.

• (1605)

**The Chair:** Thank you, Mr. Vis, for the clarification.

Mr. G n reux is next.

[*Translation*]

**Mr. Bernard G n reux (Montmagny—L'Islet—Kamouraska—Rivi re-du-Loup, CPC):** Thank you, Mr. Chair.

I would also like to thank the witnesses.

I'll be brief, as I feel that our witnesses' expertise is extremely important.

Three days ago, 45 experts in the fields of artificial intelligence and everything to do with privacy signed an open letter in *La Presse*. I imagine these 45 experts are among the 300 experts and organizations the minister met with before drafting his bill and its amendments. They asked that the bill be split in two, because they consider it an important bill and a voluminous one. In their view, the committee will never have enough time to study all the elements related to these two very different and very important aspects of the bill.

Moreover, I asked the minister about his amendments and where he stood on them, but, between you and me, it's as if he jotted them down on a napkin while speaking to us. I can't understand that we're about to study a bill that was tabled a year and a half ago and that, even though he only met with people and experts from across Canada over the past summer, the minister still hasn't tabled his amendments.

I have enormous respect for Mr. Dufresne, who is here today. I would have liked to ask him about the amendments the government plans to table in connection with the bill. But we're going to ask him about a bill that won't be the same. That's true for him, but it's also true for all witnesses who will be appearing here. It makes no sense. I'll stop there, because I'm going to get angry.

Thank you.

[*English*]

**The Chair:** Thank you, Mr. Généreux.

Next is Mr. Perkins.

**Mr. Rick Perkins:** Thank you, Mr. Chair.

I want to reread into the record part of the minister's opening statement. It's actually very condescending: "I want to put on the table specifically what our government will propose to improve the bill."

It's his own bill. He says, "These are the amendments that we are proposing to the bill and I would enjoy my colleagues to pay attention, in particular to that section of what I will be saying." For a member of Parliament to be sitting here with a minister at the opening of one of perhaps the most important bills in this Parliament, it's very condescending for the minister to say, "Please pay attention, because I have something important to say. I'm going to amend the bill." He then refuses to amend it.

In the effort to speed this up, I would like to propose a subamendment to this amendment by adding, at the end of the motion, where it says "within five business days", an additional sentence. It is, "That the committee pause its study of Bill C-27 until the minister produces the amendments discussed and referred to in his opening remarks."

**The Chair:** Thank you, Mr. Perkins.

I have Mr. Gaheer.

• (1610)

**Mr. Iqwinder Gaheer (Mississauga—Malton, Lib.):** Thank you, Chair—

**The Chair:** I'm sorry. There's a subamendment, so this needs to be discussed right now.

Mr. Gaheer, did you want to talk to the subamendment that Mr. Perkins has proposed to the motion?

**Mr. Iqwinder Gaheer:** It's a more general statement, I think.

**The Chair:** I think we have to deal with the subamendment first, but I have you on the list for when we come back.

Mr. Perkins, can you repeat the subamendment?

**Mr. Rick Perkins:** The motion as proposed by Mr. Vis ends with the words "within five business days". I would add an additional sentence after that: "That the committee pause its study of Bill C-27 until the minister produces the amendments discussed and referred to in his opening remarks to this committee."

**The Chair:** On the subamendment, I have Mr. Turnbull, then Mr. Drouin and then Mr. Lemire.

**Mr. Ryan Turnbull:** Thanks, Chair.

Let me make some clarifications here. The minister came before committee and made some remarks suggesting—

**Mr. Brad Vis:** Is this on the subamendment?

**Mr. Ryan Turnbull:** Yes. It is on the subamendment.

The minister came before the committee and made remarks that indicated that he had openness and ideas about amendments in general. Some of them have been argued in the House of Commons by Mr. Williams and others. Instead of seeing that as a negative, you could see it as a positive that you have a responsive minister who's listening to the input of people around him.

I think that's part of why we do a study like this. At the outset, the minister is setting the tone, saying that they're open to amending this bill. Obviously, the bill stands as is. We do not have those amendments already made. They're not cooked up in the backroom. They're not already done, ready and waiting. There are things that the government is open to listening to and working on, using this study and the witnesses who present testimony here as ways to refine thinking about a bill that is so important for Canadians.

We don't have the amendments right now. It's not like we're trying to hide something here. The minister operated in good faith and gave you a really clear indication of how open the governing party and the minister are about amending the bill. I think that's a good thing. I don't know how this is being contorted into something that somehow is negative. The minister operated in good faith.

I suggest that we can certainly bring information. The minister, when he attended the committee and appeared before the committee, made it very clear that as soon as possible, he will provide information that identifies the areas and the things that the government heard through consultations and through speeches in the House and will be able to provide that clarification.

