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# **Standing Committee on Public Safety and National Security**

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**EVIDENCE**

**Tuesday, November 29, 2011**

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**Chair**

**Mr. Kevin Sorenson**



## Standing Committee on Public Safety and National Security

Tuesday, November 29, 2011

• (1100)

[English]

**The Chair (Mr. Kevin Sorenson (Crowfoot, CPC)):** I call the meeting to order.

Good morning, everyone, and welcome here. This is the 15th meeting of the Standing Committee on Public Safety and National Security. It is Tuesday, November 29, 2011, and I would like to welcome you to this meeting. As you are all aware, today we will proceed with clause-by-clause consideration of the Ending the Long-gun Registry Act.

As you are aware, on November 15 the committee adopted the first report of the subcommittee on agenda and procedure, which among other things stated: "That the committee allocate five meetings to the consideration of Bill C-19, An Act to amend the Criminal Code and the Firearms Act, including its clause-by-clause consideration". That was the motion. As you are also aware, today is the fifth meeting; thus it is my pleasure to inform this committee that I will be reporting the bill to the House in the state in which it exists at one o'clock. As I see we have a number of opposition amendments before us today, we want to deal with those in an expeditious way and hear debate on them. I would suggest we move forward on those amendments and on clause-by-clause as soon as we can.

Without any further ado, I would ask you to take your package that the table has provided for you, a package of each clause and the amendments that have come forward, amendments from the New Democratic Party, the official opposition, and also from the Liberal Party of Canada. Let's move into clause-by-clause if you have your package there.

**Ms. Candice Hooppner (Portage—Lisgar, CPC):** Mr. Chair, in the spirit of your opening statement, it might be wise then if we would agree on a time and maybe limit debate on each one of the clauses, so we'd have time to get through all of them.

**The Chair:** My sense on this is that's a good suggestion. We have how many amendments in total? There are ten amendments and 31 clauses.

Sometimes these can be the shortest meetings ever—and as you know, they can be the longest meetings ever. I will try to watch the ten that we have and move them along so we can proceed in an orderly fashion and get through these today. I will try to undertake that desire.

**Ms. Françoise Boivin (Gatineau, NDP):** You're aware of the time.

**The Chair:** I think all of us are aware of it, and I think we're probably wanting to see this thing done.

All right, let's move to clause 1. As normal, we'll postpone clause 1 until the end of the package.

So let's move on to clause 2. Shall clause 2 carry?

**Ms. Françoise Boivin:** Is there any discussion?

**The Chair:** Yes, you can raise your hand and you can discuss clause 2.

[Translation]

**Ms. Françoise Boivin:** I'll be brief, Mr. Chair. To help my colleagues fully understand the reason for amendment NDP-2, I will simply read it:

That Bill C-19, in Clause 11, be...

[English]

**The Chair:** No, we're on clause 2.

**Ms. Françoise Boivin:** Oh, you're on clause 2. Excuse me; sorry.

**The Chair:** We're going to carry the clauses.

**Ms. Françoise Boivin:** No, that's all right; excellent.

**The Chair:** I want to make certain. There have been no amendments brought forward on clauses 2, 3, 4, 5, 6, 7, down until we get to about clause 11.

[Translation]

**Ms. Françoise Boivin:** I understood "amendment 2".

[English]

**The Chair:** All right.

(Clauses 2 to 10 inclusive agreed to on division)

(On clause 11)

**The Chair:** On clause 11, we'll move in.

First we have amendment LIB-1, and I will allow Monsieur Scarpaleggia to speak to his amendment.

• (1105)

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.):** Thank you, Chair.

Essentially, this amendment seeks to require that if someone transfers a gun through a sale or purchase—a sale specifically—to another individual, the individual selling the gun or transferring the gun would be required to verify the validity of the transferee's licence with the Canada Firearms Centre. So really, this is essentially reinstating, as I understand it, a very similar clause that appeared in Ms. Hoepfner's Bill C-391, where it says:

in the case of a transfer to an individual, the transferor verifies the validity of the transferee's Firearms Licence with the Canada Firearms Centre, and obtains a reference number for the inquiry.

We've heard all along that there are two separate unrelated issues here. There's the issue of the registry and the issue of the firearms acquisition certificate. But we've also seen that there's a big disconnect, because there's no real requirement to check that the person has a valid firearms acquisition certificate. So this attempts to reconnect the two, Chair.

**The Chair:** All right. I want to first of all explain to those who may be watching today and also those here at committee that we have our regular analysts and our clerk here. We also have our legislative clerk here. The legislative clerk's role here is to go through each amendment and to decide whether these are admissible. Very seldom does the chair stand on his own opinion. We consult with the legislative clerk.

Bill C-19 in clause 11 amends the Firearms Act to alter the conditions under which a person may transfer a firearm that is neither a prohibited firearm nor a restricted firearm. The amendment attempts to insert conditions upon the transferor that would require the transferor to verify certain information with the Canada Firearms Centre, confirm certain other information, and document the interaction by obtaining a reference number for the inquiry. As *House of Commons Procedure and Practice*, second edition, states, on page 766,

An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill.

In the opinion of the chair, the introduction of these conditions on the transferor is a new concept that is beyond the scope of Bill C-19. Therefore, this amendment is deemed inadmissible.

That being said, I want to also explain.... I see we have some seasoned parliamentarians here, not a lot of new parliamentarians. I guess that wouldn't really matter, but you know that when the chair has ruled that something is inadmissible it is not debatable. We have a number of amendments today that have been ruled inadmissible and we have a number that have been ruled admissible. We basically rule LIB-1 inadmissible.

We will now proceed to LIB-2. What I will want to do on each one of these, regardless of whether they're admissible or inadmissible, is ask the mover to explain the rationale, the reason for the amendment, and then we'll proceed.

**Mr. Francis Scarpaleggia:** Thank you, Chair.

The second amendment attempts to reinstate a requirement that existed as a result of the 1977 gun control bill. Specifically, this amendment would require that gunshop owners or wholesalers keep a record of the firearms that they have sold. So for investigative purposes there would be a record on hand somewhere, obviously not in the Canada Firearms Centre per se, but at the level of the retailer

there would be a record so that if there were an investigation into a crime or some other such thing involving a firearm, we could find out, we could trace to some extent the firearm and who purchased it and so on and so forth.

So this is really attempting to fill a void that was left by this legislation and attempting to create some kind of record of who's buying firearms in this country at the retailer level.

● (1110)

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

Bill C-19 in clause 11 amends the Firearms Act to alter the conditions under which a person may transfer a firearm that is neither prohibited nor restricted. The amendment attempts to require any business that carries on activities—which include the manufacturing, buying and selling at wholesale or retail, importing, repairing, altering, or pawnbroking of a firearm—to keep specific records of all transactions as well as detailed inventories to be provided upon request.

Again, *House of Commons Procedure and Practice*, second edition, states on page 766 that an “amendment to a bill that was referred to a committee *after* second reading is out of order if it is beyond the scope and principle of the bill”.

In the opinion of the chair, the introduction of these conditions on such businesses is a new concept that is beyond the scope of Bill C-19 and is therefore inadmissible.

We also have amendment NDP-2. Madame Boivin.

[*Translation*]

**Ms. Françoise Boivin:** Thank you, Mr. Chair.

I have a good idea about what's coming, but we will still repeat that clause 11 of the bill, as drafted, contains a major gap, which means that we could easily lose control. In fact, I'm going to praise my colleague, Ms. Hoepfner, because I think her bill was better than this one. It did fully cover this gap.

The study of Bill C-19 is going to leave me with a great deal of concern, a concern that was expressed to this committee by many witnesses, including victims of the École polytechnique and Dawson College, the people involved with centres for abused women, and so on. There's a danger that, at some point, over the course of the transactions, we may no longer know who owns the firearm in question.

I repeat that the wording of Bill C-391 was much better in this regard. The NDP and I find it unfortunate that what was in Bill C-391 was not put into Bill C-19 to fill that gap.

[*English*]

**The Chair:** All right, thank you.

I will spare you the preamble, which is the same as the others.

**Ms. Françoise Boivin:** Please do.

**The Chair:** In the opinion of the chair and of the table, the introduction of these conditions on the transfer is a new concept that is beyond the scope of the bill.

Thank you for that good discourse on the suggestion.

We have clause 11 now.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Can we have a recorded vote on that?

**The Chair:** A recorded vote has been requested. Yes, we can have a recorded vote.

(Clause 11 agreed to: yeas 6; nays 5)

(Clauses 12 to 27 inclusive agreed to on division)

(On clause 28)

• (1115)

**The Chair:** We now move to clause 28. We have clause 28 and a new clause 28.1. There's a new clause put in that we will deal with right after we—

**Mr. Nathan Cullen:** On division, please.

(Clause 28 agreed to on division)

**The Chair:** We have received an amendment from the New Democratic Party. It's a new clause to be added into the bill.

Madame Boivin.

