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Chair

Mr. David Tilson

Standing Committee on Citizenship and Immigration

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• (0200)

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims (Newton—North Delta, NDP)): I would like to call the meeting to order.

I am taking a speakers list. Be patient, please.

The meeting has been convened for 2 o'clock, and I want to say with very little notice. Some people just received their notice as they walked into the room. Considering the time of 2 a.m., I am suspending the meeting until 8:30 a.m.

• (0200)

_____ (Pause) _____

• (0830)

The Vice-Chair (Ms. Jinny Jogindera Sims): I am going to reconvene the meeting that we suspended yesterday.

Mr. Lamoureux.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): I've been anxiously awaiting the opportunity to be able to express a few thoughts on the motion, so I'd like to take the opportunity at this point to do so.

The Vice-Chair (Ms. Jinny Jogindera Sims): The chair would ask members to be patient. We did not adjourn the meeting yesterday; we suspended the meeting. As a result, I have a speakers list now in front of me from the clerk, and we will be proceeding with that list.

So that people who want to get on the list can do so, if they're not on it yet...I have Madame Groguhé, Rathika Sitsabaiesan, Mr. Dykstra....

A voice: Mr. Shory is Mr. Dykstra for now. We just signed him in.

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay. Instead of Mr. Dykstra...well, the speakers list says Mr. Dykstra. I'll check into how that works with the order of speakers.

Then I have Ms. Freeman, Mr. Leung, Mr. Lamoureux, Madam Sims, Mylène Freeman, John Weston, Ted Opitz, Ms. James, and Pierre Nantel. Pierre isn't here because he was subbing in yesterday, so I'm taking that name off the list.

• (0835)

Mr. Costas Menegakis (Richmond Hill, CPC): Madam Chair, I have a point of order.

The Vice-Chair (Ms. Jinny Jogindera Sims): It was Mr. Menegakis who had asked me—Pierre-Luc is back with us—to go through the list, and this is the list we adopted yesterday.

Mr. Costas Menegakis: Yes. I'd like you to clarify that, because we were all here and everybody put up their hands at the same time. You're starting with two NDP speakers. You think it would go left and right, in fairness, back and forth.

We all put our hands up at the same time, and you start by putting down two NDP speakers. Do you think that is fair?

The Vice-Chair (Ms. Jinny Jogindera Sims): The chair started yesterday—

Mr. Costas Menegakis: We all put up our hands.

The Vice-Chair (Ms. Jinny Jogindera Sims): Just let the chair make a ruling on your question.

Mr. Costas Menegakis: I'm just asking a question, that's all.

The Vice-Chair (Ms. Jinny Jogindera Sims): On your question, a speakers list was provided. We're not starting a new one. We're going back to the one we accepted yesterday and went through. I read out the names as I put people's names on this list.

Mr. Costas Menegakis: No, you didn't.

The Vice-Chair (Ms. Jinny Jogindera Sims): What we're going to be doing—

Mr. Costas Menegakis: If you check the record, you didn't read out the names, Madam Chair.

The Vice-Chair (Ms. Jinny Jogindera Sims): Well, this is the list we have from yesterday—

Mr. Costas Menegakis: But we all put up our hands at the same time.

The Vice-Chair (Ms. Jinny Jogindera Sims): This is the list we have from yesterday. This is the list the chair has and this is the list the chair is going to proceed with.

I will seek some clarification on a question that was raised.

Mr. Costas Menegakis: We will remember that.

The Vice-Chair (Ms. Jinny Jogindera Sims): I realize that.

A voice: [Inaudible—Editor]

The Vice-Chair (Ms. Jinny Jogindera Sims): No, I actually did. I went to Sadia, then Rathika, and Rick had his hand up, and I—

Mr. Costas Menegakis: We all had our hands up.

An hon. member: We all had our hands up at the same time.

Ms. Roxanne James (Scarborough Centre, CPC): Actually, I have a point of order.

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay. I'm seeking some clarification and I will get back to all of you, so hold on to your points of order.

The chair now has the clarification. We don't actually have that dilemma to try to resolve because Mr. Dykstra has joined us.

I saw two hands for points of order, maybe three. I'm going to go to them in the order that I saw them.

I'm going to start with Ms. James.

Ms. Roxanne James: Thank you, Madam Chair.

I know it's early. I know we had a late night and the meeting was adjourned abruptly, but I distinctly remember—I was wide awake. I saw Rathika's hand go up, my hand went up, and then you actually made a point of saying that we hadn't even started the meeting yet. But I kept my hand up and I believe Ms. Sitsabaiesan kept her hand up. Then the other hands all came up.

So the fact that you have now indicated that two members of the NDP are in speaking order one and two...I'm a little bit concerned with your judgment and your biased call on the speaking order.

I would just like to reiterate what my colleague, Mr. Menegakis, has said. It seems a little unfair, unjust, and biased when literally within seconds all our hands went up and you looked over on the left side of the table and acknowledged two of your colleagues, the NDP, over and above everyone else on this committee.

I'd ask for a little bit of fairness and respect in this committee, and allow at least one member of the Conservatives to go in the top two positions. I will tell you, my hand was up.

Just to reiterate, whether I go for the Conservative side of this committee or Mr. Dykstra or any of my colleagues, it's irrelevant to me at this point because I know I will get my time to speak, but I think in all fairness, you should allow one of my colleagues to go at least in position one or two today.

The Vice-Chair (Ms. Jinny Jogindera Sims): The speakers list I have starts with Madame Groguhé and Madame Sitsabaiesan. Then I have Mr. Dykstra, when I saw that the hands were like this. Then I have Mylène, and then I went to Mr. Leung.

I noticed, Mr. Menegakis, you got left off the list. I put Mr. Menegakis on the list.

Is Mr. Shory still a committee member, or has he left?

He's still here, and I saw his hand up. I presume it was to speak now, so his name is on the list. That's the way it is.

Mr. Weston, I'm hoping it's a different point of order because the speakers list is—

• (0840)

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): It is. When Parliament begins early in the morning, there's this moment of silence when all members are asked to consider the guidance for the country—

The Vice-Chair (Ms. Jinny Jogindera Sims): Excuse me—

Mr. John Weston: I just thought it might be a good way to frame a fractious meeting, to do the same thing.

The Vice-Chair (Ms. Jinny Jogindera Sims): Yes. Thank you very much. I take that.

I do want to remind the colleagues sitting to the left of me that if you do want to chatter and carry on conversations, please do so away from the table. When chatter builds up, it starts interfering with committee business. Let's try today to have a meeting that actually deals with the issues, and we will move forward that way. Thank you very much.

I will be going over a few other procedural things before we actually go to Madame Groguhé to speak.

Mr. John Weston: Before we open, and we're sort of opening, we should stop, pause, and ask for that moment of guidance for the country and for the committee.

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay, sorry. I do apologize. Just hold on a second.

I have to see if I have unanimous consent for that. Do we have unanimous consent for Mr. Weston's request to reflect and take...?

Maybe I'll have you say it because I don't want to put words in your mouth.

Mr. John Weston: Following the model of Parliament that we have,

[Translation]

...we should observe a moment of silence before the debate begins.

[English]

for guidance for our country and for our committee.

Mr. Kevin Lamoureux: Are—

The Vice-Chair (Ms. Jinny Jogindera Sims): Excuse me.

Having heard that, we're not going to debate this. The only thing I'm going to ask is if we have unanimous consent.

Mr. Kevin Lamoureux: Madam Chair, I didn't hear what was said. He started in French. Not to be disrespectful, but I didn't have the translation on.

The Vice-Chair (Ms. Jinny Jogindera Sims): Out of respect for Mr. Lamoureux, I think he has the right to hear.

Mr. John Weston: Sorry. I just suggested that we begin with a moment of silence for guidance for the committee and the country, just like we do in Parliament.

It would need unanimous consent...[Inaudible—Editor].

The Vice-Chair (Ms. Jinny Jogindera Sims): Do we have unanimous consent?

Some hon. members: Agreed.

[Translation]

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Yes, Madam Chair. Then everyone will be in a much more tranquil frame of mind.

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): You have consent.

I would suggest that each and every member take a minute to reflect.

[*A moment of silence observed*]

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you very much.

Now I have Mr. Lamoureux on a point of order.

Mr. Kevin Lamoureux: Thank you, Madam Chair.

I'm not quite following exactly where we are. When I came in and put up my hand, it was in the hopes of being able to address the committee with my remarks on the motion that has been put forward by Mr. Dykstra related to the 30-day extension request. That was actually what my intent was. Then we got into a bit of an ordeal or question as to who's where on the speaking list and so forth.

I didn't necessarily hear my name being announced. I went over to ask the clerk where my name was, and I could see the list. Madam Chair, the list that I saw there is a different list from what I would have seen yesterday. What I would humbly request is that we restart the list. I'm prepared to make a suggestion that we might want to consider. Given that I had the floor, I would suggest that it start with me, followed by a representative from the Democrats, then followed by a representative from the Conservatives, as a possible way out. My primary concern is that my name appear on the list.

Yesterday I had talked about being ahead of Ms. Freeman. Ms. Freeman had generously agreed to allow me to speak before her, so at the very least I should be able to speak before her. I think Hansard would show that this did take place yesterday.

• (0845)

The Vice-Chair (Ms. Jinny Jogindera Sims): I just want to remind my colleagues of what happened last night.

What happened was that we came back to a meeting that had been suspended, and during the period that the meeting was suspended some conversations occurred between the government side and the official opposition. When those discussions ceased, the meeting reconvened at 11 o'clock; it was the suspended meeting.

So Mr. Lamoureux is absolutely right. At that stage we had a speakers list, and Ms. Freeman did agree, and so did the rest of the meeting, to switch Mr. Lamoureux to go ahead of Ms. Freeman. That was so.

I want to remind people that what happened when we came back is that there was a time—and I don't know exactly when, but I would say closer to 1:30 or 2—when the chair, because of the unruly behaviour, had warned people that if the behaviours did not settle down and we got out of decorum again, the chair would adjourn the meeting.

Based on the decorum at the table, the chair adjourned the meeting. The speakers list and everything died at that stage, with the adjournment of the meeting. Then the clerk received instructions from a chair *in absentia*, and the chair gave directions for a meeting to be called. A meeting was called, I came back to the chair, and we took a new speakers list.

This is the list, and you are on it, and we will proceed from there.

Mr. Kevin Lamoureux: If I may, let me follow up on the same point.

Madam Chair, I won't challenge.... I respect what it is you're saying. If by chance we adjourn, what I would ask is that at the next meeting it be recognized that I would like to speak, and I promise to have my hand up before the meeting even gets under way, and it will stay up, just so that everyone is aware that my desire is to speak.

But thank you very much for entertaining my point.

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you very much.

Now we are going to proceed to Madame Groguhé, who will go back to the continuation of her speech.

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Is this a new meeting?

The Vice-Chair (Ms. Jinny Jogindera Sims): It is the beginning of a new meeting; you're absolutely right.

Before she starts, I really want to remind people that when we're in a meeting and we are governed by certain rules and procedures, I think it is really respectful—if we are respectful of each other's space when it comes to talking—that we not get comments that make people feel uncomfortable or bullied in any way.

Also, I'm going to urge people today that if they have conversations they want to carry on—I'm not talking about whispering with our staff, for we all do that—and if the level is such...please don't put the chair in such a dilemma that the chair has to suspend the meeting until we have decorum again. I just don't want to go there.

Mr. Costas Menegakis: That goes for that side as well.

The Vice-Chair (Ms. Jinny Jogindera Sims): You know that right at the beginning of the meeting that is where I went to, and I'm going to apply it the same way: it doesn't matter which side of the table you sit on; the decorum rules apply equally to every person in this meeting.

And because we are in an open meeting, I'm also going to urge people that if you have people coming from, let's say, your party, or coming in to observe or to keep you company or to support you, then please let them know that we expect a level of decorum.

Thank you.

Madame Groguhé, you have the floor.

[*Translation*]

Mrs. Sadia Groguhé: Thank you for giving me the floor, Madam Chair.

Once again, we are gathered here this morning for a public discussion about the motion that the Conservatives have introduced. The motion proposes an extension of 30 days to the time allowed within which to submit a request to Parliament to expand the scope of Bill C-425.

Madam Chair, I feel that it is important to point out once more that this government has shown, and, for two weeks, has continued to show, the extent to which it is possible to use procedures for ideological purposes. Canadians have seen this in the House, where a record number of 46 time allocation motions have been introduced in order to reduce and stifle debate...

• (0850)

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): Madame Groguhé, I am going to interrupt you.

I do apologize. It's because we have a member who had requested that the meeting be televised, so I'm trying now to seek the unanimous consent of the committee. If I have unanimous consent, we will adjourn for five minutes while the set-up takes place. If I do not have unanimous consent, then a motion has to be moved. Then the person has to be on the speakers list—I'm just letting you know what the rules are—for that to happen.

Remember, we often sit here and we're televised. Everybody's grandmother loves to watch them on CPAC. What I'm looking for is unanimous consent. This is a public meeting. Do I have unanimous consent?

Some hon. members: Agreed.

The Vice-Chair (Ms. Jinny Jogindera Sims): The meeting will now suspend for 10 minutes while we set up.

• (0850)

(Pause)

• (0900)

The Vice-Chair (Ms. Jinny Jogindera Sims): I'd like to call the meeting back to order. I remind everybody that we are being televised—I know you all wanted to know that—and to let you know that we are here discussing, pursuant to Standing Order 97.1(1), the committee's request for an extension of 30 sitting days to consider Bill C-425, An Act to amend the Citizenship Act (honouring the Canadian Armed Forces) referred to the committee on Wednesday, February 27, 2013. The committee requires additional time to consider the bill. Therefore, your committee requests an extension of 30 sitting days. That's what we are here to debate.

Before we broke to go live on television so that all our loved ones could watch us, the person who had the floor was Madame Groguhé, so we'll go back to Madame Groguhé.

[Translation]

Mrs. Sadia Groguhé: Thank you, Madam Chair.

As you have just reminded us, we are dealing with this Conservative motion that is at the heart of our deliberations at this committee. The motion asks for an extension of 30 days to the time allowed within which to submit a request to Parliament to expand the scope of Bill C-425.

A little later, I will come back to the topic of what may have raised this issue of expanding the scope of Bill C-425. However, I will just point out that this government has been showing us for weeks the extent to which it is possible to use procedures for ideological purposes. In the House, they have introduced a record 46 time allocation bills in order to reduce debate and stifle members of

Parliament and Canadians. Once again, at this committee, they are showing an attitude that is inconsistent with our democracy and our work as parliamentarians.

After going in camera right at the start of the meeting, here they are asking for the meeting to be televised. It is just a trick that I find deplorable: last night, it would have served only to show a blatant lack of decorum and of respect on their part. As my colleague pointed out in her remarks, they went as far as to say that she was playing the victim. That is going too far, in my opinion, and it did not happen here.

After constant comings and goings, who should appear, at 2:00 in the morning, but the Minister of Citizenship, Immigration and Multiculturalism. If there was ever need for evidence that this bill...

• (0905)

[English]

Ms. Roxanne James: A point of order.

The Vice-Chair (Ms. Jinny Jogindera Sims): Yes, Ms. James.

Ms. Roxanne James: I'm not sure whether it was a problem with the translation, but I heard the member opposite say that we were playing the victim. If I recall correctly, there was only one person in the committee who was playing the victim and it was because their feelings were hurt, and that was the member from Scarborough—Rouge River, Rathika Sitsabaiesan.

[Translation]

Mrs. Sadia Groguhé: No.

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): The chair is going to rule. We're actually entering into debate. Madame Groguhé has the floor and I'm going back to Madame Groguhé.

Please carry on, Madame Groguhé.

[Translation]

Mrs. Sadia Groguhé: Madam Chair, I would like to clarify that it really is an interpretation problem, I feel, because I did not say that they were playing the victims.

Madam Chair, if we needed proof that this bill is no longer what it was at the outset, a private member's bill, that is, we had that proof yesterday evening. We certainly have confirmation that it is now a government bill. The 30-day extension in order to expand the scope of Bill C-425 shows the same thing.

Let us tell those who are listening to us that the Minister of Citizenship, Immigration and Multiculturalism is perfectly capable of introducing a government bill himself. It will give him all the freedom he needs to include his own amendments that he wants to make to Bill C-425 and, not to put too fine a point on it, that he wants to impose on this committee.

Before resuming the remarks that I was making last night, or, perhaps I should say, very early this morning, I would like to insist once more on the importance of the level of decorum and respect to which we as parliamentarians are held.

As a result of this request for the extension and the amendments submitted during the study on the amendments introduced during the discussion on Bill C-425, this became a question of privilege. I would like to share the matter of privilege with the committee and also the decision made by the Speaker of the House in reply to that request:

Mr. Speaker, I rise today on the question of privilege—which is not truly a question of privilege—raised by my colleague from Toronto Centre. The question has to do with the eighth report of the Standing Committee on Citizenship and Immigration, which recommends to the House that it:

...be granted the power during its consideration of Bill C-425, An Act to amend the Citizenship Act (honouring the Canadian Armed Forces) to expand the scope of the Bill such that the provisions of the bill be not limited to the Canadian Armed Forces.

Clearly, a question of privilege had to be raised so that we could see if the eighth report could make a claim for Bill C-425 to be extended.

From the outset, Bill C-425, the bill the committee has been dealing with, was a private member's bill, and I can never remind you of that enough. With the request to expand the scope of the bill, here we are again discussing the procedure.

I would like to review for you the reasons why the request should be ruled out of order. However, before I do so, I would like to set the record straight about what my colleagues have said up to now.

When the honourable government House leader, the member for York—Simcoe, spoke last April 25, he misled the House by insinuating that the eighth report of the Standing Committee on Citizenship and Immigration was asking for:

...the House to debate it for a number of hours and decide whether we think it is within the scope...

As you know, Madam Chair, that is not the case at all. The report does not ask us to judge whether the suggested amendments are within the scope of the bill. On the contrary, as I will explain later, the committee has clearly demonstrated that it knows the proposed amendments go beyond the scope of the bill. In fact, the bill, which was really limited to recognizing and honouring the Canadian Forces, was all of a sudden fixed up with amendments that clearly went beyond its scope and changed it into a different bill entirely. The report asked the House to empower, or not empower, the committee to expand the scope of the bill, not to pass judgment on amendments that could subsequently be introduced at committee.

●(0910)

I must also add that the honourable member for Toronto-Centre clearly did not do his homework by hastily talking about adopting the report before a motion to adopt it had appeared on the Order Paper. Procedure follows procedure and things are moving quickly, but they did not really conform to the legal procedures of the House. This caused some problems and led us to turn to the Speaker of the House.

So a committee is within its rights to ask for instructions from the House about extending the scope of a bill. In the second edition of the House of Commons Procedure and Practice, O'Brien and Bosc are clear on the matter:

Once a bill has been referred to a committee, the House may instruct the committee by way of a motion authorizing what would otherwise be beyond its powers, such as, for example:...consolidating two or more bills into a single bill, or

expanding or narrowing the scope or application of a bill. A committee that so wishes may also seek an instruction from the House.

That is precisely what the Standing Committee on Citizenship and Immigration is seeking to do through its eighth report. However, and I am now getting to the point of my comments, there is a limit to the instructions that the House may give to a committee. Once again, I quote O'Brien and Bosc:

A motion of instruction will be ruled out of order if it does not relate to the content of the bill, if it goes beyond the scope of the bill (for example, by embodying a principle that is foreign to it ...)

Madam Chair, this passage is critical and fundamental, because it indeed states that the main essence of the original bill will be transformed. I will continue to quote my comments on the matter of privilege:

That is why, Mr. Speaker, I firmly believe that you must intervene and rule that the Standing Committee on Citizenship and Immigration's request for instruction is out of order. This request is far too broad and does not allow the House to determine if the committee is likely to include a principle that is foreign to the bill.

There is some precedent where motions of instruction were deemed to be in order and were debated in the House. However, in each of those instances, the instructions were far clearer than those sought by the Standing Committee on Citizenship and Immigration today.

When I mention amendments that are far clearer, it simply means that, when making amendments, attention must be paid to the nature of the original bill; amendments must be restricted so that they cannot alter the nature of the original bill. We have an example on April 27, 2010, when my colleague, the honourable member for Nanaimo—Cowichan proposed the following motion of instruction:

That it be an instruction to the Standing Committee on Aboriginal Affairs and Northern Development, that it have the power during its consideration of Bill C-3, An Act to promote gender equity in Indian registration by responding to the Court of Appeal for British Columbia decision in *Melvor v. Canada* (Registrar of Indian and Northern Affairs) to expand the scope of the Bill so that a grandchild born before 1985 with a female grandparent would receive the same entitlement to status as a grandchild of a male grandparent born in the same period.

●(0915)

Madam Chair, that motion was very clear and was rightly ruled to be in order. The Standing Committee on Aboriginal Affairs and Northern Development was therefore given permission to expand the scope of the bill, but within very precise limits on the way in which the committee could do it. There were clear and precise instructions to prevent the scope of the original bill from being transformed and diverted away from its original intent. By stating its position on the bill, the House could be assured that the committee would not include in the bill a principle that would be foreign to it.

Conversely, the motion of instruction that we have before us comes right out and asks the House for the power to expand the bill to the extent that it would not just apply to the Canadian Forces. Exactly what does that mean? How does the committee want to amend the bill so that it would no longer apply solely to the Canadian Forces?

As it currently stands, the bill allows, among other things, permanent residents who are members of the Canadian Forces to obtain citizenship more quickly. Of course, we are in favour of that. By asking that the bill apply not just to the Canadian Forces, is the committee hinting that it would like to amend the bill to allow permanent residents working in professions that have no relation to the Canadian Forces to obtain citizenship more quickly?

In our discussions at committee, in the presence of the witnesses we called, we have actually brought up the possibility of extending Bill C-425 to others, not just those who want to enlist in the Canadian Forces. Clearly, this private member's bill was limited to the Canadian Forces and our suggestion was ruled out of order.

Madam Chair, this is not clear at all. How can the House make a decision about a motion of instruction like this when it is impossible to know how the committee will proceed and whether or not it will try to include in the bill a principle that is foreign to it?

I would also add that, if this motion of instruction to the committee were to be deemed in order, it would create a dangerous precedent. If we allow a standing committee to expand the scope of a bill without precise instructions, we will be opening the door to very sensitive issues, given the current context. Let us not overlook this majority government's propensity for using private members' business to promote its own agenda. When used like that, private members' bills become a way for the government to get round the rules.

Catherine Dauvergne, a professor in the Faculty of Law at the University of British Columbia appeared as an individual when the committee was studying Bill C-425. She could not have more clearly expressed the danger of asking for this kind of instruction:

Second, such a profound change to our Citizenship Act such as the one the minister is proposing must not be done by a process like this, by a private member's bill. That process reduces the time allowed for debate and for this committee to do its work and it protects the changes that the minister is proposing. This is controlling democracy.

We do indeed find ourselves in a situation where debates are scheduled as if the process were for a private member's bill. Those debates will not have the same breadth and scope as they would if we were dealing with a government bill or a departmental bill to which additional hours of debate had been assigned. This would not be the case for a private member's bill.

The question of citizenship is essential; it goes so deep that it affects all Canadians. We cannot decide on a whim that we are going to change the Citizenship Act so quickly and with such little regard for the constitution as we would be doing with the expansion that the minister is asking for in order to get his amendments through.

For the sake of our democracy and our work as parliamentarians, we must have democratic control over our procedures and over the way in which they are used. Section 3 of the Canadian Charter of Rights and Freedoms Examination Regulations stipulates the following:

3. In the case of every Bill introduced in or presented to the House of Commons by a Minister of the Crown, the Minister shall, forthwith on receipt of two copies of the Bill from the Clerk of the House of Commons:

(a) examine the Bill in order to determine whether any of the provisions thereof are inconsistent with the purposes and provisions of the Canadian Charter of Rights and Freedoms;...

These examinations allow us to establish and keep our bills within a legal framework, so that we can be sure that the provisions are not going beyond the limits prescribed by the Canadian Charter of Rights and Freedoms. The examinations are necessary and fundamental.

By asking standing committees to expand the scope of bills to include suggestions by ministers, the government is avoiding its responsibility to examine legislation as prescribed by the Canadian Charter of Rights and Freedoms Examination Regulations. With the amendments suggested by the minister, we are in a situation where a private member's bill will be expanded. This makes the bill lose its original nature and turns it into a departmental bill.

With the legal procedure associated with a government bill, we have a legal rationale that allows us to identify the content of any government bill. That is a principle of Parliament and a principle of our democratic roots in the House of Commons.

The constitutionality of private member's business is studied only at the Subcommittee on Private...

• (0925)

[English]

The Vice-Chair (Mr. Kevin Lamoureux): We have a point of order.

Ms. Rathika Sitsabaiesan: Thank you.

Mr. Chair, I was just looking at O'Brien and Bosc. I noticed that when this meeting was convened we had I think less than three minutes of notice. By the time I had received my notice of meeting, it was 2:57 a.m., for a meeting that was to commence at 3 a.m.

I'm sorry, was it at 1:57 a.m.? My apologies.

Oh, yes, you're right. Thank you for that clarification.

So June 13, 2013, at 1:57 a.m. is when I received the notice of meeting from the clerk of this committee. That was for a meeting to commence at 2 a.m. on the same day, June 13.

Looking at O'Brien and Bosc concerning convening a meeting, what I'm noticing is that there is a common practice in general, Mr. Chair. The practice we've been using is to generally give adequate notice to members so that we can participate in the committee meetings that were scheduled and that we're required to be at.

With less than three minutes of notice, I find it quite difficult for members to be able to be in their seats for a meeting to commence.

Mr. Chair, you know that even when there are votes scheduled in the House, the bells are rung for half an hour. The general requirement is that if there are proceedings within the House, it's important that people be within half an hour away so that they can make it back to the House for the votes, because the bells ring for half an hour.

When we have less than three minutes of notice, Mr. Chair, how is it that we are expected to make it on time to be in our seats for the meeting to commence?

My question to you, Mr. Chair, is whether this meeting is actually in order, because adequate notice was not provided to the members to participate in the meeting itself.

Thank you.

The Vice-Chair (Mr. Kevin Lamoureux): Thank you. If there is no other comment on this, I'm prepared to make a ruling.

At the end of the day, there is nothing within the rule books that provides clear answers as to how much notice is required in order to be able to hold a committee meeting. All we can really do...unless someone can point to somewhere in a rule book that says that *x* number of minutes or hours or a half hour or whatever is required, I think we have to reflect what have been the normal proceedings of the standing committee.

I've been informed that standing committees as a general rule have tremendous flexibility as to when a meeting can be called. There have been situations, for example, in which a committee adjourns and within minutes will be back in a new meeting. That has occurred.

So I would suggest that the meeting itself is in fact in order.

Having said that, I can sympathize with you. As someone who sits on a committee, it would seem to me that unless there is unanimous consent to go forward with the meeting in a short period of notice of a meeting, as a courtesy there should be some sort of reasonable notice given, especially if there is in fact no meeting going on and it's just like an adjournment followed by another immediate meeting.

I wouldn't want to be in Winnipeg and find out that five minutes from now there's going to be a committee meeting. I think there's a need for us to be responsible as a committee in the calling of meetings.

I'll let the committee here determine whether or not there was a responsible timeframe. For now, what I would say is that the meeting is in fact going to continue, unless there is a motion to adjourn it, in which case I would entertain it, and we would have to have a vote for that to occur.

• (0930)

[Translation]

Mrs. Sadia Groguhé: Thank you, Mr. Chair.

I would like to continue with the reminder that the constitutionality of private members' business is studied only at the Subcommittee on Private Members' Business before the bill is debated at second reading, pursuant to Standing Order 91.1(1).

In attempting to expand the scope of the bill after second reading, the government is quite simply bypassing the constitutionality test and seeking to be able to amend private members' bills as it wishes instead of presenting its ideas in the form of government bills that must, as a requirement, go through the Department of Justice's constitutionality test.

The difference is huge, when one works on the assumption that a private member's bill does not necessarily have to go through the constitutionality test and is revised and studied by a subcommittee. But the principle for a government bill is quite different.

So I will conclude by urging you to pay particular attention to the eighth report of the Standing Committee on Citizenship and Immigration which, in the opinion of the New Democratic Party, should be declared out of order. A motion of instruction like this is much too broad for the House to be assured that subsequent changes made by the committee will not include concepts that are foreign to the bill and will not conform to the charter.

Earlier, I was talking about conformity with the Canadian Charter of Rights and Freedoms and I feel that it is also an essential point in the debate we are having about this motion. Giving so much latitude to a committee will create an extremely dangerous precedent, which will most certainly be used by this majority government in a partisan and antidemocratic way.

Thank you for your attention to my remarks. To help you with your study of this important question, I am going to make available to you the testimony that resulted from the Standing Committee on Citizenship and Immigration's study of Bill C-425. I feel sure that, when you examine this testimony, you will also agree that the eighth report of the Standing Committee on Citizenship and Immigration is out of order.

So I will now move to the reply given to that point of order by the Speaker of the House of Commons. That reply makes us aware of the legislative principles behind the introduction of a government bill and a private member's bill. The reply also shows us the extent to which it will be necessary to define those two categories of bills, categories that differ in part.

• (0935)

So here is the Speaker's reply to the point of order.

Before moving on to questions and comments, I am now prepared to rule on the point of order raised on April 25 by the hon. member for Toronto Centre regarding the eighth report of the Standing Committee on Citizenship and Immigration, recommending that the scope of C-425, An Act to amend the Citizenship Act (honouring the Canadian Armed Forces) be expanded.

I would like to thank the hon. member for Toronto Centre for having raised this issue, and the hon. Leader of the Government in the House of Commons, the hon. House Leader of the Official Opposition, the Parliamentary Secretary to the Minister of Citizenship and Immigration, the Parliamentary Secretary to the Leader of the Government in the House of Commons, and the members for Winnipeg North, Saint-Lambert and Calgary Northeast for their interventions.

In raising this matter, the hon. member for Toronto Centre explained that during its consideration of Bill C-425,...

[English]

Mr. Rick Dykstra (St. Catharines, CPC): A point of order, Mr. Chair.

The Vice-Chair (Mr. Kevin Lamoureux): We're just going to stop for a second, Ms. Groguhé.

Mr. Rick Dykstra: I've heard this ruling already. This ruling is on record. This ruling has been read by the Speaker. This ruling has been introduced in the House of Commons. I'm not sure why we'd be just reading a ruling and not speaking to the actual issue of the extension.

The Vice-Chair (Mr. Kevin Lamoureux): We have Ms. Groguhé on the same point of order.

[Translation]

Mrs. Sadia Groguhé: I just want to remind my colleague that I read this ruling when the meeting was in camera. We asked for the meeting not to be held in camera. As I mentioned in my introduction, it is important for Canadians listening to us to be informed of the ruling as well.

If I may, Mr. Chair, I will continue reading. Thank you.

[English]

The Vice-Chair (Mr. Kevin Lamoureux): Is there any further comment?

Mr. Menegakis.

Mr. Costas Menegakis: Yes, Mr. Chair. Madame Groguhé just made reference to something that she said in camera. I'd just like to get clarification from you that we cannot refer to anything at all that happened in an in camera meeting.

She just made reference to something that she said in camera. She said, "I read this in camera." I don't believe it's proper procedure to do so.

The Vice-Chair (Mr. Kevin Lamoureux): I appreciate, Costas, the heads-up on that particular issue. I believe Sadia is actually aware of that and she will do what she can to refrain from making comments that would have been expressed in camera.

We're going to go to Jinny, if she wants to deal with the point of order that was raised, and then we'll go back to Sadia.

Ms. Jinny Jogindera Sims: Thank you very much, Mr. Chair.