To me, that again shows a responsiveness that is ideal, in my view, for a governing party that's considering a piece of legislation with lots of input from stakeholders and members of Parliament from across the aisle who will make good suggestions about how to strengthen this bill. It also is going to take a bit of time to get that information to colleagues, although not a long time. I think we could probably have something to you by the middle of next week in terms of a letter and some information detailing what the government has heard.

I think what we've heard repeatedly is that this is a key piece of legislation that many people have an interest in seeing move forward. I don't think pausing this study benefits anybody. It doesn't benefit Canadians and it doesn't benefit this process. In fact, right now I feel really bad for Mr. Dufresne for wasting his time. He's sitting here listening to this when we could be asking him vital questions that inform the study.

Mr. Perkins, I respect you greatly, but it seems like a colossal waste of the committee's time when we have witnesses here who could be informing this process. Why don't we move on with the process—

**Mr. Rick Perkins:** You guys started the fire.

**Mr. Ryan Turnbull:** I disagree. I think the minister communicated an openness and willingness to amend the bill, which is what you guys have been saying in the House. How can you fault a minister for that? Plus, a study normally has at least 10 meetings of witnesses. That will help inform the refinement of those general themes and ideas about how to amend the bill. I think that's very reasonable.

That's my perception of it. If members are willing, we could make sure that the minister and team provide more detail by the end of next week at the latest. That's what I would propose.

• (1615)

**The Chair:** Just to make sure we're all on the same page, we're now debating the subamendment that Mr. Perkins has submitted. I would, however, volunteer a small comment. Based on the text of the motion, it asks for the production of certain documents “within five business days”. We have the PBO on Tuesday, so for the next five business days we're not studying Bill C-27. To me, then, it seems moot to add this subamendment.

If you want to maintain it, we can, but—

**Mr. Rick Perkins:** There's no obligation to provide that in five days. It's just a request from the committee.

**The Chair:** Thanks for the clarification, Mr. Perkins. That adds some value to the subamendment.

We are discussing the subamendment right now, members. Please keep that in mind.

I'll go to Mr. Masse and then Mr. Drouin, Mr. Lemire and Mr. Williams.

**Mr. Brian Masse:** Thank you, Mr. Chair.

I appreciate Mr. Turnbull's intervention. I would encourage him to go back and listen to what took place. It still doesn't explain why the minister would be in front of the committee that day talking

about the issue and then go to the public and do another announcement that he didn't want to share with the committee. That's more information about it.

However, let's go back specifically to what took place here and why I support this subamendment. I want to clean this up and get moving on this bill, but if we don't clean it up properly and start properly, we'll have to circle around again.

What took place was the minister sat there and said he had amendments. He then went through several things really quickly and presented them to us as amendments. Government members then referred to them as amendments. I raised a point of order to explicitly find out if they were amendments, and there was still the indication from the minister that he felt they were amendments.

We even spent our time questioning the minister about that. We not only wasted time today, if you view it that way, but we also wasted the time with the minister in front of us, because we couldn't responsibly ask him questions about what he was proposing as ideas.

The history of Parliament has been—for the most part, but not always—that the minister provides us with a copy of his or her remarks in advance. That's really the history and the best practices that often taken place. I think I've spent 17 of my 21 years in Parliament on this committee, and we often receive those. It helps everyone.

I don't understand how we can go forward again and use the time in a constructive way if we are speculating about what is or is not on the table. We're going to have to circle back anyway.

To be quite frank, I don't think it's the Conservatives with the motion here who are wasting the time with what's taking place. What's wasting the time is the government coming up with the claim that they were interested in moving this bill. They weren't prepared and they threw some stuff out at the last minute.

I don't know whether they were trying to be too cute with something or not, because they say that they don't have them. By saying they have amendments to ease off, I guess, the criticism they've heard about the bill that's coming forward and some of the criticisms that we've presented, they put themselves in this situation. I don't know how we can fix this by going through a speculative process.

I would suggest that if we do this process, another thing we can look at is that the NDP has split the bill into two different votes in the House of Commons. We have the privacy and the competition issues separated from the other, the third part. We could find a constructive way, then, to even separate the legislation if we wanted to and if there was consent. There are lots of things we can try to do, but I don't know how we go forward....

This actually goes to some of the roots of the workings of our parliamentary process right now. At one point in time, you didn't have a parliamentary secretary sitting at the table. That was actually brought in by Paul Martin because of the infighting going on with the Chrétien group that they'd had before, so they brought in parliamentary secretaries, and the committees now have a person at the table who has a set of information that's different from what the rest of the committee has. This is with no disrespect to Mr. Turnbull. It's everything else; everyone's been there. It was done under Harper as well. That's just the way it works, because of the connection to the ministers through the parliamentary secretaries.