[*Translation*]

**Ms. Françoise Boivin:** Actually, the amendment proposes that Bill C-19 be amended by adding after line 45 on page 9, the new following clause:

Section 117 of the Act is amended by adding the following after paragraph (m):  
(*m.1*) regulating the keeping and destruction of records by businesses in relation to firearms that are neither prohibited firearms nor restricted firearms.

We still have the same concern about long guns, which aren't necessarily harmless—as if any firearm could be harmless—and some of them have fairly impressive range. We need to prevent the destruction of the registry and especially the information it contains, through other impacts of the legislation, from creating the gap in clause 11 that I spoke of earlier. As stressed by the Canadian Association of Chiefs of Police and victim support groups, we need to avoid this situation. Out of caution and to provide a little more protection, it would be well-advised to put that clause back in. If we really want to ensure public safety, I think it's the least we could do.

[*English*]

**The Chair:** Thank you very much, Madame.

This again is viewed and ruled as being inadmissible. This is what they call the parent act violation. Section 117 of the Firearms Act is not being amended by Bill C-19, so the table views that as being inadmissible.

**Mr. Nathan Cullen:** Do we vote on that, then?

**The Chair:** Mr. Cullen.

**Mr. Nathan Cullen:** Chair, I'm not challenging, this is just a point of clarification. I appreciate your ruling and the advice from the clerks and the legislative clerks.

I'm trying to understand how the effect on the records, which is clearly delineated in this bill, is out of the range and the scope of the bill. I heard what you said in terms of the parent act, but just for the committee's purposes and for the public, what is being talked about and discussed in this bill is the destruction of the records, the elimination of those records. Madame Boivin is attempting to move an amendment to suggest that this part of the bill should be altered. I'm trying to understand why that would be out of the scope of this particular act.

**The Chair:** It's a good question. I guess it's because the part in the bill that is not being changed is section 117, and this would consequently change it.

We do have some experts. Is that your role here, sir?

**Mr. Mike MacPherson (Procedural Clerk):** Basically, the issue is that Bill C-19 doesn't amend section 117 of the Firearms Act. We can't go in to amend that if the bill doesn't do it at second reading.

**The Chair:** All right.

**Mr. Nathan Cullen:** I don't want to confuse the situation. I just want to be clear.

We're dealing with business records. This is from the sale of firearms from a gun dealer, as opposed to the destruction of government records, which is what the federal government holds. This is the distinction we're making right now. We'll get to that amendment next.

That's the clarification.

Thank you.

**The Chair:** So that is ruled out of order.

(On clause 29—*Destruction of information—Commissioner* )

**The Chair:** On clause 29, again we have amendment LIB-3.

Mr. Scarpaleggia.

• (1120)

[*Translation*]

**Mr. Francis Scarpaleggia:** Mr. Chair, we have very clearly heard that the Government of Quebec wants to create its own firearm registry if Bill C-19 is adopted. It's very clear. The Quebec minister of public safety himself appeared before the committee to share his position on the issue.

It also seems clear to us that the Conservative government has not received a mandate from Quebecers to eliminate the firearm registry. So we believe that it is important to respect the wishes of Quebecers and prevent the federal government from destroying the registry. It's a relevant tool for the Government of Quebec. We want to eliminate clause 29 to make it impossible to destroy the information so that it is accessible to the Government of Quebec and any other government that wants to create its own long gun control system.

[*English*]

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

We rule that this is an inadmissible amendment. Basically, what it is attempting to do is to delete the clause. The proper process or procedure for deleting a clause is to vote against the clause, so the amendment is ruled inadmissible.

NDP-4.

**Mr. Dennis Bevington (Western Arctic, NDP):** Thank you, Mr. Chair.

I'm pleased to submit this amendment. I feel that throughout this whole discussion that's taken place over 20 years over the gun registry, including a Supreme Court decision in 2000 that clearly indicated that any level of government has the ability to create legislation and create policy that will control the use of firearms, in a case where the federal government abrogates its responsibility—which it is doing with this bill—for the registration of long-guns and shotguns, then provinces, territories, and aboriginal governments have the capacity and the right under law to create their own registries, to do what they deem appropriate for public safety in their own provinces.

I've always supported removing the gun registry from the Criminal Code. This bill does that. But it doesn't allow the continued movement of information that has been collected by the federal government on behalf of gun owners across the country.

Mr. Chair, it's interesting to note that as I was sitting in the terminal building in Hay River yesterday, a registered gun owner, an aboriginal person, talked to me of his concerns about how guns would be handled in the future, how his registered guns would be protected, how his liability for the guns in his possession would be kept straightforward, and how the records would show his possession and ownership of certain guns and not of others.

When we look at the transfer of guns from one person to another.... Mr. Chairman, in my riding there are people who have 70 or 100 firearms. They're always in the process of moving firearms from one owner to another. This is something that is part of the life of people in the north. Simply for hunting in the north there's a requirement for not one or two guns, but probably for half a dozen guns to suit the particular animals being hunted. In some cases they may be marine mammals as well. So we have a situation where we do use a lot of firearms. These firearms will be transferred from one person to another.

The ownership of these firearms will still be under some consideration by the police, in terms of safe storage. Without understanding who owns the gun, how can the police then effect a safe storage charge under the Criminal Code against the appropriate individual, for these guns? What we will have when this law is passed is a situation where there will be no opportunity for the provinces and territories to consider what the ramifications are under the law for the liability for guns within their own provinces, territories, or aboriginal communities.

The amendment here is a simple amendment to hold the records for a period of three years. By holding them for three years—this Conservative government doesn't have to worry that this is an NDP plot to re-establish the registry after that time—

• (1125)

**Mr. Jack Harris (St. John's East, NDP):** Surely not.

**Mr. Dennis Bevington:** —it gives the provinces, territories, and aboriginal governments time to think about the ramifications of having no process of registration, no process by which gun ownership can be clearly identified within their own jurisdictions. That is a big problem.

I appeal to the Conservatives. I have supported the efforts you have made to remove the gun registry from the Criminal Code for many years. I appeal to this committee to consider this amendment. It's a reasonable and rational amendment, which will allow other jurisdictions across the country to make decisions about how they should deal with the data that is in place.

Registered gun owners have paid to put their guns on the registry. In some ways, Mr. Chair, the gun owners themselves have a right to the data within the registry. They have paid for it. They have done the work to register their firearms. So I think the government should really....

I appeal to the Conservative Party to support this amendment, because this amendment will act in a spirit of cooperative federalism. It will act in a spirit that we do have different points of view across the country about how we deal with property. Once the guns are removed from the Criminal Code, they become property. They are simply property, and that comes under the jurisdiction of provinces and territories and aboriginal governments.

Why should we not be accommodating to those jurisdictions? Why should we not give them the opportunity to react to the laws that we have changed in this country? Why should we not have that spirit of understanding and respect for those other jurisdictions?

With that, I'll leave the amendment as is, and I trust you will find it does meet with your accord.

**The Chair:** Thank you very much for that interjection, Mr. Bevington, and for introducing this amendment.

We will be coming to a couple of amendments that will be admissible, just so everyone can be assured, but again I'm told that this one would be inadmissible. It's beyond the scope of the bill, so we will deem that inadmissible.

**Mr. Nathan Cullen:** Mr. Chair, if I may, I don't want to keep doing this—

**The Chair:** Good.

**Mr. Nathan Cullen:** —but you had a clear explanation from the clerk last time in terms of the differences in the records. That was from gun shops and point-of-sale purchases. This is different.

**The Chair:** I can give you the reading from the chair, then, because we can't go into debate on the chair's ruling.

**Mr. Nathan Cullen:** No, I appreciate that. I'm not—

**The Chair:** Bill C-19, in clause 29, stipulates that the commissioner of firearms, as well as each chief firearms officer, shall ensure that certain information related to the Canadian firearms registry be destroyed "as soon as feasible".

The amendment attempts to insert conditions upon this process by directing the commissioner of firearms to contact all provinces, territories, Indian bands, and self-governing aboriginal communities to seek whether they intend to create a registry and transfer the information to those entities.

Again, as *House of Commons Procedure and Practice*, second edition, states, on page 766:

An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill.

In the opinion of the chair and the table, the introduction of the transfer of this information to these entities is a new concept that is beyond the scope of Bill C-19 and therefore is inadmissible.

We will move to the next New Democratic amendment, NDP-5. Again, I will give you the opportunity to introduce it, hopefully not with a long discourse.

• (1130)

**Mr. Nathan Cullen:** I thought we were happy with our pace.

**The Chair:** We are.

**Mr. Nathan Cullen:** Okay, good.

I want to make sure that Ms. Hoepfner is feeling okay about our pace as well.