On the same point of order, in order to argue for or against the extension, which is the motion that is before us, it is very important to put on the record why we're going to be voting one way or the other on that extension. I believe that's what my colleague is doing.

The Vice-Chair (Mr. Kevin Lamoureux): Are there any other comments regarding this point of order? Otherwise, I'm prepared to make a ruling.

If we take a look at *House of Commons Procedure and Practice*, in the second edition, I'm going to cite page 1051, where it states:

This means that, in principle, the number of times a Member may speak in committee and the length of his or her speeches is not subject to any limit.

I do believe that Sadia was in fact relevant to the debate. How often a member actually repeats something that would have been previously stated is something that, unless it becomes overly abusive, I'm prepared to accept. So my ruling would be that there is no point of order.

Sadia, you can continue with your comments.

● (0940)

[Translation]

Mrs. Sadia Groguhé: Thank you, Mr. Chair.

So I will continue to read the Speaker's ruling:

In raising this matter, the hon. member for Toronto Centre explained that during its consideration of Bill C-425, the Standing Committee on Citizenship and Immigration adopted a motion recommending that the House grant the committee the power to expand the scope of the bill in order to allow for the consideration of what he called "amendments that the Minister of Citizenship, Immigration and Multiculturalism has asked be added to the list".

This is the crux of our current debate. We are genuinely concerned about the expansion of this bill.

I will continue:

This led to the presentation on April 23, 2013, of the committee's eighth report. He found this approach to be problematic in two respects. First, he argued that pursuant to Standing Order 97.1, committees examining private members' bills are restricted as to the types of reports they can present to the House. He argued

essentially that since the eighth report falls outside these parameters, it is out of order.

His second argument centred on the impact such a manner of proceeding could have. Specifically, he expressed concern that if committees examining private members' bills were to be allowed latitude to proceed in this fashion, the effect of this practice "will be that the government could, by extrapolation, even add an omnibus feature to a private member's bill..."

This is one of our concerns, Mr. Chair. Another concern raised by the possibility of turning it into an omnibus bill is, as I said at the beginning of my speech, all this latitude handed en masse to the minister to take over a bill, thereby making it a government bill.

I will continue reading the Speaker's ruling:

The Government House Leader explained that, in view of the differences of opinion expressed in the committee as to whether the amendments proposed were within the scope of the bill, the committee was seeking guidance from the House on the matter. In making this observation, he pointed out that this process would result in a number of hours of debate in the House on the committee report before a decision was taken.

In his presentation the Parliamentary Secretary to the Leader of the Government in the House of Commons argued that Standing Order 97.1 does not preclude a committee from seeking an instruction from the House in relation to a private member's bill. He further explained that the committee remains seized of Bill C-425 and that its eighth report in no way supersedes the 60-sitting-day deadline to report the bill back to the House.

At the outset the Chair wishes to clarify what appear to be certain misconceptions about the nature of private members' bills.

The first of these has to do with the arguments made by the House leader for the official opposition and the member for Saint-Lambert in reference to the constitutional compliance of legislation sponsored by private members.

● (0945)

As pointed out by the member for Saint-Lambert, constitutional compliance is among the criteria used by the Subcommittee on Private Members' Business to determine non-votability of private members' bills. *House of Commons Procedure and Practice*, second edition, describes these criteria at page 1130, including one requirement that "bills and motions must not clearly violate the Constitution Acts, 1867 to 1982, including the Canadian Charter of Rights and Freedoms".

The Chair is not aware of further constitutional compliance tests that are applied to any kind of legislation, whether sponsored by the government or by private members, once bills are before the House or its committees. In addition, hon. members will recall that in a recent ruling delivered on March 27, I reminded the House that as Speaker I have no role in interpreting matters of a constitutional or legal nature.

Another apparent source of confusion has to do with the difference between private bills and public bills. Virtually all the bills that come before the House are public bills, whether they are sponsored by private members or by the government.

As O'Brien and Bosc explains at page 1178:

Private bills must not be confused with private Members' bills. Although private bills are sponsored by private Members, the term "private Member's bill" refers only to public bills dealing with a matter of public policy introduced by Members who are not Ministers.

Thus both government and private members' bills are subject to the same basic legislative process, namely introduction and first reading, second reading, committee stage, report stage and, finally, third reading. At the same time, the House has seen fit to devise specific procedures for dealing with public bills sponsored by the government and private members alike.

For example, Standing Order 73 allows the government to propose that a government bill be referred to committee before second reading after a five-hour debate. The purpose of this rule is to allow greater flexibility to members in committee by enabling them to propose amendments to alter the scope of the measure.

The procedures in place for dealing with private members' bills are likewise many layered, and have evolved in response to particular situations faced by the House in the past. This is the case with the provision for a maximum of two hours of debate at second reading, which came about to allow the House to consider more items and thus to allow more private members to have their measures considered. Similarly, Standing Order 97.1 was originally brought in to ensure that private members' bills referred to committee would be returned to the House and to the order of precedence in a timely fashion.

● (0950)

In the present case, it appears to the Chair that the essence of the procedural question before me is to determine whether the House has the power to grant permission to a committee to expand the scope of a private member's bill after that scope has been agreed to by the House at second reading and, if so, whether this can be achieved by way of a committee report.

House of Commons Procedure and Practice, second edition, is helpful in this regard. It states at page 752:

Once a bill has been referred to a committee, the House may instruct the committee by way of a motion authorizing what would otherwise be beyond its powers, such as, for example, examining a portion of a bill and reporting it separately, examining certain items in particular, dividing a bill into more than one bill, consolidating two or more bills into a single bill, or expanding or narrowing the scope or application of a bill.

Clearly then, by way of a motion of instruction, the House can grant a committee the power to expand the scope of a bill, be it a government bill or a private member's bill. An example can be found at page 289 of the Journals for April 27, 2010, where an opposition member moved a motion of instruction related to a government bill.

Having established that the House does have the authority to grant permission to a committee to expand the scope of a bill through a motion of instruction, the question becomes whether a committee report is also a procedurally valid way to achieve the same result.

The member for Toronto Centre is correct in saying that the explicit authority to present this type of report is not found in Standing Order No. 97.1, which exists to oblige committees to respect deadlines for reporting back to the House on private members' bills. In that respect, Standing Order No. 97.1 continues to apply.

However, Standing Order No. 108(1)(a) does grant committees this power under their more general mandate to:

...examine and enquire into all such matters as may be referred to them by the House [and] to report from time to time...

In describing the three broad categories of reports that standing committees normally present, O'Brien and Bosc, at page 985, describe administrative and procedural reports as those:

in which standing committees ask the House for special permission or additional powers, or those that deal with a matter of privilege or procedure arising from committee proceedings.

● (0955)

An example of a committee reporting on a matter related to a bill may be found in the *Journals* of April 29, 2008, where, in its sixth report, the Standing Committee on Environment and Sustainable Development felt compelled to provide reasons why it did not complete the study of a particular private member's bill.

Finally, O'Brien and Bosc, at page 752, further state:

A committee that so wishes may also seek an instruction from the House.

This undoubtedly could be done only through the presentation of a committee report to the House.

What this confirms is that the authority of the House to grant permission to a committee to expand the scope of a bill can be sought and secured, either through a motion of instruction or through concurrence in a committee report.

O'Brien and Bosc summarizes this well at page 992:

If a standing, legislative or special committee requires additional powers, they may be conferred on the committee by an order of the House—by far the most common approach—or by concurrence in a committee report requesting the conferring of those powers.

Later, O'Brien and Bosc explain, at page 1075:

Recommendations in committee reports are normally drafted in the form of motions so that, if the reports are concurred in, the recommendations become clear orders or resolutions of the House.

Just as the adoption of a motion of instruction to a committee would become an order of the House, so too would the adoption of a committee report requesting the permission of the House to expand the scope of a bill.

Of course, it has always been the case that instructions to a committee must be in proper form. According to O'Brien and Bosc, at page 754, such instructions must be "worded in such a way that the committee will clearly understand what the House wants".

It is nevertheless clear to the Chair that there is genuine disquiet about the impact of this attempted procedural course of action.

At this point, Mr. Chair, the Speaker of the House is acknowledging well-founded and potentially genuine concerns about this course of action and about a request of this nature when made through a committee report.

Going back to the words of the Speaker of the House:

The Chair is not deaf to those concerns and, in that light, wishes to reassure the House that this manner of proceedings does not obviate the need for committees to observe all the usual rules governing the admissibility of amendments to the clauses of a bill, which are described in detail at pages 766 to 771 of *House of Commons Procedure and Practice*, second edition.

He mentioned the admissibility of amendments, Mr. Chair. The Speaker of the House made this clarification in order to reply to the concerns raised by the tabling of the eighth report with reference to the expansion of Bill C-425.

• (1000)

Going back to the Speaker's ruling:

In particular, granting a committee permission to expand the scope of a bill does not, ipso facto, grant it permission to adopt amendments that run counter to its principle. Were a committee to report a bill to the House containing inadmissible amendments, O'Brien and Bosc at page 775 states:

The admissibility of those amendments, and of any other amendments made by a committee, may therefore be challenged on procedural grounds when the House resumes its consideration of the bill at report stage. The admissibility of the amendments is then determined by the Speaker of the House, whether in response to a point of order or on his or her own initiative.

For all of the reasons outlined, I must conclude that the eighth report of the Standing Committee on Citizenship and Immigration is in order. I thank all hon. members for their attention.

[English]

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Chair, I have a point of order.

I'm noticing it's 10 o'clock. Would it be possible for us to take a comfort or a health break so that committee members can get some fresh coffee and use the facilities, and come back in five or ten minutes?

The Vice-Chair (Mr. Kevin Lamoureux): Ms. James, on the same point of order.

Ms. Roxanne James: Actually, as Ms. Freeman, the member opposite, knows, any member of this committee is free to get up and help themselves to coffee. We found that out yesterday. Actually, the chair vacated the seat multiple times, so we know that's possible. And yesterday the same member left the room to use the facilities, so there is no reason for a comfort break.

I find this discussion very interesting and I suggest that we continue moving forward. If the member desires a 10-minute break, she has other colleagues at this table who can carry on.

The Vice-Chair (Mr. Kevin Lamoureux): Jinny, on the same point of order.

Ms. Jinny Jogindera Sims: Chair, first, to put something on the record, the chair got up exactly twice to go and get hot water, and it is not unusual for the chair of this committee to do that. I wanted to put that forward and not leave the impression that the chair was running backwards and forwards on some kind of exercise program while she should have been in the chair.

I think the request, in polite terms, was more for a comfort break, and I think my colleague was trying to present it in such a way. But I also....

Are the bells ringing? What is happening? I suddenly saw the lights.... Oh, the House is convening.

I think, Chair, it would not be unrealistic for the meeting to be suspended for five or ten minutes for people to take a comfort break.

Thank you.

The Vice-Chair (Mr. Kevin Lamoureux): Mylène, on the same point of order, and then Sadia.

Ms. Mylène Freeman: I do want to clarify that, yes, we could all get up and leave *à tour de rôle*, but if every couple of hours we were to take a five- to ten-minute break, I think that would be to the benefit of all the members of the committee. We are all pretty sure

we're going to be here for quite a while. None of us is going to stand down on this. If we're going to keep doing this, I think it would be to the benefit of all members of this committee if every couple of hours we were to break, simply to let everybody stretch their legs at once, so we aren't going back and forth, everybody getting up and walking around, for the next week. That would be a little less organized.

I suggest that in order to keep our longevity going, that's what we should do.

The Vice-Chair (Mr. Kevin Lamoureux): We'll go with Sadia, followed by Mr. Opitz, Ms. James, and then Ms. Sitsabaiesan.

Sadia.

[Translation]

Mrs. Sadia Grogue: Mr. Chair, I have a simple question that follows on my colleague's comment. When a committee debates a motion, isn't it possible to ask for a break, even if just for physiological reasons?

• (1005)

[English]

The Vice-Chair (Mr. Kevin Lamoureux): I will make a ruling on it the moment I've heard from everyone who wants to contribute to this particular point of order.

Thank you, Sadia.

I have Mr. Opitz.

Mr. Ted Opitz (Etobicoke Centre, CPC): Mr. Chair, we're all individuals on this committee. We're all on other committees as well. It's incumbent on individuals to regulate themselves, as we do, and as the member demonstrated yesterday. She was free to conduct personal activities outside the boundaries of this room, or stand up and get a coffee, as the chair did twice last night, and that's fine. We can do these things without having to interrupt the proceedings in kind of an all-inclusive exercise where everybody has to go to the bathroom together.

I think that's not something that's valid, and we've just burned up valuable time debating bathroom breaks.

Thank you.

The Vice-Chair (Mr. Kevin Lamoureux): It's good of you to point out just how much time we have spent on the point of order.

We still have another three people. Ms. James, Ms. Sitsabaiesan, and Mr. Shory have all indicated...so we'll continue.

Ms. James, on the point of order.

Ms. Roxanne James: Thank you.

I just want to reiterate to this committee that the reason we're here is that the government is seeking an extension to actually consider amendments to this bill. We are being delayed and obstructed through adjournments and suspensions of committee meetings by the opposition. Now we're hearing that they need comfort breaks.

I just want to say—

Ms. Jinny Jogindera Sims: I have a point of order, Mr. Chair.

The Vice-Chair (Mr. Kevin Lamoureux): Yes. We have to—

Ms. Roxanne James: I'm actually on a point of order.

The Vice-Chair (Mr. Kevin Lamoureux): It's okay. We'll finish up the current point of order.

Ms. James, perhaps you could, relatively quickly, draw your words to a conclusion. Then we'll put Ms. Sims on.

Ms. Roxanne James: Thank you, Mr. Chair.

Now that I'm hearing that the opposition is calling for comfort breaks every couple of hours, it just goes to show that they want to delay this. They want to obstruct.

Agreeing to an extension of the time for this particular bill so that we can examine the amendments is absolutely outrageous, considering that 80% of Canadians are in support of this legislation. They are in opposition to most Canadians.

If the member is feeling so uncomfortable that she needs a comfort break, there's an easy solution. We can actually just put this to a vote right now and then she can take the break she so desires and she can rest. But if we want to debate this.... If the opposition is truly interested in talking about this particular issue, they will not try to suspend/adjourn and now take comfort breaks.

The Vice-Chair (Mr. Kevin Lamoureux): What I'm not going to do is try to limit the discussion. I can understand and appreciate why it is people want to contribute to this issue.

That being said, I already have a good sense in terms of what I'm going to be saying on it. For now, what I would like to be able to do is say that we'll take a five-minute suspension so that we can have that comfort break. But in the future we'll have some discussion during that five-minute break as to what might be appropriate going forward.

Unless a government member wants to add to it, I'm just going to suggest that we go with a five-minute suspension for a comfort break.

We'll have a five-minute suspension.

• (1005) _____ (Pause) _____

• (1015)

The Vice-Chair (Mr. Kevin Lamoureux): We're back in session.

Ms. Groguhé, you have the floor.

[Translation]

Mrs. Sadia Groguhé: Thank you, Mr. Chair.

I mentioned the Speaker's ruling, which takes us back to the very heart of Bill C-425. I would now like to continue talking about the whole process, not just the procedure, that led to what happened with Bill C-425 during our committee discussions and witness testimony. Clearly, expanding the scope of this bill has raised various questions and concerns.

As I said, this is not the first parliamentary manoeuvre brought forward to expand the scope of Bill C-425. In the spring, the government submitted a committee report to the House that was not unanimous in order to expand the scope of Bill C-425 at that time.

That first attempt was subject to a point of order, to which I will probably come back later.

The fact remains that today's manoeuvre is not the first one to unilaterally expand the scope of Bill C-425. As I mentioned, on May 21, the Speaker of the House ruled that the eighth report of the Standing Committee on Citizenship and Immigration was in order, strictly speaking.

However, he expressed major reservations about expanding the scope of the bill and he pointed out that there was no explicit case law on the matter. He reminded members of the dangers associated with this situation.

Before I continue, I would like to go back to the substance of the bill and therefore provide you with the content.

First, I will start by putting things into context. As was mentioned before, Bill C-425 proposes three main reasons for granting or revoking the citizenship of members of the Canadian Armed Forces, under the Citizenship Act. The bill provides for the following two points. First, it provides for a new ministerial power to reduce the length of residency in Canada required for members of the Canadian Armed Forces to obtain citizenship. Second, it provides for the following two things:

(1.1) A Canadian citizen who is also a citizen or a legal resident of a country other than Canada is deemed to have made an application for renunciation of their Canadian citizenship if they engage in an act of war against the Canadian Armed Forces.

(1.2) A permanent resident of Canada who has made an application for Canadian citizenship is deemed to have withdrawn their application if they engage in an act of war against the Canadian Armed Forces.

To turn to the explicit content of Bill C-425, I will read amendment G-1, which proposes:

That Bill C-425, in Clause 1, be amended by replacing lines 8 to 29 on page 1 with the following:

e.1 is not a person to whom subsection [9(1.2)] applies:

[...]

(2) Section 5 of the Act is amended by adding the following after subsection (1.1):

(1.2) Paragraph (1)(c) does not apply to a permanent resident who, within the period referred to in that paragraph, completed a number of years of service in the Canadian Armed Forces that is equal to the length of residency required under that paragraph less one year. However, that paragraph...

• (1020)

I am sorry, Mr. Chair; I think I made a mistake.

[English]

Ms. Rathika Sitsabaiesan: On a point of order, Mr. Chair.

The Vice-Chair (Mr. Kevin Lamoureux): Ms. Sitsabaiesan on a point of order.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

When I raised a point of order earlier as to whether this meeting is in order, Mr. Chair, you mentioned that it was, but if I may refer to O'Brien and Bosc in chapter 20, page 1047....

Before I read the citation, I would like to say that you also mentioned earlier, Mr. Chair, that we do follow the written rules exactly, but when the written rules themselves do not stipulate something, precise details of X or Y, then we follow common practice and precedents that have been set by practice. This is how jurisprudence is also followed, how the legal system follows it. There's the written law and then there's the common law that judges have created over the years based on precedents they have set, based on legal decisions they have made and that become part of common practice.

So I'd like to cite O'Brien and Bosc, second edition, where it says:

In the absence of written rules, a committee can refer to practice when the members are uncertain as to how to proceed on a particular issue. Practice may also be used as a factor to be taken into consideration by a committee Chair who is required to make a ruling. The starting point in these circumstances is to examine how the committee proceeded in the past. If the analysis must be carried further, the committee can then examine the practice of other committees of the House and the practice of the House itself, if it can be applied to the committee's proceedings.

That's the end of the quote I'd like to read. I don't want to sit here and read the entire O'Brien and Bosc to you. Clearly, in our *House of Commons Procedure and Practice* manual or book, it states that when the rules itself don't provide exact certainty on a particular issue, practice is what we turn to, what we rely on. For committee meetings, the practice is that they are previously scheduled. For example, for our committee in this current rotation we meet every Tuesday and Thursday morning at 8:45 a.m. until 11:45 a.m.

However, we all know that special circumstances could arise and there are ways of convening a meeting. So the chair *in absentia* convened a meeting. However, Mr. Chair, I do note that a three-minute notice is not what the common practice is for a new meeting to be called in this place. Looking at the practice of this committee itself in this parliamentary session from my own personal experience, and looking at the other committees of this House—just as O'Brien and Bosc says, you look at the previous practice of that committee, you look at the previous practices of other committees of this House, because the committees, of course, are creatures of the House—if those practices are not sufficient, you look at the practice of the House itself.

For other committees, we know that notice has traditionally been more than three minutes, and we know that the practice for the House itself is a minimum of 30 minutes' notice whenever you're being convened, whenever you're being called to the House. The unplanned calling to the House is generally for a vote when the bells ring, and those ring for 30 minutes. However, Mr. Chair, this time what we had thrown at us, in our faces basically, is a three-minute notice period.

Mr. Chair, now that I've presented some new evidence to you, I'd like you to please clarify for me if the notice of three minutes that was given to us by the chair, through the clerk, at 1:57 a.m. for a meeting to commence at 2 a.m....if that practice of three minutes' notice is actually in contravention of our *House of Commons Procedure and Practice*. I'd like you to provide some clarification on that, please, Mr. Chair.

Thank you.

•(1025)

The Vice-Chair (Mr. Kevin Lamoureux): We will go to Mr. Opitz next, and then Mr. Leung.

Generally speaking, I will take points of order. I'm providing a great deal of latitude in explaining the points of order, but I will also afford the same luxury to both sides of the committee so that members can feel that they can be thoroughly engaged in giving the advice on the point of order.

Mr. Opitz, go ahead.

Mr. Ted Opitz: Thank you, Mr. Chair.

I'm having difficulty in understanding the relevance of the member's point of order, because she brought up the same point of order previously. You had been expertly advised by our clerks on that point of order and gave guidance at that time.

In doing so, she in fact interrupted her colleague with something that I considered to be a frivolous point of order, something that had been dealt with earlier. We should be dealing with the issues in this bill, and in particular dealing with those people who would do harm to Canada's soldiers, sailors, and airmen—the Canadian Armed Forces—in potentially committing acts of terrorism against our troops and our forces at home and abroad.

I would ask and urge the member—I'm delighted that she's learning about O'Brien and Bosc and learning the procedures of the House, but this isn't the appropriate place to do so at this time. We have clerks who can provide that expert opinion, and we should be proceeding to deal with the particular issues of—

Ms. Jinny Jogindera Sims: Chair, I'm not sure this is a point of order.

Mr. Ted Opitz: Chair, I thought I was going to get the same latitude.

The Vice-Chair (Mr. Kevin Lamoureux): Yes. As a courtesy, I did indicate that we'd give the same latitude for all members in being able to express themselves thoroughly. What we have is—

An hon. member: Stop bullying.

Mr. Ted Opitz: I was just about to wrap up.

The Vice-Chair (Mr. Kevin Lamoureux): We'll follow then with Rathika, and then we'll go to Jinny.

Mylène, did you put up your hand to say you wanted to address this too?

Ms. Mylène Freeman: Yes, Chair, I—

The Vice-Chair (Mr. Kevin Lamoureux): No, not right now. Did you put up your hand?

Ms. Mylène Freeman: Yes, please.

The Vice-Chair (Mr. Kevin Lamoureux): Okay. That's been noted.

Mr. Ted Opitz: Mr. Chair, I would urge, as a previous chair said, that there be decorum. Decorum is something that finds itself in using procedures, or potentially using procedures, frivolously, as with the previous member who called for a comfort break and then didn't even leave her chair.

Mr. Chair, I would urge the members opposite to please stick to the point, to allow Madame Groguhé to carry on with the discussion of the important issues at hand—those important issues that pertain to our former colleagues serving in the Canadian Forces today—and deal with this important issue for which Canadians expect us to do the work here in Parliament, and not to be frivolous.

Thank you.

The Vice-Chair (Mr. Kevin Lamoureux): Mr. Leung, go ahead.

Mr. Chungsen Leung (Willowdale, CPC): Chair, on the same point of order, I don't think there's any precedent that says three minutes, or any amount of time, is a requirement to call a meeting. As we've experienced in the last two or three weeks in the House, votes were taken right at 3 p.m., immediately following question period, for which there is actually no time given in between.

Therefore, I respectfully ask the opposition to quickly come and debate this point and then bring it to a logical conclusion.

The Vice-Chair (Mr. Kevin Lamoureux): Rathika, did you want to add a comment?

• (1030)

Ms. Rathika Sitsabaesan: Yes, thank you, Mr. Chair.

For votes that are prescheduled directly after QP that don't have any bells.... That's my point, Mr. Chair: they are prescheduled votes, so they're not votes that require our being summoned from elsewhere into the chamber; we're already in the chamber, and that's why there are no bells for those votes.

But, Mr. Chair, when a member opposite says that you have already ruled on this point of order and that I am being frivolous in trying to respect the rules of this place...I find it interesting that a member of the Conservative Party thinks it's frivolous to follow the rules. I am trying to follow the rules that are outlined for us. *House of Commons Procedure and Practice*, written by O'Brien and Bosc, is what we follow. I'm reading it to you and asking you for clarification, for interpretation, because that is your duty as the chair. I think I'm within my rights to ask the chair of a committee meeting to follow the rules outlined for a committee meeting and for the practices to be followed.

I don't appreciate the credibility of the point of order or the credibility of a member of Parliament trying to follow the rules of Parliament to be questioned or to be laughed at.

Once again, Mr. Chair, what I request is for you to provide some clarification as to whether this meeting is in order, and also to provide some clarification as to whether three minutes' notice is actually following what our common practice is.

As written in O'Brien and Bosc, in the absence of written rules, a committee should refer to practice. There are no written rules is what you had advised me earlier, and I haven't been able to find any written rules just yet. I might be able to in a little while because I'm going to continue reading, but I want to know if this is our common practice, to provide three minutes of notice for members to be summoned to a committee meeting.

Thank you.

The Vice-Chair (Mr. Kevin Lamoureux): We're going to go to Ms. Sims, Mylène, and then Devinder.

Just so committee members are aware, I already have a good sense of how it is I'm going to be ruling on this matter, but I don't want to limit at this point. I will consider limiting, but at this point I won't. If people can keep their remarks relatively short, that would be appreciated, but I'm not trying to put time constraints per se.

Ms. Sims.

Ms. Jinny Jogindera Sims: I'm going to pass because I'd like to get back to hearing what Madame Groguhé has to say on this—after you have ruled, of course.

The Vice-Chair (Mr. Kevin Lamoureux): Absolutely.

Ms. Freeman.

Ms. Mylène Freeman: Chair, I understand that we want, obviously, to get back to the debate. That being said, in reaction to having heard my colleague say that this point was frivolous, I felt it was important. My constituents elected me to come here to speak on behalf of them, and in order to do so, I need adequate notice when I am going to be called to a meeting or called to a vote.

I don't think this is in any way, shape, or form frivolous. If we as members are expected to show up just anywhere within the parliamentary precinct with three minutes' notice, I very much doubt that it is a practice any parliamentarian in this House, past or present, would agree with, without prior consent or having been informed prior to that three-minute notice.

I genuinely believe that this is a point that we as members have a right to come back to, have a right to look at and continue debating; that it is nowhere near frivolous but actually gets to the crux of what it is to be a representative, a politician, an elected MP in this House and in these committees: whether or not I am able to come to the meetings I am supposed to be at.

Let's say I was in 131 Queen Street and had to come to Centre Block. There is absolutely no way I would make it in three minutes. I think that is something that all members here understand, and without any prior consent or information, I cannot plan for it. Something we are currently doing, right now, is to look into that, because this is not something that I think is going to be acceptable for any members of this House.

For my colleagues to have called it frivolous is genuinely very insulting. To say that my ability to come and sit on this committee, as I am a member of this committee, and to only receive three minutes of notice.... I barely had time to walk down the hallway of Centre Block at 2 o'clock in the morning when this happened.

For my colleague opposite to say that it's frivolous really gets to whether or not he thinks I'm a legitimate member who has a right to sit at this committee. I genuinely am very insulted by that. I believe this is an issue we should continue to think about.

I really do appreciate, Chair, that you have given me the time to talk about this and that we can continue to look at whether this is really a question of our privilege as members.

Thank you.

• (1035)

The Vice-Chair (Mr. Kevin Lamoureux): Thank you, Ms. Freeman.

Mr. Devinder Shory.

Mr. Devinder Shory (Calgary Northeast, CPC): Thank you, Mr. Chair.

I won't make a long speech, because I know that the Canadians watching these proceedings at this point want to know why the NDP is blocking my private member's bill, which is seeking amendments to strip the citizenship of violent convicted terrorists. That is the issue here.

I understand, Mr. Chair, that we as members of Parliament have the right to call points of order as many times as we wish and that chairs also have some rights to adjourn, cancel, or suspend the meetings unilaterally. I just want to put on record, in the point of order about the three minutes' notice or thirty minutes' notice, so that Canadians know how this evolved, that the NDP chair unilaterally suspended the meeting. Without consulting, she adjourned the meeting previously. She basically, in my view, abused the process and abused—

Ms. Jinny Jogindera Sims: I would like to speak on a point of privilege, Chair.

The Vice-Chair (Mr. Kevin Lamoureux): Let me just have everyone stop for a moment while I confer with the clerk.

Ms. Sims, we'll have to allow Mr. Shory to conclude his comments. If things start to pick up in terms of emotions or whatever it might be, what we'll probably end up having to do is ask that points of orders and comments be very short and concise. I'm prepared to do that, but for now, Mr. Shory, if you could, think about somewhat winding down your comments—

Ms. Jinny Jogindera Sims: Chair, if I may—

The Vice-Chair (Mr. Kevin Lamoureux): Jinny, we'll have to put you on—

Ms. Jinny Jogindera Sims: Chair, with your indulgence, I really feel that our intentions have been implied and stated. I take a great deal of concern around that. As to what was motivating the chair, what happened, I am quite prepared to go on record and explain exactly why the chair did what the chair did. I am prepared to do that after the point of order.

The Vice-Chair (Mr. Kevin Lamoureux): After we're done with Mr. Shory, we'll let you speak on the issue or raise another point of order.

Mr. Shory, you can continue.

Mr. Devinder Shory: Thank you, Mr. Chair.

I'll wrap up by saying that I urge you, the chair, to cut down the time on points of order. Of course, we all have the right, but we should limit the point of order. As you have seen, and as I have been seeing, whenever this side of the table is speaking on a point of order, the other side interrupts right in the middle of that point of order.

Please, let's respect the taxpayers' time, let's respect the House proceedings, and let's get to the point. The NDP should tell

Canadians their position. Why do they want to defend the citizenship of convicted terrorists? That is the issue. I'm very interested in listening to Madame Groguhé and other NDP members clarifying their position. Rather than talking about the procedure, etc., they have to come clean.

Thank you for hearing me.

• (1040)

The Vice-Chair (Mr. Kevin Lamoureux): Mr. Menegakis, and then we'll go to Ms. Sims.

Mr. Costas Menegakis: Thank you, Mr. Chair.

Simply to put some perspective on the situation, Mr. Chair, we were all meeting here in this very room last night when the meeting was abruptly adjourned by the chair and reconvened a number of minutes later. I believe the impression that members opposite are giving is that somehow they were being called in here and they had to come from...I heard a member opposite say 131 Queen, possibly, or from home, or whatever, as if to give the impression that this was a meeting that was abruptly called in the wee hours of the morning so that people didn't have a chance to get here.

In fact, Mr. Chair, I want to remind honourable members, certainly on both sides over here, that not only were the members present in the building and within a minute's walk away, but.... As you know, we're staffed quite well at these meetings. Our staff is here, and I can personally attest to the fact that NDP staff was present in the room for the entire time, even when some of the NDP members—I believe all of them—walked out of the room. You yourself, Mr. Chair, were here in that period of time.

These delays and these games are in fact frivolous.

What is definitely correct in the statements I heard is that we're all here to represent our constituents. As my constituents want to know why I'm here in the wee hours in the morning, I'll explain to them the reasons why I'm here, some of which Mr. Shory quite eloquently expressed when he seriously raised the question as to why there would be any opposition, really, to a bill that seeks to strip citizenship from those who perpetrate crimes against our own Canadian troops, for example, as this bill so correctly does.

Mr. Chairman, in coming to my conclusion, while I appreciate that there's a great amount of partisanship here and people want to jostle their positions and pretend they're fooling Canadians...Canadians are not fooled in any way, shape or form. We've been sitting in this meeting, which has been convened now for the better part of the second day. We sat until the wee hours of the morning. Every member knows that these are procedural games that are being played by the NDP to suspend, to adjourn, when they're standing outside the door, conferring with their staff in the corners, in meeting rooms, in the lobby.