We already have that, and then on top of that, we now have a situation in which we have specific information that might change the way the presentations are made in front of us, to which we can't provide any really intelligent response.

I support this, because I'd rather clean this up and do this right. I'd rather clean this up and do it properly. If it means extra work and whatever it is, I'd rather have that in front of me.

How am I supposed to do my work as a legislator, even with my own team, if I have no idea what the minister is serious about and not serious about? I'm going to spend time with the amendments I have, when they could be redundant, and then we all end up submitting the same thing anyway.

This is just.... I haven't seen anything like this in all my years—

• (1620)

**Mr. Francis Drouin:** I have a point of clarification, Mr. Chair.

I'm sorry. I'm new to this committee.

**The Chair:** I'm not sure.... Mr. Drouin, you were next on the order—

**Mr. Francis Drouin:** Yes. There is such a thing as a point of clarification.

Has a date been set for clause-by-clause study at this committee yet?

**The Chair:** It has not.

**Mr. Francis Drouin:** Thank you.

**The Chair:** Mr. Masse, you can resume.

**Mr. Brian Masse:** Thank you, Mr. Chair.

Again, we just had this happen in front of us after having the summer off.

I'll finish with this point again. I don't think I have another example of when this has been the case. In this committee right here, we had to take several time outs. Even the government, for their own amendments, had to take time outs to figure out whether they made sense or whether they worked or not as we were going through it, because it was confusing.

That's fine. I give the chair credit, because we got through it, and in the past, we've done this stuff really well, but we had to have time outs. I don't know of a committee that is taking time outs all the time because it's not prepared to vote on its own stuff at the moment.

How do we prepare ourselves properly? That's what I want to do, because I want the best legislation for people at the end of the day.

[*Translation*]

**The Chair:** Thank you, Mr. Masse.

Mr. Drouin, you have the floor.

**Mr. Francis Drouin:** Thank you very much, Mr. Chair.

I'm listening closely to what's happening at committee, and I fully understand the subamendment that Mr. Perkins has submitted. I would remind my colleague Mr. Généreux that there seems to be a strong emphasis on the fact that the minister wished to propose an amendment. However, as we all know, ministers do not submit amendments to committees, committee members do. A minister never presents an amendment to a committee.

Of course, as the Minister of Official Languages did for Bill C-13, which Mr. Généreux will remember quite well...

**Mr. Sébastien Lemire:** Point of order, Mr. Chair.

I invite the member to reread the transcript. The minister said it himself.

**Mr. Francis Drouin:** No matter what he said, a minister cannot present an amendment to a committee. Those are the Standing Orders, and we must follow them.

**Voices:** Oh, oh!

**The Chair:** Order, everyone. Mr. Drouin has the floor.

**Mr. Francis Drouin:** If members want to proceed to clause-by-clause consideration of the bill, we will of course pass a motion to that effect. We're ready to do the clause-by-clause study, but we know full well that we won't have heard the necessary testimony.

The usual practice for all House of Commons committees is to receive evidence and use that to inform amendments. The chair has confirmed that no date has yet been set to proceed with clause-by-clause consideration and submit our Bill C-27 amendments or clauses. When the committee decides to proceed with clause-by-clause consideration, the amendments will be moved. I'm sure the Conservatives will have comments to make and amendments to propose. They've said as much. Mr. Masse, for one, said he was ready to put amendments forward, too. I'm sure the Bloc Québécois will also have amendments to propose to Bill C-27. It's standard practice for a committee to set a date for submitting amendments.

I don't see what's going on here, other than not wanting to hear from Mr. Dufresne. What's happening here is not contempt of Parliament. It's perfectly normal for a minister to say he's open to amendments and prepared to accept them. Regardless of which parties put them forward, we'll debate them once the committee has decided on a date.

That's all I wanted to say. I'm not a regular member of this committee, but I sit on other committees and I know how things work.

**The Chair:** Thank you very much, Mr. Drouin.

Given how things are starting out, I may have grey hair by the time we get to the clause-by-clause.

Mr. Lemire, you have the floor.

**Mr. Sébastien Lemire:** With respect, Mr. Chair, there has been very little filibustering here today. I'm impressed.

That said, there's one big difference. The minister didn't say that he was sharing his ideas. He said "amendments", as the record shows. That's the issue. There's also the notion of responsibility. The minister was here once, and he's not coming back. He has put things out there that he'll never take responsibility for. I have a lot of questions about that, especially about what he'll say the next day. One solution is to invite the minister back so he can tell us. At this point, we have an amendment, and I'm going to take the liberty of discussing the subamendment.

