

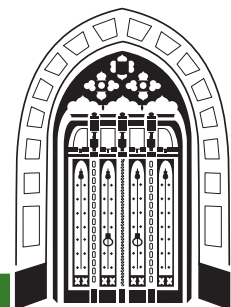


HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# *Committees*

## *Practical Guide*

OCTOBER 2008





## THE HOUSE OF COMMONS STONE

This sculpture, known as a “haut-relief”, graces the House of Commons Chamber and was co-designed by Eleanor Milne and Maurice Joannis and carved by Maurice Joannis. The base stone – which portrays an election campaign – was designed and carved by Maurice Joannis. The entire haut-relief was installed on the west wall of the Chamber in 1985.

The artwork symbolizes the elected House of Commons. On top is a mythical figure – a Janus – who is addressing the present as well as looking back in time and forward to the future. The two figures in tilted oval frames represent the Leader of the Opposition on the right; and on the left, the leader of the governing party who is, of course, the Prime Minister. On the left and right hand sides of the image are twenty elected representatives composing a quorum – the minimum number of Members required to constitute a meeting of the House. In the centre towards the bottom of the image sits the Speaker, the spokesperson and presiding officer of the House; at the top stands the Sergeant-at-Arms with the Mace in hand prepared to maintain order. In the centre of the image stands the Clerk, the custodian of the records of the institution, and adviser to all Members, and in particular, the Speaker.

*The House of Commons Stone* is one of a series of twelve haut-reliefs depicting, in a symbolic and story form, the federal roles and responsibilities arising out of the *British North America Act*. They are all found in the Commons Chamber.



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*Committees*  
*Practical Guide*  
*(Ninth Edition)*

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## **N**<sup>OTE</sup>

This guide offers basic information regarding the operation of committees of the House of Commons and is for the use of Members of Parliament and the public. It is not intended to be a procedural authority.

Where applicable, the use of the masculine gender applies to men and women.



### **A Guide for Members**

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## **1. PURPOSE OF COMMITTEES**

Committees are central to the operations of the House of Commons for at least three basic reasons:

- they allow for the detailed examination of complex matters which is more easily done in small groups rather than an entire assembly;
- they offer an opportunity for Members to hear from Canadians and experts on topics of national concern and to have these representations placed on the public record; and
- they provide a means for Members to probe into the details of policies and programs, thereby further developing an expertise in specific areas.

Members devote a great deal of time and energy to committees. For example, in the last fiscal year (from April 2007 to March 2008), committees held 1,076 meetings, sat for 1,686 hours, and heard from 2,958 witnesses. In comparison, the House held 113 sittings during the same period.

This document is intended as a general introduction to the operations of the committee system of the House of Commons with an emphasis placed on standing committees.

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## **2. STANDING COMMITTEES**

Standing committees are permanent committees established by the Standing Orders of the House of Commons. The House usually alters the number of standing committees and their responsibilities to reflect changes in the structure of public administration. Such changes require amendments to the Standing Orders.

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### **MANDATE**

Standing committees receive their mandates in three different ways: under the Standing Orders, by an Order of Reference from the House, or under legislation. Standing committees that receive their mandate under the Standing Orders are appointed for the duration of a Parliament and examine matters that are referred to them regularly by the House. Most standing committees are also mandated to oversee one or more departments. They examine relevant legislation, the activities and expenditures of the department, and the effectiveness of the department's policies and programs.



## 2. STANDING COMMITTEES

Matters referred to standing committees by a specific order of the House are called “Orders of Reference”. The House almost systematically refers the following to standing committees:

- bills;
- reports and other documents tabled in the House in accordance with an Act of Parliament;
- the estimates (sums of money needed by the government to pay for its programs and activities in the coming fiscal year);
- order-in-council appointments (persons that the government appoints or nominates for appointment to non-judicial positions); and
- failure by the government to respond to petitions or written questions within the prescribed period.

From time to time, a committee may be required by law to review an Act or part of an Act.

Committees are bound by their mandate and by their Orders of Reference, and may not conduct business or make recommendations that would exceed the scope of those mandates or Orders of Reference.

