

# **Standing Committee on Procedure and House Affairs**

Thursday, January 31, 2013

#### • (1105)

[English]

# The Chair (Mr. Joe Preston (Elgin—Middlesex—London, CPC)): Let's go ahead and call our meeting to order.

This is the first meeting on redistribution.

I welcome my colleagues and our guests from Newfoundland and Labrador at the end of the table. We're starting in the east and working across apparently. You get to be, if you will, our first guests on redistribution. Take it easy on us. We're going to work a little bit on our process on this as we hear from you today.

**Mr. Jack Harris (St. John's East, NDP):** Thank you very much, Chair. It's a long time since I've testified before a parliamentary committee.

Some hon. members: Oh, oh!

An hon. member: I'm not sure the chair is finished.

Mr. Jack Harris: I'm sorry.

**The Chair:** I'm always happy to hear from Mr. Harris. Oftentimes I hear from him when I don't want to as well, so it does work.

Here's our process. You're each going to have five minutes to sell your piece on redistribution and then you'll take questions and answers from the members. Hopefully we can put together a report matching what you're asking for on redistribution. It's the committee's role to take the report from the redistribution group and hear your thoughts on it and then send them back a letter with your suggestions in it. That's what we'll do today.

I think we will start with Mr. Harris since he's already started.

Mr. Harris, would you like to start today? You have five minutes to tell us what it is you'd like to see.

Mr. Jack Harris: Thank you very much, Chair.

When you said we were starting in the east, I thought that was my signal to go.

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): Sorry, Jack, I don't mean to interrupt.

I'm just trying to get clarification probably for the benefit of the panellists as well as us. Are we intending to hear all three panellists five minutes each and then start questioning, or are we doing Mr. Harris first for five and then we question him and then move on?

The Chair: No. We'll do all and then ask questions of all. Okay?

Mr. Harris, please.

#### Mr. Jack Harris: Thank you.

As I said, it's a long time since I've testified before a parliamentary committee, so I'm asking you to go easy on me. I can't say I do the same thing to all the witnesses who come before our committees when I sit there where you are. But this is a new process to me as well.

The suggestion and proposal you will find in the letter that I put forward to this committee is actually in support of my colleague from St. John's South—Mount Pearl. The boundary as it exists, or as it's being put in place by the commission, reverts to some of the old boundaries of St. John's East. But for quite some time the boundary between what was St. John's East and St. John's West was further up. When I say further up, I mean the boundary was in the middle of Quidi Vidi Lake. What you see on the large map, all of this east of Freshwater Road, Longs Hill, and down to the waterfront was at one time in St. John's East. It hasn't been for the last 10 or 15 years.

In the time frame that we're talking about, there has developed a community of interest between the communities on both sides of what we call the "Narrows" of St. John's harbour.

If you look at the small map, you'll see Fort Amherst Road on the lower part, and you'll see Outer Battery Road on the north part. Then the Narrows is in between. These groups have developed a community of interest and are working together on a number of projects.

The suggestion from my colleague, which I support, would be to try to keep those two communities in St. John's South—Mount Pearl. To accomplish that, my suggestion is—and now we go back to the larger map—that we put the boundary on Duckworth Street. You can see Duckworth Street, the second street up from St. John's harbour. I've drawn a line there. Going along Duckworth Street, it runs into Signal Hill Road. Signal Hill Road would take in all of the Battery, which is the name of that community there. It would not include a lot of residents on the north side of St. John's harbour, because Duckworth Street is an area of mostly offices and business premises. The courthouse is at the west end of that. On the east end there are a couple of new condominiums, near Cavendish Square and where the Newfoundland hotel is.

There are a number of people living in the Battery, of course. That's the point of Mr. Cleary's proposal.