**Ms. Candice Hoepfner:** We're way ahead.

**Mr. Nathan Cullen:** You're okay?

**Ms. Candice Hoepfner:** Yes, thanks.

**Mr. Nathan Cullen:** Thank you, Mr. Chair. I appreciate that. I won't submit too much, though. I was somewhat confused by the last ruling, but I very much respect the work your staff has done.

This amendment is specific and targeted. In the current incarnation of the government's attempt to end the long-gun registry, this bill has created some unintentional consequences. Those consequences are significant, serious, and dire. We must reflect for ourselves on what we are doing as parliamentarians. Similar to my colleague Mr. Bevington, I have previously supported the government's effort to end the long-gun registry, under certain conditions. But some of these conditions are being undermined here. This is what we're trying to change.

We need to talk about what guns we're referring to today. That's important. We've often talked about hunters and farmers. The Ruger Mini-14, the Swiss Arms Black Special, and the Steyr HS .50 sniper rifle, which has an effective range of 1,500 metres and pierces Kevlar armour, are not what the hunters and farmers in my part of the world use when they're going after moose or deer. It's clear that the types of weapons we're talking about are intended for one consequence only. You don't buy a sniper rifle that can shoot somebody at 1,500 metres to go out with your friends hunting deer on the weekend. This is a different animal. This is a different gun. The law-abiding hunters and farmers that I represent don't want to be associated with a piece of legislation that would enable anyone to get easier access to these weapons.

This is the amendment we're proposing. There is a clear danger to public safety if this bill is allowed to go ahead unamended.

**The Chair:** Mr. Cullen, are you on the right amendment?

**Mr. Nathan Cullen:** I believe so. This is amendment number 5, the licensing loophole.

**The Chair:** Okay.

**Mr. Nathan Cullen:** You may have numbered them differently from what we had previously.

You called me on NDP-5.

**The Chair:** Yes, I did. Do you have a reference number there?

**Mr. Nathan Cullen:** Yes. This one's for Mr. Harris.

**The Chair:** My NDP-5 is reference number 527.

**Mr. Nathan Cullen:** I may be referring to NDP-6.

**The Chair:** I think you are.

**Mr. Nathan Cullen:** Is Françoise doing this one instead?

**Ms. Françoise Boivin:** Actually, I thought it was the—

**Mr. Nathan Cullen:** It's just the numbering sequence we have from your office versus the one we have from ours.

**The Chair:** Right.

**Mr. Nathan Cullen:** I think this might be Mr. Harris's reference. Is that correct?

**The Chair:** I think you're correct. We're on reference number 5278733.

**Mr. Nathan Cullen:** Ah, good old 5278733. That's a good one, that one.

**Ms. Françoise Boivin:** Fascinating.

**The Chair:** All right.

**Mr. Nathan Cullen:** I'll hold the rest of my pitches for the amendment. We'll move sequentially and allow Mr. Harris to move on this one.

**The Chair:** This is Mr. Harris then.

**Mr. Nathan Cullen:** I'm going to blame the chair for that one for calling my name.

**The Chair:** You can do that.

**Mr. Nathan Cullen:** Is that how I incur your favour?

**The Chair:** Mr. Harris, please.

**Mr. Jack Harris:** I believe you've managed to succeed in confusing all of us.

**The Chair:** We move then to reference numbers. It's 5278733.

**Mr. Jack Harris:** The reference number is 5278733. That's back to Madame Boivin.

**The Chair:** Madame Boivin.

**Ms. Françoise Boivin:** That's me. *Exactement.*

**The Chair:** Yes. I have it in Mr. Harris's name.

**Ms. Françoise Boivin:** I know.

**The Chair:** Is this one of those NDP plots?

**Mr. Nathan Cullen:** It is.

**Ms. Françoise Boivin:** It's actually just to make you look confused.

**Mr. Nathan Cullen:** We're going to get you on reference numbers.

**The Chair:** Madame Boivin.

[Translation]

**Ms. Françoise Boivin:** I won't read the whole amendment to you. Its purpose is basically to enable the Commissioner of Firearms to ensure that what is kept are: ...all records in the Canadian Firearms Registry related to the registration of firearms that are neither prohibited firearms nor restricted firearms and all copies of those records under the Commissioner's control.

Once again, you'll remember from the various testimonies we heard, whether from Minister Dutil from the Quebec ministry of public safety, who told us about Quebec's great interest in preserving the data, from the privacy commissioner or from the information commissioner, who said that we were heading into the unknown. They did not necessarily talk about illegality on the part of the government, but a fairly radical distance from the principles of public information and other principles.

We are trying to keep the information, and this bill seeks to completely destroy everything. This ties in somewhat with what my colleague, Mr. Bevington, said, which really moved me. I respect the fact that he has always been a proponent of abolishing the firearms registry. As for me, a person who has always been in favour of the registry, I learned to qualify my statements. I also think that most of the witnesses who supported the registry and preserving the information have also learned to qualify their statements, through all the debates that have taken place over the years. We realized that there were irritations for certain individuals, who are fine citizens and who in no way deserve to be made into criminals. We still want to maintain the balance between the right of hunters and sport shooters to use their weapons and public safety.

These amendments fall under that. I would simply like to publicly repeat just how grateful I am of the proactive and very positive work of my colleagues, Mr. Bevington and Mr. Cullen, on this, knowing their background and how they got involved in all of it. I think the amendments we are presenting will open the door to a little more consensus and clarification on the issue of the firearms registry.

•(1135)

[English]

**The Chair:** All right, thank you very much, Madame Boivin.

Again, this amendment is deemed inadmissible. The amendment attempts to insert conditions upon the process by directing the commissioner of firearms to contact all provinces, territories, Indian bands. I think this is pretty well the same rendering as the last decision, so it is inadmissible.

But fear not, there will be some amendments that are admissible, and we'll move to them as quickly as possible.

Before we do that, shall clause 29 carry as is?

**Ms. Françoise Boivin:** Can we have a registered vote, please?

**The Chair:** They've requested a registered vote.

(Clause 29 agreed to: yeas 6; nays 5)

(Clause 30 agreed to on division)

**The Chair:** A new clause has been added, with NDP-6, if they would like to introduce this.

**Ms. Candice Hoepfner:** Can you give us the reference number to make sure we're on the same one?

**The Chair:** It's reference number 5278303.

**Ms. Candice Hoepfner:** Thanks.

**The Chair:** Mr. Harris.

**Mr. Jack Harris:** Thank you, Mr. Chair.

The amendment is to insert a new clause after clause 30:

30.1 The Minister of Public Safety and Emergency Preparedness must, within three years after the day on which section 29 of this Act comes into force, undertake an analysis of the cost to the federal government associated with the destruction by the Commissioner of Firearms of all records in the Canadian Firearms Registry related to the registration of firearms that are neither prohibited firearms nor restricted firearms, as well as all copies of those records, and must report to both Houses of Parliament on the particulars of that cost.

This is a transparency function, Chair. We are opposed to the destruction of these records. We've offered opportunities for other people to use them. There is some confusion as to what's going on here. We've got objections from the Information Commissioner and the Privacy Commissioner that this is in violation of legislation, which obviously is being changed here now. This is something there's been no openness about. We know the firearms we're talking about here, the records themselves, are extremely important.

We haven't talked about the clauses themselves, other than the amendments, but our major concerns here, of course, are the ease with which guns will be able to be transferred without any proper controls on them, and this is going to incur a cost. It's not simply saying that we're abandoning the registry. As has been pointed out, those who followed the law, the law-abiding citizens that the government likes to talk about, have paid to have their firearms registered. The government is going to be spending considerable money to do this, and we want that to be reported to the House.

•(1140)

**The Chair:** All right, thank you.

The chair rules this is admissible, so it's a clause we can look at.

Madam Hoepfner.

**Ms. Candice Hoepfner:** Thank you very much, Mr. Chair.

I want to indicate to Mr. Harris that the government won't be supporting this amendment. We're not asking for any new money to enact this part of the piece of legislation. Tremendous cost has been associated with setting up the long-gun registry, and abolishing it will not cost any new money. So we won't be supporting this.

**The Chair:** All right, thank you.

Madame Boivin.

[Translation]

**Ms. Françoise Boivin:** I'll be brief, Mr. Chair.

I think this amendment is entirely reasonable, under the circumstances. Even today, we have absolutely no idea how much destroying the registry information will cost.



The Conservative government is trying to get rid of this issue as quickly as possible. When the registry was created and over the years, we have seen just how much this could go off the rails and be an astronomical cost to Canadians.

Over the past few years, we have learned to run the registry properly and ensure its viability at a reasonable cost. But we have some concerns about destroying information. I understand that we are in an era where things are done instantly, but the information will not be destroyed until the bill is passed and receives royal assent. This information will not be destroyed in a single click. The registry contains personal information. There are ways of doing this properly.

We have heard a bit about this. If we use the tiniest bit of judgment as politicians, as lawmakers, we will realize that it isn't completely unrealistic to think that destroying the registry will lead to astronomical costs.