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### POWERS

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Under the Standing Orders, standing committees are empowered to do the following:

- examine and inquire into all matters that the House may refer to them;
- report to the House from time to time;
- attach dissenting or supplementary opinions to reports;
- require the attendance of persons and/or the production of documents;
- sit when the House is sitting or when it stands adjourned;
- sit jointly with other House committees;
- have any documents or evidence published from day to day as required;
- delegate powers to subcommittees except the power to report directly to the House;
- broadcast and televise their meetings; and
- retain the services of experts and professional staff.





## **2. STANDING COMMITTEES**

Standing committees are free to initiate any studies in the exercise of their mandate and may conduct their proceedings as they see fit, provided that they do not exceed the authority vested in them by the House. However, if a committee requires additional powers to carry out its duties, the House may confer those powers by approving a report from the committee in which those powers are requested, or simply by adopting a motion conferring those powers on the committee.

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## **3. MEMBERSHIP**

Standing committees are composed of Members of the House of Commons. The large number of Members required to support the committee system means that many Members participate in the work of more than one committee. In addition to their departmental responsibilities, Parliamentary Secretaries are usually members of standing committees to which their responsibilities relate.

Since the 38th Parliament (2004-2005), the rules of the House provide for 12 members on each standing committee. Party representation on committees is roughly proportional to the party standings in the House. The party Whips submit names of Members for each committee to the Standing Committee on Procedure and House Affairs to be approved by the House.

Any Member of Parliament who is a member of a committee is entitled to question witnesses, move motions, vote and be counted as part of the quorum.

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### **SUBSTITUTE MEMBERS**

A substitute member may be designated to replace the permanent member of a standing committee at one or more meetings. The substitute member enjoys the same rights and privileges as the committee member. However, the substitute member loses these privileges should the permanent member of the committee attend the meeting.

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### **ASSOCIATE MEMBERS**

A list of associate members is established for each committee and these associate members may be named to subcommittees.



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### 3. MEMBERSHIP

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#### OTHER MEMBERS

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A Member of Parliament who is not a member of a committee may participate in the proceedings at the discretion of the committee but may not move motions, vote or be counted in the quorum.

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### 4. COMMITTEE CHAIR

The Chair and Vice-Chairs of standing committees are elected by the members of the committee. The Chair is chosen from amongst the government members of the committee with the exception of five committees where the Chairs are chosen from the Official Opposition (i.e., the Standing Committees on: Access to Information, Privacy and Ethics; Government Operations and Estimates; Public Accounts; Status of Women; and the Standing Joint Committee for the Scrutiny of Regulations).

The first Vice-Chair is chosen from the Official Opposition members of the committee, and the second Vice-Chair from an opposition party other than the Official Opposition, except for the five committees mentioned above.

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#### ROLE, POWERS AND RESPONSIBILITIES

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The Chair serves as the presiding officer of the committee and the spokesperson through whom all matters are channelled. The Chair has the power to maintain order and decorum and to decide all questions of order and procedure. Decisions of the Chair, when rendered, are not debatable but may be appealed to the committee. The Chair of a committee casts a vote only in order to break a tie.

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### 5. COMMITTEE STAFF

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#### COMMITTEE CLERK

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The clerk of the committee is a non-partisan and independent officer of the committee who serves all members of the committee and representatives of all parties equally. The clerk performs his or her duties and responsibilities under the direction of the committee and its Chair. As an expert in the rules of the House of Commons, the clerk may be requested to give advice to the Chair and members of the committee should a question of procedure arise. The clerk is the coordinator, organizer and liaison officer for the committee and as such will be in frequent contact with members' staff.



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## 5. COMMITTEE STAFF

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### LIBRARY OF PARLIAMENT ANALYSTS

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The Parliamentary Information and Research Service of the Library of Parliament provides one or more analysts to each committee. The work undertaken, which varies according to the needs of the committee, includes preparing background documents and briefing notes as well as draft reports.

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## 6. WITNESSES

Witnesses provide a good opportunity for members of the committee to hear the views of Canadians on any topic the committee might be studying. Most of the witnesses will either be experts in a particular field (including departmental officials) or non-governmental organizations with a particular interest in the matter before the committee or, more rarely, private individuals.