The proposed boundary that we have comes down Freshwater Road, that large artery you see there, heads over Lemarchant Road and down Barters Hill, and then out into the middle of the harbour. That's what the commission has proposed now. I'm suggesting they go back to the old boundary, which was Freshwater Road, Longs Hill, and then down to where Church Hill meets Duckworth Street, and then head east and go up Signal Hill Road. That is my proposal, a modest change to what the commission is now proposing. We didn't have an opportunity to comment on this before because this proposal is actually brand new. The first time around, this wasn't part of the proposal. They were leaving the boundary between Mr. Cleary's riding and my riding the same. This is new and we had to respond to it when it came forward.

That's basically it. Thank you.

The Chair: Thank you, Mr. Harris.

Mr. Cleary, I take it you're going to reinforce what Mr. Harris just said.

We'll let you go next.

Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP): Thank you very much.

I've submitted a written appeal to the commission and I trust that's been submitted to members. I just want to elaborate on the main point of my appeal.

As member of Parliament for St. John's South—Mount Pearl, my appeal has to do specifically with the removal of the Battery and the downtown.

I tell people that I have the most beautiful riding in all of Canada. • (1110)

The Chair: We all do, Mr. Cleary.

Mr. Ryan Cleary: I really do.

Some hon. members: Oh, oh!

**Mr. Ryan Cleary:** One of the most appealing parts of my riding is the Narrows. As Jack said, the Narrows is the historic entrance to St. John's harbour. It's iconic. For anybody who watches that fabulous CBC production, *Republic of Doyle*, in the opening of the show you see the Narrows. It's just absolutely breathtaking. Most mornings on my Facebook page I put up pictures of the Narrows and the weather looking out towards Ireland.

On one side of the Narrows, you have Cabot Tower, which was built about 100 years ago to commemorate Marconi's first transatlantic message. You have Signal Hill. Then at the bottom of Signal Hill, on that side of the Narrows, you have fishing heritage. There are flakes. There are fishing boats. It's a little fishing village within the city.

On the other side of the Narrows you have Fort Amherst, and that has more of a military history. In World War II, for example, there were bunkers built there. There was a chain put across the Narrows, across the water, to prevent German U-boats from coming in. A couple of U-boats that were caught in the chain nets actually fired torpedoes in through the Narrows.

So it's iconic and there's a real history in the Narrows.

Over the past year a community group has been formed. Actually it's more than a community group. It's called "the Narrows". On one side you have the Battery community association, and on the other side you have the Fort Amherst community association. So it's spearheaded by two community groups. Then there's also St. John's tourism and provincial and federal representatives. This community-led group takes in probably about a dozen groups. The whole purpose of this Narrows group is to redevelop both sides of the Narrows. On the one side with the military history, all the fortifications that were there are crumbling into the sea. The fishing heritage has seen a number of storms and storm surges in recent years, and it's crumbling into the sea. This group has been formed to enhance the Narrows.

When the boundary originally came out, there was no change in my riding whatsoever. I was surprised to see that there was a change. I have no objection, for example, to Witless Bay and Bay Bulls being included in my riding. I have no problem with that whatsoever. I've also been a part of this community group to enhance the Narrows. If you split that in half between Jack and me, if you split it between two ridings, I believe that will weaken the work that's been done, and an incredible amount of work has been done to date to try to enhance the Narrows. That is the crux of my argument. Don't split it between two ridings. We're not talking about a lot of people in terms of including that. Again I have no objection to Bay Bulls or Witless Bay being included in the riding, but splitting the Narrows in two will split the community in two. I think that would go against the whole boundary mandate. So that's the crux of my argument.

The Chair: Thank you very much, Mr. Cleary.

Mr. Simms, go ahead with your piece for today. Welcome.

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Thank you. It's the first time I've ever been a witness.

My name is Scott Simms, I'm a Leo, I enjoy long walks on the beach.

I've always wanted to do that. Sorry, I know this ain't Match.com.

I do want to talk about the fact that all I have here is a name change, quite frankly. There's a new area that's been included in what will be moved from the south coast into the central part of the island come 2015, and what it is right now, the name is Bay d'Espoir. That's the formal name, but we Newfoundlanders pronounce it Bay Despair. It's Bay d'Espoir–Central–Notre Dame.

