



House of Commons
CANADA

Standing Committee on Procedure and House Affairs

PROC • NUMBER 009 • 1st SESSION • 38th PARLIAMENT

EVIDENCE

Thursday, November 18, 2004

—
Chair

The Honourable Don Boudria

All parliamentary publications are available on the
"Parliamentary Internet Parlementaire" at the following address:

<http://www.parl.gc.ca>

Standing Committee on Procedure and House Affairs

Thursday, November 18, 2004

•(1105)

[Translation]

The Vice-Chair (Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ)): We shall commence our study of the First Report of the Subcommittee on Parliamentary Privilege. I will ask Ms. Longfield, Chair of this subcommittee, to present this Report.

[English]

Hon. Judi Longfield (Whitby—Oshawa, Lib.): I would move that the main committee adopt the report that's been presented by the subcommittee. It is pretty self-explanatory.

[Translation]

The Vice-Chair (Mr. Michel Guimond): It is thus moved that this draft report be adopted.

(Motion adopted)

Will somebody move that the chair, the Clerk and researchers be authorized to make such grammatical and editorial changes as may be necessary without changing the substance of the report?

Ms. Françoise Boivin (Gatineau, Lib.): I so move.

(Motion adopted)

The Vice-Chair (Mr. Michel Guimond): Will somebody move that the Chair present the report to the House?

Hon. Judi Longfield: I so move.

(Motion adopted)

The Vice-Chair (Mr. Michel Guimond): Will somebody move that the Committee append to its report a dissenting opinion from the Conservative Party provided that it is no more than two pages in length—we can forget about those two pages, because our colleague from the Conservative Party filed a dissenting opinion of one page and one paragraph— and send it electronically to the Clerk in both official languages?

Mr. John Reynolds (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): I so move.

(Motion adopted)

Hon. Dominic LeBlanc (Beauséjour, Lib.): If I may, Mr. Chair, I would like you to ask, before we start the question period, for the unanimous consent of the Committee before tabling the report. We will probably agree to the tabling of the report and it then will be deemed to have been adopted without a vote.

[English]

Mr. John Reynolds: On division, but so there will be no vote, just have it as done. Can we do that right away? And if you're ready to go upstairs with it—

[Translation]

Hon. Dominic LeBlanc: That's fine.

The Vice-Chair (Mr. Michel Guimond): I therefore need the unanimous consent to the tabling of the report which will be adopted on division.

Hon. Dominic LeBlanc: Thank you.

The Vice-Chair (Mr. Michel Guimond): Mr. Godin.

Mr. Yvon Godin (Acadie—Bathurst, NDP): I welcome you to the Chair of the Committee.

The Vice-Chair (Mr. Michel Guimond): I won't stay long, I have two minutes left.

Mr. Yvon Godin: It is an honour and a privilege for you to chair this committee. I only want to say that I agree with the motion.

The Vice-Chair (Mr. Michel Guimond): We will suspend the sitting for 30 seconds and I will give the chair to Mr. Boudria.

•(1110)

[English]

The Chair (Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.)): I'm sorry for the temporary absence. I'm glad to be back to deal with a number of outstanding items we have.

One of the items we have before us is a report of the subcommittee on private members' business, which has presented a report asking us to make a private member's item non-votable. As you know, with the changes we adopted a couple of years back, instead of having items non-votable unless they're made votable, they're all votable unless one of them is eliminated and to be made non-votable.

I'll ask the clerk to review for us, under the Standing Orders, the precise procedure where this happens, because of course it's under the leadership of the subcommittee and then transferred to the main committee, which we're chairing now.

Mr. Clerk.

The Clerk of the Committee (Mr. Jeremy LeBlanc): Perhaps Mr. Carr could present the report for consideration.

The Chair: Mr. Carr, do you want to go through it?

Mr. Gary Carr (Halton, Lib.): Yes, very briefly, Mr. Chair.