I have no indication that it will cost nothing, because I have no indication that it will cost as much as it did to set up the registry. I don't know, so I can't say. The government has given absolutely no information on this.

Let's remember that it cost billions of dollars to create the registry. It's a serious concern.

This proposed amendment is not necessarily costing the government anything. Sometimes you have to spend a little bit of money in order to save money, but this doesn't seem to be in my colleagues' vocabulary.

In two, three or four years, we may have another scandal on our hands or some other horror that will need to be negotiated. This was a measure of prudence, which seems self-evident to me, because we are heading into totally choppy waters and we are not too sure what will happen.

Not a single witness who appeared here, not even the minister, was able to tell us how much this will cost.

[English]

**The Chair:** Thank you, Madame Boivin.

Mr. Cullen, please.

**Mr. Nathan Cullen:** Thank you, Mr. Chair.

Frankly, I was a bit surprised to hear Ms. Hoepfner's comments. All this amendment seeks to do is ask the government to describe the costs to Canadians three years from now as to what it took to destroy the records. What was the cost? We know there will be a cost. That's clear. It's not simply pressing a delete button. We know that's not how it works, because we're hearing from both folks within the RCMP and people who do this for a living. I'll quote one. Carleton University computer science professor Somayaji says, "If it was intermingled with other data from other backups, this is a nightmare".

This would be a very involved process. We're asking for tabling of costs. The government has made much noise about being accountable to the taxpayer. It's all the same taxpayer.

There were two central principles when the gun registry was introduced, and of the criticisms since then, one was around cost and

one was around the concept itself. Those were fair criticisms. It seems somewhat ironic, at this stage when we're asking the government to simply be accountable to the taxpayers of Canada as to how much this process will cost, that it is loath to give that information to the public. It's *deja vu* all over again to listen to a government say, "We're going to do something. We don't know how much it will cost, and we're not going to tell you." That's exactly how the Liberal government talked about this registry in the first place.

There's a cost for destruction of data. My friends can shake their heads, but it's absolutely true. If anyone is under the delusion that you simply click on the computer and press "delete" and this thing is gone, that's a falsehood. Let's be honest and let's be fair to the taxpayers who send us here to take care of their money: there is a cost associated with the process that's in front of us. That's all we're suggesting. For the government to say it doesn't want to be accountable and it doesn't want to actually measure the costs of this particular initiative is categorically wrong. So let's address those same things that it was so driven to in previous governments.

I'll quote my friend, Ms. Hoepfner:

They do not really care what price has to be paid and at whose cost, they want to score a political point, and that's too bad.

That was from just last year. I agree. So let's not be here just to score political points. Let's tell people what this thing is going to cost. That's what this amendment does. I would imagine the government members would be in support of that. I'm surprised to hear they are not. I hope they change their minds in the next minute or so.

• (1145)

**The Chair:** Thank you for your optimism, Mr. Cullen.

**Mr. Nathan Cullen:** I'm always optimistic, Mr. Chair, always optimistic.

**The Chair:** Do we have any other...? All right, then, we'll call the question.

[Translation]

**Ms. Françoise Boivin:** I would like to have a recorded vote.

[English]

**The Chair:** All right, we'll have a recorded vote on the amendment.

(Amendment negated: nays 6; yeas 5)

**The Chair:** We will now proceed to clause 31.

Mr. Cullen, you have reference number 5279569. Is that correct?

**Mr. Nathan Cullen:** NDP-7. It's a classic. Thank you.

**The Chair:** There you go. I just want to pick it up from where you were last time.

**Mr. Nathan Cullen:** Are you sure? You were captivated last time, Chair. I wouldn't want you to forgo that experience again.

Just to be clear on the reference number, if I have it right, it's 5279569.

**The Chair:** That's correct. It's the last amendment, on clause 31.

(On clause 31)

**Mr. Nathan Cullen:** It's NDP-7 in your manual, for those following at home.

To be specific, what this requires a minister to do is to reopen classification records every two years at the moment this bill receives royal assent, when this bill is approved, and consult with experts who understand what kinds of weapons we're talking about. I think sometimes members of Parliament struggle with the ability to understand what all these weapons are for.

I referenced some of them for the committee members earlier because I think it's critical that in this conversation we know what a Ruger Mini-14 semi-automatic range rifle looks like, what the Steyr HS .50, which is a tactical sniper rifle, looks like, and that the L115A3 long-range sniper rifle was used by the British to record the longest successful sniper kill in history, at two and a half kilometres in Helmand province in Afghanistan. That's where this thing's used, not in the backwoods of Manitoba or northern British Columbia. The Tavor TAR-21 assault rifle is designed, by its own manufacturer's description, for urban combat—urban combat.

What we're asking here is in direct correlation with what the RCMP has told us. It has said:

Without registration there is a failure of accountability on behalf of the owner, and it is registration that drives this accountability. Without registration, anyone can buy and sell firearms privately and there would be no record.

The government knows this, and the government must admit to this: that when people legally buy this gun with a proper licence, they can transfer it and sell it to anyone they want.

• (1150)

**The Chair:** We have a point of order.

Mr. Rathgeber.

**Mr. Brent Rathgeber (Edmonton—St. Albert, CPC):** I believe there's a convention if not an outright rule against using props, both in the House and in committees.

**Mr. Nathan Cullen:** It's not a prop; it's a picture.

**Mr. Brent Rathgeber:** I would ask you to determine whether or not Mr. Cullen is using a prop as he's introducing his amendment.

**The Chair:** I agree that there is a convention that says props will not be used in the chamber. Historically, we've had a little more leniency at committee. We have allowed some props or some pictures to be used in the past.

I don't know if that corresponds, Mr. Clerk, with what the ruling from the book would be, but I'll let this proceed.

Be careful, though.

**Mr. Nathan Cullen:** Sure.

**The Chair:** We don't want too many pictures.

**Mr. Nathan Cullen:** No. I would only remind committee members that Minister Baird would not have much to do at committees if he were unable to bring photos and screens and teleprompters. Mr. Kenney and the ministers seem to be—

**The Chair:** Just proceed.

**Mr. Nathan Cullen:** Okay.

This is a plea to my colleagues across the way. This is not a hunting weapon. This is not used by farmers to protect their livestock. This is a weapon that is designed, purchased, and used as a sniper weapon. A weapon described by its own manufacturer as being for urban combat is not a weapon for the people we're talking about. The transfer of these weapons into unknown hands is a danger, a clear and present danger for all of us.

All we ask for in this amendment, this change to the bill, is that we regard the classification of these types of weapons two years after this bill comes into force, so that we can understand that we're not letting loose guns into the public that the public doesn't want to see.

We all claim to seek safer streets. This amendment allows us to do that. If the government had similar amendments in their previous bill, as Ms. Hoepfner's did, why have it then and not now? What have you learned in the meantime that says that the transference of these types of weapons is suddenly a good idea? It was in government Bill S-5 and in Ms. Hoepfner's bill, which I voted for. That was a good provision.

We have to understand what we're talking about here. We can't simply go back to the public and say that letting this gun loose is a good idea. It's not. So let's make the amendment. Allow for the reclassification of guns that we don't want out in the public. That's what this amendment seeks to do.

[Translation]

It's reasonable and it's what the public wants. It's just to protect the public against these kinds of firearms. These aren't just firearms for hunters, but for other people too, and they are being used for something else. We can improve this bill now, in the next few minutes.

[English]

The chair is going to rule this one potentially out of order, but there is a potential for us as a committee to realize that this is incorrect as the bill is written. We can amend this.

This one's not out? Oh, good. Hooray!

**Mr. Jack Harris:** Talk more.

**Mr. Nathan Cullen:** Hope is re-inspired.

Let's make the change. Let's make the change, folks. We need to. This is correct.

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

We have a speakers list.

Mr. Harris.

**Mr. Jack Harris:** Thank you, Mr. Chair.

I want to thank Mr. Cullen for bringing forth this amendment. In fact we've adopted the Conservatives' approach to naming things, and we call this the bad scary guns amendment. I know they like to name things, have some fancy names on things, so simply to help everybody understand what this amendment is for, we call it the bad scary guns amendment.

Mr. Cullen has showed us some of the guns that end up in a category, and I call it a category for a good reason, because there are different categories. There are prohibited weapons, there are restricted weapons, and there's everything else. The everything else the government likes to call the long-gun registry, but in fact the everything else includes bad scary guns.

Now, some of them they may not think are bad and scary, like sawed-off shotguns, double-barrelled 12 gauge shotguns that are actually manufactured in the same shape and size as a sawed-off shotgun, with a 12.5-inch barrel. In fact it's called the outlaw; that's what the manufacturer calls it. It's called the outlaw shotgun and you can buy it for \$300, according to the advertisements. You can stick it in your backpack. Now, why you want a 12 gauge double-barrelled sawed-off shotgun in your backpack, I'm not sure. People saw off shotguns—as some members opposite have been engaged in why they are illegal—so they can conceal them.