Usually, each organization or individual appearing before the committee submits a brief, which is translated and distributed in advance. At the meeting, they give a short statement outlining the main points they wish to make and this is followed by questions from the members. Any statement that a witness may make at the meeting is protected by the same privileges as those enjoyed by Members of Parliament.

For each study, the committee may decide how long it will spend hearing witnesses, how many witnesses it wishes to hear and which specific witnesses will appear before it. The staff from the Library of Parliament can suggest additional witnesses who might be particularly relevant to the study. Once the committee's witness list is established, the committee clerk gets in touch with each witness to schedule their appearance.

For reasons of time and expense, witnesses are sometimes heard by videoconference. The committee may, following strict rules, reimburse the travel expenses of witnesses.

Should the committee's time be limited, or should the study be of particularly broad interest, the committee may also decide to request briefs from groups and individuals who may be unable to appear as witnesses.



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## 7. COMMITTEE MEETINGS

### ORGANIZATION MEETING

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Before a committee can begin its work, the members of the committee must elect a Chair and Vice-Chairs. This occurs at the first meeting of the committee which is referred to as the “organization meeting”. The election of the Chair is presided over by the clerk of the committee. Should there be more than one nomination for Chair or Vice-Chair, the vote is held by secret ballot.

Since the committee is not properly constituted until a Chair is elected, the clerk who is presiding over the election may not entertain any points of order or any motion other than a motion of nomination to elect a Chair.

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### ROUTINE MOTIONS

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Although the only item of business scheduled for an organization meeting is the election of the Chair, it has become common practice for committees to proceed immediately with the election of the Vice-Chairs and then to the consideration of routine motions. Committees often adopt routine motions to establish practices for members to follow throughout a Session of Parliament. This is necessary as committees do not strictly follow all of the rules of the House on all procedures.

These routine motions include notice requirements for new business, the partitioning of time for the questioning of witnesses, the reimbursement of witness travel expenses, and other items that will govern how the committee will conduct its meetings. There is no official list of routine motions and each committee is free to organize itself however it sees fit, as long as it does not step outside the powers granted to it by the House.

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### NOTICE FOR A MEETING

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The members are alerted of the Chair’s intention to convene a meeting by means of a notice. A notice is sent via e-mail to every member of the committee as well as the member’s staff. The notice is also published on the Internet on the respective committee’s Web site. The notice outlines the purpose, location and time of the meeting, as well as the witnesses (if any) and the informal agenda.