I won't vote in favour of delaying the committee's activities, because I believe we have to do the responsible thing. I think we need to hear from the witnesses. I think we need to be informed by what the industry thinks. I think people are watching us. We had an opportunity to show leadership on the international stage, but we're squandering that opportunity, mainly because the minister caused some confusion. I think we have to move on. I'll support the motion, but not the subamendment.

• (1625)

**The Chair:** Thank you, Mr. Lemire, and thank you for addressing the subamendment, since that's what we're talking about right now.

I will now give the floor to Mr. Williams.

[*English*]

**Mr. Ryan Williams (Bay of Quinte, CPC):** Thank you.

I think everything's been said. I appreciate all the comments, especially by Mr. Masse. He's been here more than anyone else here combined, perhaps.

**Mr. Bernard Généreux:** All of us together.

**Mr. Ryan Williams:** Yes, all of us together.

**Mr. Brian Masse:** Half my life.

**Mr. Ryan Williams:** Look, this is not about anything other than the words that were stated on the record specifically by the minister, specifically the words "amendments that we are proposing".

In terms of the intent, we have to look at checks and balances. We need to have respect for the institution in this place and how committees work in Parliament. A bill is presented by the government. We respond to that bill. It comes to committee. We hear witness testimony. We debate that. We suggest amendments. Then we bring the bill back to the House for further debate.

When the minister comes here to state that he's already presented a bill but he's going to change that bill, specifically stating that he's making amendments and enjoining us to please listen carefully to

his amendments but then doesn't supply those amendments, the committee is hamstrung. We don't know what those amendments are or where the context was, except for having good faith to just believe he did that because we suggested them.

I certainly saw that this week, having my private member's bill read into the record on June 8 and taken by the government into legislation. That's fine, because we're all here to provide good ideas, but at the end of the day, there's a process we have to follow. We have to respect the institution of the parliamentarians who sit here and work on behalf of those Canadians who are counting on us to create good legislation and be able to look after what is, as my colleague has stated, probably the most important legislation that Canada is seeing right now, specifically with the AI portion. This would be the first jurisdiction in the world to implement that.

I for one wanted to have a lot of testimony from Mr. Dufresne today. I wanted to hear what he had to say specific to privacy. As my colleague mentioned, it's privacy for all of us, specifically children. All of us with children are very concerned about the amount of data that's leaked and being sold right now on the Internet. We've talked about this for a long, long time.

When the minister comes and proposes, and says the word "amendments" and uses that specific context, and we don't even get the courtesy of seeing a paper version of prepared remarks or those specific amendments.... It's not just us at the table; it's the witnesses who are taking time out to be at committee and to have information before them to say whether they agree or disagree. We don't have the information and they don't have the information. That's the disrespect we've received, based on that wording and based on the context.

For us, that is why we want to see that information. Yes, we'll go to clause-by-clause consideration after hearing all witness testimony. We'll get this right at some time, but we need to have it right from the outset.

Thank you, Mr. Chair.

**The Chair:** Thank you.

I recognize Mr. Turnbull.

**Mr. Ryan Turnbull:** Thanks.

Colleagues, I don't know how we're getting off on the wrong foot here. I think there is just a misinterpretation of the minister's remarks. You're thinking that because he's open to amendments, somehow this means there are cooked-up amendments in the background that you haven't seen. That's not the case. I don't have any information that you don't have.

We know that you haven't submitted your amendments. No members of this committee have submitted their amendments, have they? Are you willing to submit them on the same timeline that you're asking of the minister, Mr. Perkins?

**The Chair:** Mr. Turnbull, I would—

**Mr. Rick Perkins:** You can ask me that question, but you don't know what I've done.

**The Chair:** Mr. Perkins and Mr. Turnbull, please—

**Mr. Ryan Turnbull:** I mean, the point is that you've talked about an even playing field. If you're asking us to submit amendments that we're telling you we don't have yet, that there's an openness to considering the kinds of things that you all argued for in the House of Commons, then this is—

**An hon. member:** The minister—

**Mr. Ryan Turnbull:** He said he was open to amendments and was willing to amend the legislation.

• (1630)

**Mr. Rick Perkins:** Read the text.

[*Translation*]

**The Chair:** Order.

Colleagues, this isn't how this committee operates. You may speak when I recognize you. Right now, Mr. Turnbull has the floor. We have an amendment from Mr. Perkins. I was hoping we could get to the end of the list of speakers to the amendment so that we could vote on it and get back to the motion.