This amendment... I think Mr. Cullen talked about it being required within two years. But it's also before any of the provisions of the act come into force, and every two years thereafter, conduct a review along with experts on the classifications of firearms. So which ones should be in what category?

There's a very good reason for this, even outside of the provisions of this bill, because there's a habit among gun manufacturers to actually change the model numbers, make slight modifications to their guns for the sole purpose of them fitting into one category or another. Under our Criminal Code, I haven't looked at this particular schedule lately, but there's a schedule of guns that are listed as restricted, and they're very detailed—the manufacturer, the name, the model number. So all the manufacturers of guns have to do is change the model number, and then it's not on the list any more. They probably have to make some modification to demonstrate that it is actually a different gun, but as I understand it this is a habit of gun manufacturers, and I think anybody involved in law enforcement would be aware of that.

Mr. Cullen told me, and he made the speech privately, but apparently a whole episode of *The West Wing*, the famous TV show about what goes on in the United States White House, was devoted to how gun manufacturers get around the gun laws. They had a big conversation about what they do, the specifics of what they do to make that happen.

This is why we think the government is being irresponsible here. When they seek to throw out the gun registry for rifles and shotguns, they're also throwing out the registration requirements of guns like these semi-automatics, like these assault weapons, like the guns that were used in the Montreal massacre at the Polytechnique in 1989 on December 6, with the next anniversary being next Tuesday. That weapon is in the same category as hunting rifles and the shotguns that people might use for hunting ducks or birds. That weapon, along with shotguns and others, will now be in the category where not only is there no registration required, but the information concerning who owns and who has those particular guns, if they're registered, will be destroyed—irresponsibly, in our view—by this government. The consequence would be that the buying and selling of these types of firearms, as well as the rifles and shotguns, will be without record.

●(1155)

As the RCMP said, in their evaluation of the gun registry and the gun control system in Canada in February 2010, “anyone can buy and sell firearms privately and there would be no record”. There would be no record of what happens to these guns, who buys them and who sells them. Also there is the concern expressed by the RCMP that the registration of these guns “...is very useful in investigating licensed owners in the trafficking of firearms to unlicensed users. Without the registry it becomes almost unenforceable.”

So when you take away the transfer requirements to verify the accuracy of a licence.... That's not something that Ms. Hoepfner, in her bill last year, would allow, but this year, in this bill, there's no problem; we'll reduce that requirement. We're going to have essentially unenforceable laws related to the transfer of guns. The bad, scary guns that we're talking about here will be in the same category and be able to be transferred willy-nilly in our society.

That is something we have heard a lot of frightened people talk about—women who have come before this committee, victims of violent crime. We had a person who survived the assault on the women engineers of the Polytechnique before us last week. In the circumstances on the committee, the witnesses were given five minutes to speak. Essentially, they were begging this committee to be concerned about the proliferation of guns and weapons that will come with this bill.

This amendment is a responsible measure that would ensure....

It's one thing for the minister to go into the House and say we're not doing anything, or as Ms. Hoepfner said last week, we're not changing classification; we're not doing anything with the classification of records.

Well, let me say this. You are responsible for the consequences of your actions. If you take away the protection of a whole category of weapons, you can't just say we're trying to help out duck hunters and farmers, when you're letting loose these bad scary guns, which happen to be in the same category. You're not changing the categories, but the category they're in now requires them to be registered, requires them to be stored in a certain way and registered. It requires that if you transfer them, the registration particulars have to be sent, you have to verify who's buying them, you have to make sure they actually have a valid licence and that there are no gun prohibitions in place, you have to phone the registrar of records to make sure that licence is still valid and that there are no changes.

Now they're in a category that says you have to ask for a licence, and as long as you have no reason to believe it's not valid, then you're okay. If you want, you can phone up the registry, but—and here's the “but”—the registrar is not even allowed to keep a record of the fact that you called.

So somebody comes by—the police, maybe—and says “We're looking for this gun, which was used in a homicide, and we think you had a gun like this.”

You say: “Oh, yes, I had one, but I sold it to this guy who came by. I forget his name, but he showed me this licence. In fact, I even went so far as to phone the registry, and they said it was valid.”

“Well, what's his name?”

“I don't know.”

“Do you have a bill of sale?”

“Nope. I never kept that; I just sold him the gun. I complied with the act. Who can prove that I didn't?”

● (1200)

That's how loosey-goosey this bill will be if it passes—and we always live in hope—and that loosey-goosey control, or lack of control, will apply to these bad scary guns. That's what this amendment is for. It's an opportunity, folks, for you to put something in that actually recognizes the consequences of what you're doing. They're negative consequences. You can't just say you're not changing the registration—you're changing the law, and one of the effects of this change in the law is to allow these bad scary guns to proliferate in our communities and get in the wrong hands, get in the hands of criminals.

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

We do have a speakers list. It's Mr. Scarpaleggia, Madam Boivin, and Madam Hoepfner.

**Mr. Francis Scarpaleggia:** Thank you, Chair.

I think it's a fine idea to require that classifications be reviewed every two years. I think, as in all aspects of society, technology is changing. New kinds of weapons are being developed and hitting the market all the time. How could we not require, when we're talking about something as dangerous as a weapon, that there be some second-guessing every couple of years, that it be required that the government show that it's tracking what's going on in the market?

We've heard a lot during these hearings about dads and moms who want to teach their sons and daughters about longstanding family and community traditions of hunting. Very few people quarrel with that. We all respect that different parts of the country have different traditions. But what we're seeing, Chair, in this day and age is that the demographics of gun ownership are changing.

I would like to quote from an article written by Jeff Davis in the *Edmonton Journal* of October 26. I'll quote verbatim here:

The consumer tastes of Canadian gun owners are fast changing, as shooters eschew vintage hunting rifles in favour of the latest "tacti-cool" military-style weapons—many of which appear in movies and popular video games, such as *Call of Duty*. As a new generation of young men become interested in shooting, but not hunting, retailers are trying to meet the growing demand for sleek firearms. Canadian authorities, meanwhile, facing the repeal of the long-gun registry by the federal government, are worried about the trend.

That's what really came to mind when I saw the very useful photographs that Mr. Cullen showed us. These are obviously not gopher guns. They're not meant to protect farms from rodents, including gophers. One can't imagine what these would be used for in the daily conduct of a farming business, Chair.

Now, the demographics are changing. We don't understand the new demographics of gun ownership. Perhaps these individuals are no different in their attitudes and comportment from legitimate hunters and farmers, but we just don't know. We haven't done the research on this.

That's why I think it's important that we review gun classification every couple of years, because those who manufacture guns, those who work on modifying guns, are always a step ahead. It's not just in terms of the gun market; it's in terms of everything. We've seen, for example, that the RCMP changed its mind not long ago. It allowed the Norinco Type 97 rifle to be imported and sold as a non-restricted weapon. About 50 were sold, up until the point where the RCMP discovered that maybe it needed to reclassify this gun, which is what it did. It reclassified the Norinco Type 97 as a prohibited weapon. As a result, the RCMP took the step of sending letters to 50 owners who had bought these guns and asking them to turn the guns in to their local police stations.

If we don't have the registry, I don't know where we're going to send the letters. If retailers aren't required to keep records, I don't know where we're going to send the letters, Chair.

The point I'm trying to make here is that gun classification is not an exact science. I've used this term before. We're not talking about space science here. This is a very crude and inexact science, so gun reclassification can happen, and should happen, from time to time.

If we don't amend the bill to include the NDP's well-motivated amendment, I would suspect that the RCMP would feel discouraged. There would be a disincentive. They'd say that nobody really cares about reclassifying firearms, so why should they go to the trouble of researching the situation, of researching firearms, and reclassifying them? It's not a priority for the government. They don't think they need to ever really reclassify firearms. Besides, we're facing budget constraints because of recession budgets. We should be spending our money on something else rather than looking at reclassifying a firearm.

● (1205)

So I think this amendment is a good one. It would send a signal to the RCMP and to others that reclassification is an ongoing matter and that reclassification will be required in going forward, just as a fact of life.

I applaud the honourable member for bringing this amendment, and I will be voting for it.

**The Chair:** Thank you.

Madame Boivin and then Ms. Hoepfner.

● (1210)

[*Translation*]

**Ms. Françoise Boivin:** Thank you, Mr. Chair.

We know that time is wasting and that the clock is ticking for the firearms registry. It's obvious. Having said that, this might be our last chance to plead with the majority Conservative government that just because it comes from the opposition doesn't mean that it isn't fundamentally and necessarily good.