The area of Bay d'Espoir is on the south coast. Now Bay d'Espoir represents one town amongst about 12 to 15. Other towns include Harbour Breton, Seal Cove, Pool's Cove, Rencontre East, and several islands.

About 10 to 13 years ago, I'll say, we were set up into certain zones across the province and the zone was called the Coast of Bays. Years ago we always called the area Bay d'Espoir, but it actually excluded many communities. I spoke to mayors in St. Alban's, Milltown, Harbour Breton, and McCallum, and even in the town that bears the name of Bay d'Espoir, and they actually said that Coast of Bays is a far greater description of the entire region. So I'm asking that it be changed from Bay d'Espoir—Central—Notre Dame to Coast of Bays—Central—Notre Dame. It's not because I believe that there's too much French in there already. Don't get me wrong. It says that Coast of Bays—Central—Notre Dame is a far greater description, but I do like Bay d'Espoir—Central—Notre Dame. It does have a ring to it.

So that's my crux.

• (1115)

The Chair: Great. Thank you all for your presentations today.

We'll start with some questions.

Mr. Lukiwski, are you going first?

**Mr. Tom Lukiwski:** Briefly and then I'm going to turn it over to my colleague, Mr. Armstrong.

The Chair: You have seven minutes.

**Mr. Tom Lukiwski:** I noticed in the commission's report—this would be more to Ryan and Jack, I think—specifically, Mr. Cleary, with respect to your arguments, the commission said that they originally had recommended no changes, as you indicated, to your electoral district, but then they said consideration of the submissions received at the public hearings basically caused them to change.

Can you give us a quick overview of what kinds of submissions these were and how many there were? Was there widespread support to change as the commission has indicated?

**Mr. Ryan Cleary:** From my recollection, there were no recommendations. There were no submissions with regard to a change of the eastern part of my riding. It was more to do with Witless Bay and Bay Bulls, which I have no objection to.

As far as I can recall, there wasn't a mention about the extreme east end of the riding. I could be wrong, but I don't remember that.

Mr. Tom Lukiwski: Okay, that's all I had.

I'll turn it over to Mr. Armstrong.

The Chair: Mr. Harris, did you have a comment?

**Mr. Jack Harris:** I was at the hearings. Most of the issues before the hearings were about the riding of Avalon and changes to Avalon.

So I think this change to St. John's East and St. John's South— Mount Pearl was kind of consequential, a bit of a domino effect. It came as a surprise to me too because there was nothing about changing the boundary. In other words, there were no counterarguments presented to what we're saying here today. This came upon us as a result of the second thing. So for continuity and community of interest we're making this argument.

The Chair: Mr. Armstrong.

Mr. Scott Armstrong (Cumberland—Colchester—Musquodoboit Valley, CPC): First of all, thank you to all three of you for coming.

Mr. Cleary, sometimes I think when you speak about your riding, you're better than the Newfoundland and Labrador ads we see on Air Canada when we fly back and forth every week. They're tremendous ads.

You've done a wonderful job. I've been to your riding several times and I agree with you it's one of the most beautiful spots in Canada. Terrace, B.C. is in there as well, and of course Cumberland

---Colchester---Musquodoboit Valley in Nova Scotia is pretty nice as well.

We can see how this happened. When the commission put the first submission out this was not included. They made some changes, probably domino effect changes, and then you didn't have a chance to present because you didn't see the changes in the first place. But the other group that didn't get a chance to present, of course, was the group you're involved in, the Narrows group. I'm assuming if these changes had been made in the first submission they would have gone and probably presented. Would I be accurate in saying that?

So really your presence here today is also representing them because they didn't have the opportunity. They didn't get a chance before these changes were made. Is that accurate?

**Mr. Ryan Cleary:** That's absolutely accurate and the Narrows group also wrote a letter to this commission objecting to the change. I had a written presentation but I scrapped it. By the way, our provincial tourism minister just announced last week that our tourism industry is nearing a billion dollars. Our tourism industry is getting stronger all the time.