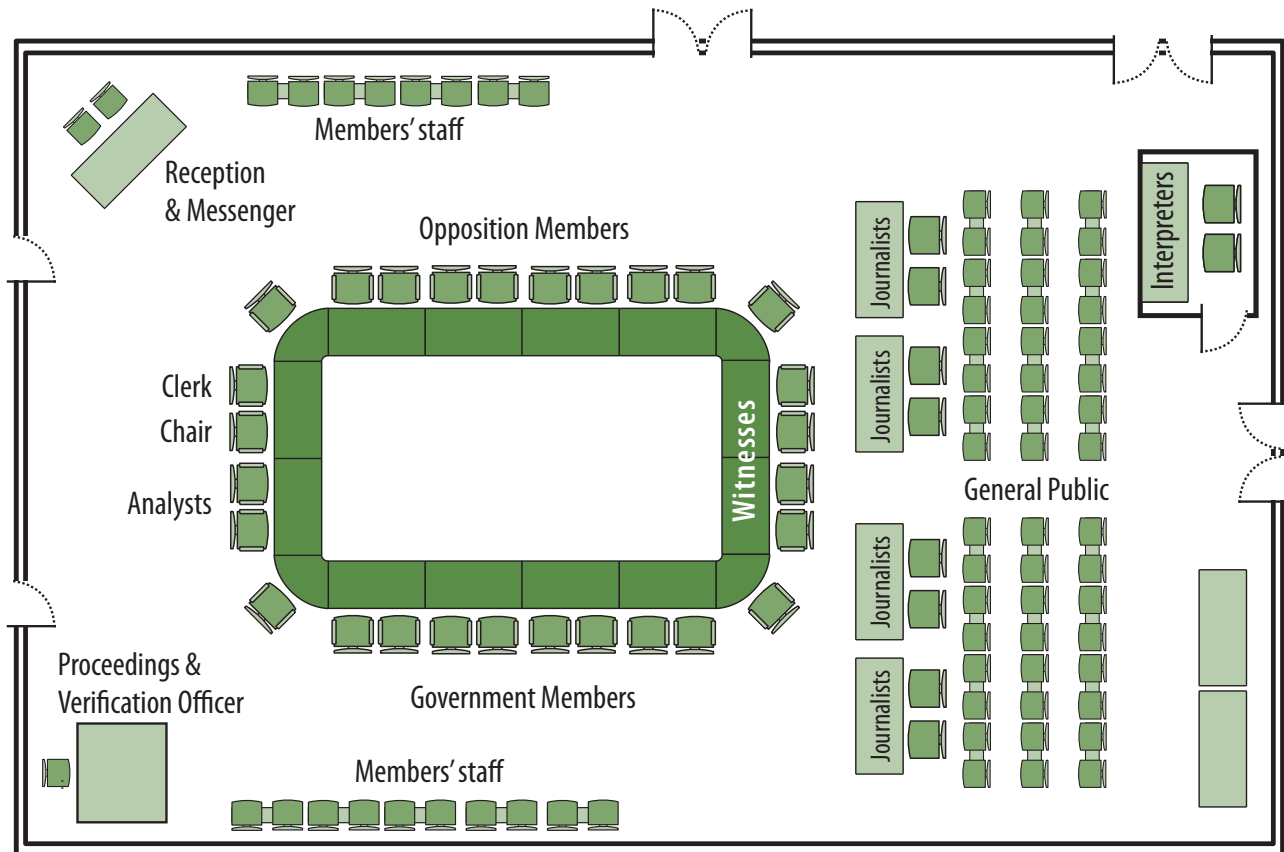


## 7. COMMITTEE MEETINGS

### COMMITTEE ROOMS

Meetings are usually held in one of the designated committee rooms that are located throughout the parliamentary buildings. These rooms are specially outfitted with electronic equipment for the recording and interpretation of the proceedings.

Here is an example of a typical committee room setup:



### MEETINGS

The Chair calls a meeting to order once quorum (a majority of the membership) is present. Committees are also empowered to sit with a reduced quorum solely for the purpose of hearing witnesses, but they are not permitted to vote or adopt motions during meetings with a reduced quorum.

Most meetings take place during predetermined time slots, but never during Question Period. Standing Order 115(5) requires meetings to be suspended when the bells are sounded to call in the Members to a recorded division, unless there is unanimous consent of the Members to continue. A committee usually begins its meeting by



## 7. COMMITTEE MEETINGS

taking up whatever study or activity it has previously agreed to do. If there are witnesses, they will make introductory remarks which are then followed by rounds of questioning from the members. All members of the committee, as well as any witnesses, may speak in the official language of their choice as simultaneous interpretation is available. Most meetings are held in public, however, a committee may sit *in camera* (i.e., in private) and usually does so when studying draft reports or discussing its future business.

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### BROADCAST OF COMMITTEE PROCEEDINGS

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All committee meetings, except those held *in camera*, are broadcast live over the Internet in both official languages (ParlVU). (Note: Most live broadcasts are audio only; where a committee has chosen to televise, the video feed is also available.) Although there may only be a dozen people in a committee room, there may be hundreds or even thousands of people listening online. Televised meetings are also broadcast on the Cable Public Affairs Channel (CPAC) and on the internal House of Commons television channels.

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### UNREVISED TRANSCRIPT (“BLUES”) AND *EVIDENCE*

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Shortly after a meeting has been held, the unofficial verbatim transcripts (commonly known as the “blues”) are available for committee members and staff. These unedited transcripts are prepared in the language that was spoken by the participants at the meeting. The official transcripts (translated and edited) are published as soon as possible after the meeting as the *Evidence* on the committee Web site, usually within 10 calendar days.

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### *MINUTES OF PROCEEDINGS*

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The *Minutes of Proceedings* are a summary of the decisions of the committee for each meeting. They also contain the time and location of the meeting, whether the meeting was held in public or *in camera*, which Members were present, who presided, the names of witnesses and their affiliated organizations (if any), the names of all committee staff members present, and the Orders of Reference that were taken up. The committee clerk prepares the *Minutes* and publishes them online as soon as possible after a meeting.