In fact, in exactly one week to the day, all the politicians, all the parties combined, will stand up on December 6, with their hands over their hearts and rise up against violence against women and say how appalling it is. Right now, the image I have in my mind as I address you, Conservatives, is of all those victims of the Polytechnique, the people who appeared here. That association has never stopped working, since 1989. The registry became a symbol, and with this symbol some of them managed to divide people. There are some Canadians who are also victims of horrible criminal acts, and then there are hunters and sport shooters. I cannot say it enough.

Instead of trying to find ways to bring everyone together, to find logical solutions, that hold water, that meet the greatest common denominator—and there is one—the amendments that have been presented... On this side of the table, we have people who are in favour of the registry and some who are opposed because we are able to remove the irritants that made some people feel singled out.

We heard some horror stories as if, on this side of the table, we were trying to make criminals out of these people. I won't go back to that. We heard from young people from Dawson College who testified before us. We also heard from people who are working hard with the anti-firearms coalition. Over the many years and through all the different debates and the different bills of all kinds that have been presented in Parliament, they have all learned to watch, knowing that one day we would be in this position where we'd be up against a wall. They all tried to put a little water in their wine when it came to this registry, which costs practically nothing compared to some expenses. In fact, the issue of expenses is certainly not your strongest argument. We need to look at how to get rid of the irritants. That's what counts.

**I want to clarify this because it's important. I'll quote from part of the amendment:** That Bill C-19, in Clause 31, be amended by adding after line 25 on page 12 the following:

“(2) Despite subsection (1), the Minister must, before any of the provisions of this Act comes into force and every two years after any provisions of this Act comes into force, conduct a review, in consultation with experts, of the classification of firearms under...

Personally, I'm not a lover of firearms. I don't know much about them, save for what I've learned through the study of this bill. In fact, I had shivers up my spine when I saw the pictures—a picture's worth a thousand words—of some weapons that will be sold freely. Someone could easily acquire an unlimited number of these long guns without anyone being upset, asking questions or being concerned about the situation.

Just because it comes from the opposition doesn't mean it's fundamentally bad. Open your eyes, open your ears, open your heart if you have heard the cry from some of the groups who testified and some of the individuals who may not necessarily be great fans of the registry, but who can understand that, in a free and democratic society, sometimes certain limits are necessary, while not preventing them from doing what they want to do, such as hunt, sport shoot or collect firearms, and so on.

Unfortunately, this is one of my last speeches on this matter. I would like to tell you what Chief Matthew Torrigan said. He said that you cannot accept our opinion when it serves your purposes, then reject it when it goes against them.

Mr. Harris and I spent hours and hours in the Standing Committee on Justice and Human Rights. We heard these same witnesses, who supported the government, tell you that. These people wanted to be respected for the role they play in society.

●(1215)

These people have been very clear and unequivocal in their remarks here. I think there is a way to accommodate all the elements. This is certainly one of the amendments that will help me to feel a little safer when I leave here. Without it, my belief will be that Canada has just taken several steps backwards and I will have serious doubts as to my safety.

[English]

**The Chair:** Thank you, Madame Boivin.

Madam Hoepfner, please.

**Ms. Candice Hoepfner:** Thank you, Mr. Chair.

I want to begin by saying that I always get a little nervous when the NDP start showing bad scary guns and saying they are guns that won't have to be registered. We know what happened over the weekend: the bad scary guns you showed were actually restricted firearms. Sometimes you may have some confusion as to which firearms are restricted and which are not restricted.

**Mr. Nathan Cullen:** These are unrestricted.

**Ms. Candice Hoepfner:** For the record, I want to let the committee know that the government will not be supporting this amendment. Classification is done through regulation, and we believe that's where it should stay and not in this bill.

Thank you.

**The Chair:** Thank you.

Very quickly, Mr. Cullen. You've already spoken to it. Go ahead.

**Mr. Nathan Cullen:** As Madame Boivin said, I suppose we're looking for a governor's pardon here at the eleventh hour. We're looking for the Conservatives to understand that the mandate they were given by Canadians, by law-abiding hunters and farmers, was not a mandate to let more guns like this into society. This isn't the gun that Candice and I have talked about. This isn't the gun that can kill somebody at two and a half kilometres, pierce Kevlar armour, and is designed for light armoured vehicles. This is another thing.

We're pleading with the government. We know they have a certain focus and ideology when it comes to the registry, and that's fine. They campaigned on one piece, but they didn't campaign on this. They didn't get a mandate from the Canadian public for this. You're associating law-abiding gun owners with this, and that's not right.

We can make this change. Let's make this change as a committee right now. This is within your power. We're pleading, but we're also deeply concerned about the consequences of what this committee is about to do and what Parliament is about to do, in terms of the health and safety of the people we represent.

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

We will proceed now with amendment NDP-7 to clause 31.

**Ms. Françoise Boivin:** I would like a recorded vote.

(Amendment negatived: nays 6; yeas 5)

(Clause 31 agreed to on division: yeas 6; nays 5)

(On clause 1—*Short title*)

**The Chair:** We will move back to the short title of this act. We have a New Democratic Party amendment to this, reference number 5281217.

Mr. Harris, please.

**Mr. Jack Harris:** Thank you, Chair.

I'm speaking to the amendment to clause 1, which is an amendment to change the short title of the act. The current short title of the act specifically calls it the Ending the Long-gun Registry Act. My proposal is to change the title to reflect the consequences of the act. That is to change the title to the Risking Public Safety Act. Anticipating that there may be a ruling coming at some point, I will talk about the amendment and the title.

I don't know whether it's in order or not to change the title in this manner. I hope it is. Whether it is or not, I think the point has to be made here that we've just been through a process of trying to improve this legislation. In fact, the Ending the Long-gun Registry Act title indicates what the government's plan was, but you know, I think the fact of the matter is that our party didn't like the registry the way it was either. We had in fact put forward a whole series of balanced proposals throughout this debate, including here today, to try to remove the problems people had experienced with this act, the concerns that people had.

We offered a suggestion to decriminalize first-time failure to register guns. We wanted to protect the privacy of identifying information that the government in fact released to some people to do studies and polls. We wanted to enshrine Auditor General oversight. We wanted free registration in legislation. We wanted grace periods to register inherited guns. We wanted to provide a legal guarantee for aboriginal treaty rights. We wanted to ensure that important information would be shared among the police, military, and the Canadian firearms program to identify dangerous individuals. We wanted to make sure that only long guns for hunting or sports could be classified as non-restricted and the bad scary guns we talked about wouldn't get into that category. We wanted to close the important business importation loophole, which brings all kinds of guns into Canada without proper border controls. And we wanted to ensure that status cards for aboriginal people were accepted as official IDs.

There were a lot of problems. A lot of problems have been identified over the past number of years, and we haven't had this government do anything to fix those problems in the five years that it's been in government. Instead, it brought in this legislation, which effectively ends the long-gun registry and does nothing else.

What it does when it's ending the long-gun registry exposes the public to risk. That's why we would suggest a more appropriate name for this act. I'm glad the order has been changed by the chair or the experts, to say that a logical order is to have this debate last, because if I had said this at the beginning we may have made amendments that would have made this Risking Public Safety Act title a little bit harder to be convincing. But having attempted to

enhance public safety by amendments to this act, as we've had here debated this morning, and failed, it's pretty clear to me that this bill really should be called the Risking Public Safety Act, not the Ending the Long-gun Registry Act.

We think it's irresponsible for this government to bring in this legislation without any amendments. We've brought in amendments to ensure that business records are kept by sellers of guns, by people who are in the business of selling guns. This has been the law since 1977 or 1978, I believe, that a gun shop or someone who is selling guns keeps a record of the gun and who they sell it to, and the registration number and the serial number and the model number, so that there's a starting-point record of guns that are available in our communities.

Who gave this government a mandate to say that guns can proliferate in our community without anybody who sells them, buys them, imports them, or manufactures them keeping a record of who sells them?

● (1220)

This is something brand new. This is not a part of the irritation of the long-gun registry, where people were trying to register their guns and register transfers. That was brought in, yes, in the nineties. Long before that, individual guns were considered of such importance and potential danger that for public safety reasons, for police enforcement reasons, and for criminal investigation reasons....

I talked to the chief of the Royal Newfoundland Constabulary recently. He said this is an important investigative tool, knowing where guns are. It helps to investigate crimes. If people are subject to a gun prohibition, at least we have some record that they had guns at one time. It's not the complete record. It helps us identify them.

By the way, no police officer should knock on the door of someone in a domestic dispute or a dispute of some kind where that person has a firearms prohibition and assume, because of the firearms prohibition, that there are no guns there. That was the case that was brought before us a couple of days ago, in which it was said it was a case where the firearms registry killed a police officer. Now, I'm extremely hurt by this tragedy that occurred to a police officer who was shot by someone who was a prohibited firearms owner and she lost her life. To shamelessly try to use that for political purposes in a hearing we had last week and to suggest this person was killed by the registry I find appalling. I find that appalling. It's a tragedy when anybody loses their life as a result of a gun, whether it's a police officer or an individual or the victims of the massacres we've heard about.