A paragraph from the Narrows group in support of my objection reads:

The Narrows Group was established to address concerns in the district and to develop guidelines for future development. Fort Amherst and Outer Battery are under similar development pressures, are similar with respect to tourism, share common aspects of history (military, fisheries), and have a long established history of settlement but with a small population base. Being able to work together with a credible group of stakeholders on the Narrows Group provides us with a larger, more effective voice to address issues.

**Mr. Scott Armstrong:** Right, and they didn't have an opportunity to present because.... They had no chance and no opportunity because this was not presented before the public consultations. I think we should support these changes, quite frankly. My only worry is that when I actually go back to Newfoundland and go down on George Street and Water Street some night, I'm not going to know who to call if something bad happens to me.

Voices: Oh, oh!

**Mr. Scott Armstrong:** We had better be sure we're very clear on where this boundary is drawn.

A voice: [Inaudible—Editor]

Mr. Scott Armstrong: It'll be Mr. Cleary.

Mr. Ryan Cleary: If you make the change-

**Mr. Scott Armstrong:** I've been a lawyer. Having the opportunity to call a lawyer...it might be to my advantage. I don't know.

**Mr. Ryan Cleary:** If you make the change, I'll give you my cell number.

Mr. Scott Armstrong: Okay.

Voices: Oh, oh!

Mr. Scott Armstrong: Thank you very much.

But I do think the drawback in this process is that if changes are made after the public consultations, they may have repercussions for other groups that didn't have the chance to respond. I appreciate you coming here today and making these recommendations.

Mr. Ryan Cleary: Thank you.

• (1120)

The Chair: Mr. Lukiwski, you wanted to follow up on something?

Mr. Tom Lukiwski: Yes, very quickly, just so there's no confusion.

I'm sure all you gentlemen are aware of this as well. Even though Scott said that we would probably recommend accepting the changes you're recommending.... I agree with that. I don't think we have any difficulty on this side. Unfortunately, the procedure and House affairs committee report is not the be-all and end-all. It still will be the commission that determines if they want to take your recommendations to heart and make further changes, or if they want it to remain with the boundaries they have suggested in this report.

Just so there are no expectations, I guess, I want to make sure you're aware that this committee will determine exactly how we wish to write the report. We have the ability, as was determined at the last meeting, to make some editorial comment. In other words, if collectively we feel that your arguments make sense and we support your arguments, that's what the report will say when it's sent back to your boundaries commission. But that is no guarantee that you will get what you're asking for, because it's their authority and theirs alone.

**The Chair:** Mr. Cleary, in regard to the letter you read from the Narrows community group, could our group have a copy of it? I recognize that it may not be translated, but if you'd like to get it to the chair, we'll get that...so that we have a copy of it too.

Mr. Ryan Cleary: Yes, absolutely.

The Chair: That's super. Thank you.

For the NDP, we have Mr. Cullen.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): I have two quick questions.

Thanks to all of you, gentlemen.

Ryan, you mentioned that on the far shore of the Narrows not that many people are impacted. The electoral boundaries commission talked about 3,600 or 3,656 people. That seems like a lot. If my recollection of the number of houses and community members over there.... Is that accurate? Is that how many people we're talking about, give or take?

**Mr. Ryan Cleary:** For the Outer Battery and Fort Amherst, you're probably looking at about 1,500 people. As for those numbers, I don't know, maybe they include Witless Bay and Bay Bulls....

Mr. Nathan Cullen: Right, that was my one question.

As Jack mentioned, there has probably been a domino effect on this, with some changes to Avalon or other places. If the recommendation from the committee—and it makes perfect sense to talk about communities of interest—is to seek to reverse that decision, I'm trying to get a sense of how big the domino effect is coming back. If we're talking about 1,200 or 1,500 people, it's within the parameters of what the electoral boundaries commission is always seeking. If it's this number or higher with some of these smaller ridings, maybe the impact is greater, but again, I've only spent a little bit of time on that side of the water, and I just can't imagine that there are nearly 4,000 people living over there, or even close.