To suggest in any way, shape or form that a meeting was convened and in some way a member's privilege in representing their constituents was somehow violated because it's possible they would not have been near the precinct at 1:57 a.m. is untruthful, disingenuous, and definitely frivolous.

I wanted to go on the record and say that to this particular point of order.

Thank you.

The Vice-Chair (Mr. Kevin Lamoureux): Thank you.

Right now we have Ms. Sims.

Before Ms. Sims speaks, I have an appreciation in terms of the process and what has been happening over the last 24 hours in regard to the committee. Having been a parliamentarian for over 20 years, I understand process. I understand it quite well.

This time round, I'm being very generous in allowing members to speak at length on the point of order, so that we can provide ample opportunity for people to be able to express themselves, believing that in future points of order I will be a lot more concise and to the point. So I allow this opportunity. It will be the last opportunity where I am going to allow individuals to go on at great length on points of order.

Right now I have Ms. Sims, and then after Ms. Sims we'll be going to Ms. Groguhé. And do understand that I already know how I'm going to be making the ruling.

Ms. Sims, the floor is yours.

Ms. Jinny Jogindera Sims: Thank you, Mr. Chair.

I just want to stress that, absolutely, we started our meetings on Tuesday morning at 8:45, and yesterday we did suspend, with the consent of all parties, to see if we could find a resolution. A resolution could not be found, and it was with the agreement of the parliamentary secretary that we reconvened at 11 o'clock last night. During that time, let me say that members of the committee were rather rowdy and the behaviour lacked decorum, to put it politely. The chair had to, and did at one stage, suspend the meeting for five minutes in order to bring back decorum. There were members who insisted upon speaking even after the chair had hit the gavel and asked for order, and the chair made it very clear, on more than one occasion, that if decorum did not return and people were not prepared to listen.... And I'm not going to go into each and every thing I said, though I could, because I really do want to get back to listening to what Madame Groguhé has to say. At that stage, after giving fair notice, I was left with no choice as a chair but to adjourn the meeting.

At that time, the government—I'm presuming it was the government representatives—phoned the chair, who was on a trip with the Prime Minister, and knowing that there are two chairs here, two vice-chairs, they bypassed the vice-chairs, went to the chair, and got the chair to direct the clerk to call another meeting. That meeting was called, and we went into that meeting. So a new meeting started at that time. It was not a suspension. We came back into the meeting, and when the legitimacy of that meeting.... There were some concerns around some of those issues, and at that time I suspended.

We've come back. We've been in this meeting now, I would say, since 8:30 this morning.

I just wanted to get that on the record. This particular parliamentarian, while in the chair, was not, and would never be, frivolous with the responsibilities of the chair and did not adjourn on frivolous grounds. I would say she adjourned on grounds that any chair would be the most reluctant to adjourn on, and that is because

the behaviour of the members lacked decorum and was not what it should have been.

Thank you.

• (1045)

The Vice-Chair (Mr. Kevin Lamoureux): Thank you, everyone, for participating.

I do want to conclude where I picked up the last time I discussed this issue, and that is that unless someone is able to demonstrate a clear rule within any of the rule books we often resort to in being able to raise the point of order...I don't believe there's anything that says the committee has to give a minimum number of minutes' or hours' notice, ultimately, in this context. Committees are masters of their procedures and proceedings. There is, I suspect, a great deal of frustration on both sides of the House as to what has transpired over the last 24 hours.

I'm going to rule that the committee should just continue on. Ms. Groguhé had the floor, and we'll go to her and continue to listen.

On points of order in the future I would ask that you start by giving me a citation, and then limit it to, let's say, a minute. Thank you.

Ms. Groguhé.

[Translation]

Mrs. Sadia Groguhé: Thank you, Mr. Chair.

I will continue then. Perhaps I should first remind you of what I have been saying this morning, since I was interrupted.

If I may, Mr. Chair, I will go back to Bill C-425, which is a private member's bill. I will first remind you of its purpose and provide you with a little background. In this context, I will also talk about its substance and remind you of the bill's title, which is quite telling in terms of the bill's scope. If the bill were expanded to include the amendments introduced by the Minister of Citizenship, Immigration and Multiculturalism, even the title would no longer fit the proposed content. Let me remind you that the title of this bill is An Act to amend the Citizenship Act (honouring the Canadian Armed Forces).

The bill introduced by our colleague Mr. Shory was definitely talking about acts of war, not of terrorism. In fact, the minister's amendments are so broad that they would have a significant impact on Bill C-425, by creating two classes of citizens. I think that is an important point we need to keep in mind. However, that will have little or no impact on terrorism. Actually, if we include the additional amendments, Mr. Shory's bill will no longer promote citizenship, but it will devalue the fact of having dual citizenship. Quite clearly, that goes against the principle of fairness in law and it brings in an arbitrary component, as well as an idea of discrimination, as I mentioned before.

In terms of the context of this bill, let me remind you that Mr. Shory wants to reduce from three to two years the required years of residence in Canada for a member of the Canadian Armed Forces wishing to obtain citizenship. In so doing, the bill proposes that a citizen or a legal resident of a country other than Canada who has another citizenship and who engages in an act of war against the Canadian Armed Forces is deemed to have made an application for renunciation of their Canadian citizenship. In addition, a permanent resident of Canada who engages in such an act of war is deemed to have withdrawn their application for Canadian citizenship.

I will therefore read what the bill says:

1. (1) Subsection 5(1) of the *Citizenship Act* is amended by striking out “and” at the end of paragraph (e) and by adding the following after that paragraph:

(e.1) is not a person to whom subsection 9(1.2) applies; and

(2) Subsection 5(4) of the Act is replaced by the following:

(4) In order to alleviate cases of special and unusual hardship or to reward services of an exceptional value to Canada, and notwithstanding any other provision of this Act,

(a) the Governor in Council may, in his discretion, direct the Minister to grant citizenship to any person and, where such a direction is made, the Minister shall forthwith grant citizenship to the person named in the direction; and

(b) in the case of any permanent resident who is a member of the Canadian Armed Forces who has signed a minimum three-year contract and who has completed basic training, the Minister shall, on application, reduce by one year the required years of residence in Canada for the purposes of paragraph (1)(c) or subsection 11(1).

2. Section 9 of the Act is amended by adding the following after subsection (1):

(1.1) A Canadian citizen who is also a citizen or a legal resident of a country other than Canada is deemed to have made an application for renunciation of their Canadian citizenship if they engage in an act of war against the Canadian Armed Forces.

(1.2) A permanent resident of Canada who has made an application for Canadian citizenship is deemed to have withdrawn their application if they engage in an act of war against the Canadian Armed Forces.

3. Subsection 11(1) of the Act is amended by striking out “and” at the end of paragraph (c) and by adding the following after that paragraph:

(c.1) is not a person who has ceased to be a citizen by virtue of subsection 9(1.1); and

• (1050)

Mr. Chair, if we take a look at Bill C-425, we see that the first page is the cover page that mentions the title of the bill. On the second page, there is a short summary. On the third page, we see the subsections of the Citizenship Act and the desired amendments.

Mr. Chair, when this private member's bill was referred to the committee, we quickly reached a unanimous conclusion about its scope and limitations, as well as the need for clarifications and amendments to improve it. That is actually why it was referred to committee before second reading. Of course, we had no idea then that the amendments that the committee and various parties were ready to bring to this bill would go beyond its scope and purpose, which is to honour the Canadian Forces.

We discussed it and listened to witnesses before reaching the unanimous conclusion to appropriately recognize our armed forces. One way to recognize and honour the armed forces is to make it easier for permanent residents to obtain citizenship so that they can strengthen the number of our military men and women serving our nation.

That said, Mr. Chair, when the minister himself appeared before us and told us that he might propose additional amendments to Bill C-425, we obviously wondered about the new scope of the bill. Mr. Chair, I stress and reiterate that we were concerned right away about the possibility of new amendments being added to the bill to include measures that no longer corresponded to the initial bill at all. That is why we in the official opposition have expressed our deepest concern and clearly pointed to the magnitude of the changes made to the initial bill through these new amendments. We are simply noting that, by continuing down this path, making additional amendments will distort the bill to such an extent that this bill will no longer be a private member's bill, but rather a government bill altogether.

• (1055)

I would like to remind you that, since this bill is no longer a private member's bill, but rather a government bill, from a minister in this case, the minister could himself prepare a government bill with the amendments he wants to make to Bill C-425.

So concerns and questions definitely come to mind. The motion we are debating today dealing with the 30-day extension of the bill is not in order. In that context, I will continue to refer to some of our discussions in committee on Bill C-425.

Initially, we supported this bill with good will. We actually voted to have it sent to committee to be amended and to move forward the way it was supposed to in the beginning, with a view to honouring the Canadian Forces. The goal of the bill was to create another pathway to integrate permanent residents, to underscore the incredible worth of Canadian citizenship and to honour the contribution of our brave men and women in uniform. Clearly, we could not be against the intent of a bill like that, on the contrary.

This diversity is one of our country's characteristics. Canada's diversity is incomparable to other countries and I think we are fortunate because of that. Initially, this bill was supposed to specifically allow permanent residents, who represent this diversity, to enrol in the Canadian Forces. Under those circumstances, we were in agreement. We were all for bringing this diversity to our military. We actually supported the idea of fast-tracking Canadian citizenship to reward the dedication of permanent residents who serve in the Canadian Forces. We were also in favour of Canada's diversity being reflected in the Canadian Forces.

But now some aspects of the bill dealing with applications for renunciation of Canadian citizenship and the withdrawal of applications for Canadian citizenship are problematic. As stated, the bill proposes that a citizen or a legal resident of a country other than Canada who engages in an act of war against the Canadian Forces is deemed to have made an application for renunciation of their Canadian citizenship. Similarly, a permanent resident who engages in an act of war will be deemed to have withdrawn their application for Canadian citizenship. However, the bill does not clearly indicate whether legal proceedings are needed to determine whether someone did engage in an act of war and does not specify who would make that decision. That is one of the bill's shortcomings. We talked about that issue in committee. We were supposed to explore it further and decide on amendments that would address this shortcoming.

In addition, some key terms were not defined. For instance, the term "act of war" is not defined in Canadian law. Likewise, the term "legal resident of a country other than Canada" is not defined.

• (1100)

We still had to deal with a bill that, as I have just described, had a great deal of limitations and shortcomings. In a way, we had to take a second look at the bill and its limitations in light of its purpose of honouring the Canadian Forces, instead of extrapolating under the pretext that the minister wanted to make amendments to this bill. But there was so much extrapolation that the initial bill clearly became a government bill. Let me remind you that the minister will have full latitude to introduce a bill like that if he wants.

I also wanted to stress the fact that the major changes made by the Conservatives to the Canadian immigration system have not made it more effective or fair, unfortunately.

The NDP supports the idea of Canada's diversity being better reflected in the Canadian Armed Forces. However, the circumstances under which Canadian citizenship could actually be revoked or an application for citizenship withdrawn must fully comply with the law and follow the normal legal process. Yes, it is true that some witnesses talked about the concept of natural justice, where anyone can have an opportunity to defend their own situation or case, since that is provided for under the law. Since many aspects of Bill C-425 had limitations, the justice system would not be allowed to have a say in a measure dealing specifically with the potential withdrawal of citizenship.

Witnesses clearly told us that this was an arbitrary way of doing things. This is really a situation where the rule of law has no place, which is not normal. Let us not forget that, constitutionally speaking, we have the charter to give us the necessary benchmarks so that every individual has a right to a defence and to an appeal under any circumstances.

In addition, we must not forget that this bill will create two classes of citizens, those with only one citizenship and those with more than one citizenship. Those with more than one citizenship would quite simply run the risk of losing their Canadian citizenship, even if they were born in Canada and have never gone to those other countries whose citizenship they have.

If we take into account those considerations, it is clear that statelessness is a possibility. When we talked about the implications, witnesses told us that we really had to be rigorous and pay attention to potential situations of statelessness resulting from a bill like this, since it makes it possible to withdraw the citizenship of people who, for whatever reason, would not be able to establish their second citizenship.

They also mentioned that there were similar measures in other countries that could also lead to statelessness. One of the witnesses clearly mentioned that this was likely to lead to a race between countries to revoke citizenship. It would simply be a matter of which country would be first to revoke the citizenship of a person who committed a particular act. As a result, we were told that an actual bidding war for withdrawing citizenship could take place between various countries.

• (1105)

Another very important dimension is the risk of children being forcibly enlisted in the army by adults who give them weapons and allow them to play soldiers in the same way an adult enlisted in the army would. Those child soldiers can therefore also be affected by a bill like that. Actually, their citizenship could be revoked for having participated in acts of war in the past, while they are not responsible for being forcibly enlisted in the armed forces.

Statelessness was therefore at the heart of our debates on Bill C-425.

I would also like to go back to the issue of citizenship. By having two classes of citizens, those with Canadian citizenship only and those with dual or multiple citizenship, this bill imposes an additional penalty, which is not related to the crime, but rather to the fact of having dual citizenship. That creates an arbitrary and discriminatory concept. As a result, individuals could be charged with crimes they have not committed, just because they have dual or triple citizenship.

I found the comments of one of our witnesses very wise. He drew a parallel and said that citizenship was not like a driver's licence that could be revoked from any offender who went over the speed limit or caused an accident. We really must keep that in mind. Citizenship is much more than a driver's licence, and our role is not to revoke it from offenders in any way, shape or form.

In addition, this bill is discriminatory since some people are not even aware that they have dual citizenship. What will we do with all those people? In this case, witnesses told us that some people don't know that they have dual citizenship.

This bill is arbitrary because it imposes a penalty that cannot be applied to everyone, by stripping some people of their citizenship. This bill is also dependant on what other countries in the same situation as ours do and on many other factors such as the number of citizenships that people have.

As I said, distinctions are being encouraged between individuals. Of course, the content of Bill C-425 is not complete. The limited scope of the bill means that there are a lot of gaps that need to be filled. However, by making additional requests and proposing amendments to completely change the bill, the Minister of Citizenship, Immigration and Multiculturalism seems to go beyond the mandate of this committee.

• (1110)

The bill also provides for discretionary powers. Once again, we find a provision in a bill that allows for additional discretionary powers. In fact, appeals will not be governed by specific rules and will depend on a political will.

Granting discretionary powers through a bill means ignoring all our legal and court benchmarks, which I think is dangerous. The government will grant itself the power to interfere in decisions, to take the position of a judge or a court and to decide whether or not to revoke the citizenship of a given individual. In addition, the right to appeal, which is a legal procedure, is not even proposed in this case. Under these circumstances, clearly, the line between politics and the law is being completely erased. We are at a point where the minister can give himself the power to make rulings on cases, which should be the responsibility of the courts.

I would also like to turn to what witnesses told us about the scope of Bill C-425. Clearly, we applauded the possibility of fast-tracking the citizenship applications of permanent residents. However, the remarks of some witnesses enabled us to understand that the number of permanent residents affected by this bill would be minimal.

It goes without saying that questions come to mind. Given that approximately 15 permanent residents are recruited annually by the Canadian Forces, why would we have a bill that has a negligible impact? Its purpose is to honour the Canadian Forces and to give them an opportunity to be more open to diversity, but given those numbers, we are wondering whether the objective actually corresponds to the intent expressed in this bill.

It was important to look at that together in committee. The bill being limited in its application, the honouring of the Canadian Forces became purely symbolic. So are we still talking about symbols, are adjustments being made or are we going to continue to debate the substance of this bill? Our witnesses told us nonetheless that, with a limited scope, the result would be a symbolic honouring of the Canadian Forces rather than a genuine honouring, which was the intended effect.

• (1115)

The government keeps throwing around the possibility of making Canada safer and the deterrent effect of this bill. Mr. Chair, we know full well that this bill will not have any real deterrent effect on terrorist acts or any other crimes. Witnesses told us so. We also know that, in the U.K., for instance, 13 revocation procedures have been brought forward since 2002. Basically, there is no real reason for making those amendments to the bill.

[English]

The Vice-Chair (Mr. Kevin Lamoureux): I'm sorry, Ms. Groguhé....

Mr. Mike Wallace (Burlington, CPC): [*Inaudible—Editor*]... cancel your flight tomorrow.

Ms. Jinny Jogindera Sims: Excuse me, Chair. Is there a point of order? There is chatter going on while we have a member speaking.

Mr. Mike Wallace: Sorry. My apologies.

The Vice-Chair (Mr. Kevin Lamoureux): Ms. Sims has a very good point.

I think we're getting close. I understand that the bells have actually been ringing. At this point we'll have to suspend until after the vote.

I appreciate your comments, Ms. Groguhé. They were succinct and you were very passionate.

We will remain in suspension until after the vote.

• (1115)

_____ (Pause) _____

• (1210)

The Vice-Chair (Mr. Kevin Lamoureux): We are going to reconvene at this time.

Sadia has the floor, and I would ask that people pay attention as she delivers her speech.

Sadia, the floor is yours.

[Translation]

Mrs. Sadia Groguhé: Thank you, Mr. Chair.

I will continue then. I was talking about the shortcomings of Bill C-425 and the repercussions of the provisions in the bill.

I would first like to go back to the two classes of citizens, which I mentioned. Clearly, according to this bill, Canadian citizenship can be considered a privilege and can be revoked just like a driver's licence can. However, we are not talking about a traffic violation for which someone's driver's licence may be suspended. We are talking about people's citizenship, after all.

Let us look at the legal aspect. Bill C-425 imposes a double penalty on those affected by the initiative, because a legal penalty might be combined with a revocation or withdrawal of the Canadian citizenship. That is commonly known as a double penalty. Obviously, people with dual citizenship would be subject to a harsher ruling than those who solely have Canadian citizenship.

To substantiate my comments, I would like to refer to some presentations that were given at our committee meetings. They clarify in a very relevant and meaningful way all the discussions that we had in committee regarding Bill C-425. They also provide additional information on whether this bill is appropriate and whether it is appropriate to expand its scope.

I will start by reading the comments made by the Canadian Bar Associations regarding Bill C-425, An Act to amend the Citizenship Act (honouring the Canadian Armed Forces):

Dear Mr. Tilson:

I am writing on behalf of the National Immigration Law Section of the Canadian Bar Association (CBA Section) regarding Bill C-425, *Citizenship Act amendments (honouring the Canadian Armed Forces)*. The CBA is a national association of over 37,000 lawyers, notaries, students and law teachers, with a mandate to promote improvements in the law and the administration of justice. The CBA Section comprises lawyers whose practices embrace all aspects of immigration and refugee law.

Citizenship and the rights and obligations that flow from citizenship are the fundamental cornerstones of a democratic society.

I think those comments are fundamental because they really place the concept of citizenship in a context of paramount importance for our democratic societies.

● (1215)

Bill C-425 would amend the *Citizenship Act* to deem dual citizens who “engage in an act of war against the Canadian Armed Forces” to have applied to renounce their Canadian citizenship. The CBA Section opposes such a significant alteration of the nature of Canadian citizenship without a greater opportunity for discussion and participation in the drafting process.

As you can see, the section emphasizes that we are dealing with a major amendment to the very nature of Canadian citizenship. As I said earlier, it is not the same thing as having your driver's licence suspended because of an offence. We are talking about a fundamental precept of our society.

The Bill proposes to create two classes of citizens. Dual citizens would risk losing Canadian citizenship in certain unclearly defined circumstances, even if they were born in Canada and had lived their entire lives here.

What is this bill trying to do? As the Bar noted, someone born in Canada who committed any wrongdoing would lose their citizenship de facto. As a result, this type of designation would create a category of first-class citizens, if you will, and a category of second-class citizens. This principle is completely and utterly in disagreement with the very concept of citizenship, according to which, in principle, an individual who is a member of a nation is a full-fledged member.

Although it is implied in some of the public discourse on the Bill that it targets naturalized citizens, it does not in fact make that distinction. A naturalized Canadian who does not have another nationality or had renounced their other nationality would be protected from loss of Canadian citizenship. A citizen born in Canada who had acquired another nationality through their parents or other means would, however, be at risk of losing their Canadian citizenship even if they had remained in Canada since birth.

Earlier, I mentioned that some people were not even aware that they had dual citizenship. This means that they would be caught off guard if this provision of the law would inadvertently left them without their Canadian citizenship.

The CBA Section is troubled by comments from the government suggesting that substantial additions could be made to the Bill in the review by this committee. The Minister of Citizenship and Immigration has suggested that the Bill may be expanded to include loss of citizenship for individuals connected to certain acts of terrorism. Without these proposed amendments, it is difficult for the CBA Section to comment, although our experience with the breadth of the “terrorism” sections of the *Immigration and Refugee Protection Act* gives reason for concern.

● (1220)

In the opinion article, the Minister says “there should be a high legal threshold for triggering deemed renunciation of citizenship, with appropriate legal safeguards.” We agree. However, the Bill provides neither protections nor clarity. The concept of “act of war” is not defined in the Bill, nor is there a clear reference to a definition elsewhere. Given the nature of contemporary warfare, defining the limits of an “act of war” could prove to be a challenging task. Considering that even the most egregious criminal offences would not put Canadians at risk of losing their

citizenship, the precise nature of activities that might carry such a penalty should be very clearly defined.

Should the government wish to make a critical change to the nature of Canadian citizenship, it would be more appropriate to do so by presenting its own Bill to Parliament...

Mr. Chair, this relates to the key issue that we started with a private member's bill that was expanded only to become a government bill. Our questions and concerns have also been shared by our witnesses. As illustrated in what I just read, the Canadian Bar Association also refers to this aspect. In addition, the CBA feels that:

...it would be more appropriate to do so by presenting its own Bill to Parliament and providing the time and opportunity for adequate consideration and public discussion.

Mr. Chair, in this context, the legislative procedures that usually take place must be followed. In other words, debate must take place and the same amount of time should be allocated to debating this issue as the amount of time usually allocated to debating a government bill. That would make it possible for everyone in the parliamentary precinct, for every member of the House to debate a very sensitive and important concept and dimension of our society. As a result, the debate, in this case a public debate, can be conducted properly, as the Canadian Bar Association suggests:

Informed debate and discussion are at the core of the democratic process of legislating.

Mr. Chair, let us remember that the democratic process is an essential process for our House of Commons without which we would not have a reason to exist or we would not be able to represent our constituents. Without this process, we would not be able to make public some important changes that are part of such a broad context that, democratically speaking, we need to be able to discuss them freely.

Yours truly,

● (1225)

I will continue by reading the very enlightening comments sent to us by the International Civil Liberties Monitoring Group (ICLMG). The comments were submitted to the Standing Committee on Citizenship and Immigration on April 17, 2013.

The ICLMG is a pan-Canadian coalition of civil society organizations that was established in the aftermath of the September 11, 2001 terrorist attacks in the United States. The coalition brings together 39 NGOs, unions, professional associations, faith groups, environmental organizations, human rights and civil liberties advocates, as well as groups representing immigrant and refugee communities in Canada. Active in the promotion and defence of fundamental rights within their respective sectors of Canadian society, ICLMG members have come together to share their concerns about the impact of new anti-terrorism legislation and other anti-terrorism measures on civil liberties, human rights, refugee protection, minority groups, political dissent, governance of charities, international co-operation and humanitarian assistance.

Mr. Chair, that shows the magnitude of the issue and all the ramifications of these new legal provisions that could be implemented. They could have a major impact on the granting or retention of Canadian citizenship.

In the introduction, the monitoring group says:

Bill C-425, *An Act to amend the Citizenship Act (honouring the Canadian Armed Forces)* is a private member's bill, introduced by Devinder Shory, MP. The bill would allow permanent residents who serve in the Canadian Armed Forces to obtain Canadian citizenship more quickly, and would provide for Canadians to be stripped of their citizenship if they engage in an act of war against the Canadian Armed Forces.

Bill C-425 is currently before committee. On 21 March, the Minister of Citizenship and Immigration told the committee that he is proposing a number of amendments to the bill. Among these is an amendment to have the power to strip citizenship of people who have been convicted of various terrorism offences.

Mr. Chair, the monitoring group provides the following explanation in a footnote:

The exact wording of the amendment was not tabled, but the Minister proposed that citizenship could be stripped from "those who've served as a member of an armed forces of a country or as a member of an organized armed group that was engaged in an armed conflict with Canada; or have been convicted of high treason under section 47 of the Criminal Code; or have been sentenced to five years or more of imprisonment for terrorism offences, as defined in section 2 of the code, or equivalent foreign offences for terrorism; or have been convicted of offences under sections 73 to 76 of the National Defence Act and sentenced to imprisonment for life because they acted traitorously; or have been convicted of an offence under section 78 of the National Defence Act and sentenced to imprisonment for life; or have been convicted under section 130 of the National Defence Act for committing high treason punishable under section 47 of the Criminal Code or for committing a terrorism offence and it is defined in section 2 of the Criminal Code and sentenced to at least five years in prison."

● (1230)

The comments I just read indicate that the minister also proposed that citizenship be stripped only from dual citizens so that people would not be left stateless.

Here are some concerns raised by the International Civil Liberties Monitoring Group. First of all, according to the ICLMG, all citizens must be treated equally. I was just talking about this fundamental issue and about not discriminating between a permanent resident and a Canadian citizen. Yet this type of rhetoric is brought forward and the monitoring group is concerned about that:

1. All citizens must be treated equally

It is unfair and discriminatory to have citizens face different consequences for committing the same crimes. Creating separate rules for dual citizens creates a two-tier citizenship, with lesser rights for some citizens.

That is where we are at, Mr. Chair. We are faced with an important decision in light of the amendments that the Minister of Citizenship, Immigration and Multiculturalism brought forward to expand the scope of this private member's bill. In so doing, instead of pursuing the initial objective of the bill, we would replace it with considerations that are basically not consistent with fundamental human rights.

The second concern expressed by the ICLMG is as follows:

2. Vagueness of terrorism definition

The term "terrorism" is problematic because it is vague, broad and politicized. In fact, there is no consensus on its definition at the United Nations, nor are there any definitions of the concept in any important international instruments such as the *Rome Statute of the International Criminal Court*.

That means that there are benchmarks and we cannot legislate based on a concept that would make us ignore those restrictions or pretend that they no longer exist. We would be interfering with the issue and proposing changes to the Citizenship Act that go far beyond those national and international benchmarks.

Earlier, I referred to the charter that no longer limits our laws in a meaningful and necessary way. The definition introduced...

● (1235)

[English]

Ms. Mylène Freeman: Mr. Chair, can I just interrupt for a second?

I want to flag this now. The mumbling in the room is getting slightly louder and louder by the minute. I noticed it a couple of minutes ago, and it's just getting louder and louder. Obviously, this is really making it difficult for us to continue in this way, so I would like to be able to flag it right now.

I understand that members are obviously going to have discussions while we're here, but that being said, let us take the time, when it happens, to raise it with the committee, to make sure that all members are being quiet.

I believe this is a very echoey room. It's a lovely room—we love the Railway Committee Room—but it's... I don't know what it is, but it's marble, and the sound bounces.

I don't know what it is. It's limestone, isn't it? It doesn't matter. It bounces sound.

As a result, let me sincerely request from the chair that we make sure to keep the sound to a minimum. I would genuinely appreciate that.

The Vice-Chair (Mr. Kevin Lamoureux): I appreciate the point of order.

I believe Ms. James would like to contribute to the point of order at this time too.

Ms. Roxanne James: Actually, I heard everything and I'm okay. I can hear.

The Vice-Chair (Mr. Kevin Lamoureux): Having said that, I appreciate....

Monsieur Pierre.

[Translation]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Chair, I just wanted to bring up another point.

Mrs. Sadia Groguhé: It is another point, Mr. Chair.

[English]

The Vice-Chair (Mr. Kevin Lamoureux): It's on a different point?

Just on this particular point of order, it's always nice when there is a decorum such that not only other people can listen to what's being said, but individuals who are speaking can hear what it is they're saying themselves.

We just need to be cognizant, and I appreciate the heads-up on it.

Pierre, you have the floor, for a new point of order, I understand.

[Translation]

Mr. Pierre-Luc Dusseault: It is not really a point of order, but rather a request for information. Since we are getting lunch, could you tell me who authorized the expenses of the committee to buy the food?

Ms. Mylène Freeman: That is a good question.

[English]

The Vice-Chair (Mr. Kevin Lamoureux): Well, technically it's at the discretion of the chair to ensure that members and individuals who have a desire to eat have something to eat. I think having some sandwiches is a reasonable lunch.

So just on the point of clarification, it would have come through the chair.

Ms. Groguhé, if you will, continue.

[Translation]

Mrs. Sadia Groguhé: Thank you, Mr. Chair.

I was referring to all the national and international benchmarks that enable us to legislate by giving consideration to the necessary and important precepts underlying the fundamental issue of citizenship.

Here is what the ICLMG thinks about this:

The definition introduced in the Criminal Code by Canada's *Anti-Terrorism Act* in December 2001 provides a vague, imprecise and overly expansive definition of "terrorism" and "terrorist activity" that could be interpreted arbitrarily to encompass forms of dissent and/or violent behaviour that have little to do with terrorism, thus threatening civil liberties and the right to legitimate political dissent. For instance, several democratic countries have recently invoked anti-terrorist laws to prosecute opponents and protesters against resource development projects. Recent Public Safety and CSIS reports also blur the line between "dissent" and "terrorism". Under the proposed amendments, Canadians with dual citizenship who are environmental defenders or who protest at international summits and are convicted of terrorist-related offences by a foreign country, or by Canada itself, could be stripped of their citizenship.

Yes, it is necessary and vital to work together and define measures in a draconian way, measures that are very broad in this case. Yes, that is a concern. Yes, it is a well founded and fundamental concern, because that can simply lead to abuses. God only knows how fast abuses can happen. Through history, we have seen men and women threatened with imprisonment or the loss of their freedom because

we had not set enough benchmarks and restrictions to be able to limit some things.

The ICLMG adds:

This would be a grave Charter violation of the right to free expression of certain Canadians.

Another problem with such a sweeping definition of "terrorism" is that it fails to distinguish between criminal terrorist entities and freedom fighters or liberation movements, whose legitimacy can shift depending on the time period and the dominating political interests at stake.

Those distinctions are clearly necessary. They would certainly make it possible for us not to mix everything up. They would prevent people, who could legitimately defend some things, from being faced with decisions that might be made within a legislative framework and because of which their citizenship would be revoked altogether. We must really pay attention to these concerns and we must not exaggerate by going outside the legislative framework which is not sufficiently limited and goes beyond honouring our Canadian army, as I said on various occasions.

I will continue to read from ICLMG's submission:

Under Canada's current definition, Nobel prize recipient Nelson Mandela and Rigoberta Menchu would be considered terrorists.

● (1240)

You can imagine that, if we were to refer to Nelson Mandela as a terrorist today, that would make no sense at all; it would be completely absurd. Imagine what would happen if these amendments were not defined or really reconsidered. That is why I would like to come back to that. It is crucial. I think this is really at the heart of our debates.

I will go back to the motion. This private member's bill, Mr. Shory's bill, makes no reference at all to what I just talked about. As I said before and as the title tells us, the purpose of this bill is all about honouring the Canadian Forces. But we are seeing the complete opposite. The minister is coming in with his heavy boots. He is bringing in amendments. Based on the remarks I am reading, we can clearly see that these amendments are completely changing the Citizenship Act, gutting the initial bill to turn it into different bill.

That said, as some witnesses mentioned, the Minister of Citizenship, Immigration and Multiculturalism has all the latitude he needs to propose a government bill. We could then have a democratic parliamentary debate, which is obviously needed. That would give us an opportunity to set most of the legislative foundation...

● (1245)

Mr. Pierre-Luc Dusseault: I have a point of order.

[English]

The Vice-Chair (Mr. Kevin Lamoureux): On a point of order, Monsieur Dusseault.