Mr. Turnbull, I'll let you continue. There's no one else on the list right now.

[*English*]

**Mr. Ryan Turnbull:** I wanted to clarify before we go to a vote, hopefully. I think the Conservatives and other members of the committee have spoken on this for over an hour. I think we've had a couple of turns to speak to it. I wanted to clarify that we could have the minister come back, if you like, to clarify his remarks. If there was a misunderstanding, we apologize for that. It was not intended.

The other thing we could offer, I'm told, is information before our next meeting on the general topics and information on the areas that we think could be amended based on the feedback we've received so far.

Why don't we agree to that, with the consensus of the committee, and move forward with today's proceedings with our witnesses?

[*Translation*]

**The Chair:** Mr. Lemire, do you want to speak to Mr. Perkins' amendment?

**Mr. Sébastien Lemire:** Yes I do. I would also like to talk about the debate in general, if I may.

I'm just reading from the testimony from the last meeting, which is available on the Internet: "Not only did we consult and listen to him [he means the Privacy Commissioner], we also followed through [past tense] with amendments based on his requests." That's real. I'm not making this up. My colleague from Sudbury also alluded to those amendments when she spoke after that.

So, yes, I get the impression that things have been happening on the government side that have not made it to our side. If I didn't know better, I might have been okay with taking the minister's speech, copying the three amendments he read to us, sticking them

in a document and sending it off to the clerk. I might have been okay with that at that point, but people refused to do it and they're still refusing to do it. That doesn't show good faith.

**The Chair:** Thank you, Mr. Lemire.

[*English*]

There are no more speakers on the amendment by Mr. Perkins, so I will put the amendment to a vote, Madam Clerk.

**Ms. Sonia Sidhu (Brampton South, Lib.):** I apologize, Mr. Chair, but can I change my vote to a no?

**Voices:** We're not done the vote.

**The Chair:** MP Sidhu, we'll finish the vote and then you can ask for that.

**Ms. Sonia Sidhu:** Thank you.

**The Chair:** Madam Sidhu, you wanted to raise a point of order?

**Ms. Sonia Sidhu:** Mr. Chair, can I vote against?

**Mr. Rick Perkins:** On a point of order, she already voted. She voted yes.

**The Chair:** I have just verified with the clerk, and it's been registered as a nay.

**Mr. Rick Perkins:** She said yes. Is she changing her vote to "for"? Why is she changing her vote?

**The Chair:** Colleagues, order.

Madam Sidhu, can you clarify how you voted initially in the first round? I didn't hear it. The clerk has registered it as a nay.

As you know, Mr. Perkins, the clerk is fully independent, as am I as the chair. I'm just trying to get to the bottom of how Madam Sidhu voted, and I trust that members act with honesty and integrity.

Madam Sidhu, in the first round, when the clerk called your name, did you vote yes or no?

**Ms. Sonia Sidhu:** I voted against, Mr. Chair.

• (1635)

**Mr. Rick Perkins:** I have a point of order.

**The Chair:** Wait one moment, Madam Sidhu.

Thank you, but my question was how you voted in the initial round. I understand you are saying that you voted nay, but I have a point of order from Mr. Perkins.

**Mr. Rick Perkins:** The member of Parliament clearly said yes. She would not call a point of order to reverse her vote if she had said no in the first place, because then she would be reversing it to yes.

**The Chair:** I have Mr. Gaheer next. I'll take that under consideration. We might just have to rewind.

**Ms. Sonia Sidhu:** Mr. Chair, can I speak?

**The Chair:** I know she can't change her vote unless she has unanimous consent.

Yes, of course, Madam Sidhu, go ahead.

**Ms. Sonia Sidhu:** When you called my name, I said yes, and then for clarification, I was just asking what was happening because communication was low, and then I voted against. When you called my name, I said yes, but when I voted, it was against. My vote has to be registered as being against.

**The Chair:** Thank you. Mr. Gaheer, if the member says she voted yes in the first round.... Wait just one second. I'll verify with the clerk to make sure.

Wait one second, Madam Sidhu.

**Mr. Iqwinder Gaheer:** What Madam Sidhu is saying is that to her name being called, she said "yes" as a confirmation, like "Yes, it's me speaking", and then she voted against. Her vote was not "yes".

**Mr. Rick Perkins:** Since when in two years of her being a member of Parliament has she had to do that?

**The Chair:** Mr. Perkins, I haven't given you the floor. You can trust my judgment as chair.

When the name is called in a roll call for a vote, how you answer is not "I'm present"; it's how you vote. If the member said "yes", which she herself said she had, I consider that to be a yea vote—

**Mr. Iqwinder Gaheer:** But then she said "against"—

**The Chair:** She said "against"—

**Mr. Iqwinder Gaheer:** —in the same sentence.

**The Chair:** Yes, but it was not her turn anymore. She had already said "yes", if I'm not mistaken.

What I have now is Madam Sidhu asking for unanimous consent to change her vote from yes to no. Is there unanimous consent?