In accordance with the provision of Standing Order 91(1) and 92 (1), the subcommittee agreed that the following item of private member's business, originating in the House of Commons, should be designated non-votable. That was Bill C-268, an act to confirm the definition of marriage and to preserve the ceremonial rights, sponsored by Mr. Moore, Fundy—Royal.

The subcommittee determined the bill is non-votable according to the criteria adopted by the Standing Committee on Procedure and House Affairs for the following reason: the bill and motion must not clearly violate the Constitution Acts of 1867 and 1982, including the Canadian Charter of Rights and Freedoms. A copy of the relevant minutes is there as well.

The only other thing, Mr.—

The Chair: Do you move the adoption of this report?

Mr. Gary Carr: Yes.

The Chair: Did you wish to add something else? Are there members wanting to debate it?

Mr. Gary Carr: There was just one other thing. I wanted to point out that the subcommittee has postponed making a decision on motion M-194 standing in the name of the member for Lanark—Frontenac—Lennox and Addington until we receive further legal advice.

The Chair: So there's another report possibly in the making then.

In terms of the content of this report and the motion to adopt this report, does anyone want to speak on it?

Let's hear from our clerk and then we will have debate on the actual motion.

Mr. Clerk.

The Clerk: Actually, Mr. Chair, I think we're getting ahead of ourselves in terms of adopting the report because the provisional Standing Order 92(2) says:

Within five sitting days of the deposit of a report referred to in section (1) of this Standing Order,

—which we have now—

the sponsor of an item that is the object of the report

—in this case, Mr. Moore—

shall have the opportunity to appear before the Standing Committee on Procedure and House Affairs and to provide a written submission to the Committee to explain why the item should be votable.

[*Translation*]

Then, it says in paragraph(3):

(3) Where the Standing Committee on Procedure and House Affairs, following proceedings pursuant to section (2) of this Standing Order, concurs in the report of the subcommittee on Private Member's Business, it shall report that decision to the House forthwith, and, notwithstanding Standing Order 54,...

[*English*]

The Chair: In other words, I gather this would mean your motion is a motion to table the report only, and a motion to table of course is not debatable. Having that motion, which I gather is what we have before us—

The Clerk: It doesn't even need a motion to table.

The Chair: It doesn't need a motion to table?

The Clerk: It just presents the report.

The Chair: Thank you. We will hold that then.

Who informs the member of his right to make this appeal?

The Clerk: The clerk of the Private Members' Business Office, who is sitting at the back.

The Chair: The member will be duly informed so that all his or her rights are protected.

Mr. Reynolds.

Mr. John Reynolds: On a point of order, he has five business days?

The Clerk: The standing committee must hold a meeting within five sitting days to hear from him.

Mr. John Reynolds: We're going to have to hear from him by Tuesday probably.

The Clerk: Five sitting days will bring us to next Thursday.

Mr. John Reynolds: I'm going to ask the question to the chairman: how does it fit in with our plan? I can tell you that Mr. Moore will be bringing his argument to this committee for a vote.

The Chair: That's fine. I think we should displace whatever we have, because this is the alleged right of a member that's involved. That should be given priority, in my opinion, unless I hear any manifestation otherwise, at the earliest opportunity.

Next Thursday sounds fine. If it means, and this is subject to yourselves, that we have to add a little time on Tuesday if the honourable member is not here on Thursday, I would certainly, personally, be willing to do that to accommodate the member in question.

● (1115)

Mr. John Reynolds: I will advise him that he can come next Thursday, but if that's a problem I'll get back to you, Mr. Chair.

The Chair: Please do, sir.

Mr. John Reynolds: Put it on the agenda for next Thursday and that will give him enough time to prepare his arguments.

The Chair: Having disposed of that item then,

[*Translation*]

as you know, the High Commissioner of New Zealand came to see me to talk about the experience of his country in the area of electoral reform. I know that, technically, this issue has not been referred to us yet. However, during a meeting, about two weeks ago, we had agreed to organize some kind of a social function, a dinner or something like that, and that we would invite His Excellency to talk to us in camera about his country's experience in this area.