[Translation]

Mr. Pierre-Luc Dusseault: Mr. Chair, I see that a member of the committee is on the phone. Could you please remind the members of the basic decorum rules, including that talking on the phone is not permitted while sitting at the committee table?

[English]

The Vice-Chair (Mr. Kevin Lamoureux): I think that generally speaking there's always a certain level of interaction that will occur around the table. There are certain behaviours that are more acceptable than others. If you want to use your telephones to be able to send messages, texts, e-mails, and so forth, that's one thing. It's another thing to actually be carrying on a conversation on the telephone while you're sitting at the committee table. If you want to carry on a conversation with your telephone, the most appropriate thing to do would be to go off to the side of the table so that it's not disruptive. We wouldn't want to have eight, nine people on the telephone talking while we're supposed to be listening to what the speaker is actually saying.

So it is a point of order. Thank you, Mr. Dusseault. I believe the matter has been resolved.

[Translation]

Mrs. Sadia Groguhé: Mr. Chair...

[English]

The Vice-Chair (Mr. Kevin Lamoureux): Madame Groguhé.

[Translation]

Mrs. Sadia Groguhé: Since I have the floor, I would like to go back to the point of order that was raised. The fact that a member of the government is on the phone while I am talking about a motion moved by the government denotes a total lack of respect, in my view. I greatly appreciate your answer. I hope the members of the committee will take that into account and, as a result, pay a little more attention to my comments.

Thank you, Mr. Chair.

[English]

The Vice-Chair (Mr. Kevin Lamoureux): Thank you, Ms. Groguhé.

You have the floor to continue on, and I'm sure people will refrain from using their telephones as a conversational piece.

[Translation]

Mrs. Sadia Groguhé: Thank you, Mr. Chair.

I was saying that, for some Canadians, this would be a serious breach of the right to free expression protected under the Canadian Charter of Rights and Freedoms. We can extrapolate and see what is currently going on in some countries where the right to free expression and freedom are obstructed. I'm talking about certain countries. Take the Arab Spring, for example. The people decided. Young people, women and students decided to go to the public square to tell the government in power that they no longer supported what it was doing. Mr. Chair, would these people be considered terrorists? I don't think so. All they did was express freely and democratically what they were experiencing. It's important to consider and protect it.

The ICLMG states the following:

Another problem with such a sweeping definition of terrorism is that it fails to distinguish between criminal terrorist entities and freedom fighters or liberation movements, whose legitimacy can shift depending on the time period and the dominating political interests at stake.

I mentioned Nelson Mandela, who unfortunately has pneumonia. My prayers go out to him. I hope he gets better.

Take Nelson Mandela, for example. He spent over 30 years in prison on the grounds that he was a terrorist. He was convicted by the government in power at the time. We understand the scope of certain legislation and the decisions it may unfortunately lead people to make. Anyone, because they wanted to simply defend their rights or exercise their right to expression, right to equality, right to fairness, could pay the price for legislation that might run counter to this absolute and fundamental right of all citizens.

The ICLMG's third concern is the following:

3. Foreign convictions may be unfair

It is especially troubling that people could be stripped of their citizenship based on a foreign conviction. Criminal proceedings in some countries are routinely unfair; cases relating to terrorism are particularly vulnerable to proceedings that violate the principles of natural justice. The proposed amendment does not offer a fair and independent process in Canada for the person to show that the foreign conviction was unjust.

Maher Arar is a Canadian dual citizen who was unfairly suspected of terrorism and jailed in Syria. Fortunately, he was able to return to Canada, and as a Canadian citizen, he was able to advocate for his rights, leading to the O'Connor Commission which cleared his name.

Mr. Chair, we unfortunately know of situations in our history where unfair and unjustified accusations have been made in certain countries that are quite comfortable with being undemocratic and with convicting someone who might be against the government in power or against the laws proposed by that government. This example shows that we need to be extremely careful and vigilant so that we do not get stuck in situations that could lead to unjustified imprisonments.

● (1250)

If the proposed amendment is passed, a Canadian in a situation similar to Mr. Arar in the future could be unfairly accused and convicted of terrorism abroad, and stripped of his Canadian citizenship, while still in jail abroad.

Mr. Chair, the consequences are enormous. The Maher Arar case shows us just how far we may stray with the amendments proposed by the Minister of Citizenship, Immigration and Multiculturalism. We need to be careful. As I said, to make sure no Canadians are harmed, it is our duty as parliamentarians to continue to hold democratic debates and exchanges, without time allocation motions muzzling us and reducing debate on key issues.

Having said that, I will move on to the ICLMG's fourth concern:

4. Amendments send a negative message

No one anticipates that the power to strip citizenship would be used in large numbers of cases. Nevertheless, the symbolic importance is significant.

We were talking about the impact that symbols may have. We know quite well that they can have both a very positive impact and a very negative impact. When it comes to a case like the one we are facing and it involves expanding a private member's bill, it is clear that the symbolic aspect is important and that it needs to be taken into consideration.

In fact, the proposed amendments send a message that Canadians are not all equal. Imagine a message like that. Our country is recognized as an essential force, a true leader when it comes to human rights and freedoms. Canada has built a reputation in this respect and it is important to preserve that. Internationally, Canada has made its mark with these principles. It continues to do so but, unfortunately, in an increasingly harmful way because the government is making decisions that, I repeat, go against national and international provisions, and that is not normal.

The amendments we are looking at today ensure that we are creating a message, a symbolic one, but we know...

• (1255)

[English]

Mr. Rick Dykstra: Name one. Name one.

You can't name one.

Ms. Mylène Freeman: Chair, some order, please.

The Vice-Chair (Mr. Kevin Lamoureux): I somewhat anticipated that was going to come up.

Ms. Freeman, were you wanting to explain your point of order, or would it suffice for me to just say that Ms. Groguhé has the floor?

I understand there's a level of interest in what she's saying. Some members do not feel comfortable if they're being heckled. I will suggest that at this point maybe we could calm down a little bit so she can continue on with her comments.

If there is a need for us to have a point of order—I see Ms. Freeman does have her hand up. She would like to comment on a point of order, I trust.

Ms. Mylène Freeman: Yes, Mr. Chair. I do find it really offensive sometimes when we're shouting at each other while another person is speaking over this table. I think it's unfortunate that the division in this House has come so far as to be so poisoning our committee that the parliamentary secretary is shouting at my colleague while she is speaking, while she is making very interesting points, trying to explain to him why it is that she cannot support this private member's bill that was brought in and is evidently turning into a government bill.

It is obviously a very complex issue that we did not spend enough time on, and I'm glad we are now able to make sure those points are out. But if we've gotten to the point where we're heckling just because we disagree with each other, Mr. Chair, I would respectfully ask if we could make sure that stays to a minimum.

The Vice-Chair (Mr. Kevin Lamoureux): Mr. Dykstra, were you wanting to comment on the same point of order?

Mr. Rick Dykstra: Yes, I'd like to respond.

• (1300)

The Vice-Chair (Mr. Kevin Lamoureux): By all means.

Mr. Rick Dykstra: I've been listening very closely to Sadia's speech and her comments. She has indicated there are a number of areas where human rights have digressed in Canada. I was simply asking her—I wasn't shouting, I was asking her—to list examples, if she's going to make a broad and sweeping statement. She's not listing any of the examples.

That was my question, and I hope she's going to do that.

Otherwise, you shouldn't say it if you can't actually prove it.

The Vice-Chair (Mr. Kevin Lamoureux): Sure.

I think that going forward in the future, Ms. Freeman is correct...

Is this on the same point of order? Or do you want me to finish making the ruling first, and then if you feel that—

[Translation]

Mrs. Sadia Groguhé: I want to comment on that.

[English]

The Vice-Chair (Mr. Kevin Lamoureux): We have a list, so we're going to go to Mr. Menegakis next.

Mr. Costas Menegakis: I have a different point of order, so I'm waiting until you finish this one.

The Vice-Chair (Mr. Kevin Lamoureux): It's a different point of order.

Who would like to speak to this particular point of order?

Pierre.

[Translation]

Mr. Pierre-Luc Dusseault: I simply want some clarification.

What powers can you exercise, Mr. Chair, when decorum is not maintained in the room? Can you expel a member who has made it practically impossible for another member to continue speaking?

[English]

The Vice-Chair (Mr. Kevin Lamoureux): In an extreme situation—I haven't witnessed such an extreme situation in the last couple of years on the Hill—I suspect that I would likely be more inclined to suspend as opposed to expel a particular member. Everything depends on the context of what's being said, what kind of heckling is going on, and so forth. So as long as people are being relatively reasonable in their behaviour, I'm quite content just to continue going forward. I think expulsion from a committee should be taken very, very seriously, and I don't believe I could envision myself doing something of that nature.

I haven't asked the clerk, nor will I ask the clerk, because I suspect I would never expel someone from committee.

Is there anyone else on the same point of order? Otherwise, I'm going to rule that there is a point of order....

Sadia, you wanted to—

[Translation]

Mrs. Sadia Groguhé: Yes. Thank you, Mr. Chair.

I think we need to clarify something. At the outset, I suggested going back over certain testimonies. I will now say that these testimonies are at the heart of Bill C-425 and of what the amendments have in relation to its expansion.

I will continue to provide clarification that I feel is essential. It will make it possible to fully understand our position and the arguments that explain why today we are opposing a motion that was tabled by the government and that we do not agree with. I would therefore like to be able to continue to present those arguments in the manner I see fit.

When the government members take the floor and present arguments to justify their position, I never question that. I simply listen and provide counter-arguments when necessary. I do not question what any of them say on any issue. That is why I would like them to extend the same courtesy to me.

[English]

The Vice-Chair (Mr. Kevin Lamoureux): Thank you, Ms. Grogue.

Seeing no other hands indicating they want to participate in this particular point of order, I'm going to suggest to you that there is a need for all members to respect decorum, to allow the speaker to be able to say what he or she would like to be able to say, and accord them the respect of good behaviour, if I can put it that way. If someone has a question, the most appropriate way to express yourself, as opposed to heckling, is through a point of order, if in fact it's a legitimate point of order.

Ms. Grogue, you can continue on.

Mr. Costas Menegakis: I have a different point of order.

The Vice-Chair (Mr. Kevin Lamoureux): I'm sorry, Mr. Menegakis, on a new point of order.

Mr. Costas Menegakis: I'll withdraw for now. Thank you.

The Vice-Chair (Mr. Kevin Lamoureux): Okay.

Ms. Grogue, you may continue.

[Translation]

Mrs. Sadia Grogue: Thank you, Mr. Chair.

I will continue, even though I have lost my momentum. I am very passionate about these issues because they fundamentally and strikingly change the Citizenship Act, as I have mentioned in my comments so far. We are completely distorting the precepts that have applied so far when it comes to citizenship.

The proposed amendments send a message that Canadians are not all equal and that the loyalty of some Canadians is called into question. Yes, it is an essential issue and argument. Some of our fellow Canadians have already expressed their concerns. In fact, they felt in some way that they were being maligned by the messages being conveyed. They were concerned. Sometimes, as I mentioned, Canadians do not know they have dual citizenship and might become stateless persons.

There is another important aspect. I truly believe that we, as parliamentarians, have a responsibility to ensure that the Canadians who make up our country, the builders, the immigrants who came to build Canada, are truly regarded and considered as full-fledged Canadians. That is not what the bill's proposed amendments say, which raises the following question: are all Canadians equal? Is there discrimination when a person belongs to a certain category? These

are vital questions, and they need to be asked. We need to find some real answers.

This negative message affects some Canadians in particular, including Muslims and Arabs, who have been persistently and unfairly associated with terrorism. Unfortunately, some Muslims or Arabs have suffered from the direct impact of this hatred toward these communities, something we have unfortunately seen since the 2001 terrorist attacks. It's appalling.

We have a responsibility as parliamentarians to pay attention and ensure there are no differences. When certain citizens are singled out, it further stirs up these disparities and this hatred that, unfortunately, we know exist. It's our responsibility to see to that.

I will now share with you the brief from B'nai Brith on Bill C-425, which was prepared for the Standing Committee on Citizenship and Immigration and tabled for the April 18, 2013 meeting:

●(1305)

Bill C-425 proposes that those who are citizens or legal residents of a country other than Canada and who engage in an act of war against the Canadian armed forces would be deemed to apply for renunciation of Canadian citizenship. The government has indicated that it would propose amendments to the bill. These amendments have not yet been tabled.

I need to clarify that at that point, these amendments had not yet been tabled.

The absence of the text of the amendments has both an advantage and a disadvantage. The disadvantage is that their absence makes it difficult to be specific about matters of potential concern. The advantage is that the situation is now fluid. The government may well be more flexible before the amendments are introduced than afterwards.

A. Acts of War

The first question is: what is intended by the phrase “an act of war”? The member of Parliament who introduced the bill, Devinder Shory, said to this committee on March 19 that what he intended “was to address those individuals who are either members of some armed forces or armed group who attack our men and women in uniform.” So for him, an act of war was an attack on Canadian men or women in uniform.

In terms of international law, an act of war is an act which justifies a military response. An act of war permits going to war in response without the response being considered an act of aggression.

An act of war against Canada can be committed in a number of ways. One way, to be sure, is to attack the Canadian armed forces. However, it is not the only way.

Other ways are to attack a Canadian merchant vessel, blow up public buildings, assassinate the political leaders or diplomatic representatives, bomb civilian centres and so on. Why would there be a deemed application of renunciation of citizenship for an act of war in one way but not another?

Surely, if an act of war justifies a deemed application of renunciation of citizenship, that justification stands no matter how the act of war was committed. The bill suggests that there is a right way and a wrong way to commit an act of war against Canada, or perhaps more accurately, a bad way and a worse way and that the worst way of all is to attack the Canadian armed forces.

We are reluctant to rank acts of war against Canada in terms of their gravity. We consider them all bad. How could one possibly say that an attack on a civilian centre of any of the major Canadian cities ranks less in gravity than an attack on the Canadian armed forces? We recommend that this bill, instead of mandating revocation of citizenship for those who committed acts of war against the Canadian armed forces, mandate revocation for those who have committed acts of war against Canada pure and simple.

We note that Minister of Citizenship and Immigration Jason Kenney stated to this committee on March 21 that there is no clear definition of what constitutes an act of war and suggested that the committee amend the bill by replacing that term with other acts that are more clearly defined in law. The phrase the minister suggested at the committee to replace “war” was “armed conflict”.

Our position is that, whatever...

• (1310)

[English]

Ms. Mylène Freeman: Chair, I don't know if this is a point of order or what, but I really do feel that this room is very cold right now. It's a beautiful day outside, Chair—

Mr. Mike Wallace: So let's adjourn.

Ms. Mylène Freeman: You know what? I think Ms. James agrees with me. We tend to agree on the coldness of the room.

Mr. Mike Wallace: Take a vote. We'll go outside.

• (1315)

Ms. Mylène Freeman: Maybe we could arrange it so that we could be a little warmer. It will be fine right now, but when we come back after question period—I'm hoping that we're going to question period—that would be good, just in order for us to be able to think more clearly and be more comfortable.

Thank you very much, Chair.

The Vice-Chair (Mr. Kevin Lamoureux): Thank you.

An hon. member: That wasn't a point of order.

Ms. Mylène Freeman: I wasn't sure what it was. If you could clarify what kind of point that was, Chair, that would be great too.

The Vice-Chair (Mr. Kevin Lamoureux): I think it's asking for special consideration regarding the temperature of the room. I suspect that, depending on who you canvass, you might get some people who say it's a little too hot and some people who say it's a little too cold. At the end of the day, I think in some cases people will have to put on a jacket and in other cases they'll have to take off a jacket.

We'll leave it up to the clerk to determine whether or not the temperature...or if you really feel uncomfortable, then raise the issue with the clerk.

I think we'll continue on with Ms. Groguhé, in the belief that it wasn't actually a point of order.

Ms. Groguhé.

[Translation]

Mrs. Sadia Groguhé: Thank you, Mr. Chair.

I'm now at point B of the B'nai Brith brief:

B. Statelessness

The bill as it stands applies to both citizens and legal residents of a country other than Canada. It would potentially remove Canadian citizenship from either.

A person who is a legal resident of another country but not a citizen of another country, on losing Canadian citizenship, would become stateless. Canada is obligated by international treaty to avoid statelessness, the 1961 Convention on the Reduction of Statelessness to which Canada acceded in 1978. The obligation has an exception worth noting, that a person may be deprived of nationality even if it creates statelessness where the nationality has been obtained by misrepresentation or fraud. This exception means that the revocation provisions in the current law conform to the dictates of the convention.

The possibility of loss of Canadian citizenship now in the bill for someone is a permanent resident of another country but not a citizen of another country should be excised. We note that Minister of Citizenship and Immigration Jason Kenney on March 21 asked this committee to consider an amendment so that only those with dual citizenship would be deemed to have renounced their Canadian citizenship under the provisions proposed in the bill.

...

We note the observations of former Justice Minister Irwin Cotler in the parliamentary debate on Bill C-425 at second reading on February 15 that a private member's bill does not go through the same constitutional scrutiny as a government bill before it is tabled in the House of Commons. The right to citizenship is a constitutional right.

It's important to remember that. The way I see it, these are very important observations that MP Irwin Cotler has made, but it is clear that they are not made unanimously.

Pursuant to section 6 of the Canadian Charter of Rights and Freedoms, the right to citizenship is a constitutional right. Later, I will probably compare the bill and the Canadian Charter of Rights and Freedoms, which will let us consider from that perspective the amendments that we want to make to this private member's bill.

Revoking citizenship for whatever reason of a person born in Canada, raised in Canada, whose primary connection is Canada is arguably a violation of the constitutional right to citizenship.

These remarks, like many others I have read so far, are really crucial. This involves a direct violation of the constitutional right to citizenship, according to section 6 of the Canadian Charter of Rights and Freedoms, which stipulates that the right to citizenship is a constitutional right.

A person born in Canada who has a connection primarily with Canada and has little connection with the country of dual citizenship should not become subject to deemed renunciation/revocation of Canadian citizenship under this law.

We are again at the very heart of amendments that some want to make to the bill and that ensure that acquiring and maintaining citizenship is completely overhauled. By the way, if I may say so, these measures are going to create two-tiered citizens. We need to say that the right to citizenship is a constitutional right that can and must be respected.

• (1320)

I will now address the part of the B'nai Brith brief that covers foreign convictions:

d) Foreign convictions

The fourth category raises the question of the appropriateness of taking into account a foreign conviction. Many repressive governments label their opponents, particularly their armed opponents, terrorists. We must not take that labeling at face value.

Obviously, we know some democracies, which claim to be democracies but are not, that do this. We have seen it already. Unfortunately, every day certain people are labeled terrorists because they simply wanted to oppose a repressive government in a particular way. So be careful.

Not every act of rebellion against a repressive government is an act of terrorism.

The Immigration and Refugee Protection Act denies refugee protection to those subject to "lawful sanctions, unless imposed in disregard of accepted international standards". There needs to be a similar caveat here. The bill should say that a person could have his citizenship revoked for a foreign conviction for terrorism, "unless imposed in disregard of accepted international standards".

ii) Additional grounds

Beyond that, once Parliament is expanding the grounds of revocation, as it is with this bill, why limit the grounds to acts of war, treason and terrorism even more broadly encompassed?...

This anomaly, at first glance, may not seem that significant since a person complicit in war crimes, crimes against humanity, terrorism or genocide is unlikely to disclose that complicity on application to enter Canada and, if he or she did so, would likely be refused entry. However, the Nazi war criminal experience has shown us that sometimes it is easier to establish complicity in massive criminality than misrepresentation on entry, since entry records may have been destroyed and memories of entry officials unreliable. If we can prove complicity in massive crimes, but not lying on entry, that complicity should be enough for revocation.

Right now the war crimes unit in the Department of Justice has a policy for Nazi era cases that the department would not seek revocation unless the department is satisfied that the person is complicit in war crimes or crimes against humanity. However, that is an internal policy only and not a legal requirement.

• (1325)

[English]

The Vice-Chair (Mr. Kevin Lamoureux): On a point of order, Mr. Dusseault.

[Translation]

Mr. Pierre-Luc Dusseault: Mr. Chair, I'm intervening for clarification.

I looked in the *House of Commons Procedure and Practice* to try to find the procedure relating to the vice-chair. I see that there are currently two vice-chairs in the room. Which procedures are used to determine who will take the chair's place?

[English]

The Vice-Chair (Mr. Kevin Lamoureux): Normally, the practice would be that you would start with the first vice-chair, but it doesn't

really matter. It's beyond that. Usually it's something worked out between the two vice-chairs as to who is sitting, and I was asked to come and fill in.

Ms. Groguhé, please continue.

[Translation]

Mrs. Sadia Groguhé: Thank you, Mr. Chair.

I will summarize what I've said. Obviously our witnesses' arguments are telling. They provided some clarity and clarification by sharing certain concerns and by discussing where problems may arise.

In fact, we truly believe that it is essential to pay significant attention to those comments. Obviously, in terms of what I have presented, we think it is important to consider all these guidelines I have presented, be they national guidelines under the Canadian Charter of Rights and Freedoms or international guidelines established by the UN or by other international conventions we have signed and ratified. It is essential that we put forward bills that take into consideration these warnings, if I may call them that, that must provide a democratic and fully responsible framework for the measures put forward in certain bills.

We have seen that the amendments proposed by the minister went beyond this initial bill and led us down a path where we are creating, as I said, differences between citizens in a country that, let's remember, is a land of immigration. We know that a lot of people flee their countries and choose to come to Canada and become Canadians so they can benefit from the democracy and freedoms offered by our great country. This bill will create two classes of citizens and, by the way, it will make a distinction between someone with sole citizenship and people with multiple citizenships. Those people may be at risk of losing their Canadian citizenship, even if they were born in Canada and have never been to the other country where they hold citizenship. Canadian citizenship must not be viewed as a driver's licence that could be taken away at any time.

I would also like to come back to what I was saying—I'm not sure if it was yesterday or earlier this morning, but that doesn't matter—about the decision by the Speaker of the House, in response to the question of privilege raised regarding the tabling of the committee's eighth report, which covers expanding the scope of Bill C-425.

The Speaker of the House ruled that the eighth report of the Standing Committee on Citizenship and Immigration was admissible, strictly speaking. However, he had significant reservations about broadening the scope of the bill. He referred to the absence of explicit jurisprudence in the matter and the dangers related to that.

Therefore, Bill C-425 cannot necessarily be amended in this manner, and we had to be very careful. However, the government does not seem willing to be careful, since it came back with this new motion requesting a 30-day extension to study Bill C-425 in order to broaden its scope.

• (1330)

Clearly, the fact that a private member's bill is being turned into a government bill does not respect the tradition that goes on in Parliament. If the minister wants to implement a legislative agenda, he should do it directly through a government bill, not through a private member's bill.

At the end of May, after their first setback from the chair, the government came back with a new motion presented in committee. This new manoeuvre is a big concern for us, Mr. Chair, because it leaves room for major slip-ups and it especially would set a precedent that might be damaging for the jurisprudence relating to how bills are handled by Canada's Parliament.

Mr. Chair, these practices that aim to bypass the customary procedures and processes are becoming particularly worrisome and require constant vigilance.

Let's go back over a few facts that deserve particular attention.

On March 21, the Minister of Citizenship, Immigration and Multiculturalism appeared before the committee. During his testimony, he literally dictated numerous amendments that broadened the scope of Bill C-425 considerably and radically changed the meaning of the initial version.

It should be noted that these amendments fit on two pages per official language, while the document tabled by the member for Calgary Northeast fit on a single page, including the French and English versions. Already, without even taking the time to read the proposed amendments, we can see by the number of pages that these amendments will really distort the bill in question which, itself, fit on only one page.

These amendments, which were the only ones proposed by the Conservatives, were then tabled by the Parliamentary Secretary to the Minister of Citizenship and Immigration at the very end of the process of studying the bill. Therefore, the members of the committee were not able to ask witnesses about what could have become the very essence of the bill.

Let's remember that the legislative text tabled by the member for Calgary Northeast, in addition to being significantly broadened, was completely changed. In the end, less than 10% of the final document came from the initial bill. Even the title of the bill no longer had any purpose because the section on honouring the armed forces became purely secondary and was really swept aside. In fact, the amendments were no longer in line with honouring of the Canadian Forces.

That shows you just how imposing the amendments were, so imposing that the amendments proposed by the minister were rejected by the chair. Indeed, the chair had no choice but to reject the amendments. There was no other solution. The chair had to make that choice and say, pure and simple, that the amendments proposed by the minister could not be received. Since they went against the

initial principle of the bill, they were deemed inadmissible by the chair of the Standing Committee on Citizenship and Immigration.

As a result, the Parliamentary Secretary to the Minister of Citizenship and Immigration had to table a report in the House. Mr. Chair, the report tabled by the government was quite worrisome. It requested that the scope of the bill be broadened to include aspects that had nothing to do with the Canadian Armed Forces, when that formed the very basis of Mr. Shory's bill.

Two related problems stem from that.

• (1335)

First of all, the minister has just skirted around the work done by the committee members by imposing his amendments on his parliamentary secretary and, obviously, the committee. Then—and this is the heart of the matter—the bill...

[English]

Ms. Mylène Freeman: Excuse me, sorry—

The Vice-Chair (Mr. Kevin Lamoureux): Ms. Freeman.

Ms. Mylène Freeman: Again, I'm never really sure of a particular procedure. That being said, it's almost two o'clock. It's 1:40 p.m. As all members of this committee know, normally members are expected to be present at question period and for statements from two o'clock until three o'clock, or until the end of question period and statements by members. It is a right, obviously, of members who are elected to this House to be able to go and express their concerns through statements, as well as to ask questions of ministers and parliamentary secretaries during question period.

I realize that this room is very close to the House itself, so it won't take long for us to get there. That being said, given that we're getting close to that time, just so that members are aware of what the chair plans to do so that the committee could express its feelings on this, I was wondering if we could decide what our procedure was going to be, whether we were going to break at a certain time for question period and then return.

If I could get clarification from the chair on that, it would be extremely helpful.

The Vice-Chair (Mr. Kevin Lamoureux): Thank you for the point.

On the same point of order, we will go to Dean, and then Rick.

Mr. Dean Del Mastro (Peterborough, CPC): Mr. Chair, I note that it's 1:39, as a matter of fact. I think if I was attacked at this moment by a wild beaver severing one of my limbs, I could still make it to the House of Commons with plenty of time to be in question period for when questions actually begin at 2:15.

Thank you.

The Vice-Chair (Mr. Kevin Lamoureux): Okay, based on that particular comment, I do think it's important that we're there for question period, so I'm going to follow Mr. Dean's recommendation that 15 minutes after or 14 minutes after—

Mr. Rick Dykstra: No. I have a point of order.

He didn't make a recommendation, he was just suggesting that—

Mr. Dean Del Mastro: I was commenting on the member's comment.

Mr. Rick Dykstra: —it only takes five minutes to get to the House. I'm suggesting that this is a critical piece of legislation, a critical amendment on the extension that we'd like to see passed. If there's an urgency to get to the House, I'd be happy to have the vote and all of us could spend—

• (1340)

Mr. Dean Del Mastro: Yes, why don't we do that.

Mr. Rick Dykstra: —question period and whatever other period they'd like to spend there. But, Chair, you won't get unanimous consent to break for question period or for members' statements. We want to continue. We want to work on getting to a vote on this motion that I've moved on the legislation, so let's keep working.

The Vice-Chair (Mr. Kevin Lamoureux): We're going to Ms. Sims, Pierre, and Ms. Freeman, but before we do that, I want to confer with the clerk for a moment.

Okay, going back to the speaking order, we have Ms. Freeman next, followed by Ms. Sims, and I keep on saying "Pierre" because I'm afraid that I'm going to really butcher your name. It's Pierre-Luc Dusseault. You would think I'd know how to pronounce it properly. My apologies.

We're going to go with Ms. Freeman. Then we'll go with the other two members, and if there are any members from the Conservative caucus you can just indicate that.

On the same point of order. This is all about the idea of the vice-chair's ability to suspend.

Go ahead.

Ms. Mylène Freeman: Thanks, Chair, for allowing me to speak to this again.

I don't want to seem hysterical or insane in any way—

The Vice-Chair (Mr. Kevin Lamoureux): You never do.

Ms. Mylène Freeman: —but that being said, I was deeply offended, and I don't understand what my colleague Mr. Del Mastro was insinuating when he was talking about being bitten by a beaver when I brought up question period.

I believe this is something that is a fundamental part of the way this House functions. Members of the opposition and members of the government are able to ask questions, through the Speaker of the House, to ministers and to parliamentary secretaries as to the state of affairs.

If Mr. Del Mastro has such little respect for the process that he would prefer to be bitten by a beaver and somehow make it here in 20 minutes from Peterborough, I'm not sure how he would do that. He seems to think that's possible.

Chair, I am also deeply offended that he was not even able to listen to me for the one minute I was speaking just now. It makes me wonder whether or not he or any of these members have been listening at all. I was distinctly saying that with 20 minutes until members' statements, I think it would be nice for this committee to decide what we are going to do ahead of time.

I specifically referred to the fact that we are very, very close, and it wouldn't take us very long to get there, but that I would prefer to know ahead of time whether or not we'd be going.

That being said, it seems there is so little respect for accountability in this House and in this Parliament by members of the government, that they believe we should not....

Chair, there is a lot of distraction. It's quite frustrating. It's very hard to get a point across.

I'm not sure how to take it. I'm definitely very offended.

• (1345)

Ms. Jinny Jogindera Sims: Chair, on a point of order or privilege.

The Vice-Chair (Mr. Kevin Lamoureux): I think that because we're dealing with a point of order, Ms. Freeman has the floor. I think we have to provide her the courtesy to be able to explain her thoughts.

We can't necessarily interrupt a point of order with another point of order. I would ask that members refrain from trying to distract Ms. Freeman from being able to articulate what she feels is an important position in regard to the matter before the committee right now.

Continue, Ms. Freeman.

Ms. Mylène Freeman: Thank you, Chair.

I'm very grateful for how fair you have been. It has been an interesting morning. I have definitely felt intimidated by my colleagues on the other side several times while I have raised points.

That being said, what I was saying is it is extremely important for us members to be able to attend question period, despite all our other obligations as members. We, as MPs, are always making the time to go to question period and to go to votes because that is part of what we do, and that is what people elect us to do. As legislators we are here to keep the government, that is, the executive branch, accountable.

It is clear that the parliamentary secretaries sitting across from me at this table today do not believe in accountability, because they're scoffing at the idea that we would have the opportunity to ask them questions.

You would know, Chair, that they're not even obliged to answer for real. They can stand up and say absolutely anything they want, which this particular colleague of mine has done on numerous occasions.

The Vice-Chair (Mr. Kevin Lamoureux): Could I get you to wind up? I'm sure you'll appreciate that I will be affording them the same opportunity to respond, and the same sort of behaviour would be expected in terms of courtesy to allow them to continue speaking.

You can continue.

Ms. Mylène Freeman: Absolutely, Chair. I will wrap up.

It was just to express my deep desire to go to question period today, to make sure we keep this government accountable. I will find it extremely unfortunate if, when this committee votes on whether or not to go, we do not. If the government members were to vote against it, I think that would just be further proof of their lack of accountability, lack of transparency, and disregard for procedures of the House.

Thank you very much, Chair.

The Vice-Chair (Mr. Kevin Lamoureux): We're going to Ms. Sims.

Ms. Jinny Jogindera Sims: I'm going to pass so we can get back to hearing the debate.

The Vice-Chair (Mr. Kevin Lamoureux): Mr. Dusseault, on the same point of order.

[Translation]

Mr. Pierre-Luc Dusseault: Yes, and I would like to raise another point of order after. However, I also want to get back to the debate.