Do we have unanimous consent? This is a bit silly. We know the intention of the member. Do we have unanimous consent to allow Madam Sidhu to vote nay?

Thank you. I have unanimous consent.

(Motion agreed to)

(Amendment negatived)

**The Chair:** The amendment by Mr. Perkins is defeated. We are back to the motion.

Are there speakers on the main motion by Mr. Perkins?

Mr. Gaheer, go ahead.

**Mr. Iqwinder Gaheer:** I just want to say that we've been debating this for over an hour now. We have such great witnesses, obviously, and we're wasting their time.

The minister had shown an openness to amendments. What if the minister had done the opposite and had not shown an openness to amendments? The opposition would then have gone after him, saying that there's no openness to change, despite a whole summer of debate, with this bill being in the news and being discussed in different provinces.

There's no winning. If you're open to amendments, it's "Where are the amendments?", and if you're not open to amendments, then it's "You're not open."

**The Chair:** Colleagues, please; we're being watched, and I keep hearing people talking. If you want to speak, Mr. Vis, ask the chair and I will recognize you.

**Mr. Brad Vis:** I'm sorry, Mr. Chair.

**The Chair:** I recognize Mr. Turnbull—

I'm sorry, Mr. Turnbull. Mr. Masse, I don't want to forget you because you're online. I'll go to Mr. Masse first and then Mr. Turnbull.

**Mr. Brian Masse:** Thank you, Mr. Chair.

I want to commend you for walking us through that one.

When an honest mistake takes place in a vote, it's always important that we try to fix that. I commend us for doing that. I think it's a good example.

Right now, the government needs to get its act in order if it wants to do this properly. It's as simple as that.

I mean, yes, we're spending time on this because we had a minister, and either in contempt of this committee—because if you read the testimony, it's clear that he had amendments and the government members referred to his amendments, so we're not wasting.... It's sad that the witnesses have to go through this with us at this moment, but I don't think there's an alternative.

We need that information, and if it's not there, then issue a letter of apology to this committee and an apology to our witnesses for putting us in this predicament.

Whether or not saying that they were open to amendments was a snow job attempt, he said that in the House of Commons already anyway, and then he came to this committee specifically outlining a series of things that are highly technical, that require specific changes to the bill that he made, and that was confirmed by government members, who also referred to them as amendments. That's the reason I made a public statement and asked for clarification from you as to whether there were actual amendments, because that created the confusion.

The confusion in all of this is entirely 100% on the minister. To suggest anything else is not fair or helpful for us as we go through the next number of weeks together as a group trying to craft the best legislation. I don't know how to do that without having the right information in front of us. Again, this is not even about us. This is about all the other people who, in the meantime, have to sit in that chair in front of us and speculate on what is in front of them. They put their reputations on the line. They use resources, including legal ones, to draft proper information or improved information to make those amendments even better or maybe to clarify them, whichever it might be. They have to spend resources and time to do that, and they have to put themselves in front of the world to do that.

How do we do that when they have a moving target right now? My suggestion—and hopefully the government will take it—is to get your act in order. Get your act in order and come back to us with as much information as you have. Give us some deadlines as to when you're going to have your amendments and put them forward.

By the way, ministers do actually have amendments. They're drafted by the department and they're maybe brought by another member, but they come from the minister and the minister's office. Just because another government member brings an amendment forward in name only doesn't mean it's not the minister's.

If we don't do this properly right now and reset everything, then we're going to have a bad environment. I hope we can get this information, restart and then have the Privacy Commissioner come back at a time that's better for them and do this properly and intelligently so that we can get their best advice as to the law that's in front of us, as opposed to their having to go back and hunt down testimony later on that we're going to get from other people on the “what ifs” and the changes to their own act that they have to follow and comply with by law.

I'd rather have that process, and if it means delaying a little bit for maybe a week or less or maybe delaying a meeting to get it going on the right foot, I'd rather do that than this.

This is unbelievable.

• (1640)

**The Chair:** Thank you, Mr. Masse.

I have Mr. Turnbull and then Mr. Lemire.

**Mr. Ryan Turnbull:** My understanding is that the minister never said in his remarks, “I have amendments.” He said he had proposed amendments, which indicates a willingness and an openness to talking this through.

I think we're obviously at an impasse here with regard to how you interpreted the minister's remarks versus how they were intended.

