



Government of Canada
Privy Council Office

Gouvernement du Canada
Bureau du Conseil privé

Ottawa, Canada
K1A 0A3

UNCLASSIFIED

June 29, 2023

Aimée Belmore
Clerk of the Committee
Standing Committee on Government Operations and Estimates
Sixth Floor, 131 Queen Street
House of Commons
Ottawa ON K1A 0A6

Dear Ms. Belmore:

As referenced in my submission of June 26, 2023, I am writing in follow up to the questions raised by the Standing Committee on Government Operations and Estimates during my June 21, 2023 appearance.

Sincerely yours,

Matthew Shea
Assistant Secretary to the Cabinet,
Ministerial Services and Corporate
Affairs

Attachments

Canada 

Privy Council Office Responses to Undertakings
Standing Committee on Government Operations and Estimates (OGGO)
June 21, 2023

Accountable Government Document

Transcript:

Mrs. Kelly Block (Carlton Trail—Eagle Creek, CPC): Thank you very much, Mr. Chair.

Perhaps this is a good segue to the request I have, through you, to Mr. Shea. I would ask that Mr. Shea please provide us with the policy document that he's referencing and attributing to the Conservative Party. If you wouldn't mind, could you send that to this committee so that we can take a look at it? It's the historical document that you've attributed to the Conservative Party of Canada.

Mr. Matthew Shea: If I could add clarity, it is not related to a party. It is related to the Government of Canada. It would have been the Conservative government, approved by the prime minister. It is not about the Conservative Party nor the Liberal Party.

Mrs. Kelly Block: Fine. If you could send the document you've referenced that was created by the Government of Canada when the Conservatives were in government, I would appreciate that.

Mr. Matthew Shea: I would be pleased to do so.

Response:

- **The documents referred to are available online on the Government of Canada's website:**
 - **Accountable government : a guide for ministers. (2006-2011) - EN**
<https://publications.gc.ca/site/eng/9.506322/publication.html>
 - **Pour un gouvernement responsable : un guide à l'intention des ministres (2006 – 2011) – FR** <https://publications.gc.ca/site/fra/9.502721/publication.html>

E-mail referenced at the June 19, 2023 meeting of the Standing Committee on Government Operations and Estimates

Transcript:

Mr. Majid Jowhari: Thank you. My request to Mr. Shea is this: Can you, sir, kindly undertake a search, through completed ATIPs, to find the emails that Ms. Kusie read into the record between Paul Mackinnon and Maia Welbourne on June 6. We requested that, I believe, last time, as well. If you could undertake that and submit it to the committee in writing, it would be really appreciated.

Thank you, Mr. Chair.

Response:

- **We believe that the attached email responds to the request. The attached email was released under ATIP #A-2022-00179/AW.**

- **To add further context and clarify the email, the Privy Council Office would take note of House of Commons Procedure and Practice, Third Edition, 2017 which states: “Every motion, once adopted, becomes either an order or a resolution of the House. Through its orders, the House approves bills at their various stages, regulates its proceedings or gives instructions to its Members or officers, or to its committees.” (Chapter 12, *The Process of Debate*, pg. 536). Motions for the production of papers adopted by the House of Commons are therefore orders, which are binding.**
- **That section goes on to say: “A resolution of the House is a declaration of opinion or purpose; it does not require that any action be taken, nor is it binding”.**



A-2022-00179.pdf

Wilson, Amilia

From: Welbourne, Maia
Sent: 6-Jun-22 8:41 AM
To: MacKinnon, Paul
Cc: Mather, Erin; Nguyen, Linda; Cintrat, Jean
Subject: RE: Parliamentary Affairs Brief - Friday, June 3, 2022

The Government considers it non-binding, Parliament does. If Government doesn't produce documents as ordered by the House (assuming motion is adopted, it becomes an order of the House) then the matter can escalate in a number of different ways – including as far as finding that Government is in contempt, Minister or official being called to the bar, non-confidence vote. This is the same kind of scenario as last June with Iain Stewart being called to the bar.