**Mr. Ryan Cleary:** I would say that between Fort Amherst and the Battery, both sides of the Narrows, in terms of just the number of homes, it's probably fewer than 100.

Mr. Nathan Cullen: Okay. Thank you.

The Chair: Mr. Harris.

**Mr. Jack Harris:** If I may comment, Mr. Cullen, the western boundary of my riding would move farther east, so it's kind of wheeled around to push this boundary down around the quadrant, and that's when it moved into Mr. Cleary's riding in that way.

Because there was an issue about numbers for Avalon, the boundary between Avalon and St. John's East was moved further east into the eastern end of Paradise. That's the name of the town.

Then those numbers had to be accounted for by pushing the bottom of the quadrant into St. John's East, so they tried to put it back to where it used to be, but they didn't quite get that right. This is why it encroached on St. John's South—Mount Pearl. Then they moved the other end of St. John's South—Mount Pearl down to Bay Bulls and Witless Bay.

These are all dominoes based on the changes to Avalon.

**Mr. Nathan Cullen:** Okay. This is what this committee is going to struggle with all the time: our amount of familiarity with these different places around the country, and, as well, this natural domino effect that happens when you try to carve up the country into these ridings.

The last point I want to make is the most compelling part, I think, and it's around that community of interest and the testimony that did come forward from the citizens who are represented here. It's compelling enough. The map-makers at Elections Canada were trying to accomplish something. We need to accomplish that plus, so thanks for your testimony today.

The Chair: Super.

Are there any other questions from your group, Mr. Cullen?

No? Perfect.

Monsieur Dion.

[Translation]

Hon. Stéphane Dion (Saint-Laurent-Cartierville, Lib.): Thank you, Mr. Chair.

Good morning, everyone.

[English]

You agree that other ridings will be affected by these changes. How come there is a domino effect? How did the commission come to make this change in your two ridings because of the change the commission made elsewhere?

#### • (1125)

**Mr. Jack Harris:** The western end of St. John's East was in the middle of a town called Conception Bay South. Their first proposal moved it to the boundary between Conception Bay South and Paradise or thereabouts. They then made changes to Avalon as a result of representations being made to the town. They moved the boundary between St. John's East and Avalon farther east, and 7,000 or 8,000 people were affected by that.

In order to compensate for that and to try to keep Avalon, St. John's East, and St. John's South relatively the same, even though they're 11% or thereabouts higher than the quota, they had to add more people to St. John's East. That interfered with the boundary at St. John's South—Mount Pearl. It's almost like a wheel effect; if you move this part of the wheel, then you have to add down here.

These weren't part of the original proposal. There was no discussion of changing the boundary for St. John's East and St. John's South. But that's what we ended up with. As part of the domino, the changes to the boundary of Avalon in the east impinged on St. John's South—Mount Pearl, which was unchanged in the other proposal. I don't think anybody asked to change the boundaries of St. John's South—Mount Pearl.

**Hon. Stéphane Dion:** From a demographic point of view, I'm a bit lost in terms of how many people will be affected by the change you propose.

According to the numbers, if we accept what they are proposing, your riding, Jack, is 82,223.

How will it be if we accept the change you are proposing, both of you?

**Mr. Jack Harris:** I think it would be a change of about a couple of thousand, but then that can be adjusted by moving the other part of the boundary on the west. This is what I've suggested in my comments; the boundary can be moved.

There are not a lot of people, maybe 2,000, below Duckworth Street and the Battery, so that could be made up for by moving it a little further up.

**Hon. Stéphane Dion:** This move is between your two ridings only? It won't affect the others?

Mr. Jack Harris: It won't affect anyone else.

**Hon. Stéphane Dion:** For 2,000, I suggest you should be allowed to make your pitch to the commission.

**Mr. Ryan Cleary:** And Mr. Cullen, you're right, it's strictly community of interest. It will weaken the Narrows group in terms of the work they're trying to accomplish in redeveloping both sides of the Narrows.