I think what we need to do is move past this, so I would suggest an amendment to Mr. Vis's motion. I'll read it into the record.

It reads, “That pursuant to Standing Order 108(1), the committee order the Minister of Innovation, Science and Industry and his department to produce the amendments discussed by the minister in his opening remarks to the committee on September 26, 2023, provided that these documents be deposited with the clerk of the committee when they are available and that the minister return to the committee to speak to them.”

**The Chair:** I understand that you're proposing an amendment to the motion.

If possible, Mr. Turnbull, send it to the clerk so that it can be distributed to all members. Has it been sent to the clerk already?

**Mr. Ryan Turnbull:** No.

**The Chair:** Will you read it again, Mr. Turnbull? Then I'll briefly suspend for the email to be sent around so that all members...because it seems like a substantial amendment.

**Mr. Ryan Turnbull:** It's removing the words “briefing notes and memos referencing the amendments”. It's replacing the words “within five business days” with “when they are available and that the minister return to the committee to speak to them.”

The full text would read from the top as follows: “That pursuant to Standing Order 108(1), the committee order the Minister of Innovation, Science and Industry and his department to produce the amendments discussed by the minister in his opening remarks to the committee on September 26, 2023, provided that these documents be deposited with the clerk of the committee when they are available and that the minister return to the committee to speak to them.”

• (1645)

**The Chair:** There's an amendment by Mr. Turnbull on the floor.

Do we need to suspend for colleagues to receive it, or have you heard the terms and you're fine? Can we continue?

**Some hon. members:** Agreed.

**The Chair:** I recognize that I had Mr. Lemire, but now there's this amendment. Do you want to speak to it, and then I'll go to Mr. Perkins?

[*Translation*]

**Mr. Sébastien Lemire:** Thank you, Mr. Chair.

I welcome this amendment because I believe that bringing the minister back to the committee could indeed be useful and is consistent with the motion tabled by Mr. Brad Vis at the last meeting. The purpose of that motion was to invite senior officials back.

I'd like to bring up something from the record of that meeting. At 5:25 p.m., I made a comment to the minister: I told him that we were anxious to see his amendment and that the exercise was difficult. His response was:

Once again, the intent is really to move the debate forward. If we plan to do certain things but do not say so, we will only talk about things that we already agree on.

I do understand though that you need my remarks and a draft of the amendments that we will be presenting and that I already have. At the same time, we can provide you the official wording of the bill as quickly as possible for your clause-by-clause consideration.

That's crystal clear, and it really hit me. That is what we're reacting to today. These are not allegations. Nobody is making this up.

**The Chair:** Thank you, Mr. Lemire.

Mr. Perkins, you have the floor.

[*English*]

**Mr. Rick Perkins:** I'm most interested in the amendment, so I appreciate Mr. Turnbull's part of the motion that narrows it to that.

My concern with the amendment and the reason I don't support it in its state—from what I remember, having listened to it twice—is that it provides an indeterminate amount of time to table those items. In other words, the minister doesn't have to table his amendments until clause-by-clause study, tabling them through the members opposite.

This is a delay tactic to basically do the same thing that the minister did on Tuesday. It's a repeat of what the minister did, which is saying, “We have amendments, but we are not going to give them to you for any of the witnesses to see until we're ready to give them to you, which will not be until clause-by-clause consideration.” That's the point of what we've been spending the last hour on.

The government members have just admitted that there are amendments, in addition to what Mr. Lemire just quoted from the minister's testimony.

I am okay with this amendment as long as what is put into it is “within five business days”, as was in the previous motion.

[*Translation*]

**The Chair:** Thank you, Mr. Perkins.

Mr. Masse—

**Mr. Sébastien Lemire:** A point of order, Mr. Chair. Is Mr. Perkins moving a subamendment?

[*English*]

**The Chair:** Yes. Mr.—

**Mr. Rick Perkins:** I don't have the original motion.

**The Chair:** I understand, Mr. Perkins, that you're moving a subamendment to the amendment proposed by Mr. Turnbull—

**Mr. Rick Perkins:** I'm going from memory right now.

**The Chair:** —so that instead of “when available”, it would read “within five business days”, as it was in the text.

There is a subamendment on the floor. I think I see the Liberals discussing it.

Brian, I'll recognize you, and then we might pause for a second so that there can hopefully be some discussions that will yield a consensus.

**Mr. Brian Masse:** Yes. I'll be really quick.

If we could get a date on this, I could support it and we could move forward. If we just have....

Again, we can't compromise witnesses in front of us by their not having the proper information of the intent of the law that we're trying to change. It's about them at the end of the day, not us. That's the unfortunate situation that we're put in. We're supposed to do this properly.