Main difference now being the Supply and Confidence agreement with the NDP

From: MacKinnon, Paul <Paul.MacKinnon@pco-bcp.gc.ca>
Sent: Monday, June 6, 2022 8:36 AM
To: Welbourne, Maia <Maia.Welbourne@pco-bcp.gc.ca>
Cc: Mather, Erin <Erin.Mather@pco-bcp.gc.ca>; Nguyen, Linda <Linda.Nguyen@pco-bcp.gc.ca>; Cintrat, Jean <Jean.Cintrat@pco-bcp.gc.ca>
Subject: Re: Parliamentary Affairs Brief - Friday, June 3, 2022

Good morning

Remind me , if passed , it's not binding on Government to produce documents?

Sent from my iPhone

On Jun 4, 2022, at 10:53 AM, Welbourne, Maia <Maia.Welbourne@pco-bcp.gc.ca> wrote:

The last Opposition Day motion is a real stinker. If that one is selected (I think there's a good chance) the key will be how the NDP decides to vote.

From: Welbourne, Maia
Sent: Saturday, June 4, 2022 10:49 AM
To: Charette, Janice <Janice.Charette@pco-bcp.gc.ca>; Drouin, Nathalie G <Nathalie.G.Drouin@pco-bcp.gc.ca>; Thomas, Jody <Jody.Thomas@pco-bcp.gc.ca>; van Dieen, Jodie <Jodie.vanDieen@pco-bcp.gc.ca>; Bogden, Jacqueline <Jacqueline.Bogden@pco-bcp.gc.ca>; McClymont, Donnalyn <Donnalyn.McClymont@pco-bcp.gc.ca>; Costello, Dan <Dan.Costello@pco-bcp.gc.ca>; MacKinnon, Paul <Paul.MacKinnon@pco-bcp.gc.ca>; Vandergrift, Michael <Michael.Vandergrift@pco-bcp.gc.ca>; Shea, Matthew <Matthew.Shea@pco-bcp.gc.ca>; Tupper, Shawn <Shawn.Tupper@pco-bcp.gc.ca>; MacKillop, Ken <Ken.MacKillop@pco-bcp.gc.ca>; Tessier, Jean <Jean.Tessier@pco-bcp.gc.ca>

Cc: Nguyen, Linda <Linda.Nguyen@pco-bcp.gc.ca>; Fee, Stuart <Stuart.Fee@pco-bcp.gc.ca>; Adler, Jeremy <Jeremy.Adler@pco-bcp.gc.ca>; Mueller, Terry <Terry.Mueller@pco-bcp.gc.ca>; Neville, Inez <Inez.Neville@pco-bcp.gc.ca>

Subject: Parliamentary Affairs Brief - Friday, June 3, 2022

Parliamentary Affairs Brief

(2022-06-03)

Key issues

House of Commons:

- Bill C-19 (BIA) was debated at report stage. The debate adjourned. A notice of time allocation was given for the consideration and disposal of the report stage and third reading stage of the bill.
- Debate on a motion to concur in the first report of the Public Accounts Committee (Procuring Complex Information Technology Solutions of the 2021 Reports of the Auditor General of Canada) resumed. The debate adjourned.
- Bill C-241 (deduction of travel expense for tradespersons) was debated for the second hour at second reading. The vote at second reading was deferred until June 8, 2022.
- The Minister of Environment and Climate Change gave notice for the introduction of a bill entitled "An Act respecting places, persons and events of national historic significance or national interest, archaeological resources and cultural and natural heritage".
- The CPC gave notices of motions that would authorize parliamentary committees currently considering Bills C-11 (Online Streaming), C-13 (Official Languages), C-14 (Electoral Representation) and C-18 (News Remuneration), to travel throughout Canada to hear testimony from interested parties.
- The CPC gave notice of the following opposition day motions. One of these motions could be selected for debate on June 7, 2022:

Mr. Albas (Central Okanagan—Similkameen—Nicola) — That, given that,

(i) high inflation rates are driving the cost of living up for all Canadians,

(ii) the price of gasoline and diesel is hitting record-highs across Canada, making it more expensive for Canadians to get to work, transport goods, and to live their everyday lives,

(iii) the price of food is up more than 9.7% since last year, making it more difficult for Canadians to put food on the table,