[English]

The Vice-Chair (Mr. Kevin Lamoureux): Do you have a point of order?

[Translation]

Mr. Pierre-Luc Dusseault: I'm talking about the issue raised by Ms. Freeman.

[English]

The Vice-Chair (Mr. Kevin Lamoureux): Is this on this point of order? Okay, go ahead on this point of order.

[Translation]

Mr. Pierre-Luc Dusseault: Yes.

Standing Order 115(5) covers situations where the bells ring. I was under the impression that when the bells started ringing, we could use section 115(5) to suspend the meeting to go and vote. I thought that also applied to question period. If some members had commitments, for example a member's statement to read, but we could not find a replacement for them in five minutes, they would feel cornered.

I will not necessarily cite parliamentary privilege here today, given that it's a hypothetical question. We aren't there yet. However, I wanted to add to the debate by referring to Standing Order 115(5), which talks about situations when the bells ring. To some extent, that could also include question period, which all members are required to attend, in the same way as they are required to attend the votes.

• (1350)

[English]

The Vice-Chair (Mr. Kevin Lamoureux): Thank you.

Ms. James, it's your turn, and then we'll go to Ms. Sims and then Mr. Del Mastro.

Ms. Roxanne James: I would like to get back to debate as well because we've had so many interruptions. I just feel that, as a woman, I need to come to the aid of Ms. Freeman. She was having difficulties understanding what my colleague Mr. Dean Del Mastro said. I have to say I'm the youngest of five children. My parents are

close to 80, and sometimes they come up with expressions I don't quite understand because of the age difference. I don't know whether she understands exactly what Mr. Dean Del Mastro was referring to or whether he needs to clarify it in terms that maybe are more understandable to all members of the committee. I would like to come to her aid and ask her if she understands what that phrase meant or whether she needs it clarified.

The Vice-Chair (Mr. Kevin Lamoureux): Before we continue, I'm glad to see that the two of you are adopting a sisterhood of sorts.

Ms. Roxanne James: I'm trying not to sound funny, but most members of this committee understood what it meant. I just wanted to make sure that she was....

Ms. Mylène Freeman: I would appreciate it if Mr. Del Mastro explained to the committee what he meant. That would be wonderful.

The Vice-Chair (Mr. Kevin Lamoureux): One of things we have to be very careful of is that there can only be one speaker at a time. Ms. James has the floor. If you would like to express something, you have to address it as a point of order, but given that there's a point of order currently, all you can do is put up your hand and our trusty clerk will identify you and put your name down so you're able to speak.

I'm going to put in a two-minute timeline. Just so we can get through the points of order, no one will speak for more than two minutes unless half that time is spent on a citation from a book. We're starting to get a number of people wanting to speak. If I give you the floor, please observe the two minutes, unless you are citing strictly from a rule book, and I'll give you an extension at that point.

Ms. James, we're going to start with you. The clock is going to start ticking as soon as you say your first word. After Ms. James, we're going to Ms. Sims, then Mr. Del Mastro, and then Ms. Freeman. Okay?

Ms. James.

Ms. Roxanne James: I want to get back to debate. I wanted to make sure that everyone on the committee understood the terms that were used. I think Ms. Freeman gets the gist of it, so I'm okay at this point.

Thank you very much.

The Vice-Chair (Mr. Kevin Lamoureux): Thank you.

We're going to go to Ms. Sims.

Ms. Jinny Jogindera Sims: Mr. Chair, in light of the emotion of the point of order, there are very few privileges that we enjoy as members of Parliament. One of them is the right to deliver a statement in the House. I know my colleagues on the other side, some of the backbenchers, have struggled to exercise their right to deliver a statement when it's their turn. I found out minutes ago that it's my turn. I have a spot today. It's called in a cyclical way, and I've been so busy doing other things that I haven't checked my calendar to see that I have a statement to make today. I'm really hopeful that you will suspend the meeting so I can carry out my privileges and not, at the same time, have to miss out on important deliberations at this meeting.

The Vice-Chair (Mr. Kevin Lamoureux): Thank you, Ms. Sims. That was well under a minute.

Mr. Del Mastro.

Mr. Dean Del Mastro: Mr. Chairman, I would simply point out that Mr. Opitz has actually left to deliver a statement in the House. That opportunity is available to Ms. Sims, Ms. Freeman, or anybody else. This committee has important work to do. There's plenty of precedents for committees to sit through question period, in fact for committees to sit through the weekend and sit through the summer, Mr. Chairman. This is an important question that's before this committee. I'd encourage you to get back to debate to deal with the question at hand.

The Vice-Chair (Mr. Kevin Lamoureux): I'm getting ready to reset the clock. Ms. Freeman, the floor is yours.

Ms. Mylène Freeman: Thank you, Chair. I'll try to keep it to a few minutes.

On this point I have to come back to the fact that while we've been discussing this point of order, there have been repeated attempts to mock me based on both my gender and my age and I'm finding it rather frustrating. The entire morning has been this way. Every time I raise that I'm cold, that it is loud, members laugh at me. I'm also starting to be harassed on Twitter so I'm finding my morning to be extremely difficult. It's coming to the point, Chair, at which I'm actually feeling really uncomfortable.

● (1355)

The Vice-Chair (Mr. Kevin Lamoureux): Ms. Freeman, I'll stop you for a moment.

I think we have to provide Ms. Freeman the courtesy of listening as she explains. It's not appropriate to be expressing something that's going to distract her from being able to express her thoughts on what is an important issue, so I would ask for a bit more decorum and sensitivity.

Ms. Freeman, the floor is yours to continue. You have about 45 seconds left.

Ms. Mylène Freeman: Thank you very much, Chair. I really appreciate your calling the meeting back to order. That's exactly what I was talking about.

I tried to make light of it so we could move on and talk about the issue earlier, which was whether or not we as a committee were going to attend question period, but there was continual pushing on sexist and ageist comments.

At this point, through you, I'd ask my colleagues to apologize or at least to refrain from laughing and trying to intimidate me when I'm raising points on this committee. It's absolutely my right to do so. I am a member of this committee in good standing just as much as they are and should have the opportunity to raise my voice when I want.

Thank you.

The Vice-Chair (Mr. Kevin Lamoureux): We'll go to Ms. James, and then Mr. Dusseault.

Ms. Roxanne James: Actually, I'm okay. Thank you.

The Vice-Chair (Mr. Kevin Lamoureux): Mr. Dusseault.

[Translation]

Mr. Pierre-Luc Dusseault: It is for a different point of order, Mr. Chair.

[English]

The Vice-Chair (Mr. Kevin Lamoureux): No, we deal with this one first.

Having sat in the chair and observed the chair previously, one of the things I noticed was that Mr. Tilson was very good at voicing an opinion, and often even posing a question.

Before I give my ruling on it, I want to share from an individual member of Parliament's perspective that I recognize the importance of question period. I do believe there is an expectation from all of our constituents that we participate in question period, and that it would be a mistake for the committee to not allow us to participate in question period, because it's one of the cornerstones.

This is simply an opinion as the chair and you can respond to it.

Mr. Dean Del Mastro: I challenge the chair.

The Vice-Chair (Mr. Kevin Lamoureux): You don't even know what my ruling is. I'm going to be ruling in your favour, so you might want to hold off before you challenge the ruling.

This is a personal opinion that I have, and Mr. Tilson has expressed his thoughts on it.

Having said that, yesterday we sat through question period. There is nothing in the rules that specifically allows us to suspend for question period. It was my intention at two o'clock to suspend, believing that would have been the will of the committee, given the expressions that have been given. I understand that in order for us to suspend at this time, because of the expressions, there would have to be a motion brought forward by Ms. Groguhé, and ultimately that motion would have to be voted on. If it was defeated, we would continue on.

The only way in which we can actually suspend at this point is if Ms. Groguhé were to introduce a motion that would have us suspend so we could attend question period and then come back. Failing that motion and direction from the committee, we will continue to sit.

Ms. Groguhé, you have the floor and it will be up to you whether or not to move the motion because the floor is yours, unless there are any other points of order.

On a point of order, Monsieur Dusseault.

[Translation]

Mr. Pierre-Luc Dusseault: I want to comment on another issue. I simply want to make sure that the rules have been properly followed. I am not a permanent member. I had to be officially replaced, and I informed the clerk of that. I wanted to know whether Mr. Del Mastro had done the same thing in order to speak within this committee.

● (1400)

[English]

The Vice-Chair (Mr. Kevin Lamoureux): Yes, you've been officially substituted. You are a voting member of the committee, and so is Mr. Del Mastro.

Ms. Groguhé, you may continue.

[Translation]

Mrs. Sadia Groguhé: Mr. Chair, I have listened carefully to the arguments raised with respect to my colleague's question, which had to do with attending question period. I agree with the idea that a request must be made in order to suspend our work so that we can attend question period. As my colleague said, it's important. Even though our work is very important, it is just as important that we attend question period.

So I move a motion that we suspend our work and that we resume after question period. I call for a vote.

[English]

The Vice-Chair (Mr. Kevin Lamoureux): To clarify, Sadia, you are moving a motion that we suspend. Is that correct?

[Translation]

Mrs. Sadia Groguhé: Yes.

[English]

Mr. Rick Dykstra: On a point of order, Mr. Chair, there's a motion on the floor that we're debating, and now she's moving another motion before that motion has been voted on. If she would like to move that motion, why don't we vote on the extension and then we'll vote on her motion to go to question period?

The Vice-Chair (Mr. Kevin Lamoureux): Rick, what the clerk has told me is that she can move the motion to suspend because she has the floor even though there is a motion, but it is a votable motion. That means if you want to continue sitting, you just vote against it.

For clarification purposes, Sadia, are you're now moving a motion to suspend?

[Translation]

Mrs. Sadia Groguhé: Yes.

[English]

The Vice-Chair (Mr. Kevin Lamoureux): All those in favour of Sadia's motion, please raise your hand.

All those opposed, raise your hand.

Ms. Mylène Freeman: Could we have a recorded vote?

The Vice-Chair (Mr. Kevin Lamoureux): There has been a request for a recorded vote. The nays would appear to have it, but we've been requested—

Mr. Costas Menegakis: It's already done. It's over.

You do it before the vote.

The Vice-Chair (Mr. Kevin Lamoureux): Technically, that's the chair's mistake, so I will ask the clerk to count the names for the recorded vote. It only takes a minute, then it's resolved.

(Motion negated: nays 5; yeas 3)

The Vice-Chair (Mr. Kevin Lamoureux): The motion is defeated.

Ms. Groguhé, you have the floor to continue on the motion itself.

[Translation]

Mrs. Sadia Groguhé: Very well, Mr. Chair.

So I was saying that two related problems stem from this fact.

First of all, the minister just circumvented the work done by the committee members by imposing his amendments on his parliamentary secretary and on the committee. Then—and this is the heart of the matter—the bill of the member for Calgary Northeast practically disappeared because of government amendments.

As a result, we cannot really speak about a private member's bill. Rather we are interpreting it as a government bill. This practice is another attack by the Conservatives of parliamentary institutions. What is worrisome about all of this is that suddenly our work is focused on a false content. Let me explain.

These meetings, which took place over two months, were not really about the actual content of the bill. The real bill is the minister's imposing amendments to the bill of the member for Calgary Northeast.

Given that the Parliamentary Secretary took so long to share written amendments imposed by the minister, we weren't able to question witnesses about the minister's amendments. We were not really able to do our work. And mostly, the amended version of the bill would not have been a private member's bill, but a government bill. That hijacks the process and, above all, limits the scope of our work as members of the Standing Committee on Citizenship and Immigration.

Moreover, on May 21, 2013, the Speaker of the House ruled on a point of order raised by the hon. member for Toronto-Centre regarding this report, as I said previously. Although the Speaker found it admissible, the report's content gave rise to a number of questions and, above all, a number of reservations. By that very fact, we are in a position to insist on the fact that permission to broaden the scope of the bill can hardly be granted and we must be able to examine these aspects much more thoroughly. This is a whole different ball game, and we cannot go forward with a bill with a scope that has been broadened and no longer resembles its initial version, which had an objective of honouring the Canadian Forces.

We also note that, as I said earlier, there are considerations that highlight the amendments we are considering with respect to broadening the bill. The initial bill was aimed at reducing the wait time by one year for granting citizenship to any permanent resident who is a member of the Canadian Forces and who has signed a minimum three-year contract and completed basic training. If we were considering just that, this bill could be passed by unanimous consent. We would have had no need to debate it because it is a completely commendable proposal. However, complications arose after the statements of the Minister of Citizenship, Immigration and Multiculturalism who, in proposing these amendments, tried to change the bill to revoke citizenship.

●(1405)

There is an essential and important difference between a private member's bill, like the one we have here, and a government bill. A distinction must be made between these two types of bill, which are extremely different. Government bills must receive constitutional approval by the Minister of Justice, in accordance with the Department of Justice Act.

In other words, when measures like this are presented for a private member's bill, we circumvent the long-standing process that enables us to determine whether legislative processes are consistent with the Constitution of Canada. If we are in a position to do these evaluations, we can determine whether there is a litigation risk when a bill is proposed and implemented. These risks must be assessed and taken into account by the Department of Justice, which leads us to wonder whether this bill, as some witnesses mentioned, is constitutional or whether there is a litigation risk. Those were the questions we asked ourselves beforehand.

In simple terms, section 10 of the Citizenship Act already sets out a process for revoking citizenship. The process states that should a person obtain citizenship through fraud, false representation...

●(1410)

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): I'm sorry, Madam Groguhé, but I have to interrupt you.

I want to let members know that I did seek agreement from the parliamentary secretary to see if someone in one of our speaking spots, which is the next one, could switch spots with Mr. Lamoureux.

It does not affect other people on the list, because it is the same kind of switch that we did the other day.

I believe we have agreement, and with that understanding—

Mr. Costas Menegakis: Mr. Lamoureux was not on the list. After your speaker was Mr. Dykstra.

When you started the day—

The Vice-Chair (Ms. Jinny Jogindera Sims): No, nobody's changed the list.

Let me go over it again. It was Madam Groguhé, then Rathika, and then Rick.

What we're doing is Kevin, who was further down the list, is changing spots with Rathika, and Rathika will go further down the list. In other words, Mr. Dykstra will still have the third spot.

Mr. Costas Menegakis: No, if she's not here, it goes to the next person.

The Vice-Chair (Ms. Jinny Jogindera Sims): No, she'll be here. She's on her way. That's not the issue.

Mr. Rick Dykstra: Get her over here.

Mr. Costas Menegakis: Get her over here. Mr. Dykstra is next.

The Vice-Chair (Ms. Jinny Jogindera Sims): I only mentioned it because I did talk to Mr. Dykstra, and I had an agreement that the Conservative spot would remain in exactly the same spot.

Mr. Rick Dykstra: Okay, but if there's disagreement on it....

Is she coming or not?

The Vice-Chair (Ms. Jinny Jogindera Sims): She is coming.

Mr. Rick Dykstra: Okay.

The Vice-Chair (Ms. Jinny Jogindera Sims): I was actually going to tell her not to come—she's in another meeting—but because we had agreement...and now we don't have agreement. Okay.

I'll go back to you, Madam Groguhé, but first, Monsieur Dusseault, on a point of order.

[Translation]

Mr. Pierre-Luc Dusseault: I'm not sure I understood what we were going to do for question period, which should be starting in about five minutes. Can you remind me? I wasn't listening and didn't understand what the committee intended to do for the next 45 minutes.

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): I was out of the room, so if you will hold on a minute, I will check with the clerk.

All right. There was a vote. The vote did not carry, so the meeting is carrying on. That's what was decided while I was not in the room.

Thank you.

I'll go back to Madam Groguhé.

[Translation]

Mrs. Sadia Groguhé: Thank you, Madam Chair. I will continue.

In cases where a person obtains citizenship through fraud, false representation or by knowingly concealing material circumstances, that person would have his or her citizenship revoked. There is currently no other way of revoking citizenship at present. This new proposal, by way of a private member's bill, raises serious constitutional concerns given the Charter's guarantees in sections 6, 7 and 15, particularly where it concerns matters of national or ethnic origin, or potentially the recognized analogous ground of citizenship.

It is clear that we are again getting into constitutional matters, matters that we must put forward and take into account in order to use that perspective to evaluate the amendments proposed by the Minister of Citizenship, Immigration and Multiculturalism.

To continue, Madam Chair...

●(1415)

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): We have a point of order.

Monsieur Dusseault.

[Translation]

Mr. Pierre-Luc Dusseault: I'm sorry for interrupting my colleague. I know that we have had health breaks a number of times. I thought this might be a good time for one. The committee meeting hasn't been suspended for a few minutes for a few hours now. So I would ask you, Madam Chair, if you could seek unanimous consent for a health break so that everyone can go to the bathroom or do what they need to do.

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): I've been asked to seek unanimous consent.

Some hon. members: No.

The Vice-Chair (Ms. Jinny Jogindera Sims): We do not have unanimous consent.

Did you still want to be on the list, Ms. James?

Ms. Roxanne James: I just want to remind the member from the NDP that he's free to get up and take a bathroom break any time he needs to, or to get some coffee or refreshments. That's the privilege of every member of this committee. We might need to have a full break with everyone going to the bathroom at the same time.

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you.

I just want to tighten up points of order a bit.

A point of order was made. I was asked to ask for unanimous consent. We did not get it. Now I will go back to the speaker.

[Translation]

Mrs. Sadia Groguhé: To wrap up on that point, Madam Chair, we can wonder whether the bill respects the Canadian Charter of Rights and Freedoms, which states:

...no law of Canada shall be construed or applied so as to

(a) authorize or effect the arbitrary detention, imprisonment or exile of any person;

The Canadian Charter of Rights and Freedoms also prohibits any law that would:

(e) deprive a person of the right to a fair hearing in accordance with the principles of fundamental justice for the determination of his rights and obligations;

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): Just hold on a moment, please, Madam Groguhé. I know that I am finding it difficult to follow, so I want to make sure the interpreters are finding that your pace is okay for them.

Is the pace okay for the interpreters? Thank you very much. If you do feel at any time that you need us to slow down, please let the chair know and I will accommodate.

Madam Groguhé.

[Translation]

Mrs. Sadia Groguhé: Am I speaking too quickly, Madam Chair? I would like to know if my pace is okay.

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): Yes, you are and very clearly.

[Translation]

Mrs. Sadia Groguhé: Very well.

Madam Chair, I will address and compare the provisions that have been made by this government. They concern the three mammoth bills of the current legislature, the lack of transparency in the matter of the resignation of the Prime Minister's chief of staff, the numerous ethical scandals and many other things. We cannot trust this government. So why should we put forward this motion?

Canadians are not fools. They know that the Conservatives will not hesitate to benefit from a potential flaw in the legislative process to bypass the current verification and monitoring mechanisms. The worst thing to do would be to support this motion, which would give them free rein.

Moreover, the Minister of Citizenship, Immigration and Multiculturalism's proposals are not at a dead end. If he wants to table such a range of measures concerning the revocation and renunciation of citizenship, he is free to do so through a government bill. At that point, we would be able to spend more time debating it in the House of Commons and in committee, which is important.

We know just how important it is to have a lengthy debate on these issues, which involve profound changes within our country. We will then be free to ask witnesses about the content proposed by the minister, which is unfortunately not the case now, in the context of the study of Bill C-425.

More checks will be done on the constitutionality of the legislative initiative. A number of times, I highlighted just how central constitutionality was. I also stressed the need to look into it to determine whether the bill and the amendments truly fit with our constitution.

Lastly, the members of this House will be in a position to do their job properly and effectively. Our duty and our job, as parliamentarians, is to carefully study bills submitted to Parliament, be they government initiatives or private members' initiatives. In this case here—I will end on this, if I may—I would say that we need to say no to this motion because it clearly limits our duty and our work as parliamentarians.

Since citizenship is at the heart of the minister's amendments, we must do our work in a rigorous and transparent manner. We must be able to handle these issues, but through a government bill, so that the debates are longer and the issue is studied much more in depth.

Thank you, Madam Chair.

● (1420)

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you very much, Madam Groguhé. I'm presuming now that you are done your debate.

[Translation]

Mrs. Sadia Groguhé: Could you please add me to the list?

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): You would like to be put on the list for another round. Okay, the clerk will put you on the list.

Our next speaker on the list is Madam Sitsabaiesan. Before we go to Ms. Sitsabaiesan, I'm going to call a half-hour break for comforts.

The meeting is suspended until 3 o'clock.

● (1420)

(Pause)

● (1500)

The Vice-Chair (Ms. Jinny Jogindera Sims): I'd like to call the meeting to order.

The next person on the speakers list is Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Madam Chair, I'm happy to have an opportunity to speak to this motion. This motion asks for an extension of 30 days to study private member's Bill C-425, An Act to amend the Citizenship Act (honouring the Canadian Armed Forces). Though its title refers to "honouring the Canadian Armed Forces", we have learned through the 60 days of study we have already had on this bill that it is not really about honouring the armed forces. There is a small piece that honours some people who served in the armed forces, but there are other parts of the bill that go far beyond that.

I don't think at this point it is necessary for us as a committee to give that time extension as we've already spent the 60 days allotted for the study of a private member's bill in committee. As we know, a private member's bill has two hours of debate in the House at second reading stage. After second reading stage it is sent to committee for further study and to be reported back to the House.

When we did that study, we learned of the many flaws and the many different aspects in the bill, and I don't even know whether the sponsor of the bill intended them to be part of the nature of the original bill.

We know that many government members and the minister himself have spoken about the bill and have suggested amendments to it. We know that the government's amendment proposed changes to the private member's bill that made it something absolutely new, something very different. It changed the scope of the bill. The amendment proposed by the government members changed the bill dramatically. They knew it was flawed because of what was presented to us by all of the witnesses who came before the committee.

Let me go through some of the items that the witnesses and the government's own members identified as containing flaws, or some of the facets of this bill that they wanted to change, or that weren't appropriate, that may not have been in compliance with the Charter of Rights and Freedoms, or may not have been in compliance with the Constitution. Whatever it may be, let's have a look at what our expert witnesses had to say, and let's have a little bit of a discussion about some of those things.

I'll just list a few for now, and I'll try to get through as many as I possibly can.

First of all, in the bill itself, the sponsor of the bill refers to "act of war". Many have identified that this is not a term that Canadian law understands or recognizes. The sponsor spoke of "pathways to integration" and increasing pathways to integration for permanent residents and newer immigrants to this country. Issues of statelessness were introduced and outlined for committee members by many people.

The concept of revocation of one's citizenship, which is clearly part of the bill, was highlighted by many of the witnesses who appeared before us.

Another issue is that this bill casts the net far too wide. Too many people get caught up in this bill. Even the sponsor of the bill himself mentioned that he recognized that maybe some people were getting caught in the cracks of the legislation, for example, people who were child soldiers or people who had foreign convictions.

● (1505)

Another thing is that if this bill went forward, it would actually create multiple tiers of Canadian citizenship. I'll make sure to go through that as well in as much detail as I can to make sure that everyone has an opportunity to understand what our experts have told us.

Another topic that was brought forward is the concern that was raised about ministerial discretion and accountability. What we've seen with this current government, especially in immigration-related bills and others, is that more and more powers are being given to fewer and fewer people, so rather than have a tribunal or a group of experts make decisions on things, it's actually the one minister who has more and more discretion on many more topics.

Another problem that was identified was with respect to citizenship wait times and the government allowing queue jumping for asylum seekers and refugee claimants in this country. The government was very clear that it didn't want people to jump the queue, but when there's a citizenship wait time of years in this country, the government is trying to have people jump the queue.

One more topic that I will be touching on is how we can actually honour people who have served in our armed forces.

These are some of the topics, Madam Chair, that I will be delving into throughout my discourse.

Pardon me, Madam Chair. I think I just made a French-to-English bad translation. I used the French word instead of the English word.

A Voice: It happens.

Ms. Rathika Sitsabaiesan: Instead of saying "speech"—*discours*—I said "discourse", which is not proper English. My apologies, Madam Chair.

To touch on one of the topics I identified, I will speak about the term "acts of war". The first problem with this, Madam Chair, is that the term is not defined in Canadian law, yet in the bill itself the sponsor says that if somebody commits an act of war, they need to be punished. The experts who came before the committee clearly and repeatedly identified that it would be very problematic because of the terms "war" or "declaration of war".

We heard from Colonel Michael R. Gibson that the use of the term “war” or the term “declaration of war” in legal language has actually gone out of fashion in international law, not just Canadian law, since the Second World War, yet our government today wants to bring that back. Sorry, it's not the government. I should be correct. Even though it is highly supported and pushed by the government, it is coming to us in the form of a private member's bill rather than a government bill or government business, so I shouldn't say “the government”. However, it does seem very much that the government is the one putting forward this private member's bill and trying to push it through the back door with less scrutiny, less oversight, less accountability, and less transparency, because it just seems that it doesn't want to do the proper due diligence on such a large topic as the changing of our immigration legislation.

• (1510)

This bill would change our immigration legislation and revoke the citizenship of Canadian citizens. The way it is right now, it would create statelessness. We are signatories to the UN Convention on the Reduction of Statelessness, yet this bill, as the sponsor has put it forward and as the government continues to push for it, would create statelessness.

Earlier in our debate, we heard government members say that they want to do due diligence on the study of a bill, and that is why they are putting forward this motion to extend the study of this bill for 30 days. It's apparently a new practice. They've all just woken up and want to do due diligence, but what we've seen time and time again with this government is that they move closure. Earlier today we voted on yet another closure motion. For all those people joining us from their homes who may not know what closure is, it's one form of time allocation. It's one form of stopping debate in the House of Commons. This government has moved motions to stop debate on bills in the House of Commons more than 45 times. At the time I wrote down my notes, the number was 45 times.

• (1515)

Ms. Michelle Rempel (Calgary Centre-North, CPC): I have a point of order.

The Vice-Chair (Ms. Jinny Jogindera Sims): Yes, welcome to our committee, Ms. Rempel.

Ms. Michelle Rempel: Thank you. It's always a pleasure to work with you.

Madam Chair, page 1049 of Bosc and O'Brien states:

In addition, the Chair may, at his or her discretion, interrupt a member whose observations and questions are repetitive or are unrelated to the matter before the committee.

I appreciate my colleague's comments, but the motion is pursuant to Standing Order 97.1 (1), and the committee is requesting an extension of 30 sitting days to consider Bill C-425. The argument I believe my colleague opposite is making is that an extension would be relevant in order to see further debate of the content.

I therefore challenge the relevancy of her claim and would challenge you to ask her to move to her next topic or close her debate.

The Vice-Chair (Ms. Jinny Jogindera Sims): That's a point of order and I will respond to it.

The motion that we are debating is an extension, and the extension is in order for things to happen to a piece of legislation. The member is at liberty to bring into the arguments that she is making today the contents of the bill, as to whether she will or will not support the extension, because it's very hard to talk about an extension in a vacuum. In order to come to an understanding of why she's going to be voting one way or the other, she has every right to refer to the contents, because that's going to be what will be informing her decision.

Ms. Michelle Rempel: Madam Chair, is it my understanding that you've ruled against this point of order and that my colleague should not move to the next topic, given the question of relevancy?

The Vice-Chair (Ms. Jinny Jogindera Sims): What I've done is I've given you my understanding.

Ms. Michelle Rempel: So you've ruled against this point of order?

The Vice-Chair (Ms. Jinny Jogindera Sims): Yes, the chair has ruled, but I have somebody on the same point of order.

Ms. Michelle Rempel: I challenge the chair, and I'd like a recorded vote.

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay, state your challenge.

Ms. Michelle Rempel: I challenge the concept of relevancy given that my colleague is arguing for an extension of the debate on this bill, which is what the form and substance of this motion is. I believe you've ruled against this according to page 1049 of O'Brien and Bosc, and I challenge your ruling on this matter.

Ms. Rathika Sitsabaiesan: I have a point of order. I challenge the challenge of the chair's ruling. If you look at O'Brien and Bosc, there is no debate.

The Vice-Chair (Ms. Jinny Jogindera Sims): Yes. Okay, sorry. I was in another world where we did debate challenges to the chair. I want to thank my colleague.

What you're voting on actually is that the chair's ruling be sustained. That's what you will be voting on.

It will be a recorded vote.

(Ruling of the chair overturned [See *Minutes of Proceedings*])

The Vice-Chair (Ms. Jinny Jogindera Sims): The motion is defeated to sustain the ruling of the chair.

• (1520)

Ms. Michelle Rempel: I think what she said was that we challenge the chair, so, Madam Chair, my understanding is that your ruling on a point of order was defeated. Is that correct?

The Vice-Chair (Ms. Jinny Jogindera Sims): Yes, that's right.

Ms. Michelle Rempel: Then, just for my understanding, would any arguments that my colleague might make to argue against the extension of the study of this bill be ruled out of order?

An hon. member: That's right. It was voted on.

The Vice-Chair (Ms. Jinny Jogindera Sims): I will also remind the member to stay on topic.

Okay, we're back to the speaker.

Ms. Rathika Sitsabaiesan: Thank you, Madam Chair.

I guess my colleague who just raised that point of relevancy missed the piece at the beginning when I stated why it was relevant. Maybe I should repeat it so that she can actually know why it is relevant, why the topics that I'm speaking about are relevant, and how it does make sense for me to continue. Let me go back a little bit, just to help my honourable colleague who is joining us.

As she very correctly stated, this motion is actually requesting an extension of time of 30 days beyond the 60 days that are already allocated for the study of this private member's bill in our committee. The common practice according to O'Brien and Bosc is that a private member's bill is given 60 days of study time in a committee. Then at that point the committee hears from witnesses who are experts in the field usually, or people who have personal experience, people who are front-line workers, whatever it might be. We hear witness testimony over that 60-day period, of which the schedule is set by the government. Even though, Madam Chair, there is a subcommittee that decides the setting of the schedule, the schedule is actually controlled by the government because the government has a majority on the subcommittee as well. That schedule is set by the government, and then we go through our study and hear witness testimony, which we did.

During that study it was very clear from the many, many witnesses we heard there were many issues and items that were considered to be flaws. There were some things that were recognized as positive moves forward, such as recognizing some people who may have served in the armed forces, recognizing the commitment to our country, recognizing our commitment to our flag, recognizing the commitment to the maple leaf. Then what happened was the government proposed amendments—

The Vice-Chair (Ms. Jinny Jogindera Sims): We have another point of order.

Ms. Michelle Rempel: Madam Chair, again referring to page 1049 of O'Brien and Bosc, it states, "In addition, the Chair may, at his or her discretion, interrupt a member whose observations and questions are repetitive or are unrelated to the matter before the committee."

I argued on the latter half of that statement before. I'd like now to order that my colleague opposite's comments are repetitive. I believe that the point on the need for robust witness testimony has been made several times here in the debate on this. I would say that any testimony related to the need for robust witness testimony is in fact repetitive. She should be moving to the next point of content in her speech.

The Vice-Chair (Ms. Jinny Jogindera Sims): I would remind my colleague to remain on topic and to continue with her discourse.

[Translation]

Mr. Dany Morin (Chicoutimi—Le Fjord, NDP): With respect to my point of order, I would like to say that the Conservative member mentioned the repetitive nature of my colleague's speech. I don't agree. Since I have just joined this committee, it is crucial information that I need so that I can understand the issues and make decisions.

The individuals who have been a part of this committee's deliberations for several hours now may have already heard these comments, but it is the first time for me. Since I am participating in this committee's work today, I need all the information required to get an idea of the issues and vote in good conscience on issues affecting the future of Canadians.

For those reasons, I remind everyone that it is important that my colleague go over these issues again.

● (1525)

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): I want to remind my colleagues that MP Sitsabaiesan has only had the floor for less than 15 minutes, and she is starting her speech. I have reminded her to include new points, to pay attention to relevancy, and to proceed with that in mind. That is the direction I have given.