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## 7. COMMITTEE MEETINGS

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### PUBLIC CONSULTATIONS

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Committees typically ask the general public to aid them in their studies by submitting briefs. A committee may also wish to conduct an online consultation directly with the public.

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## 8. TRAVEL

From time to time, committees travel outside the parliamentary precinct to hear evidence, hold consultations or visit locations in connection with their studies. To hold such meetings, committees must obtain the authorization of the House and the approval of the Liaison Committee, which releases the travel funds.

Committees that are authorized to hold meetings in other parts of Canada follow the same process as on Parliament Hill. The evidence and proceedings are recorded and made public, the committee retains all the powers conferred on it by the House, and members and witnesses are protected by parliamentary privilege.

When a committee travels outside the country, it may consult groups and individuals and visit facilities. However, it does not hold official hearings. The powers conferred on the committee by the House, and the parliamentary privilege that it normally enjoys, are not in effect when the committee is abroad.

The committee clerk is responsible for the organization of all committee travel with the assistance of the House of Commons support services (i.e., interpreters, logistics officers, financial services, and proceedings and verification officers).

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## 9. REPORTS TO THE HOUSE OF COMMONS

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. A committee can only make recommendations; it cannot issue orders to the House or to the Government.

Some reports have a standard format. For instance, reports on bills contain nothing more than the amendments adopted by the committee, and reports on order-in-council appointments either find the appointee qualified or not qualified. These kinds of reports will be prepared by the committee clerk based on what the committee has agreed to.



## **9. REPORTS TO THE HOUSE OF COMMONS**

Substantive reports on a subject-matter study do not have a standard format. They usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations. A draft of this type of report is prepared by the analysts from the Library of Parliament and is reviewed in detail by the committee.

Reports can only be presented to the House after they have been adopted by the committee. Dissenting or supplementary opinions (i.e., a brief text providing additional comment) may be attached to subject-matter reports with the agreement of the committee. The committee may ask the government to respond to its recommendations within 120 days after the presentation of the report.

The Chair of the committee presents the report to the House during Routine Proceedings. If the Chair is unavailable, any member of the committee may present the report.

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## **10. OTHER TYPES OF COMMITTEES**

In addition to standing committees, there are other types of committees:

- Subcommittees are established by the main committee, and may exist either as long as that committee or until their task is completed. Subcommittees report to the main committee and are not authorized to report directly to the House of Commons. The composition of a subcommittee is not always proportional to party representation in the main committee. A standing committee may appoint members to a subcommittee not only from its own ranks, but also from the list of associate members.
- Legislative committees, which are created as required, have the power to examine bills that are referred to them. The Chair of a legislative committee is appointed by the Speaker of the House of Commons.
- Special committees have only specific powers set out in the House of Commons Order of Reference under which they are created. They cease to exist after they have presented their final report. The Chair of a special committee may be elected by the committee or named in the Order of Reference creating the committee.
- Joint committees are composed of Members of both the Senate and the House of Commons. They have two Co-Chairs, one from each House.



## 10. OTHER TYPES OF COMMITTEES

- The Liaison Committee usually consists of all the Chairs of the standing committees. Its main function is to distribute among the standing committees the funds allocated to those committees.
- Committees of the Whole are composed of all the Members of the House of Commons, and meet in the Chamber. They operate under a slightly different set of rules from other types of committees.

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## 11. ADDITIONAL INFORMATION

For more detailed information on a particular committee, please contact the clerk of the committee (tel.: 613-992-3150).

For more complete information on committees, please refer to the following items, available on the Parliament of Canada Web Site at [www.parl.gc.ca](http://www.parl.gc.ca):

- Chapter 13 of the *Standing Orders of the House of Commons*;
- Chapter 20 of *House of Commons Procedure and Practice, 2000* (Marleau and Montpetit);
- the “Committees” section of the online *Compendium of House of Commons Procedure*; and
- “House of Commons Committees” section of the Parliament of Canada Web Site (<http://www.parl.gc.ca/common/committee.asp?Language=E>).