The Chair: Thank you.

Do we have any other questions for our witnesses today?

Hon. Stéphane Dion: I have a question about the name.

The Chair: Go ahead.

Hon. Stéphane Dion: Can Mr. Simms tell us why he did not make this request last summer? Why does he come now?

Mr. Scott Simms: Thanks, Stéphane.

### Voices: Oh, oh!

Mr. Scott Simms: It's a good point.

When we went through with this, I did make an intervention on the boundary itself. There were some smaller communities next to another community, and the commission at that time made the recommendation.

I've never represented this area that I speak of. I made basically the same assumption as the commission, which was that Bay d'Espoir was always the regional name. If you look at it, Newfoundland and Labrador Hydro, or Nalcor as it is now, always called that area Bay d'Espoir, as one of their regions. They have a huge plant there, a huge generating station. But in fact the communities of interest were never really part of Bay d'Espoir.

I'll give credit where credit is due; the first person I spoke to both of us were witnesses at that original hearing—called me later and said, "I think we need to make a change", and I agreed with him. I have his letter, which is at the commission. That's John Whelan, president of the NDP association. He contacted me about it first, and he made the submission as well as I.

So yes, that was the reason; Coast of Bays is actually a relatively new thing. A lot of us in the rest of the province never really caught up to where they are.

And yes, there is more than one bay in the area.

**Hon. Stéphane Dion:** I find that very convincing, but I suggest that we communicate this information to the commission to help you make your point.

Mr. Scott Simms: Absolutely.

**Hon. Stéphane Dion:** The commission will accept your suggestion more if there is a rationale as to why it has not been proposed before.

**Mr. Scott Simms:** That's why I called all the mayors. I got in touch with about six mayors who wholeheartedly agreed that Coast of Bays is a far better description of the region.

• (1130)

**Hon. Stéphane Dion:** This is a suggestion you should probably make, something that was not explained last summer—to explain why there is a rationale for that.

**The Chair:** Mr. Simms, have you given us that information from the mayors? Is it in your documentation to us?

Mr. Scott Simms: I can make it available.

The Chair: Could you make it available to us?

As Mr. Dion has said, it will help reinforce what you're saying.

Mr. Scott Simms: I will do that.

The Chair: Super.

Are there other questions from the committee?

Let's hope the rest of the world goes as easily as this did.

Gentlemen, thank you for coming today. As I think you can feel from the group, we're fairly supportive of what you've said today.

Just so the committee knows, we have the reinforcement of Elections Canada. They can come out with their map machine and show us how this all works.

Mr. Harris and Mr. Cleary, you've given a pretty good example of how that will work. Looking at the numbers, it looks as though we'll still stay within the percentages. It's truly up to the group as to whether we would like to do further research.

You know what the committee will do next. We'll have a quick discussion about your testimony today and gather our thoughts on what our report will look like. We'll then ask the analysts to go ahead and write the report and then we'll accept it. It's much like committees accepting reports. If in the interim we decide we need more research, we might ask you more questions or we'll certainly ask Elections Canada to show you the rest.

Mr. Simms.

Mr. Scott Simms: Sorry, Mr. Chair. I didn't mean to interrupt.

Is there a certain time limit on getting you the information you've requested?

**The Chair:** It should be as soon as possible if you'd like us to attach it to our report that will go back to Elections Canada or to use the facts that are in it. We're going to try to move fairly quickly, each time we see a panel from a province, to write the report. We'll need to do translation before we can do that.

So, Mr. Simms, we'd like it as soon as you can get it to us.

Mr. Scott Simms: Sure, okay.

Thank you.

The Chair: Thank you.

If that's the case then I will dismiss our witnesses today. Thank you all for coming. It's been great having you here today.

We need to move in camera.

If you don't mind, I will suspend while we say goodbye to our witnesses. We'll then move in camera and we'll talk about the next item.

[Proceedings continue in camera]

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