Now I will go to Mr. Dykstra.

Mr. Rick Dykstra: I'm going to let Ms. Rempel finish her point. I do have a point of relevance to Mr. Morin's interjection, but I think that Ms. Rempel needs to finish her point.

Ms. Michelle Rempel: Madam Chair, to my colleague opposite, I'm not a regular member of this committee either, and I've been following the riveting testimony here through various other means. I believe a lot of it is put in Hansard.

I just wanted to clarify that per that point, my understanding is that the need for robust witness testimony is something that has been clearly established in committee. Therefore, any testimony put under that category would be deemed repetitive per page 1049 of O'Brien and Bosc.

Is that your ruling?

The Vice-Chair (Ms. Jinny Jogindera Sims): My ruling right now is that the member who is speaking has been told to keep her comments relevant and not to be too repetitive.

Ms. Michelle Rempel: Just to be clear, the need for robust witness testimony is something that would be repetitive.

The Vice-Chair (Ms. Jinny Jogindera Sims): We are not talking about robust witness testimony. There are no witnesses here. We have members who are debating an extension motion, and that is what is going to be debated today.

Ms. Michelle Rempel: I'm not understanding what you're ruling, Madam Chair. Was my colleague opposite in order and not repetitive, or was she repetitive?

The Vice-Chair (Ms. Jinny Jogindera Sims): You raised a concern that the member was being repetitive, and as any chair would do, I've urged her to pay attention to that.

Ms. Michelle Rempel: Excellent. Thank you.

The Vice-Chair (Ms. Jinny Jogindera Sims): Mr. Dykstra, you passed, right?

Mr. Rick Dykstra: Yes, I pass.

The Vice-Chair (Ms. Jinny Jogindera Sims): Back to you, Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you, Madam Chair.

It's great that many government members are interested in immigration and this bill. It goes to show the government's interest in this bill.

I'll address the topic of acts of war and the problems with that, Madam Chair. We know what Colonel Gibson mentioned about those two words and moving forward, we have—

The Vice-Chair (Ms. Jinny Jogindera Sims): Just hold on a minute please, Ms. Sitsabaiesan.

Ms. Rempel, I'm hoping you have a different point of order.

Ms. Michelle Rempel: I'm actually referring to the previous point of order, which you ruled against and was overturned. I believe that my colleague's content was therefore ruled out of order, and the acts of war comment that she was making is no longer relevant.

I believe that she was supposed to move on to a new topic of debate.

The Vice-Chair (Ms. Jinny Jogindera Sims): She is talking about the reasons she will be speaking for or against the amendment.

Ms. Michelle Rempel: We did overrule that. Is that correct?

The Vice-Chair (Ms. Jinny Jogindera Sims): At the same time, she is here and has the right to speak to the issue. She has the floor. I will remind the member not to be repetitive and not to stray beyond the area of relevancy.

We will proceed.

Ms. Rathika Sitsabaiesan: Thank you again, Madam Chair.

Issues that were articulated very clearly before by constituents who have written to me and by front-line workers are important for me to mention here, Madam Chair. I don't believe it is irrelevant. I find it interesting that a member is thinking that it's not relevant.

Nevertheless, let's talk about how much international law has shied away from using the concept and instead inclines to use the term "armed conflict". The concept of act of war is not defined in Canadian law but when the colonel was here, he mentioned to us that armed conflict is a term that is used in international law but armed conflict is not mentioned in the bill itself. The term "armed conflict" already appears in a number of places in our federal statutes. He has suggested that maybe we should include that, but I won't go into more detail from his testimony than that, Madam Chair.

• (1530)

The Vice-Chair (Ms. Jinny Jogindera Sims): We have another point of order.

Ms. Michelle Rempel: Going back to page 1049 of O'Brien and Bosc and looking at the matter of relevancy, I don't see how my colleague is tying her testimony into the subject of the motion before committee, which is a request to extend the debate on this particular bill. That point has not been made, and therefore I believe her current topic is irrelevant.

The Vice-Chair (Ms. Jinny Jogindera Sims): I will remind my colleague to make sure that her topic remains relevant and on the clause and refers back to the motion that is before the committee. There is some latitude but not so much latitude that we can stray into other areas.

Ms. Rathika Sitsabaiesan: Absolutely, Madam Chair. Maybe I should clarify.

When I'm speaking of some of the items that are identified in the bill and why it's relevant to the motion at hand requesting an extension of further debate and why it's not necessary is that the amendments the government has put forward have changed the scope of the bill. I didn't want to repeat myself because I had mentioned this, and I figured my honourable colleague had heard and understood that part.

When the scope of a bill is changed so dramatically in committee that it doesn't make sense, it isn't necessary to give that extra time because it's deemed to be a different bill. It doesn't make sense for us to debate this new bill that wasn't presented to the House.

The committees are creatures of the House of Commons chamber itself. When a committee receives a bill from the House and the committee decides to.... I know that committees are masters of their own destiny; however, they are creatures of the House. When a committee receives a bill, such as Bill C-425, in its original form and then the committee—because there's a majority of government members and they have introduced multiple amendments that have changed the bill so much that the scope of the bill has changed from the original bill—it doesn't need to report that back. That is why, Madam Chair, it is important for us to have this discussion today and say that it's not necessary for this motion—

The Vice-Chair (Ms. Jinny Jogindera Sims): I have to apologize because there is another interruption. I know that you're just getting into your speech, but we do have a point of order and that does take precedence.

Ms. Michelle Rempel: Madam Chair, again, pointing to relevancy on page 1049 of O'Brien and Bosc, I believe the committee recommended to the House on April 23, 2013, that it be granted the power to expand the scope of the bill during its consideration of Bill C-425. Therefore, the committee is waiting for the decision of the House before further consideration of the bill. Therefore, the motion put in front of the committee is to extend the time in which the bill will be considered in order to accommodate exactly what my colleague is talking about. Therefore, given that she, according to my understanding, is agreeing with the content therein, I would also argue relevancy on her current line of debate.

The Vice-Chair (Ms. Jinny Jogindera Sims): I will remind—

Ms. Rathika Sitsabaiesan: May I just speak to that point of order, Madam Chair?

The Vice-Chair (Ms. Jinny Jogindera Sims): On that point of order, go ahead.

Ms. Rathika Sitsabaiesan: Could I get clarification from my honourable colleague what it was she was reading and from where in O'Brien and Bosc?

Ms. Michelle Rempel: It gives me great pleasure, as a non-regular member of this committee, to talk to a regular member of committee about committee business—

Ms. Rathika Sitsabaiesan: I guess, Madam Chair, we shouldn't be—

Ms. Michelle Rempel: —which was referred to the House—

• (1535)

The Vice-Chair (Ms. Jinny Jogindera Sims): No, no, the member is not referring to the motion that is before us, but to the item or the line that you're reading—

Ms. Rathika Sitsabaiesan: The citation from O'Brien and Bosc.

The Vice-Chair (Ms. Jinny Jogindera Sims): —from *House of Commons Procedure and Practice*.

Ms. Michelle Rempel: That's correct. It's from page 1049, as I've stated.

The Vice-Chair (Ms. Jinny Jogindera Sims): Which paragraph is it?

Ms. Michelle Rempel: It's the top paragraph.

Ms. Rathika Sitsabaiesan: Is that under “Decisions of the Chair and Appeals”, Madam Chair?

Ms. Michelle Rempel: As I've read several times: In addition, the Chair may, at his or her discretion, interrupt a member whose observations and questions are repetitive or are unrelated to the matter before the committee.

Ms. Rathika Sitsabaiesan: Madam Chair, is it my understanding that my honourable colleague is repeating the exact same point of order?

Ms. Michelle Rempel: It's actually a new point of order, because each content point that has been brought forward today has been repetitive and irrelevant.

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay. You have the citation.

I would urge all members, when they have the microphone and when it's their turn to speak, to remember to speak to the motion that's on the floor. There is a certain amount of latitude, but you don't have complete latitude.

Carry on.

Ms. Rathika Sitsabaiesan: Thank you, Madam Chair.

Just for clarification, I guess for everybody, I will use my time to explain. I was explaining using my own words, but maybe it would be helpful if I used the words of O'Brien and Bosc with respect to motions of instruction, and what is going on here, and why what I'm talking about is extremely relevant.

The clerk knows what page I'm reading from:

Once a bill has been referred to a committee, the House may instruct the committee by way of a motion authorizing what would otherwise be beyond its powers, such as, for example, examining a portion of a bill and reporting it separately, examining certain items in particular, dividing a bill into more than one bill, consolidating two or more bills into a single bill, or

—here's the kicker, Madam Chair—

expanding or narrowing the scope or application of a bill. A committee that so wishes may also seek an instruction from the House.

That's the piece that is extremely relevant.

That is the exact same thing I had articulated using my own words, but maybe reading it straight out of O'Brien and Bosc helps.

What has happened is that the committee is now looking to report to the House after “expanding or narrowing”. So that's changing, which is what I've been saying all this time: it's changing. However,

I'll use the exact words here: “expanding or narrowing the scope or application of a bill”.

It is clearly articulated in O'Brien and Bosc that it's something that is otherwise beyond the powers of a committee, and because this motion that is before us is requesting a report that is beyond the powers of this—

Mr. Rick Dykstra: Madam Chair, a point of order.

The Vice-Chair (Ms. Jinny Jogindera Sims): We have—

Mr. Rick Dykstra: The relevance of the motion that is on the floor has nothing to do with the report that you're referring to.

You're talking about an argument we had, that was carried by this committee a number of weeks ago, in regard to expanding the scope of the bill. We received a decision from the legal clerk that the amendments were out of scope, and we had to go back to the House of Commons to seek the will of the House to be able to expand the scope of the bill that was agreed to by the member of Parliament.

You're speaking to that specific issue. That has nothing to do with the motion we are speaking about today.

Today is merely this motion, and I'm happy to read it again. This motion refers directly to the 30-day extension that a member of Parliament can ask for, or can seek, or can be requested by committee in order to ensure that his or her private member's bill has an additional period of time to be dealt with at the committee that the individual MP has suggested and recommended that the bill go to.

That's what this motion is about. There's nothing relevant about what you're talking about in terms of expanding the scope of the bill. That has nothing to do with this motion.

You've got to rule her to speak specifically to the motion, Madam Chair.

The Vice-Chair (Ms. Jinny Jogindera Sims): Just so everybody understands what it is we're here to debate, I'm going to read the motion to everybody. I know it's been—

• (1540)

Mr. Rick Dykstra: Madam Chair, I recommend we vote on it, because we've already been here for a long, long, time.

The Vice-Chair (Ms. Jinny Jogindera Sims): The chair would remind Mr. Dykstra that this is not a point of order.

There has been some question as to what's being debated on the floor. To add clarity for everybody who is at the meeting, I am going to read the motion. I'm going to ask everybody to keep that in mind when they speak and when they bring up their points of order. The motion reads:

Pursuant to Standing Order 97.1(1), your Committee is requesting an extension of thirty sitting days to consider Bill C-425, An Act to amend the Citizenship Act (honouring the Canadian Armed Forces), referred to the Committee on Wednesday, February 27, 2013.

That is what we are here to debate. There were different pathways that this could have taken. This is the one we are here to debate. When people are debating, as goes the experience of this committee ever since I've been here and it was ruled on by the regular chair, when somebody is speaking on an issue, they must be able to link back the comments they make to the motion that's there. In other words, they can't go off on an isolated topic.

Mr. Rick Dykstra: Madam Chair, based on what you just said—and I appreciate your reading the motion again so that it's clear to everyone—Ms. Groguhé spoke since about 8:30 this morning. She had about, if I read correctly here, six to seven, almost eight hours, to speak. We didn't interrupt her. We allowed her to speak to many spokes that have a little bit to do with the issue relevant to the bill itself. Virtually none of what she spoke about was about the extension. I let that go. I didn't say anything.

The Vice-Chair (Ms. Jinny Jogindera Sims): We are not here to discuss what Madam Groguhé said, because she's gone.

Mr. Rick Dykstra: Let me make my point.

Well, she's gone. Actually, we're not supposed to say whether a member is here or not.

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay. My apologies.

Mr. Rick Dykstra: What I am saying is that we allowed it to go and we didn't say anything. But now, when it comes specifically to this motion, I expect that the next speaker is going to speak specifically to the motion on the floor that you read today and that we aren't going to go into the same speech that we heard from Madam Groguhé. It has to be specifically to the motion on the floor today.

The Vice-Chair (Ms. Jinny Jogindera Sims): The chair would remind all members that we have a motion on the floor. The motion has been read to each and every person, and I'm sure you've all heard it. When you're speaking, please make sure that the comments you make are related to and have a connection with the wording I have read out.

We're not going to say that the only words that can be said are those that are printed in the motion because otherwise there would be no reason to have a committee or to have a debate. We are here to debate this issue. What I am going to say is that I'll be listening very carefully. If I find somebody veering too far off and not connecting back to the motion, I will then urge them not to do that.

Ms. Rathika Sitsabaiesan: Shall I continue, Madam Chair?

The Vice-Chair (Ms. Jinny Jogindera Sims): We'll go back to you, Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you.

Madam Chair, some of the issues that I've identified are reasons why I will not be supporting this motion to extend the time for another 30 days. I don't want to vote blindly one way or the other without explaining myself. That's why I'd like to justify my vote for you and for the rest of the committee.

Here goes why—

The Vice-Chair (Ms. Jinny Jogindera Sims): I just want to explain that there would be no reason to have a committee meeting

and to have a debate if the only reason people were here was to say yes or no. That wouldn't require debate. People could just vote. We have debate for a reason.

My only advice to members of this committee is to make sure when you are speaking that you link whatever points you are making back to the motion and that you don't go off into a different sphere. The chair does not want to say to people that it's either yea or nay. That is not what we're here to do. It is a legitimate debate that is going to take place, and I'm going to give people the space they need to debate.

I'm hoping I'm not going to get the same point of order over and over again, because this chair could get to overlooking points of order as well.

Back to you, Ms. Sitsabaiesan. Go ahead please.

• (1545)

Ms. Rathika Sitsabaiesan: Thank you, Madam Chair.

I've put the concept of acts of war to bed for now.

I'd like to speak about pathways of integration, because the presenting member said the bill would actually offer pathways of integration for newer immigrants to Canada and permanent residents.

Some of the problems that were identified with this is that very few permanent residents are able to get into the armed forces. Experts said the impacts of this bill would be extremely minimal. If you look on the website of the forces' recruiting page, the first requirement is to be a Canadian citizen.

When they identify the first requirement as needing to be a Canadian citizen, it's unlikely that people who are permanent residents would even consider applying for such positions within the armed forces.

When we spoke with witnesses, there were two colonels here with us, Colonel Bariteau and Colonel Gibson. I believe they were the ones who spoke about this, but I don't remember off the top of my head, Madam Chair. They said it's actually not used very much. Very few people who have permanent residency are recruited to serve, and I forget the exact number.

My question is, if our government is telling us that people who serve in our armed forces are putting their lives on the line in the course of duty to serve and protect our country and its people, are we saying that other people in other professions who put their lives on the line, for example, RCMP officers and doctors who are not members of the armed forces, are not deserving?

Mr. Rick Dykstra: On a point of order, Madam Chair.

The Vice-Chair (Ms. Jinny Jogindera Sims): Ms. Sitsabaiesan, I have a point of order.

Mr. Rick Dykstra: You read the motion out so everybody would understand, Madam Chair. Again, we have a situation where the member is speaking about something that may have happened or have been said during the debates that occurred when the bill was before this committee. The bill is not before the committee any more. What is before the committee at the current time is this extension request. So what is the relevance of quoting witnesses when we've already determined that is out of order?

The Vice-Chair (Ms. Jinny Jogindera Sims): On the same point of order, Mr. Harris.

Mr. Jack Harris (St. John's East, NDP): To the point of order, Madam Chair, I've heard your ruling and I've heard the member explain why she doesn't support the motion and why she doesn't support the extension. She's doing it by making reference to the legislation itself and to the concerns that were raised during study of the legislation. She hasn't reached the point of explaining how it ties in with the motion itself. She's referring to what happened here.

The member has the right to state facts and then tie them to the motion and relevance. Mr. Dykstra is preventing the member from even saying why or how it is relevant to the motion, so I don't think the point of order is well founded. You can't jump on a member before she even gets a chance to finish the point she's making. She has a right to make that relevance before she's ruled out of order.

The Vice-Chair (Ms. Jinny Jogindera Sims): Mr. Dykstra.

• (1550)

Mr. Rick Dykstra: Mr. Harris may want to make his point, but it's incorrect actually because the relevance that you're going to need to rule on my point of order is whether or not the member is speaking to the motion that is on the table, which you read. We've already heard from the previous speaker almost all the same arguments which are being presented by this speaker. So relevance has already been established, Mr. Harris. What we want now is to understand why the NDP will not vote on the issue of a 30-day extension that will allow a private member's bill to actually move forward. That's what is relevant here.

If they don't like the private member's bill—

Mr. Jack Harris: Do you think it's relevant?

Mr. Rick Dykstra: That's what I know is relevant and that's what I'm asking the chair to rule on.

The Vice-Chair (Ms. Jinny Jogindera Sims): I would urge colleagues not to have a two-way conversation and to conduct themselves through the chair.

Mr. Jack Harris: Sorry, Madam Chair. My apologies.

The Vice-Chair (Ms. Jinny Jogindera Sims): Are you done?

Mr. Rick Dykstra: Yes, I'm waiting for your ruling.

The Vice-Chair (Ms. Jinny Jogindera Sims): Mr. Menegakis, is it on the same point of order?

Mr. Costas Menegakis: No. The member apologized, so there's no need for me to say anything.

Thank you.

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay. I am going to remind all members of the committee that we have a motion on the floor and I'm going to encourage them to relate the comments they are making to the request for an extension with the understanding that this is not a yes or no, that there is room to debate.

In that debate, whatever points you make have to relate back and be relevant, and yes, it can be a rationale for why you're going to be moving one way or the other.

That is my advice to all committee members on both sides of the table and from all parties.

We will proceed with Ms. Sitsabaiesen.

Ms. Rathika Sitsabaiesan: Thank you once again, Madam Chair.

To continue on this one reason as to why I will not be supporting the motion to extend the study period for another 30 days, the sponsor of the bill mentioned that this bill would actually allow for more permanent residents to integrate into Canadian society quicker, better, and with firmer roots, but the problem is that having permanent residency is not part of the qualifications of serving in the armed forces.

When we had members of the armed forces presenting to us as witnesses, they mentioned that only about 50 permanent residents actually serve in the armed forces and 14 in the reserves. I'm not sure from the testimony if it was 14 who fell within the 50 number or if it was 14 more. It was also mentioned, Madam Chair, that it would represent less than 0.5% of the actual Canadian Forces planned intake for a year. It's interesting that it was also mentioned where we could find the policy that established the Canadian Forces enrollment requirements.

They also told us that yes, on their recruitment website it does say that you must be a Canadian citizen. However, when we spoke about how there are actual permanent residents on there, they said if you have special skills, they will target you and ask you to join the forces—or special types of recruitment, and that would be as a non-commissioned member. No. I'm sorry, my apologies.... Actually, that is correct. "In order to be eligible for enrollment in the Canadian Forces as an officer or a non-commissioned member, a person must"—I'm quoting a professor—"a) be a Canadian citizen, except that the Chief of the Defence Staff or such officer"—

• (1555)

Mr. Rick Dykstra: Relevance?

The Vice-Chair (Ms. Jinny Jogindera Sims): Excuse me, Ms. Sitsabaiesen, I'm sorry to interrupt you again.

I always feel terrible, no matter who the speaker or on which side of the table they sit, when we have a number of interruptions, because I know the kind of impact it has on the person who has the floor to speak. I have reminded members a number of times to stay on topic, but that does not mean it's yes or no. Staying on topic means you have to relate back to the motion that's there in some way.

Mr. Dykstra, did you have a point of order?

Mr. Rick Dykstra: Yes. I think Ms. Rempel is going to make the same point of order that I am, so she's—

The Vice-Chair (Ms. Jinny Jogindera Sims): Mr. Dykstra, why don't you make it now that you have the floor?

Mr. Rick Dykstra: I'm giving the floor to Ms. Rempel.

The Vice-Chair (Ms. Jinny Jogindera Sims): Once again, you have every right to pass and then I will take the next speaker on the list, because you don't get to choose who it should go to, right? If you want to make a point of order, that is fine. Otherwise I have to go down my speakers list.

Mr. Rick Dykstra: Sure. My point of order is, again, to go back to relevance. Quoting witnesses and saying things like, “Oh look, this is a professor”, shows that it's a meandering process, not bringing this back to relevance.

Quoting from individuals, organizations, or spokespeople as it relates to why a private member's bill should be granted a 30-day extension, and why this motion is here, is fair game. I don't have any problem with that. There are a lot of people who have quoted and who have positions on whether a 30-day extension should be granted or not granted for private members' bills. But the individuals she is quoting are witnesses who came to this committee to speak specifically to Mr. Shory's private member's bill, not to the relevance or non-relevance of a 30-day extension.

The Vice-Chair (Ms. Jinny Jogindera Sims): On the same point of order, we'll go over to Mr. Harris.

Mr. Jack Harris: Again, what I hear Mr. Dykstra saying is that she can't be relevant because she made a mistake and she had to correct herself. If someone is saying that we don't want to grant a further extension for consideration of this bill, uses the fact that all this discussion took place under the consideration of the bill by the committee, and wants to review some of it as part of why she thinks that the consideration was thorough and doesn't need any more time, that as a private member's bill.... It's a private member's bill that we're talking about here, not a bill manipulated by the minister in the House, which is what this extension is for.

She's talking about the evidence that was given for the private member's bill, not the one the minister wants. The private member's bill had evidence, and she's talking about that evidence, and she's talking about why she considers that evidence and that discussion sufficient, I'm assuming. But she hasn't even been given a chance to say that, because Mr. Dykstra thinks she made a mistake when she was misquoting a particular piece of information.

That's really, Madam Chair, abusing the member who is trying to make a point and trying to finish her speech.

It's a point of interruption, not a point of order.

An hon. member: Point of order.

The Vice-Chair (Ms. Jinny Jogindera Sims): Excuse me.

I am once again going to remind people to raise their hands.

I will recognize you and then we will proceed in an orderly manner. I know that we've been here since 8:30 this morning after a very few hours of sleep, so people are a little bit on the tired side, and maybe we're forgetting the way that this committee has operated.

I don't know where some other members who are new to the committee have come from, but I've sat on this committee for over two years, and this committee has operated in such a way that when we've had debate and discussion on items, it has never been yes or no. Members have been allowed to present their points of view as long as they can relate it back to the topic at the table.

We had a point of order. We had a response to the point of order.

If this is on the same point of order, then I will go to Ms. Rempel.

Ms. Michelle Rempel: Thank you, Madam Chair.

To Mr. Harris' comment about how the member is being treated, I would actually go to some of your rulings that you've just made. I believe that anyone who checks our Hansard or the televised proceedings will see that you've reminded my colleague opposite to stay on topic several times.

Page 1048 of O'Brien and Bosc outlines disorder and misconduct in the committee and states that they may arise “as a result of the failure to abide by the rules and practices of a committee or to respect the authority of the Chair”.

One of those things, I would assume, is to override your decision, so I think that per that section of O'Brien and Bosc, we're almost getting to a situation where we might have to report this to the House. I would put it on the table that since there has been this consistent inability to relate the speech back to the motion at hand, this is a serious problem that this committee needs to consider.

• (1600)

The Vice-Chair (Ms. Jinny Jogindera Sims): I want to remind members that if there is too much disorder, an adjournment takes place at that stage. I do have that right, as a chair. If I feel that harassment or other things are going on that are not welcome at this committee in the way of decorum, I will adjourn the meeting, because that is one of the few tools I have in order to ensure decorum at a committee.

I also want to remind people that I have urged everybody whenever they speak not to get too repetitive—although all of us being parliamentarians, we can't help but be somewhat repetitive—and also to stick to the topic, with the understanding that when you're speaking to either a yea or a nay on a motion, you are going to refer to your brain bank or to things you've heard at committee in order to give a rationale for where you're going. That's what I keep urging everybody to do.

In light of that, I'm going to continue to urge everybody to do that.

I have Mr. Opitz next.

Mr. Ted Opitz: Thank you, Madam Chair—

The Vice-Chair (Ms. Jinny Jogindera Sims): Sorry, my apologies.

It's Mr. Morin, and I've got my French ear on.

Mr. Dany Morin: Thank you very much.

However, it is a new point of order. Do you want me—

The Vice-Chair (Ms. Jinny Jogindera Sims): Can you hold on to that new point of order? I will go to Mr. Opitz.

Mr. Ted Opitz: I withdraw my comments.

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you.

As I said previously, after a very long day—and reminding people that we are here about an extension of 30 days—the extension doesn't sit in a vacuum about nothing. The extension is on a specific piece of legislation in order to do things to it. So, please, let's be patient with each other and allow debate to happen, and let's be respectful.

I'll try to say it in a more neutral way. Let's be respectful of the person making their points. Because I know if I were speaking and there were constant interruptions, they could be seen as a nuisance and I could feel upset or intimidated.

What I'm urging people to do is to stay on topic and let's proceed.

Mr. Morin, do you have a different point of order?

Mr. Dany Morin: Yes, Madam Chair. I think you're very kind, because I would like to raise a point of—

The Vice-Chair (Ms. Jinny Jogindera Sims): I've been told many things, but not that today.

Mr. Dany Morin: You are kind indeed.

I would like to raise a point of order based on misconduct, page 1048 of O'Brien and Bosc.

The Vice-Chair (Ms. Jinny Jogindera Sims): Please hold on a moment.

I don't want to rely only on what my ear hears; I want to be able to read the words at the same time.

Mr. Dany Morin: The reason I'm raising this point of order is based on misconduct on the part of Mr. Dykstra and Ms. Rempel, who, for the past 30 minutes, have raised numerous points of order while my good colleagues have been trying to get a point across.

In O'Brien and Bosc on page 1048, it is written that “disorder and misconduct also include the use of unparliamentary language,”—which is not the case right now—“failure to yield the floor”—and that is not the case, but where it is problematic is “or persistent interruption of the proceedings in any manner”.

This is the case right now, Madam Chair.

Both members, Mr. Dykstra and Ms. Rempel, keep interrupting my colleague persistently by raising the same point of order. You've made your ruling every single time, but they keep misconducting themselves by persistently interrupting the proceedings of the committee.

You've raised this topic before. I sit in the health committee, and I sit with the lovely Kelly Block. Hello, Kelly, nice to see you again.

I know personally that when I'm cut off during my speech, I lose my train of thought. I'm sure my good colleague feels the same way. It is misconduct and I would urge them to stop doing it. It is really disrespectful.

That's my point of order and I would like you to make a ruling on the misconduct of both Rick Dykstra and Michelle Rempel, please.

• (1605)

The Vice-Chair (Ms. Jinny Jogindera Sims): A number of hands have gone up. We've written down every name, and I'm going to go down the list, and if you're on this point of order, you will speak. If you have a different point of order, you will remain on the list and we will go back to you.

Ms. Rempel, go ahead first.

Ms. Michelle Rempel: I respect the comment of my colleague opposite about ensuring that the proceedings go forward in a respectful way. With respect, I think the comments brought up with

regard to relevancy have been brought up on separate occasions, on separate and different relevancy issues, and tied back to the fact that there is relevancy to the particular motion.

Therefore, I think the points of order have been in order, Madam Chair.

I appreciate deeply your saying that we need to stay on topic, which is what I think you've said several times, but I don't think that's been respected by my colleague opposite. So it is my hope that is how we would proceed.

The Vice-Chair (Ms. Jinny Jogindera Sims): I'm going to my colleague, Mr. Harris. Then I will make my comment and we'll proceed.

Mr. Jack Harris: Madam Chair, I've only been here for a few minutes, and I've seen serial interruptions that seem to be making the same point over and over again with no new reason to bring it forward. The only purpose is to intimidate the speaker. I wouldn't say the purpose is to intimidate, but it can have that effect. If she has constant interruptions, it prevents the member from even maintaining her train of thought. By being rattled by the members with their constant interruptions, she makes a mistake and misreads something, and that's another excuse for a further interruption.

Madam Chair, one of the roles of the chair, I say with respect, is to protect the speakers from this type of misconduct. I don't have the rule book in front of me, but I think it certainly deserves some consideration by you, as chair, as to whether this amounts to misconduct by the members opposite in preventing Ms. Sitsabaiesan from making her remarks. You can decide how persistent it was. I've seen several interruptions in a few minutes and several attempts to make the same point for the same reason.

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you.

As chair, I'm going to make a comment. I'm beginning to be very, very concerned about the length of time being taken up with points of order. I don't want there to be a misrepresentation of what I will say is going to be allowed at committee when it comes to discussion on a motion. I have made it very clear. I've read out the wording of the motion to everybody, and I'm more than willing to do it again, if you want.

If there is any member who wants to hear it read again, I will do so.

An hon. member: I would.

The Vice-Chair (Ms. Jinny Jogindera Sims): You would like to hear it so I will read it out again: Pursuant to Standing Order 97.1(1), your Committee is requesting an extension of thirty sitting days to consider Bill C-425, An Act to amend the Citizenship Act (honouring the Canadian Armed Forces), referred to the Committee on Wednesday, February 27, 2013.

This motion does not say it's a discussion of an extension about nothing. This motion is seeking an extension of 30 days on Bill C-425 which amends the Citizenship Act. Therefore, the chair has urged, and will keep urging members that when they speak to this it should relate to the extension of 30 days for this particular act. The content of your comments has to relate to the act. That's how you will justify whether it goes forward. And whether you're going to speak one way or the other, it could also be related to process.

If the purpose of this motion were a simple yes or no, we would not be here to debate it. I want to remind my colleagues that we have been debating this since 8:45 on Tuesday morning, in one form or another. I find it interesting, and I must admit that as chair I'm perturbed by this as well. This particular member has shared with this committee, in an open meeting, about the kind of discomfort she has felt at the committee, the kind of targeting, I would say, that she has felt at the committee.

I'm finding it really unfortunate that not one of these points of order has related to relevancy. I have not found anything so far with the previous speakers that has been relevant.

I would urge colleagues on all sides to remember to be respectful, to have decorum. We've had a lot of emotion at this meeting. We've actually had a member who has had to leave another meeting in tears. I don't want to go through that. I'm telling you that as long as I'm in this chair, that is not going to happen. I would remind everybody that we are here to deal with this motion, but it does not mean you only get to say yes or no. I would ask that you be relevant and discuss the issue. If you meander too far, this chair will pull you back to the motion.

Thank you.

Mr. Morin, is it a new point of order?

• (1610)

Mr. Dany Morin: No, it's the same one. I don't think you actually ruled on whether those two members, Rick Dykstra and Michelle Rempel, did or did not misconduct themselves.

On the point of order I raised, you were supposed to rule if they did or did not misconduct themselves.

The Vice-Chair (Ms. Jinny Jogindera Sims): I am going to look. We've all been at this for a long time. I am going to rule at this stage that they did not, and we're going to proceed. But I am going to let my colleagues know they must be very careful when they are raising points of order, in respect of the language we use and how and where we do this.

I will go back. I did rule on the point of order—

Mr. Rick Dykstra: I have a question about—

The Vice-Chair (Ms. Jinny Jogindera Sims): —but not against you.

Mr. Rick Dykstra: Right, I realize that.

I have a question, though. You keep referring to what we may ask in a point of order, as if we're using some sort of unparliamentary language or we're being abusive. I would like you to give me an example of any time, since 8:45 this morning, you think anyone on this side of the table has been abusive or used unparliamentary language.