Mr. Clerk, have you set a date with the High Commission of New Zealand, a date that we could agree on?

The Clerk: The High Commission of New Zealand has suggested Wednesday, November 24, that is next Wednesday. If there are votes that evening, we could start around 6 p.m., so members could attend the sitting.

[*English*]

The Chair: Is it your wish that we have such a dinner meeting with the High Commissioner of New Zealand on November 24 at approximately 6 p.m.?

Where would you hold this, Mr. Clerk?

The Clerk: We could do it in this room. We need a room that has interpretation, so we're pretty much limited to committee rooms. This is convenient to the House.

The Chair: We could have a buffet or something. We can do that in this room. Is this agreeable?

Mr. Reynolds.

Mr. John Reynolds: The debate that took place in New Zealand on the CPA, did we ever manage to get hold of that at all?

Mr. James Robertson (Committee Researcher): We sent e-mails to the clerk of the New Zealand Parliament. We haven't received that yet, but we're pursuing it. Do you have a date? We were unable ourselves to track it down.

Mr. John Reynolds: Perhaps we can check with the CPA office here, because we did have a delegation go to New Zealand for those meetings and some of us took part in the debate. It was probably three or four years ago.

The Chair: I would also suggest that you phone the high commission, because the high commissioner himself was an MP who participated in those debates. He would likely be better informed than even the officials in his own country.

Mr. John Reynolds: I think the people in the CPA office here could probably get it quicker than anybody.

Mr. James Robertson: I'll follow up again with them.

The Chair: So that gives you two possible sources for locating that.

Madam Longfield.

Hon. Judi Longfield: Could we find a room that would be more fitting for the high commissioner? Maybe the aboriginal committee room or something?

The Chair: It's too large. It will hold about 100 people.

Mr. John Reynolds: What about Room 340-S? It has translation. That room is very nice. It has a nice table.

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): What about the committee room that has the murals on the walls, the paintings of the Zeppelins and other modes of transportation?

Hon. Judi Longfield: That's the one that I thought was the aboriginal committee room.

Mr. James Robertson: That's the Commonwealth Room.

Hon. Judi Longfield: But it does not have translation.

Mr. John Reynolds: Room 340-S does.

The Chair: Room 340-S, where the House leaders meet, is a very nice room. We'll go with Room 340-S, with this room as a backup. Our clerk will send us the necessary information once he has secured accommodation in order for this meeting to be held.

Mr. Scott Reid: If you've ever seen New Zealand's Parliament Building, it is one of the ugliest buildings in the Commonwealth, so this room would be a big improvement.

Mr. Yvon Godin: We're not in camera.

The Chair: May I remind you, Mr. Reid, that we're not in camera.

Mr. Scott Reid: It's an architectural comment.

The Chair: Folks, I have a few other points that are necessary to raise.

A number of us are very interested in having further testimony from Mr. Jean-Pierre Kingsley. As you know, that meeting was to have taken place this Tuesday and was displaced because of the events with which we're familiar.

Mr. Clerk, what is the next available date for Mr. Kingsley to appear before this committee? From what I've gathered, the interest in having his testimony is very much in the minds of a number of colleagues who have raised it with me privately.

The Clerk: The Chief Electoral Officer has indicated to me that he is available to appear next Tuesday, November 23, in our regular time slot, with the officials who appeared before us the last time—which was on October 30, I believe.

• (1120)

The Chair: Is that agreeable? Okay.

Mr. Kingsley has also written a letter to me in my capacity as chair of the committee—and, Mr. Clerk, could you make sure that all members of the committee get that letter?

The Clerk: Yes. It was distributed to their offices. They should have received it already.

An hon. member: I received it yesterday.