(iv) contrary to the government's previous statements, heightened inflation is not transitory and is projected to persist,

(v) the decision to continue to impose ideologically-driven COVID-19 restrictions places a barrier on growth and recovery of the Canadian economy, the transportation of goods, and by consequence, the cost of those goods,

(vi) Canada has experienced the steepest decline in housing affordability in a generation,

the House call on the government to provide immediate relief to Canadians by:

- (a) temporarily suspending the Goods and Services Tax (GST) collected on gasoline and diesel;
 - (b) suspending the carbon tax;
 - (c) eliminating tariffs on fertilizer;
 - (d) enabling the free flow of goods across the Canadian border, supporting the recovery of the tourism sector and protecting the jobs of federally-regulated employees by immediately removing all federal COVID-19 restrictions; and
 - (e) curbing speculation in the housing market by immediately launching a national public inquiry into money laundering.
-

Mr. Moore (Fundy Royal) — That, in the opinion of the House:

- (a) the Supreme Court of Canada ruling in *R. v. Bissonnette* has serious consequences for the victims of mass murderers, who will now be forced to attend parole hearings and relive their trauma to ensure that mass murderers remain behind bars; and
 - (b) therefore, the government should table in the House, no later than on Monday, December 5, 2022, legislation that ensures that mass murderers remain ineligible for early parole.
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Mr. Bezan (Selkirk—Interlake—Eastman) — That, with a view to discharging the House's constitutional duties of holding the government to account over the forthcoming summer adjournment and autumn sitting:

- (a) in relation to recently disclosed Royal Canadian Mounted Police (RCMP) records concerning its 2018 consideration of charging the Prime Minister with the offence of fraud upon the government, contrary to paragraph 121(1)(c) of the Criminal Code,
 - (i) the Standing Committee on Access to Information, Privacy and Ethics be instructed to undertake a study concerning these matters, provided that the committee shall
 - (A) seek evidence from the RCMP, the Ontario Provincial Police (OPP), the Civilian Review and Complaints Commission for the RCMP, and the current and former Conflict of Interest and Ethics Commissioners,
 - (B) report back to the House within 100 sitting days,
 - (ii) an order of the House do issue for an unredacted copy of all documents responsive to Access to Information Act request A-2021-02029 made to the RCMP, subject to the provisions of paragraph (e) of this motion,
 - (iii) the House waive its privileges with respect to the April 26, 2022, admission by the Prime Minister, recorded at page 4381 of the Debates, that he did not have the written consent of the head of his branch of government to accept the vacation in question, for the purposes of any proceedings under the Criminal Code, provided that the Speaker shall communicate this decision to the Commissioner of the RCMP, the Director of the Public Prosecution Service of Canada, the Commissioner of the OPP, and the Assistant Deputy Attorney General of Ontario (Criminal Law Division);
- (b) in relation to the August 2021 fall of Afghanistan, an order of the House do issue for completed and draft after-action and review reports respecting the evacuation of Kabul prepared by, or on behalf of, the Privy Council Office, the Department of Foreign Affairs, Trade and Development, and the Canadian Armed Forces, subject to the provisions of paragraph (e) of this motion;

(c) in relation to the February 2022 declaration of a public order emergency, an order of the House do issue for all security assessments and legal opinions, together with any other advice tendered to the government on whether to invoke the Emergencies Act, which the government relied upon in determining that

- (i) the threshold of "threats to security of Canada", as defined by section 2 of the Canadian Security Intelligence Service Act, required by section 16 of the Emergencies Act, had been met,
- (ii) the thresholds required by paragraphs 3(a) or (b) of the Emergencies Act, concerning a "national emergency", had been met,
- (iii) the situation could not "be effectively dealt with under any other law of Canada", as required by section 3 of the Emergencies Act,
- (iv) the Emergency Measures Regulations were compliant with the Canadian Charter of Rights and Freedoms, including the analysis relied upon by the Minister of Justice in discharging his responsibilities under section 4.1 of the Department of Justice Act,
- (v) the Emergency Economic Measures Order was compliant with the Canadian Charter of Rights and Freedoms, including the analysis relied upon by the Minister of Justice in discharging his responsibilities under section 4.1 of the Department of Justice Act, subject to the provisions of paragraph (e) of this motion;