Let's not play politics with this. Let's look at the fact that we had a system in this country where manufacturers sold guns to businesses. When they sold them to individuals, there was a record kept. It was useful for all sorts of purposes: for protection of public safety for police investigation, for attempts to find the people who, if you're trying to trace a gun.... We have international obligations in terms of tracing records of firearms for the purposes of public safety. They're going to be gone. We tried to fix that by putting back the business records here.

We tried to tighten up transfer requirements to the ones they were before. If you're going to sell a gun, you have to verify who owns it. Even Mrs. Hoepfner's bill in the last Parliament ensured that was there. That's gone. We've put in a provision that suggests that before you start doing all of this and putting in these loosey-goosey regulations, have a reclassification review. No, no. We suggested that provinces, territories, and aboriginal groups may want to have some ability to control firearms and guns in their communities. No. We've had the Minister of Public Safety for Quebec come before this committee pleading for cooperation and assistance from the Government of Canada. No.

We have all of these things that have happened—

• (1225)

**The Chair:** A point of order, Mr. Rathgeber.

**Mr. Brent Rathgeber:** I think it's incumbent on Mr. Harris to introduce his amendment and then seek a ruling on its admissibility. He's clearly arguing his amendment rather than introducing it.

**The Chair:** I'm giving him a little latitude on the introduction.

I perhaps should have given this speech a little earlier. When we introduce the amendment, we introduce it as quickly and succinctly as we can. Then when we move into debate, that's a different issue.

Just wrap it up, Mr. Harris.

**Mr. Jack Harris:** I'm sorry, Chair. Are you saying I have to give this speech over again now?

**The Chair:** No, we've heard it a number of times now, actually.

**Mr. Jack Harris:** Well, I don't think you've heard this speech a number of times, sir, with respect.

**The Chair:** Go ahead.

**Mr. Jack Harris:** I'll wrap up. As I said at the beginning, and nobody jumped in then, I was actually debating clause 1 as well as introducing my amendment. The point of this amendment is that this bill represents an increase in the risk of public safety in the disguise of ending the long-gun registry. And that's very unfortunate. There are an awful lot of people in this country, including law-abiding gun owners, who are quite happy to register their guns. They believe that's a part of the responsibility of being a gun owner. They are going to be disappointed that this whole approach has been taken.

We look to our national police force, I hope, for guidance on this. They talk about the proliferation of guns that are going to result. They talk about the unenforceability of the transfer proceedings. They talk about how this is going to decrease public safety and not increase public safety. I'm very disappointed to be a witness to this. I'm very disappointed we have not been able to persuade members opposite to accept any of these amendments that would in fact increase public safety. They seem to be blinded by some political motivation.

• (1230)

**The Chair:** Thank you very much, Mr. Harris, for introducing that amendment.

The table deems this amendment as being inadmissible. You can only alter a title when the bill has been amended in such a fashion as to necessitate such an amendment.

**Mr. Jack Harris:** Then let's go the other way: it hasn't been amended in a fashion to—

**The Chair:** That doesn't work. That would be inadmissible.

So now we will move to—

**Ms. Françoise Boivin:** Can we debate article 1?

**The Chair:** No.

Now we come back to clause 1, and we can—

**Mr. Jack Harris:** Point of order, sir.

**The Chair:** Go ahead.

**Mr. Jack Harris:** Can we not debate clause 1?

**The Chair:** We're coming up to it right now.

**Mr. Jack Harris:** So there can be a debate on the clause.

**The Chair:** Yes, we're coming to it right now.

Clause 1 is the short title, and we'll have some debate on clause 1.

Mr. Cullen.

**Mr. Nathan Cullen:** I'll try to be brief, considering the committee's time.

I think what Mr. Harris attempted to do was to more accurately reflect what is going on in this piece of legislation. I think the name is no longer accurate.

We'll be voting against the name of this bill because it is inaccurate. It doesn't do what the name suggests, which is ending the long-gun registry; it does so much more.

We haven't heard a single counter-argument from the government in terms of the concerns we've raised here today. I would be more content if the government had actually brought some of their own information, their own facts, to present and say "We are voting against this amendment because of the following...". All we've heard is that they were voting against this amendment, period. It seems a shame that when government seeks an ideology, they're at times blinded by that ideology.

I had hope over experience in this committee meeting, Mr. Chair, and my hope was that reason could prevail. The government is entitled to their opinion but not their own facts, and the facts as presented by New Democrats here today clearly point out some critical flaws in this piece of legislation.

Yet the government sees this bill as perfect, immaculate, and not a period, not a comma, should be changed. When we presented some serious concerns from victims groups, from the police, whose work we all respect and honour, even that evidence meant nothing to this government.

The previous bills that were once moved by Madam Hoepfner and this government had stipulations in them to prevent the proliferation of guns. They were outlined and they were declared by the government itself. Yet somehow they've learned that some new piece of information says there's not a risk any more, as it was a risk last year, the year before, and the year before that.

It seems to me that this government ran on a mandate to end the long-gun registry. That is correct, and that's how politics works. But it didn't run on a mandate to do this.

I was able to support the previous mandate to end the registry, which I did, as the honourable members will know. But I can't support this. I can't be associated with something that law-abiding gun owners don't want to see done. There's no law-abiding gun owner any of us represents who would want to see more sniper rifles in Canadian society, or more urban combat weapons. That's not what this is about. When did it become that kind of debate?

There have been some mistakes made. I hope the mistakes were unintended. The government didn't design a bill that would allow urban assault rifles to be more easily acquired by organized crime. That's clearly not what the government should be doing, and I hope that's not what they've done. Yet when we tried to correct the measures the government has introduced here today, they were unthinking, unwilling to even have the conversation.

Guns are perhaps one of the most emotional issues we deal with as parliamentarians, on whatever side of the debate you fall. We must find ways to remove that emotion and look at the facts as presented.

This bill, as presented, opens up a dangerous precedent for our society. Now there will be political consequences for the government doing it, and I am loath to attempt to predict that. That's not my concern. Those consequences pale by comparison to the consequences to public safety.

Is this government doing something here today they will later most seriously regret? You cannot suggest that allowing more sniper rifles into society or more assault weapons into society somehow has no consequence, that everyone will buy those weapons, secure those weapons, transfer those weapons, without any record or acknowledgement, any verification that the person is allowed to actually have the weapon and there will be no consequences to it.

A mistake is being made here today, and it's a potentially deadly mistake. I can only plead that as we move the very final stages of this bill into the Parliament that the government reconsiders, because they're associating themselves to something that's very nefarious.

Thank you, Chair.

• (1235)

**The Vice-Chair (Mr. Francis Scarpaleggia):** Thank you, Mr. Cullen.

Madame Boivin.

[*Translation*]

**Ms. Françoise Boivin:** Thank you, Mr. Chair.

You know, we are talking about the title now. It may seem strange, but, as my colleagues have said since the beginning of our study of this Bill C-19, starting right when the government introduced the

bill, it does not come as a surprise, we were expecting it. True, there was an election campaign promise that, as soon as they got into power, there would be a bill to abolish the long-gun registry. That happens after almost every election. No surprise there.

Perhaps what profoundly surprised people this time, ourselves included, was becoming aware of clause 29, which talks about destroying the data. That was never in any previous version.

Though I am against what is now called the Ending the Long-gun Registry Act, I am still going to raise my hat high to the Conservatives who have tried, at least for a few seconds here, to hide the truth. By that I mean that, after all the discussions on previous bills, including Ms. Hoepfner's, who has always led the charge on them, they have succeeded in amending it so that it has become worse than it ever was.

Even worse again, people have come here to tell us that they are interested in getting the data and keeping them up-to-date. The government does not want the registry to exist, but it has been so clever about it that it has even taken steps to make sure no one, absolutely no one, can have access to, or use, the data. All this because we know how to collect information in Canada with our legislation on information and preserving information, either through Library and Archives Canada or the Privacy Act.

Let me repeat, I am not quoting raging fanatics, for heaven's sake! I am quoting representatives from the Canadian Association of Chiefs of Police, including Mario Harel, the chief of the Gatineau police service, who was here in his capacity as vice-president of the CACP, together with Chief Matthew Torigian. Calling the bill simply the Ending the Long-gun Registry Act and making us believe that our streets will become extremely unsafe when this bill goes into effect, is tantamount to misleading the public or taking us for fools.

As Chief Harel said, the CACP has always supported the long-gun registry. He told us the reasons for that support. He feels that it is a matter of public safety and part of our responsibility to ensure the safety of our communities, our police officers and the most vulnerable among us.

I know a number of people who are going to feel very unsafe once this bill goes into law. Many people live in surroundings where guns are common. It is no comfort for them to realize that it will be so easy to transfer and sell firearms with no registry, no registration and no permits at all, given the shortcomings of this bill.