The Chair: If anybody didn't get it, would you please ask our clerk and he'll ensure that you do get another copy? The letter was sent to me in both official languages, so it doesn't even need to be translated, just distributed to all members.

Mr. Godin.

[*Translation*]

Mr. Yvon Godin: I think that everybody has received a kit from Elections Canada. They ask us to give our opinion on the election, as Mr. Kingsley had said. We received it last week.

The Chair: Mr. Godin draws our attention to another document we have all received and which was sent to all MPs. They ask us to write them to tell them, in a constructive way, what went wrong in our respective ridings, in order to better draw the limits of polling stations, choose their location and so on. This document also deals with a series of other issues. It deals with the location of polling stations and of election officials, and they ask us to make comments, suggestions, etc.

Mr. Yvon Godin: Is there a deadline?

The Chair: No, there is no deadline. Personally, I will consult my party and try and send my comments before the Holiday Season.

However, I would like to make a suggestion to my colleagues. We receive a lot of mail in our offices. I would appreciate if representatives of each political party raised this issue with their respective caucuses and invited members of Parliament to fill out the questionnaire. If we don't do it and we get to next election with the supposed errors we had imagined last time still there, we would be partly to blame. This is an occasion to suggest changes. It would be appropriate that each of us take this opportunity and encourage colleagues to do the same. We receive so much mail everyday that some members may not be aware of this letter.

Thank you, Mr. Godin, for having brought this to our attention.
[*English*]

We had also talked about the performance report and the estimates—the supplementary estimates, that is. Again, that's another meeting that was displaced. We were to have heard from our Speaker today.

Mr. Clerk, could you tell us the next available date for Mr. Speaker?

The Clerk: The clerk's office has indicated to me that both the clerk and the Speaker would be available to appear on the performance report and supplementary estimates on November 30, which is a Tuesday.

The Chair: Is that agreeable? Agreed. We're making progress here.

Mr. Clerk, from your vantage point this morning, are there any other issues that we need to bring to the agenda?

The Clerk: None that I can think of right now, Mr. Chair.

The Chair: Have we received the report of the House of Commons yet on the accommodation, the rooms and the accessibility for people who might have mobility challenges, and so on? They were to report to us. We asked for that. All of this, of course, had to do with the fact that some of us had imagined that this might have an effect on the availability of television rooms.

Anyway, what is the report in that regard?

The Clerk: My understanding from the secretariat of the Board of Internal Economy is that a response has been drafted and that it's in the approval stages now. So we should be getting a response shortly.

The Chair: Fine.

Now, on another topic, the order of reference on electoral reform that we're still awaiting from the minister responsible for electoral matters, or whatever the title is—namely, Minister Bélanger—do we have any news of that?

The Clerk: No, I don't at this time.

The Chair: Thank you.

Are there any other issues that members of the committee want to raise this morning?

Hon. Judi Longfield: I move that we adjourn.

The Chair: So moved and carried.

The meeting is adjourned.

Published under the authority of the Speaker of the House of Commons

Publié en conformité de l'autorité du Président de la Chambre des communes

**Also available on the Parliamentary Internet Parlementaire at the following address:
Aussi disponible sur le réseau électronique « Parliamentary Internet Parlementaire » à l'adresse suivante :
<http://www.parl.gc.ca>**

The Speaker of the House hereby grants permission to reproduce this document, in whole or in part, for use in schools and for other purposes such as private study, research, criticism, review or newspaper summary. Any commercial or other use or reproduction of this publication requires the express prior written authorization of the Speaker of the House of Commons.

Le Président de la Chambre des communes accorde, par la présente, l'autorisation de reproduire la totalité ou une partie de ce document à des fins éducatives et à des fins d'étude privée, de recherche, de critique, de compte rendu ou en vue d'en préparer un résumé de journal. Toute reproduction de ce document à des fins commerciales ou autres nécessite l'obtention au préalable d'une autorisation écrite du Président.