I have been very careful. Every time I raise my hand and speak on a point of order, I refer to the member, and I make sure that I show relevance to the point that I'm making. Ms. Rempel has done the same, as have Mr. Opitz and Mr. Menegakis.

You can't make sweeping claims about this. You're stating something that you say we shouldn't be doing, and you're describing us from a personal perspective. I would argue that this is not the

case. We have been respectful. We listened to a speech that took over eight hours to complete. I don't know why you would suggest there has been misconduct in any way, shape, or form. You touched on something about how this committee has operated for the last two years, and it's continuing to operate this way.

This filibuster isn't because we want to be here. We would like to have a vote, but you don't want to have a vote so you're preventing a vote from happening. Your responsibility as the chair is to be equal to both sides.

I would submit that it is unfair to suggest that we are being abusive or unparliamentary.

The Vice-Chair (Ms. Jinny Jogindera Sims): The chair would like to remind people that the chair actually ruled that she did not find this. What the chair did report on was the kind of concerns a particular member of the committee—the one who has the floor right now—expressed quite openly at this committee earlier on in the meeting. But when it came to the ruling, and I stated that as a fact, I ruled that it had not.

I would urge members not to keep bringing up the same points of order. Let's try to accommodate and get on with hearing from Ms. Sitsabaiesan.

I have made my ruling, so unless it's a new point of order, Mr. Morin, we're going to move on.

• (1615)

Mr. Dany Morin: I don't know if it is a point of order, but may I ask for a five-minute break so both sides can convene?

On our side, we're going to make sure that we take under consideration the advice to refocus the message. On the opposite side, they will have five minutes to make sure they grasp what you just said a number of times.

I believe a five-minute time out should be good for the committee. We're all passionate about this issue, and I think a five-minute break would suit everyone well.

Some hon. members: Agreed.

The Vice-Chair (Ms. Jinny Jogindera Sims): We will have a five-minute suspension, and it will be only five minutes. We'll put the timer on.

I am going to urge both sides to use these five minutes to centre themselves so that we can come back and deal with the issues at hand.

• (1615)

_____ (Pause) _____

• (1620)

The Vice-Chair (Ms. Jinny Jogindera Sims): I'm calling the meeting back to order.

We are going back to Ms. Sitsabaiesan, and I'm hoping the five-minute respite has given everybody a little bit of calm.

Ms. Sitsabaiesan, you are speaking to the motion.

Ms. Rathika Sitsabaiesan: Thank you, Madam Chair, yet once again for passing the floor back to me.

I believe, from our experience over the last 60 days, that the consideration of Bill C-425 at our citizenship and immigration committee was thorough and that it does not need further study, Madam Chair. I'd like to identify some of the reasons why I believe that the study was thorough and that we do not need further study.

I was at the point of speaking of pathways to integration, because the presenting member, Mr. Shory, had mentioned in his remarks to us as the committee that his goal through this bill was to increase pathways to integration for newer immigrants and permanent residents. However, many problems were identified with this, and these are reasons why I believe the discussions we've had are sufficient.

I'll tell you some of what our discussions were, Madam Chair.

I already spoke about the fact that only citizens can qualify for recruitment. I don't want to go back into that, Madam Chair, but what I do want to move on to is how a permanent resident can actually be recruited. When we had members of the armed forces present to us, they did say it does happen in an extremely rare number of cases.

I might say the name wrong, but Professor Grazia Scoppio said:

In order to be eligible for enrolment in the Canadian Forces as an officer or non-commissioned member, a person must:

(a) be a Canadian citizen...

—I'm not going to read the entire quote, but she said that they must be Canadian citizens—

...except that the Chief of the Defence Staff or such officer as he may designate may authorize the enrolment of a citizen of another country if he is satisfied that a special need exists and that the national interest will not be prejudiced thereby.

When she presented this testimony to us, she explained to us how citizens foreign nationals, citizens of another country, can actually serve with the Canadian Armed Forces, wearing the red maple leaf on their uniform, though they don't have Canadian citizenship. I felt that this was important for us because in the deliberation of the bill, the presenter himself said that one of the very important pieces of the private member's bill that he was putting forward was to increase recruitment of permanent residents. But we heard, and it was very clear, that there aren't very many permanent residents who are recruited, and there's only one way that it can be done, and that's through the Chief of the Defence Staff.

On this point, Madam Chair, I think it's very clear that the discussion we had already in the committee was sufficient and that we don't need to continue the discussion on this point. That's another reason that we don't need to extend the study period of this bill in committee and, once again, the reason I will not be supporting this motion moving forward.

Another item, Madam Chair, is that members of the committee were concerned whether this measure in Bill C-425, as it was presented to us, would have a real effect on the people it's actually targeting, given the backlog that already exists with Canadian citizenship. We know that wait times for Canadian citizenship are extremely long.

●(1625)

Constituents in Scarborough—Rouge River have contacted me time and again, through Twitter, Facebook, writing me an e-mail, coming into the office, calling me, responding to mail-outs, whatever it might be, or just speaking to me at the grocery store. By whatever method it might be, many residents of Scarborough—Rouge River have spoken to me about their difficulties with the length of time it takes to go through the residency questionnaire and then, after completing the residency questionnaire requirements, how long it takes while they're waiting for their citizenship. The citizenship application process is such a lengthy process. It's not that you just come here and are a permanent resident for three years and then qualify to apply and there is a quick and dirty application and you're done, and then there's the test, of course. This is not the case anymore.

When I became a Canadian citizen, I didn't have to take the test, because I was a child. Because my mother took the test, my young sisters and I were part of the group with her, so I didn't have the same experience that new Canadians have today. But we know that becoming a Canadian citizen means a lot to many people.

Considering the extremely long wait times to become a Canadian citizen, we asked experts whether Bill C-425 was going to achieve the results the member was trying to achieve and would actually reach the targeted groups.

Once again we heard from the professor, who said that the intended outcome was quite unclear. If the intent is simply to expedite the citizenship process for a few select immigrants who happen to have the unique skills to fulfill a special need of the Canadian Forces, then the bill if passed would be accomplishing this outcome and would have a small-scale impact. If, however, the intent is to open the doors of the Canadian Forces to greater numbers of qualified landed immigrants with permanent residency in order to provide—and the professor quoted Mr. Shory, the sponsor of the bill —“new Canadians with more pathways to integration”, as Mr. Shory mentioned, this bill would actually not accomplish that broader outcome.

Looking at the amendments that the government has already put forward and looking at this testimony provides another reason that I will not be supporting the motion that is before us today, Madam Chair.

I want to also tell you some of what one of the colonels who spoke to us mentioned. When we spoke to the colonel, we spoke about the air force and becoming a pilot, and he mentioned that many people want—everybody wants—to become a pilot. You yourself, Madam Chair, mentioned earlier in the debate on this specific motion your wish to join the armed forces and what your experiences were like in that regard. I have also had the wish to become a pilot. What the colonel said is very true; this is a wish that many people have. He said it seems that in the Canadian population everybody wants to fly. He mentioned an airplane, but I think many people just want to soar also.

That said, there are some very severe selection criteria that might prevent many people from joining the forces even if they have their permanent residency. Another factor that he mentioned is that the training is actually very long and demanding.

If the goal of this bill was to reduce the wait time for applying for citizenship from three years down to one year, the colonel mentioned that the training is so long for somebody before they can serve that they won't actually be reducing to that one-year time, because they won't be serving by the time the two-year period has lapsed. They would just qualify under the regular citizenship process and wouldn't really need to have their application expedited, because they already would have met the three-year requirement.

● (1630)

Once again, that is another reason that I will not be supporting this motion to extend the debate here on Bill C-425, Madam Chair.

He went on and spoke of examples of pilots from the U.K. and noted that we have some of them. I have a friend who is a major in our air force—

The Vice-Chair (Ms. Jinny Jogindera Sims): I hope this is going to relate to the motion here.

Ms. Rathika Sitsabaiesan: Absolutely, Madam Chair.

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay, thank you. I look forward to seeing how it is going to link.

Ms. Rathika Sitsabaiesan: Absolutely. Thank you very much.

—who serves quite regularly with the U.S. forces and flies for them whenever those instances arise. That type of give and take is given in the service of our countries, as long as we are allies. I read somewhere that this type of respect is given to Commonwealth countries. I think it was from a presentation from the UNHCR that this was brought up, that the countries we commonly compare our legislation with—the U.K., Australia, New Zealand, and I don't remember the fourth country off the top of my head,—

The Vice-Chair (Ms. Jinny Jogindera Sims): Ms. Sitsabaiesan, I am going to interrupt.

I want to know, for the sake of clarity for the clerk and me, who here from the government side are actually voting members now. You can have other people here and that's fine, but we need to make sure that our papers are in order. We have had a number of switches and replacements, and process is very important.

I see that we have six and Mr. Dykstra. Is Mr. Clark no longer with us?

A voice: [Inaudible—Editor]

The Vice-Chair (Ms. Jinny Jogindera Sims): As I have made clear many times, this is an open meeting. MPs are welcome to come and participate.

Mr. Costas Menegakis: It is everybody, including Mr. Dykstra but not Mr. Shory. Those are the seven people who are here.

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you.

So Mr. Shory is not here officially right now. We recognize him as here, just not as a voting member. There seemed to be a lot of movement, and I wanted to have that clear in my head.

Thank you so much for the clarification, Mr. Menegakis. You're always so very helpful and gentlemanly. Thank you.

We'll now go back to Ms. Sitsabaiesan.

● (1635)

Ms. Rathika Sitsabaiesan: Thank you, Madam Chair.

I think I've hammered that one home for now. I'll move on to another one of the reasons I will not be supporting this bill. There is a very serious concern about the creation of stateless people because of this bill.

The Vice-Chair (Ms. Jinny Jogindera Sims): I'm sorry to interrupt you, Ms. Sitsabaiesan.

I want to make it very clear that any member who has the floor has the chance to speak for as long as they want, as long as they are speaking to the motion and can relate it to the motion on the floor. I don't want any member to have to apologize for the length of their speech or anything like that. I just want to make that rule clear, because that's the rule that exists.

We'll go back to you once again, and this time the chair apologizes for the interruption, but I didn't want you to feel that there was a time constraint on you.

Ms. Rathika Sitsabaiesan: Thank you, Madam Chair.

I guess you were correct in stating earlier that when the government members constantly interrupt a speaker—and of course, it is me that they interrupted, not any of the other speakers who we had—

The Vice-Chair (Ms. Jinny Jogindera Sims): As chair I'm going to say let's deal with the motion.

Carry on.

Ms. Rathika Sitsabaiesan: Thank you, Madam Chair. I'll try to remember not to apologize for actually wanting to participate in the debate and to explain why I am not going to be supporting this motion that's before us to extend the time of debate on Bill C-425 here in our committee.

The topic I'd like to discuss now, Madam Chair, is the fact that Bill C-425 before it was amended—this bill as it is—would actually create people who become stateless. We heard from many witnesses. I'd like to first discuss what we've heard from the UNHCR. I have high respect for the United Nations and I thank them for coming to help us in our deliberations and study of this bill. I'm going to read to you from the actual bill. It says that there is a deemed application for renunciation of Canadian citizenship where that citizen engages in an act of war against the Canadian Armed Forces and that same citizen is also a citizen or legal resident in a country other than Canada.

That's clause 2 regarding proposed subsection 9(1.1) of the Citizenship Act. I had already touched on, but didn't speak in depth, the fact that "act of war" is not defined in our laws so we don't know what that means. Legal experts who came in front of this committee don't know what that means. I did touch on that, so I don't want to go into it right now. Possibly later I might want to come back to the act of war topic, Madam Chair.

We've learned that there are two ways of losing citizenship. One is voluntary revocation, voluntarily relinquishing one's citizenship, and the other is having it revoked or taken away from you by the state that gave it to you. We're not talking about voluntary relinquishment of citizenship here when it says that there is deemed to be application for renunciation of Canadian citizenship.

I want to make sure I read the words correctly so that I don't get interrupted again, Madam Chair.

In this case what we learned from the representative of the United Nations High Commissioner for Refugees was that renunciation is the voluntary act of relinquishing one's citizenship or nationality while deprivation is carried out by the authorities of the state. So those are the terms I'll use to go back and forth: renunciation of citizenship and deprivation or revocation.

I'd like to look at the countries that we generally compare ourselves to. When we do many of our studies we like to compare our laws to those of the United Kingdom, New Zealand, and Australia, and sometimes also the U.S.A. because the United States is our next-door neighbour and is very similar to us with respect to also being an OECD country and being the global north in the western hemisphere.

The UNHCR had mentioned that the renunciation of nationality or citizenship in the United Kingdom, New Zealand, and Australia is carried out through the initiation of a formal procedure by the individual wishing to renounce their citizenship. In the case of the U.S.A., six of the seven methods of renouncing citizenship require that very similar filling out of a formal procedure along with an application to the court.

● (1640)

Also, they mentioned that in the U.S., if you serve in the armed forces of a foreign state that's engaged in a conflict against the U.S., then you are deemed to have renounced your citizenship.

They also helped us understand what deprivation of citizenship is, and that deprivation of citizenship is possible in the United Kingdom, New Zealand, and Australia. This concept is possible in these three countries we compare ourselves to.

In the United States of America, Congress has no power under the U.S. Constitution to revoke a person's U.S. citizenship, unless of course that person voluntarily relinquishes it. When we speak of the forced deprivation of somebody's citizenship or nationality, the U.S. Congress does not have that power under the U.S. Constitution.

We have seen this happen in Canada, so we know that in Canada, the minister... I mentioned very briefly the increased discretion for the minister in this bill and how much we've spoken about that. That will be another reason, Madam Chair, that I will not be supporting the motion before us to extend the debate on Bill C-425. I do believe

those topics have been studied sufficiently in this committee. I'll make that very clear later on in my speech. I think ministerial discretion is number seven or eight on my list of items I'd like to go through. I'm on number two right now, Madam Chair.

Once again, coming back to the concept of statelessness and looking at the three countries we are talking about, the United Kingdom, New Zealand, and Australia, all of them contain provisions within their nationality law that provide—I'm going to read this really slowly—"One of the most important safeguards against statelessness is that..."

Of course, all three of those countries are signatories or parties to the 1961 Convention on the Reduction of Statelessness. Of course, I should point out here, Madam Chair, that Canada is also a signatory to that convention..

This convention provides an international framework to ensure the right of every person to a nationality by establishing safeguards to prevent statelessness, whether it's at birth or later in life. What we've learned will happen and what we've debated in committee already in the 60 days that were allotted, is this bill would create a state of being stateless later in life for Canadian citizens. If they are citizens of another country, then Canada would deprive them of their citizenship. If their citizenship in another country is not recognized by that state because of that conflict or whatever it might be....

A great example is that many people I have spoken to in Scarborough—Rouge River have fled instances of conflict, have come to Canada as asylum seekers or as refugee claimants, and have lived as refugees or permanent residents, and then have moved on to become Canadian citizens. They're from the country I was born in, Sri Lanka. People who have left the country and have been active and have spoken out loudly, or who have spoken out about the state-sanctioned human rights violations in that country, generally there have been examples where their passports have been taken away because it's been said they are not a true national. They've conducted or said things that are contrary to the state, and so they can't travel or be recognized as a national.

● (1645)

According to Canada, one would think they still have their citizenship from that country, and if Canada were to revoke their Canadian citizenship for any reason, the person would be left in limbo because they've now lost their Canadian passport—

Mr. Dany Morin: They're stateless.

Ms. Rathika Sitsabaiesan: Exactly. They don't have the passport of their country of birth.

I use one country as an example, but we know there's a plethora of countries that are in a state of conflict, whether it's armed or not, though armed conflict is usually what leads to many people fleeing a country and seeking asylum in another. So Canada would create a state of statelessness for these people and that is, of course, in contravention of the Convention on the Reduction of Statelessness to which we are signatories. We can't let this happen, Madam Chair.

This was discussed very much. Many of our witnesses who came before the committee during the time we've had to study this bill spoke about this.

I will continue to explain a little more on this same topic of statelessness, Madam Chair, and prove to you, show to you, demonstrate to you, that these topics have been discussed in committee and that witnesses have provided their testimony, and this is why we don't need another 30 days of study on this bill, because the same topics are going to come up again and again in committee when the witnesses appear. If we do grant another 30 days, then these same issues are going to come up. That's why, Madam Chair, we don't need another 30 days of study time on this bill.

Let's look at New Zealand's case. We like to compare ourselves to these countries all the time, so I'll do that here as well.

New Zealand entered a declaration in their legislation itself. They entered a declaration under article 8.3 of the convention at the time of a session pertaining to the right to deprive an individual of New Zealand citizenship when the person acquires nationality or citizenship of another country, or performs duties of another nationality or citizenship that may act in a manner that is contrary to the interests of New Zealand.

The Government of the United Kingdom declared, in accordance with article 8.3—the same article in the convention when they signed it—that the U.K., and I'll read so it's clearer, "...retains the right to deprive a naturalised person of his nationality...inconsistently with his duty of loyalty to Her Britannic Majesty, the person...." I don't want to read all of it.

Nevertheless, when the United Kingdom and New Zealand signed the 1961 Convention on the Reduction of Statelessness, they maintained some ability to continue their practice of being able to deprive individuals of their New Zealand or United Kingdom citizenship for naturalized citizens. What's a little odd is that they actually don't mention anything about citizens of those countries who are born.... Those countries have a two-tiered citizenship system is what I'm learning from this.

Canadian citizenship is valued so much, by my family anyway. I can only speak of my personal experience, and I can speak of the experiences of other constituents who have spoken to me. Every few months, Madam Chair, I have a gathering of new citizens and we share what it means to be Canadian and why they chose to become a Canadian citizen. Time and again it's on the faces of my constituents, who simply light up and want to talk about their Canadian citizenship, because they're so proud. They're so proud that they were able to leave whatever situation they were in and become Canadian, because Canada is a country that treats everyone equally, that treats everyone equitably. People say they know that when they become Canadian citizens....

● (1650)

I vividly remember what one little girl told me. I think she was about nine years old. She said, "When I become a Canadian citizen, it means that I get to go to school. It means that I get treated the same as the boys. It means that I can become a doctor when I grow up." For her, it meant that she was going to have opportunity, that she was going to be treated as equal to every other Canadian, every other person who is a Canadian citizen. She would have that same treatment.

We don't want to get to a point where we are creating two, three, four tiers of citizenship in this country, Madam Chair. Right now, we have one Canadian citizenship and it is that you are a Canadian citizen. That's it.

Madam Chair, what comes to mind again is something that you hammered home to all of us. You're either a citizen or you're not a citizen. It's like being pregnant or being not pregnant. There's no opportunity to be half-pregnant. If there's a fetus in you, then you're pregnant. There's no, it's a fetus of two months, so it's a half-pregnancy. The gestational period is generally nine months. A fetus of four-and-a-half months is not a half-pregnancy. There's no such thing.

You had very clearly articulated that you're either a citizen or you're not a citizen, and that once you become a citizen you are a citizen. There are no levels to that citizenship. That's the beauty of Canadian citizenship.

The UNHCR representative's report to us mentioned that other countries have made sure that they're able to have those multiple tiers of citizenship, but Canada doesn't have that. We don't want to go there, and we've discussed this in our committee. We've heard evidence on this. That's why, Madam Chair, I think that we've had enough discussion on this in our committee. I'll continue to provide evidence that we've had enough discussion on Bill C-425 in our committee and that we don't need to have another 30 days of discussion on this same bill, because we've had much debate. I will continue to give you examples of the debate that we have had in our committee to clearly demonstrate to you and all of the members of this committee that we don't need another 30 days of study on this bill. We just don't.

Let me continue. I almost want to continue with statelessness. I could go into each country's example, but I won't do that right now.

Mr. Jack Harris: Please do.

Ms. Rathika Sitsabaiesan: You'd like me to. Okay then, I will. There are so many examples that have already been put forward before our committee, and I can give you all those examples, Madam Chair.

If we're going to look at countries and examples, maybe I should... let's look at the United Kingdom.

In the British Nationality Act of 1981, and the Immigration, Asylum, and Nationality Act, 2006, which is where some of these citations are coming from for anybody who's following, for their edification and ability to follow. On the topic of renunciation of citizenship, renunciation being, of course, voluntary relinquishment, it reads in article 12(1):

If any British citizen of full age and capacity makes in the prescribed manner a declaration of renunciation of British citizenship, then, subject to subsections (3) and (4), the Secretary of State shall cause the declaration to be registered.

That's somebody volunteering to give up their citizenship.

Another example is in article 12(2):

On the registration of a declaration made in pursuance of this section the person who made it shall cease to be a British citizen.

The secretary of state declares it registered and then accepts that renunciation. The prescribed manner consists of completing a declaration form, which will be registered by the home secretary and renunciation is only through that application process.

● (1655)

So in the U.K. it's a formal application process. Once a person has voluntarily requested to relinquish their citizenship and put in their application, the Secretary of State will accept it and register it, and then they lose their British citizenship because they chose to. Of their own volition, they are losing their citizenship.

However, the safeguard in the British legislation that prevents statelessness is subsection 12(3), which reads:

A declaration made by a person in pursuance of this section shall not be registered unless the Secretary of State is satisfied that the person who made it will after the registration have or acquire some citizenship or nationality other than British citizenship; and if that person does not have any such citizenship or nationality on the date of registration and does not acquire some such citizenship or nationality within six months from that date, he shall be, and be deemed to have remained, a British citizen notwithstanding the registration.

So their legislation ensures there are safeguards in the legislation to prevent people from becoming stateless, and Bill C-425 will do the opposite. That's what our witnesses have already demonstrated to us in the committee, so we don't need to discuss this further. We don't need this extra 30 days of discussion and study and debate on this bill, because this has already been made clear to the committee members.

Of course, because my honourable colleague wanted to learn more about what's happening with immigration in the UK legal system, I'll continue. With respect to wartime measures, subsection 12(4) continues and says:

The Secretary of State may withhold registration of any declaration made in pursuance of this section if it is made during any war in which Her Majesty may be engaged in right of Her Majesty's government in the United Kingdom.

This makes sense because you don't want people to say they're not British citizens anymore just because they don't want to fight in a war. So that was a nice protection measure for the United Kingdom to ensure that people aren't just upping and leaving because they don't want to participate in a war.

So far I've only been talking about the subject of statelessness with respect to the presentation made to us by the UNHCR, and with respect to the United Kingdom and the topic of deprivation of citizenship. We just spoke of renunciation and how renunciation can be stopped by the safeguard against statelessness, or in view of wartime measures, but the deprivation of citizenship is what is being presented to us in Bill C-425. Let's look at some of the parallels with the U.K. system.

In subsection 40(2) of the British Nationality Act, on the topic of deprivation of citizenship, it reads, and I'm not reading all of it, just part of it:

The Secretary of State may by order deprive a person of a citizenship status if the Secretary of State is satisfied that deprivation is conducive to the public good.

The safeguard against statelessness there is subsection 40(4), which says:

The Secretary of State may not make an order under subsection (2) if he is satisfied that the order would make a person stateless.

Even in the case of depriving somebody of their citizenship because the deprivation is conducive to the public good in the U.K., they ensure that a person will not be made stateless. This was already articulated to us in committee.

● (1700)

Canada right now is a signatory to the 1961 Convention on the Reduction of Statelessness. Our laws right now don't create a situation of statelessness for people. It would be we, as parliamentarians, who are required to do the due diligence and it would be our responsibility, in breach of our fiduciary duty to our constituents and Canadians as a whole, if we were to create a situation where we were in contravention of the convention to which we are signatories.

This has been made clear to us by witnesses in the last 60 days' study period that we've had on Bill C-425. This is why we don't need another 30 days of study time of this bill in committee. We have studied this bill thoroughly and we've heard many examples of why we have studied this bill thoroughly already and why we don't need to continue the debate and the study of this Bill C-425 in committee.

I'll continue because I know my colleague wanted to hear of the other countries that we generally like to compare ourselves to. I've only spoken to you so far about one, so I still have New Zealand, Australia, and the United States to get through as well to show how those countries are ensuring that people are not becoming stateless persons and how we need to make sure as Canadians that we are not going to create stateless people in our country.

Let's look at the case of New Zealand. With respect to New Zealand, I will be quoting you pieces from the New Zealand Citizenship Act 1977. Madam Chair, I will adopt the same style and speak of the renunciation of citizenship and how statelessness is being guarded against. Then I will speak of the deprivation of citizenship and how statelessness is being guarded against there.

The Vice-Chair (Ms. Jinny Jogindera Sims): I will just remind the speaker that you will keep it relevant to the motion.

Ms. Rathika Sitsabaiesan: Absolutely, Madam Chair. I think I have been keeping it very relevant. Thank you for the reminders. Gentle, kind reminders are always appreciated. Thank you, Madam Chair.

Article 15(1) of the New Zealand Citizenship Act 1977 reads:

A New Zealand citizen who has attained the age of 18 years and is of full capacity and who is recognised by the law of another country as a citizen of that country may, at any time, make a declaration of renunciation of his New Zealand citizenship in the prescribed manner.

Of course they have their official, formal methods of applying for renunciation. I don't want to read article 2. It's very similar to the United Kingdom's such that the minister will register it and then declare that person is not a citizen of New Zealand anymore. What is important is how the safeguards are put in place to prevent statelessness.

Continuing with the procedure for renunciation and the safeguards, the renunciation is once again through application only—that's a voluntary request to lose one's citizenship—and a copy of the declaration is proof of the renunciation. Making an oath of allegiance has no effect in New Zealand, and a declarant must provide evidence from another country showing that he or she is already recognized as a citizen in that country.

In New Zealand's Citizenship Act and its practices, the person has proof of renunciation, which is a copy of the declaration, but the emphasis is given to the person already having been recognized as a citizen of another country. The difference between these two countries, so far, is that the United Kingdom allows for another six months before that renunciation is 100% guaranteed. If you can't prove within six months that you do have citizenship of another country then you automatically go back to being a UK citizen, whereas in New Zealand you cannot voluntarily relinquish your New Zealand citizenship without proving that you already are recognized as a citizen of another country.

So once again that is a clear example of another country that we like to compare ourselves to on a regular basis with respect to immigration law. In our committee we speak to bureaucrats of New Zealand and Australia—

Some hon. members: Oh, oh!

• (1705)

The Vice-Chair (Ms. Jinny Jogindera Sims): The chair is going to remind people on both sides of the chair, to the left and the right, that the volume of noise has escalated up, and I would really appreciate it if it could be quietened down on both sides. Thank you.

Back to you, and once again, apologies for the interruption. I just wanted to make sure you were heard.

Ms. Rathika Sitsabaiesan: Thank you. I very much appreciate you, Madam Chair. You have been following the rule of the law, the rule of procedures in this place, and have been extremely respectful to the speakers. So I appreciate you very much. Thank you, Madam Chair, for your fair chairing of this meeting.

The point that I was just about to end there.... You just made your point where, when a speaker is interrupted, they lose their train of thought.

I think where I was at was that we regularly speak with bureaucrats in New Zealand, Australia, the U.K., and the U.S. about their experiences with immigration policy and how they do business in immigration, to try to make sure our laws are on par, or better, because we want to make sure we are doing the best and making the best legislation that we possibly can.

On the topic of voluntary renunciation of citizenship in New Zealand, I think the case has already been made very clear, and I don't believe we need further study on this topic, Madam Chair. That's why I don't believe that we need further time to study Bill C-425. This is yet another reason that we don't need further time to study this bill, another reason why we don't need to extend the study period for another 30 days, and another reason why I will not be supporting this motion that is before us today, Madam Chair.

Because my colleague wanted to hear about our countries, I'll speak of the deprivation of citizenship in New Zealand—I'm still speaking about New Zealand—particularly to demonstrate to you that it has actually been made clear already, by the witnesses who have already appeared before the committee, so we don't need further extension of time again.

In New Zealand, once again, section 16 of the Citizenship Act reads that:

...the Minister may, by order, deprive a person of his New Zealand citizenship if he is satisfied that the person has, while a New Zealand citizen and while of or over the age of 18 years and of full capacity,—

(a) acquired the nationality or citizenship of another country by any voluntary and formal act, and acted in a manner that is contrary to the interests of New Zealand; or

(b) voluntarily exercised any of the privileges or performed any of the duties of another nationality or citizenship possessed by him in a manner that is contrary to the interests of New Zealand.

So here we know, it's clear. It has been presented to us by witnesses to this committee, that there are ways in the New Zealand Citizenship Act to deprive a New Zealand citizen of their citizenship if they have citizenship of another country and they have done something contrary to the act, to the interests of New Zealand. So we know that's there already.

They were one of the countries that made a declaration when they signed the convention. Under article 8 of the convention, and that, of course, is the 1961 Convention on the Reduction of Statelessness. New Zealand made a declaration, and their declaration reads as such:

...in accordance with paragraph 3 of article 8 of the Convention New Zealand retains the right to deprive a person of his New Zealand citizenship on the following grounds, being grounds existing in New Zealand law at the present time:

the person has, while a New Zealand citizen and while of—

I don't want to read it again because it's the same piece of the New Zealand Citizenship Act of 1977. That doesn't make any sense because 1977 is the newer version. So let me read what they actually wrote in the declaration:

...the person has, while a New Zealand citizen and while of or over the age of 18 years and of full capacity,

(a) Acquired the nationality or citizenship of another country by any voluntary and formal act, and acted in a manner that is contrary to the interests of New Zealand; or

(b) Voluntarily exercised any of the privileges or performed any of the duties of another nationality or citizenship possessed by him in a manner that is contrary to the interests of New Zealand.

• (1710)

Truthfully, with regard to the New Zealand law, when they wrote the declaration under article 8 of the convention, this article is actually the same. It is what I mentioned earlier. They ensured that a New Zealand citizen wouldn't become stateless, when they signed the declaration. When they were signatories to the declaration, they made sure people wouldn't become stateless. That's pretty clear from this testimony. I have further testimony that I can provide to you, Madam Chair.

We have already heard enough from the witnesses. We don't need to extend the study for another 30 days to hear more of the same testimony from witnesses saying, "We, in Canada, will be creating a situation of statelessness. Oh look, New Zealand has ensured that they have created safeguard mechanisms, and we should make sure we have safeguards."

We already know this, Madam Chair. We don't need to study Bill C-425 for another 30 days. We don't need that. This New Zealand case proved that to us.

I'll continue, Madam Chair. Let's talk about Australia and how the evidence already shows what we have heard about Australia—another country we like to compare ourselves to. The pieces I will be quoting are from the Australian Citizenship Act 2007. Once again, Madam Chair, I will be breaking it down into the voluntary renunciation and then the deprivation of citizenship.

Let's look at the voluntary renunciation in Australia. Subsection 33(1) reads, "A person may make an application to the Minister to renounce the person's Australian citizenship." Of course, this renunciation is only through application—the formal procedure that Australia has set up. The person can make an application using a specific form to renounce their citizenship. I don't want to go through the exact details. Neither you nor the members of the committee need to hear me go through the exact details of that legislation.

I would like to move a motion, if I may, Madam Chair.

At this point I move that the committee do now adjourn.

• (1715)

The Vice-Chair (Ms. Jinny Jogindera Sims): I will put forward the motion forthwith. The motion is to adjourn. It is not debatable.

(Motion negated)

The Vice-Chair (Ms. Jinny Jogindera Sims): We will not be adjourning.

It goes back to you, Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you, Madam Chair.

Let's continue on the subject of Australia, with the voluntary renunciation. Let's talk about some of the safeguards they have with respect to statelessness.

The Vice-Chair (Ms. Jinny Jogindera Sims): On a point of order, Mr. Dykstra....