Having this bill come into effect certainly is not a matter of public safety. It certainly is a matter of added value in law enforcement in the communities we serve, because it is useful as much in prevention as in investigation.



I agree that the registry is not up to date. It is only that way because the Conservatives themselves have not kept it up to date. At some point, the posturing has to stop, as it simply serves to support our point of view one hundred per cent. But they have no other arguments to make. That is exactly what the Conservatives are doing.

But we can start from that point. Despite the high start-up costs, the long-gun registry operates in a very cost-effective manner today, as an internal RCMP audit shows. Despite that, the Conservatives always come back to the start-up costs, which we can all agree were too high.

We believe that the registry encourages responsibility and gun owners to be accountable. Is anyone around this table against the idea of gun owners being accountable? This is unbelievable!

• (1240)

They also say that it “provides a reasonable balance between the exercise of an individual privilege and the broader right of society to be safe”. We are not in the United States, where people have the right to own firearms. Even so, we could debate what that sentence meant when it was drafted. There is no question here, as is the case in some countries, of letting everyone walk around with a gun in his pocket or of opening a bank account in order to get one.

The words “provides a reasonable balance between the exercise of an individual privilege” apply to hunting too. I have no objection to that. Over the years, I have had assistants and colleagues who were avid hunters. I respect that. But, when it comes to the broader right of society to be safe, we have to make sure that dangerous firearms, that are now deregulated, will not be handled in ways that the public may have trouble understanding.

Very qualified people came here to tell us that they consult the registry up to 17,000 times per day. The Conservatives tell us that this is because, when one thing is checked, something else is automatically checked at the same time. So what? That's great. It gives additional information and it hurts no one. Mr. Harris talked about that. It happened in my province. Someone did not have the right to own a firearm, true. But instead of letting the story come out in the way that it did, it would have been better to say what really happened: that someone was shot right through a door. The registry did not kill her, an unstable person did.

You will tell me that there will always be unstable people with firearms in their possession. Possibly so, but surely it is only reasonable to give those responsible for protecting us the tools to help them in their investigations. This title is simply bogus. They did not just try to hide the Ending the Long-gun Registry Act—it didn't last very long anyway—but there is also the fact that they want to destroy the data that some provinces, including Quebec, my province, were ready to take—just as they are—so that they can keep them from now on. They already have the data, but they are now being put into the position of breaking the law if they keep them. Look at the position you are putting your supposed partners in this Canadian confederation in. It is incredibly sad!

[English]

**The Chair:** Thank you, Madame Boivin.

I would just remind the committee that we do want to have about ten minutes reserved for committee business. I think the NDP have a motion they want to deal with. I have two more on the speakers list—Mr. Bevington and Mr. Harris—and we still have to go through the rest of the clauses and the questions to the committee in regard to the reporting.

Mr. Bevington, very quickly, because I don't want to take time away from Jasbir.

**Mr. Dennis Bevington:** Thank you, Mr. Chair.

I'm very disappointed here in what's happened. I suppose on my particular amendment, I could have put forward a challenge to the chair. I didn't do that, because the reality of it is, it's going to be upheld by the Conservatives. So what we have here is a situation where very good amendments have been put forward, but the Conservatives don't even care to discuss the problems within legislation that we've identified.

You know, in the House I've heard over and over: unfit to govern. Conservatives stand up and call us unfit to govern. Well, I'd say that this Conservative government is unfit to legislate. The process of legislation, where you put in place laws that affect Canadians every day, is extremely important. It's not something to blow off like a cheap suit. These are things that are going to make a difference over many years, and the fact that the Conservatives have refused to countenance any of these amendments is just simply bad legislative practice. It's something that I don't appreciate, and I know that we'll pay the price for this later on.

**The Chair:** Mr. Bevington, may I just correct you on one thing? You've continued to say “the Conservatives have, the Conservatives have.” When you bring forward amendments, they go to the legislative clerk, who looks at it from very set guidelines, and the table has said that they were inadmissible. Some of your amendments were admissible, we've dealt with that, but there have been no Conservatives that have just willy-nilly said they weren't going to accept these as being admissible or inadmissible. It comes from the clerk. And if you're questioning the professional abilities of our legislature and our legislative clerks, then that's a different debate.

• (1245)

**Mr. Dennis Bevington:** Well, what you said was that the amendments were deemed admissible by the chair and the table. Is that not correct?

**The Chair:** By the legislative clerk and the table, that's correct.

**Mr. Dennis Bevington:** I don't have the opportunity to challenge that, in terms of—

**The Chair:** You do. Actually, you do. You can challenge the chair at any moment.

**Mr. Dennis Bevington:** I don't have a chance to challenge that because we have a Conservative majority here that's going to vote it down, so why bother?

The point is that when legislation is not working right, it's beholden on all of us who sit here in Parliament to try to make it right. The actions that have been taken here over the past number of months have not allowed these things to go ahead in a decent fashion. I don't care whether it's today, tomorrow, or the past two months, if things are amiss with the bill, they should be fixed.

Mr. Chair, that's why we're here. That's why we work as legislators, to ensure that the legislation that is passed is going to work for the principles for which it was brought forward. I see this as attitudinally completely wrong. As such, I certainly can't support this bill.

Thank you.

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

Very quickly, Mr. Harris, and then perhaps Mr. Sandhu would want to be invited back here.

**Mr. Jack Harris:** Thank you, Chair.

I will respect that. I won't add anything that I hadn't said before, but the RCMP evaluation of the gun registry system in Canada of February 2010 has a couple of other items that I'd like to put on the record.

They say that the proposed changes to gun laws in Canada will have a significant impact on firearm-related mortality and injury. That's an important finding.

They say that most public safety threats in Canada are through non-restricted firearms—i.e., long guns—on page 18 of their report, and we're loosening the restrictions on them, as well as getting rid of the registry.

They also say that it is estimated that approximately 3,940 lives have been saved by the licensing and registration system combined. That's an extremely high number of lives: 3,940 lives saved through the licensing and registration system. And it's estimated by the RCMP, who run the system, that the registry share of the cost of the Canadian firearms program in 2008-2009— which was the last year they have—was between \$1.1 million and \$4 million only, from page 57 of their report. So when they talk about the costly and wasteful and expensive long-gun registry, the actual cost of the registry is between \$1 million and \$4 million.

These are the people, the RCMP, the national police force, who actually run the Canadian firearms program. That's what they say about gun control.

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

I think that pretty well concludes the debate on clause 1.

(Clause 1 agreed to on division)

**The Chair:** Shall the title carry?

**Some hon. members:** Agreed.

**An hon. member:** On division.

**The Chair:** Shall the bill carry?

**Ms. Françoise Boivin:** A recorded vote, please.

**The Chair:** You want a recorded vote. All right.

(Bill C-19 agreed to: yeas 6; nays 5)

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

**Some hon. members:** Agreed.

**Ms. Françoise Boivin:** No.

• (1250)

**The Chair:** Carried on division.

All right. I want to thank you, committee, for your work on this very important bill and for honouring the timelines here.

We are going to suspend momentarily, and allow Mr. Sandhu to come in. He still has committee business.

I want to thank our legal team of experts, Ms. Fobes and Ms. Fresco. You did a remarkable job, ladies. We do appreciate your availability here to explain certain technical parts of the bill, should it have been required.

Thank you very much

• (1250)

(Pause)

• (1250)

**The Chair:** Order.

We're going to move into the last few moments of our committee today. We have some business to discuss. We do have a notice of motion that has been brought forward.

Mr. Sandhu has brought forward a motion. It has been circulated. It is in order, I believe. I'm pleased to announce that this is—

**Ms. Candice Hoepfner:** On a point of order, this motion is on consideration of future business. Do we typically go in camera when we're talking about future business?

**The Chair:** No, only by motion. This wouldn't necessarily have to be in camera.

**Ms. Candice Hoepfner:** Okay.

**The Chair:** Mr. Sandhu, if you would like to introduce this motion, I would certainly give you a brief moment to do so.

**Mr. Jasbir Sandhu (Surrey North, NDP):** Thank you.

I present this motion to invite the minister to appear in front of this committee so that we can consider and discuss the supplementary estimates. This is the usual practice wherein the Minister of Public Safety would come before the committee to look at the estimates.

I hope the committee will vote to have the minister come.

**The Chair:** Madam Hoepfner.

**Ms. Candice Hoepfner:** We would support this request. My only concern—but it will be up to the minister's office—is that December 1 is coming pretty quickly. I'm not sure, time-wise, if he would be able to. But we certainly support the premise and the spirit of the motion.

**The Chair:** Is there anyone else to speak to this?

(Motion agreed to)

**The Chair:** Mr. Cullen, we wouldn't expect, in the midst of what you are all up to, that you'd want to be known as one who opposes everything.

**Some hon. members:** Oh, oh!

**The Chair:** Thank you very much, everyone.

We are now adjourned.

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