I'll support that if we get a timeline on it. If not, we'll just be wandering around, having people come in and out, knowing that they have to present and that the minister has some changes to the bill, but we don't know what they are, other than his testimony that you can read online. It just isn't helpful.

If we get a specific time, I'll support it.

• (1650)

**The Chair:** Thank you, Mr. Masse.

**Mr. Ryan Turnbull:** I was going to ask if we could have a very short recess, because there's a bit of confusion now.

**The Chair:** Yes, that's what I'm suggesting. Let's take a few minutes, because I see that there were discussions outside.

The subamendment that Mr. Perkins is proposing is to add a deadline.

We'll pause for a few minutes.

• (1650)

(Pause)

• (1700)

[*Translation*]

**The Chair:** I call the meeting back to order.

We were on Mr. Perkins' subamendment to Mr. Turnbull's proposal.

However, I would like to start by thanking Mr. Dufresne, Ms. Ives and Mr. Maguire for being here. I apologize for the turn of events. These things happen in parliamentary life. I'm sure we'll have an opportunity to invite you back. Anyway, our study of Bill C-27 has a long way to go, as you can see. Thank you very much. You're free to go, if you wish.

We can now resume debate on Mr. Perkins' subamendment.

[*English*]

To remind members, it was to modify what has been circulated by Mr. Turnbull and add a deadline that conforms with the original motion that Mr. Vis proposed.

Go ahead, Mr. Perkins.

**Mr. Rick Perkins:** Mr. Chair, I know it's five days, but I'm open to an alternative date—just not one that is open-ended. If it's so open-ended, that will lead to the amendments not coming to committee until clause-by-clause study.

**The Chair:** Mr. Perkins, what is it exactly that you're proposing?

**Mr. Rick Perkins:** I propose five days. I'm looking at the government members to see if they have something in a very short, reasonable time that would give them a little more, or we could just deal with the subamendment. We'll move forward and—

• (1705)

**The Chair:** We'll deal with your amendment to Mr. Turnbull's amendment, adding “five business days”.

Do you know how it would read, Mr. Perkins?

It would read, “provided that these documents be deposited with the clerk of the committee within five business days and that the minister return to speak to them”. It's implied that this would be at his earliest convenience, I'm guessing, but we can't set a deadline for the minister to appear.

That would be how it reads.

**Mr. Rick Perkins:** I would say, “with the clerk of the committee”, strike out “when they are available”, and replace it with “five business days”.

**The Chair:** That's the amendment to Mr. Turnbull's amendment that Mr. Perkins is proposing. I see no speakers, so we'll move to a vote.

Is it clear to everyone what we're voting on?

**Mr. Brad Vis:** Can you clarify, please, that we're voting on an extension of five days now? It's an amendment to the subamendment—it's an amendment to the subamendment to the amendment.

**The Chair:** Mr. Turnbull has proposed an amendment. There is a proposed subamendment to Mr. Turnbull's amendment. When this is dealt with, we'll go back to Mr. Turnbull's amendment.

I don't believe there is consensus, looking at the room, so we'll move to a vote.

Mr. Lemire, you had your hand up.

[*Translation*]

**Mr. Sébastien Lemire:** I would like a clarification. If I understand correctly, what we have in front of us right now is the complete motion, which includes the subamendments that we're about to vote on. Is that correct?

**The Chair:** Basically, what you got from the clerk was Mr. Vis's motion incorporating Mr. Turnbull's amendment. It was rewritten in its entirety because the amendment was substantial.

Mr. Perkins' proposed subamendment simply replaces “when they are available” with “within five business days”. At the end of the motion, there's a proposal for the minister to come back and speak to them.

**Mr. Sébastien Lemire:** Okay.

**The Chair:** We'll now vote on Mr. Perkins' subamendment.

(Subamendment agreed to: yeas 6; nays 5)

[*English*]

**The Chair:** Mr. Turnbull's amendment is amended by Mr. Perkins' subamendment.

Are there any speakers on Mr. Turnbull's amendment as amended?

Seeing none, Madam Clerk, I will call for the vote.

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

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

**The Chair:** Go ahead, Mr. Turnbull.

• (1710)

**Mr. Ryan Turnbull:** I'd like to move that we adjourn today's meeting.

**The Chair:** There is a motion to adjourn the meeting. Shall we put it to a vote?

**An hon. member:** That's okay.

(Motion agreed to)

**The Chair:** Finally there's unanimous consent.

**Some hon. members:** Hear, hear!

**The Chair:** That's good.

Thank you very much, colleagues.

[*Translation*]

The meeting is adjourned.







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