(d) in relation to the unredacted documents, respecting the transfer of Ebola and Henipah viruses to the Wuhan Institute of Virology in March 2019, and the subsequent revocation of security clearances for, and termination of the employment of, Dr. Xiangguo Qiu and Dr. Keding Cheng, an order of the House do issue for their production, subject to the provisions of paragraph (e) of this motion;

(e) in relation to the documents ordered by subparagraph (a)(ii) and paragraphs (b) to (d) to be produced,

- (i) these documents shall be deposited with the Law Clerk and Parliamentary Counsel, in both official languages, no later than Friday, July 15, 2022,
- (ii) a copy of the documents referred to in paragraphs (c) and (d) shall also be deposited with the Law Clerk and Parliamentary Counsel, in both official languages, no later than Friday, July 15, 2022, with any proposed redaction of information which, in the government's opinion, could reasonably be expected to compromise national security or to reveal details of an ongoing criminal investigation, other than the existence of an investigation,
- (iii) the Law Clerk and Parliamentary Counsel shall promptly thereafter notify the Speaker, who shall forthwith inform the House, whether he is satisfied each set of requested documents was produced as ordered, provided that the Speaker shall, if the House stands adjourned, lay the opinions of the Law Clerk and Parliamentary Counsel upon the table pursuant to Standing Order 32(1),
- (iv) the Speaker shall cause the documents referred to in subparagraph (a)(ii) and paragraph (b) and the documents referred to in paragraphs (c) and (d), as redacted pursuant to subparagraph (e)(ii), to be laid upon the table at the next earliest opportunity, and, after being tabled,
 - (A) the documents referred to in subparagraph (a)(ii) shall stand referred to the Standing Committee on Access to Information, Privacy and Ethics,
 - (B) the documents referred to in paragraph (b) shall stand referred to the standing committees on Foreign Affairs and International Development and on National Defence, and, if it has not yet presented its final report, to the Special Committee on Afghanistan,
 - (C) the documents referred to in paragraph (c) shall stand referred to the Standing Committee on Public Safety and National Security and to the Special Joint Committee on the Declaration of Emergency,
 - (D) the documents referred to in paragraph (d) shall stand referred to the Special Committee on the Canada-People's Republic of China Relationship,
- (v) the Law Clerk and Parliamentary Counsel shall discuss with each committee referred to in subparagraphs (iv)(C) and (D), at in camera meetings, to be held within one month of the documents being tabled pursuant to subparagraph (e)(iv), whether he agrees with the redactions proposed by the government pursuant to subparagraph (e)(ii), provided that these meetings or any subsequent meetings where the discussions are continued
 - (A) shall not be subject to the provisions of paragraph (r) of the order adopted on Thursday, November 25, 2021,
 - (B) may, if the relevant committee decides, be held outside of the House's precincts, but within the National Capital Region, at a location acknowledged by the government to be appropriate for the discussion and presentation of highly classified information,

(vi) each committee referred to in subparagraphs (iv)(C) and (D) may, after hearing from the Law Clerk and Parliamentary Counsel, pursuant to subparagraph (e)(v), accept the proposed redactions, or reject some or all the proposed redactions and request the production of those unredacted documents in the manner to be determined by the committee; and that a message be sent to the Senate to acquaint Their Honours accordingly with respect to paragraphs (c) and (e) of this motion.

House of Commons Schedule

Monday, June 6	Tuesday, June 7	Wednesday, June 8	Thursday, June 9	Friday, June 10
Bill C-19 (BIA) – RS ----- Bill C-246 (representation in the House of Commons) – 2R	CPC Opposition day (8 of 8) and consideration of supply bills for Main Estimates and Supplementary Estimates A	Bill C-19 (BIA) – 3R ----- C-251 (Conservation of Fish Stocks and Management of Pinnipeds Act) – 2R	Bill C-5 (mandatory minimums) – RS ----- S-216 (use of resources of a registered charity) – 2R	TBC ----- M-45 (study on population aging) – 2 nd hour

- The Senate is adjourned until Tuesday, June 7, 2022 at 2 p.m.