Mr. Rick Dykstra: We've listened to Rathika's presentation over the last number of minutes, close to an hour now, and I haven't objected to any of the presentation that she's made. In some respects she's gone off topic, but in a lot of respects she's tried to take this back to the motion at hand.

Speaking about the situation in Australia, or whatever their rules may or may not be with respect to the issues of citizenship, has absolutely nothing to do with an extension of time related to our ability to further the work on this private member's bill.

The Vice-Chair (Ms. Jinny Jogindera Sims): I just want to remind people of the motion that is before us.

The second part I did not read, and I want to read that now:

On Tuesday, April 23, 2013, the Committee recommended to the House that it be granted the power during its consideration of Bill C-425 to expand the scope of the Bill. The Committee is awaiting for a decision of the House before further considering the Bill. Therefore, your Committee requests an extension of thirty sitting days.

So when you look at that, and when you look at the scope of the bill within it.... I would now turn to Ms. Sitsabaiesan and urge her to make sure that the comments she makes relate to what is before us.

Please make sure it is relevant. If it's not, make sure you do not say it.

Mr. Kevin Lamoureux: Madam Chairperson, I appreciate the ruling.

I have a point of order—if I may raise something about myself—in regard to a discussion I had earlier about the possibility of my replacing...or being bumped up on the speaking list.

If we were to canvass members here, I'm wondering if I would in fact be able to follow Mr. Dykstra after he is done speaking.

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay. Just to let you know, because I think people need to know what the satellite looks like—

Mr. Rick Dykstra: If Ms. Freeman were to come back, I would say yes.

If Ms. Freeman isn't here, then I say no.

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay. So it really depends. For that to happen, we need to have Ms. Freeman here and for her to give consent.

Mr. Dykstra is absolutely correct with that. As he has said, if Ms. Freeman is in the room, then he will give consent.

Thank you.

Do you have a point of order, Madame Sellah?

[Translation]

Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP): Yes, Madam Chair.

I am replacing Ms. Freeman, and I would like to know what the problem is that we are dealing with. You spoke with my colleague about the list. Can I have further explanation about that? I was not here at the start of the meeting, and I would like more clarification about what our colleagues opposite are thinking. The bill we have been discussing for hours and hours now is a private member's bill. But the government is still trying to get what it wants through private member's bills.

Madam Chair, could you please provide some clarification about how this committee is working?

• (1720)

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): I have just been seeking advice on the side here, because what's been put forward to me is interesting.

As you know, when we are in our regular committee meetings, you can pass your time from one person to another. In this case, Ms. Freeman is being replaced by Ms. Sellah. Therefore, the spot that is on the speakers list for Ms. Freeman—I'm just going with the advice I've received—would then, or could then, or does go, to that person if they want to take it.

In this case, I will have to wait until Mr. Dykstra comes back—

Mr. Costas Menegakis: I have a question.

The Vice-Chair (Ms. Jinny Jogindera Sims): No, no, let me just finish my thought.

I have to wait until Mr. Dykstra comes back, because in this case, if Ms. Sellah were to give her consent, we would be able to do the mutual swap.

Mr. Costas Menegakis: Are we allowed questions?

The Vice-Chair (Ms. Jinny Jogindera Sims): If it's a point of order, yes.

Mr. Costas Menegakis: It's not a point of order. It's just—

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay. Go on, then, because—

Mr. Costas Menegakis: Is it the clerks who gave you that advice? Is that the rule?

The Vice-Chair (Ms. Jinny Jogindera Sims): I asked the clerk sitting right next to me, and he believes that to be so.

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): On a point of order, Madam Chair, or perhaps just for clarification, is Ms. Sellah giving up her time to speak and is my colleague across the floor giving up her time to speak, in order for Mr. Dykstra to speak now?

The Vice-Chair (Ms. Jinny Jogindera Sims): No. That isn't what's happening.

What we have is a speaker's list and Mr. Dykstra is on it. Then we have Mylène who is now Ms. Sellah because she is replacing her. Then we have Mr. Chungsen Leung, who is being replaced by you so then it would be you on the speakers list. After that, it's Mr. Lamoureux. All we're doing is Mr. Lamoureux will switch his spot with Ms. Freeman's replacement, in this case it's Ms. Sellah, and that would be it.

Mr. Dykstra, you were out of the room when I did seek some guidance from the clerk. Because Ms. Freeman is being replaced by Ms. Sellah when it came to Ms. Freeman's turn it would actually be Ms. Sellah taking it. That's why I have given that explanation. With that understanding do we have mutual consent? We don't.

Thank you. We do not have agreement.

We are now going back to Ms. Sitsabaiesan to continue her presentation.

Ms. Rathika Sitsabaiesan: Thank you, Madam Chair.

Once again, you experience being interrupted in the middle of a thought and being lost in your thought.

Anyway, coming back—

The Vice-Chair (Ms. Jinny Jogindera Sims): Let me just make a point.

We hit new territory for me. I sought clarification and I really appreciated Mr. Menegakis asking a question and then all of us talking it through. Let's see if we can proceed in that manner.

You have the floor. Please, carry on.

Ms. Rathika Sitsabaiesan: Thank you, Madam Chair.

I was just about to approach how Australia, a country that we compare ourselves to on a regular basis when creating our immigration policy....

Is there a point on the floor? I'm sorry, Madam Chair, I didn't hear it.

The Vice-Chair (Ms. Jinny Jogindera Sims): Mr. Dykstra, on a point of order....

Mr. Rick Dykstra: It's a point of order.

I'm trying to be as fair as possible here. I don't demand you to rule on the issue, but you advised the speaker to stick to relevancy. The first thing she does when she starts to speak is to speak about Australia, again. I'm going to have to ask you to rule on what she is now going to talk about, that is, citizenship in Australia and how it relates to Canada.

• (1725)

The Vice-Chair (Ms. Jinny Jogindera Sims): Mr. Dykstra, as you said, I'm going to ask the member who is speaking to show us the linkage. If she cannot show us the linkage then we'll move on.

I'm going to turn to her to have her show us the linkage.

Ms. Rathika Sitsabaiesan: Madam Chair, thank you for at least giving me the opportunity to make my argument before saying it's not relevant.

Thank you, Madam Chair.

The Vice-Chair (Ms. Jinny Jogindera Sims): When you do speak now could you make a linkage between what you're talking about and the motion on the floor.

Mr. Dykstra, let's give her time to do that.

Ms. Rathika Sitsabaiesan: Absolutely.

That's why I want to say thank you, that is, for giving me the opportunity to make my argument before deciding it was irrelevant.

Thank you, Madam Chair, for not reading my mind and actually allowing me to speak the words in my mind.

With respect to—

Mr. Rick Dykstra: Is that necessary, the abuse?

There's always a comment that comes after—

The Vice-Chair (Ms. Jinny Jogindera Sims): I am going to remind members that we have been here since Tuesday morning at 8:45 with a few breaks. I know that when it gets around supper time people get a bit testy. I'm going to ask all of us to take a deep breath and let's have an om moment. Let's try to get on with the proceedings of the day and move on.

The chair is doing her very best to be fair and to keep everything convivial. I'm ruling with the books that we have.

Mr. Rick Dykstra: The only point I'm going to return to is that as I understood your ruling, it was to ask Rathika to explain how she was going to link Australian citizenship and Canadian citizenship to the bill before she started talking about Australia. That's what I thought you asked her to do.

The Vice-Chair (Ms. Jinny Jogindera Sims): What I've asked her to do is to make the linkage. That's what I've asked her to do.

Ms. Sellah, is this a point of order?

[Translation]

Mrs. Djaouida Sellah: Madam Chair, since I have been here, I haven't understood the interruptions. Every time my colleague tries to finish her speech, there is always someone from the other side trying to find reasons to interrupt her. However, the committee is sitting right now at their request, so that we can discuss the issue further. It would be good for everyone that we let her continue her speech and that we not get her off track.

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): Ms. Sellah, I want to thank you for your comment, but it's not a point of order.

We will proceed.

Once again, as the chair said previously, people are getting a little bit hungry maybe, maybe sugar levels are low. As a result, I believe there are fruit and snacks at the back. I know there's lots over there, and I'm so glad there's not lots over here.

I would urge people to remember we're here to debate a motion. We all know what the motion is. I think I've read it out enough times. I would urge people to get on with the debate.

I'm going to go back to Ms. Sitsabaiesan.

I'm hoping I will not have to interrupt you in the near future.

Ms. Rathika Sitsabaiesan: Thank you, Madam Chair.

The motion is to extend our study period of Bill C-425 for another 30 days. I'm making arguments as to why the discussion we've already had on this bill in committee is sufficient, that the consideration we've had of this private member's bill was thorough, and that we do not need more time to study it. It seems the members of the Conservative Party seem to be of the same mind, that they don't need me to continue to prove to them that we don't need more study time on this.

Since they also seem to feel that we don't need to extend the time, I now move, Madam Chair, that the committee adjourn until June 21, 2013.

The Vice-Chair (Ms. Jinny Jogindera Sims): We have a point of order?

Mr. Jack Harris: No. There's a motion on the floor I'd like to speak to.

• (1730)

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay, is there any debate?

Mr. Jack Harris: I'd like to speak to the motion.

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay, debate has started.

Give the chair a moment. A motion has been moved. I have called debate.

Mr. Rick Dykstra: I have a point of order.

The Vice-Chair (Ms. Jinny Jogindera Sims): You will get a point of order.

But for debate, Mr. Harris's hand was up, and I saw lots of other hands up too on this side. Mr. Harris was first, then we had Mr. Dykstra, then we had Mr. Lamoureux, then we had—

Mr. Costas Menegakis: I just want to hear the motion.

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay—then we had Ms. Sellah.

Anybody else? Mr. Leung.

Please hold on one second because we're going to get clarification. I'm learning as well. What I would like to know before I can confer with the clerk is what Ms. Sitsabaiesan said.

Ms. Rathika Sitsabaiesan: Absolutely, Madam Chair.

The Vice-Chair (Ms. Jinny Jogindera Sims): Please say it in a way so I have time to write it down.

Ms. Rathika Sitsabaiesan: Thank you, Madam Chair.

I would like to move an amendment to the motion that's on the floor right now.

An hon. member: It's not an amendment. You're moving a motion.

I would like to move that the committee do now adjourn until June 21, 2013.

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay.

Mr. Harris.

Mr. Jack Harris: In consideration of the motion, I wanted to refer the chair to page 1057 of O'Brien and Bosc, and in particular the section that talks about which motions are admissible and debatable, footnote 559.

Mr. Rick Dykstra: Why are you allowing someone to speak, Madam Chair?

The Vice-Chair (Ms. Jinny Jogindera Sims): The chair is going to ask for five minutes to be fair to everybody. I'm going to take the five minutes I need. Thank you.

• (1730) _____ (Pause) _____

• (1735)

The Vice-Chair (Ms. Jinny Jogindera Sims): Five minutes are up.

The chair gets to decide. I have sought advice from our clerks as they are far more learned on this than I am. They have informed me that we do have a substantive motion on the table already. This particular motion is substantive for the simple reason that it puts a date, a condition, at the end. Because of that condition, it becomes substantive, and therefore it is not allowable under the order that we function under.

Therefore, I am ruling the motion inadmissible at this time. As long as the motion we are currently dealing with has not been dealt with, I cannot allow another substantive motion on the table. That is the advice I have been given, and I trust that advice.

We're back to you, Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Okay. Fantastic.

I was just trying to help. I'm going to move forward, Madam Chair.

The reason I'm speaking of the countries that we like to compare ourselves to on a regular basis—that is New Zealand, Australia, the United States, and the United Kingdom—is that on a regular basis in our committee we like to compare our practices and policies to these four countries. Bill C-425 has already been made clear to us by the witnesses who have presented themselves in front of this committee and presented testimony, reports, or follow-up, which they've sent to our committee and that all of the members of the committee have read. We already know what we've heard from the witnesses.

So the reason I'd like to make sure that I'm putting this to you now, Madam Chair and to the members of the committee, is to prove—to demonstrate—that we don't need another 30 days of extension of study because the witnesses have already proved it to us. If we were to invite them again after extending this study period for another 30 days, they're going to come and make very similar arguments. We already have very clear arguments that have been made by witnesses.

That's why I'm providing this evidence to you, that these arguments have been made, the ones that I've been making to you. These arguments have been made and they're very clear. These are the reasons why we don't need to extend our study period. It's why I will not be supporting this motion that is on the table in front of us right now. I hope that's clear for the members opposite.

When I was speaking of statelessness there were actually a few members of the committee who wanted to hear the evidence of these countries because they felt it was important to make sure that this evidence for the countries that we like to regularly compare ourselves to is actually put on the record.

Let's talk about safeguards against statelessness in Australia, which they have in their legislation with respect to the voluntary renunciation of citizenship. In case we've now forgotten which legislation I'm quoting from, it is the Australian Citizenship Act of 2007.

• (1740)

The Vice-Chair (Ms. Jinny Jogindera Sims): Could I have a little bit of order, please. Please lower the volume a little bit. That would help.

I'm not saying it was from this side. When I hear it I just say it.

Let's carry on.

Ms. Rathika Sitsabaiesan: Thank you, Madam Chair.

The Australian Citizenship Act of 2007, subsection 33(7) reads: The Minister must not approve the person renouncing his or her Australian citizenship unless the Minister is satisfied that the person:

- (a) is a national or citizen of a foreign country immediately before the Minister's decision on the application; or
- (b) will, if the Minister approves the application, become a national or citizen of a foreign country immediately after the approval.

So in Australia, another country we like to compare ourselves with, one cannot voluntarily give up Australian citizenship unless, before the minister approves—of course, through the official forms, format, and processes that they have, and I'm not going to talk about those—the person can clearly demonstrate to the minister that they have already received citizenship of another country or will receive citizenship of another country as soon as the minister signs that application or declaration or form or whatever it's actually called, and approves that application for renunciation of citizenship.

With the voluntary renunciation of citizenship in Australia, the prevention of statelessness is clear. We want to make sure—and I'm going to keep hammering this home—that Canada is not in contravention of the convention that we are signatory to. We signed the Convention on the Reduction of Statelessness.

As legislators, as people who have been given the responsibility to ensure that we are doing our due diligence, we in this committee who provide advice to the other members in the House need to ensure that we are not giving them wrong advice, and that we are listening to the advice that has already been presented to us by witnesses.

We don't need to hear more from witnesses on this topic, because it's clear that if we continue with Bill C-425, we will be creating stateless people in this country. We don't want to do that. This has already been made clear to us by witnesses, Madam Chair. That's why we don't need to study this bill further. This bill has been studied. It's a private member's bill and it has received the due process that is warranted, based on the schedule that the government members of this committee set as to when we would study this bill in this committee.

The evidence I'm presenting to you—and I have much more to present to you, Madam Chair—is very clear. We have heard much testimony, and it is clear that we don't need to study this bill further. That's why, Madam Chair, I will continue presenting evidence to you that will demonstrate to you further that we don't need to study this bill any further.

An hon. member: They want to expand the scope, don't they?

Ms. Rathika Sitsabaiesan: They do want to expand the scope. They're changing the scope of the bill, and that's also something that is outside—

• (1745)

The Vice-Chair (Ms. Jinny Jogindera Sims): I would remind members around the table to talk through the chair and not with another colleague sitting next to you, just to be respectful of the process we have here.

Ms. Rathika Sitsabaiesan: Thank you.

The Vice-Chair (Ms. Jinny Jogindera Sims): We are a committee. It's always better if we remember that it's not a two-way conversation; it is actually a debate.

Thank you.

Ms. Rathika Sitsabaiesan: Thank you, Madam Chair. You're correct that we should be going through the chair.

Through the chair, to answer one of the queries I think I heard in the room, Madam Chair, yes, the government is actually changing the scope of this private member's bill, which has come before this committee. As I read earlier from O'Brien and Bosc, second edition, a committee on its own doesn't have the powers to change the scope of a bill. It's beyond the powers of a committee to expand or narrow the scope of a bill.

The Vice-Chair (Ms. Jinny Jogindera Sims): On a point of order we have Mr. Dykstra.

Mr. Rick Dykstra: Madam Chair, I just want to suggest that the member is now speaking again about the scope of the bill rather than the relevant motion that's on the table regarding the extension of the private member's bill, Bill C-425.

The Vice-Chair (Ms. Jinny Jogindera Sims): I want to draw everybody's attention to the second part of the motion. That is where it says: On...April 23, 2013, the Committee recommended to the House that it be granted the power during its consideration of Bill C-425 to expand the scope of the Bill. The Committee is awaiting for a decision of the House before further considering the Bill. Therefore, your Committee requests an extension of thirty sitting days.

That's what it is, and it does capture the question of scope. But debate still has to be relevant. I will stress that.

Please carry on.

Ms. Rathika Sitsabaiesan: I think there is another person on the point of order.

The Vice-Chair (Ms. Jinny Jogindera Sims): Mr. Harris is first.

Mr. Harris, you heard my brilliant comment—

Mr. Jack Harris: I was satisfied with your brilliant comment, because I was going to point out in response to Mr. Dykstra that the desire of the government members to change the scope of the bill is perfectly within the motion that's before us right now. If I were speaking about this bill, that's the kind of thing I would be talking about, and I think I would be in order, as I think you've ruled.

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you.

Ms. Sellah, is it a point of order?

[Translation]

Mrs. Djaouida Sellah: Yes, Madam Chair.

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): Please carry on.

[Translation]

Mrs. Djaouida Sellah: I thank my colleague for the point of order. I am intervening in the same spirit. As I have already mentioned a number of times, our colleague from the government side...

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): I want to remind you, Ms. Sellah, that I have already ruled on the point of order you are discussing. I ruled in favour of the person who is speaking, and that is that members can choose to speak to the expansion of the scope of the bill and that doing so is certainly within the parameters of what they can talk about. I think that's what you were trying to say. That was the question raised, and I responded.

[Translation]

Mrs. Djaouida Sellah: No.

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): Oh, you have a different point of order?

[Translation]

Mrs. Djaouida Sellah: Yes, Madam Chair. I hadn't finished what I was saying when you interrupted me because my colleague opposite raised his hand.

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): Please carry on.

• (1750)

[Translation]

Mrs. Djaouida Sellah: I was talking about broadening the scope of this bill. I would like to repeat that my colleague's speech is related to this motion. She was explaining why we are not studying this bill and was talking about that expansion. That is a point I wanted to raise.

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you.

I just want to say that this was not a point of order. It was a comment on a ruling the chair had already made. I would remind all my colleagues that we do have processes and that they are there for a reason. Once the chair has made a ruling, to comment on it is not always necessary.

Thank you. I know that you are new to our committee and that other committees may operate differently, so I just want to put that out.

I will go back to Ms. Sitsabaiesan.

I might get the pronunciation right one day; I'm sure she will teach me.

Ms. Rathika Sitsabaiesan: Actually, Madam Chair—if I don't get interrupted to say that I am off the point again—that was perfect. You've said my last name perfectly. Thank you for your efforts.

This government wants to expand the scope of the bill, and doing that is outside the powers of committee especially when a private member's bill comes to the committee. That was just a response to one of the comments I heard from a member in this committee who seemed uncertain as to whether that was the goal of this. So I just wanted to make it clear that what the government, through the government members, is trying to do is to expand or change the scope of this bill.

Nevertheless, I would like to continue on how the issue of statelessness has been hammered home by witnesses and how we don't need to hear more from witnesses. We don't need to expand the length of study of this bill. As you mentioned, Madam Chair, there are two parts of the motion, the first part being the extension of the time to continue the study another 30 days and the second part being that there has been an application for the extension of the scope. So far I've only touched on the first piece. I have much more to go on the first half before I even comment on the second half.

I just finished showing you that the evidence already put forward to the committee has clearly demonstrated how Australia, another country that we compare ourselves to quite regularly, has safeguards to prevent statelessness with its voluntary renunciation of Australian citizenship. So let's move on to the revocation or the deprivation of citizenship in Australia and what they have in place to ensure that safeguards are available.

I'll let you know that for those who have citizenship by descent or by conferral, the minister may revoke a person's Australian citizenship if the minister is satisfied that it would be contrary to the public interest for the person to remain an Australian citizen. So that was basically capturing the sense of paragraphs 34(1)(c) and 34(2)(c) instead of reading them all to you here. This provides the ability to revoke one's citizenship. The safeguards that they have to prevent statelessness here are within subsection 34(3), which reads that:

However, the Minister must not decide under subsection (2) to revoke a person's Australian citizenship if...

(b) the minister is satisfied that the person would, if the Minister were to revoke the person's Australian citizenship, become a person who is not a national or citizen of any country.

So, clearly, in their legislation in the Citizenship Act of 2007 they have a safeguard mechanism to prevent Australian citizens whose citizenship is revoked from becoming stateless. Once again, this is a country we like to make sure we're on a par with or we like to make sure we have better laws than in order to protect people. Yet, witnesses have demonstrated to us that if we move forward with this bill we will be creating situations of statelessness in Canada, which is, of course, in contravention to the convention that we are signatory to. We don't need to debate this further.

We don't need to discuss Bill C-425 further to learn this, because it's already been made quite clear in the comparison between Canada and Australia, New Zealand, and the United Kingdom.

● (1755)

I've gone through all three of these countries that we like to compare ourselves to regularly. This is yet another reason, Madam Chair, why I believe we don't need to extend the time of this study for another 30 days, and it's another reason why, Madam Chair, I will not be voting to support this motion.

Another country is, of course, our biggest neighbour and friend, the United States of America. They also have their legislation, and let's look at the U.S. immigration legislation. I can go quite into detail, but I have a feeling that the members may not want me to go into ultra detail. Much of the evidence that I am reiterating here, Madam Chair, is evidence that all the members of this committee have already read.

The Vice-Chair (Ms. Jinny Jogindera Sims): May I interrupt you for a moment?

Colleagues, it's understandable that people want to talk, but if you take it to the back of the room I don't hear every word.

Sometimes I am doing this more for the protection of the people who want to huddle because there are times when I can hear every word that's being said, and maybe those are words people don't want me to hear.

I'm just saying—

Mr. Rick Dykstra: What about me?

The Vice-Chair (Ms. Jinny Jogindera Sims): I can always hear you, even when you're over there.

Anyway, the reason is that I have reminded people over and over again—members around the table, my apologies—that what we are going to do here is be respectful to the person who is speaking. If you want to whisper, that kind of thing goes on all the time but if I can actually hear the content of your conversation then you have crossed that line and I will call you back to order.

Ms. Sellah.

[Translation]

Mrs. Djaouida Sellah: Madam Chair, I'm sorry if this caused a problem with what you heard. I simply wanted some clarification. The way I understand it, the text of the motion we need to debate today is on this sheet, right?

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): Yes, it is, the one that says "Option 1".

[Translation]

Mrs. Djaouida Sellah: Let me finish, please.

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): Yes. Is it a point of order?

[Translation]

Mrs. Djaouida Sellah: Yes, it concerns this motion.

If I understand correctly, and correct me if I'm wrong, according to Standing Order 97.1, the committee is requesting an extension of 30 sitting days—and I repeat—to study Bill C-425. Is Bill C-425 actually on this sheet, Madam Chair?

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): You are correct, it is Bill C-425 that we are here to consider, but also, at the same time

Mrs. Djaouida Sellah: Let me finish, Madam Chair, please.

[Translation]

It's An Act to amend the Citizenship Act (honouring the Canadian Armed Forces), referred to committee on Wednesday, February 27, 2013.

Madam Chair, I'm not going back to my first point. In my humble understanding, every time I have come to the committee, points of order on the motion have not held up because, in fact, this motion talks about the bill. So she can cite examples and talk about this bill as much as she wants.

I would like some clarification on this and correct me, Madam Chair, if I'm mistaken.

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): I have given the same clarification a number of times, but I will do it one more time.

We are here to discuss an extension, to give the committee a chance to go to the House to seek an expanded scope to the bill and then for the committee to deal with that. That's what we're here to debate.

In light of that, I have said that as long as a person is speaking to that.... As I said, when you're speaking to a motion like this, it's not a yes or a no; otherwise we would not be here to debate. You can make reference to the content of Bill C-425, as long as it is relevant, and in the same way to the expanded scope. Both those rulings have been made. Clarification is given and has been given again. This particular motion has been read into the record a number of times by me. I am pleased that you had me hear it in French. I did follow the English version because it is right here in front of me.

For any member who speaks on this motion before this committee today, as long as it relates to what is in this motion, it is admissible. There is no time limit on how long they can speak. However, if they use either Bill C-425 or the Citizenship Act or the expansion of the scope as a stepping stone to talk about something totally unrelated, and do not relate it back to these issues, then the chair will gently remind members that it's time to come back to dealing with the motion. That is what the chair has clarified a number of times.

Ms. Sellah.

• (1800)

[Translation]

Mrs. Djaouida Sellah: Thank you, Madam Chair, for your clear explanations which I understood from the start. I was very happy to hear you say that we have the right to return to discussing the content of Bill C-425. Is that correct, Madam Chair?

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): What I have said is that in order to either say whether you support or oppose the extension motion.... The extension is not about nothing. It's not about a bus. It's not about a train or the timing thereof. It is about Bill C-425, an act to amend the Citizenship Act, and it's also about seeking expansion of the scope of the bill. Therefore, as long as your comments fit within that umbrella then you will not be ruled out of order. That is the chair's position.

Is that a new point of order?

[Translation]

Mrs. Djaouida Sellah: So, it's fifty-fifty

I understand that it is a broad umbrella. We aren't just referring to the motion, but everything that relates to Bill C-425, correct?

Forgive me for insisting on that, but I want to make sure I understand that clearly, Madam Chair.

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): Let me clarify that it is to do with seeking an extension for Bill C-425, an act to amend the Citizenship Act. If you're speaking on an extension for that bill, you can refer back to the bill as you are speaking to the extension. It's the same about the scope. My colleague Rick Dykstra, the parliamentary secretary, did not question that when I explained that earlier, and it has been accepted by the committee.

Let's move on and have Ms. Sitsabaiesan continue her discourse.

Ms. Sellah.

[Translation]

Mrs. Djaouida Sellah: Madam Chair, forgive me for insisting, but this is very important to me. I understand that you have been here for a long time and we very much appreciate the efforts you make as well as those of all the people around the table. I congratulate you on your insight. However, with a new perspective—I came in from the outside—it seems to me that my colleague on the other side was raising a point of order on my colleague's statement. Her statement was about the content of Bill C-425. She was comparing the various countries referred to every day as federal countries.

• (1805)

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): Madam Sellah, I have been very lenient, as you've said, because you are new to the committee and to provide you with that clarification. I think you've stretched the limits of my leniency here. I think the clarification is very clear to everybody. With that in mind now—and I'm glad you sought the clarification needed—I would really like to get back to Ms. Sitsabaiesan so she can carry on with the debate.

[Translation]

Mrs. Djaouida Sellah: Thank you, Madam Chair. I am going to yield the floor to my colleague.

[English]

The Vice-Chair (Ms. Jinny Jogindera Sims): Never apologize. The only job the chair has is to make sure that the meeting functions and functions according to the rules and that everybody is treated with respect and that we have decorum.

With that in mind, we're back to Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you, Madam Chair.

At this point actually I would like to amend this motion by adding to the end. After the second paragraph, adding the line:

and that this request is to take place in the House on June 21, 2013.

Mr. Clerk, do you need me to read it again?

Mr. Kevin Lamoureux: Madam Chair...

The Vice-Chair (Ms. Jinny Jogindera Sims): Do you want to be on the list? Okay, you're on the list.

Can I get the wording first? I have a speakers list and we will be debating this, so just be patient. I don't want to leave anybody out.

Could you read the wording again, please?

Ms. Rathika Sitsabaiesan: Absolutely, I can read it again.

So, I move to add the words:

and that this request is to take place in the House on June 21, 2013.

Do you need it again, Madam Chair?

The Vice-Chair (Ms. Jinny Jogindera Sims): No, I think I got the essence. I think that...just give me a minute as I had earlier.

Mr. Rick Dykstra: What is the intent of the motion?

The Vice-Chair (Ms. Jinny Jogindera Sims): Allow me to talk to the clerk, if I may. I have the wording.

Could you repeat the wording again please? Then the mover will get to motivate. Then I do have a speakers list that started with Mr. Harris.

Could you read it out again and then motivate please?

Ms. Rathika Sitsabaiesan: Absolutely, Madam Chair. The words that are being added to the end are:

and that this request is to take place in the House on June 21, 2013.

The Vice-Chair (Ms. Jinny Jogindera Sims): Can you start motivating, and that will give the intent.

Ms. Rathika Sitsabaiesan: I actually don't mind—

Mr. Rick Dykstra: On a point order, are you ruling that you're allowing a second motion to come onto the table while the first motion already exists?

The Vice-Chair (Ms. Jinny Jogindera Sims): I have sought advice from the clerk. This is an amendment and it is an amendment that is possible within the rules that we operate under. Because the 21st of June is the last day the House sits, it is admissible. If it had been a separate motion, it would not have been admissible. Because it's an amendment, because it goes on to say "and that this request", it is. So I do have a speakers list and people are welcome to get on it.

I'm going to Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you.

Shall I continue, Madam Chair?

The Vice-Chair (Ms. Jinny Jogindera Sims): Yes.

• (1810)

Ms. Rathika Sitsabaiesan: The reason I'm proposing an amendment to this motion is that I felt this might be a compromise and might actually be something the government members may be in favour of. Since we have a relationship of cordiality here and we've been quite respectful over the last little bit, I wanted to ensure that I was making a move in good faith and thinking that it would be something that would ensure it would be dealt with in the House before the House is set to rise this session.

That's about it, Madam Chair. I simply wanted to make sure that I was doing what was necessary to try to put forward a compromise, or something that would be an act that the government members would also appreciate.

Thank you, Madam Chair.

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you. I'm going to turn the mic over to Mr. Harris.

Mr. Jack Harris: Thank you, Madam Chair. I appreciate the opportunity to participate in this debate. I see the amendment would allow this motion to actually go to the House on the last sitting day. I suppose it might be said that this is more acceptable to members of the committee if it's a motion they agree with.

But as to the whole purpose of this motion and the amendment of whether we bring it to the House, do we want it dealt with by the House? Do we actually want the scope of this bill to be increased, and to essentially allow a private member's bill to become a government bill?

We have a private members' proceeding in the House that's been decided on for many years to allow private members to play a strong role in the House. We had a private member who put forth this bill with a particular scope, his interest in citizenship. I know there's been significant debate about the bill, whether we ought to be doing that kind of change to our citizenship, making different classes of citizens, providing for the stripping of citizenship in certain cases. Now that has its own particular scope.

Now we're seeking to have the consideration of the bill expanded. It's my sense, Madam Chair, that expanding the scope of the bill is a particular politicized way to say we want to talk about terrorism now, we want to talk about other reasons to strip people of citizenship, we want to talk about other ways of demonizing people, and an additional punishment beyond the criminal code, beyond any other activities to people who have already been granted citizenship—

Mr. Rick Dykstra: I have a point of order.

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay, we have a point of order. Let me hear it.

Mr. Rick Dykstra: Mr. Harris is speaking to the motion. He's not speaking to the amendment. I'm not sure if he's confused, but we're dealing with the amendment, not the motion.

We'll be going back to the motion as soon as this amendment is defeated. I just want to point out, through you to Mr. Harris, that he's now speaking to the bill and he should be speaking to the amendment.

Mr. Jack Harris: To the point of order, Madam Chair, I ask the member to be a little patient. He jumps the gun here and wants to make these points of order on an ongoing basis. But if we're talking about when this request is being made, we have to talk about it in the context of the bill and the scope of the bill and what's trying to be accomplished here. I don't know if members opposite are satisfied with the amendment or not. We haven't heard anyone speak. But they may say it's a great idea, let's do it on the 21st of June.

But I doubt that somehow. So we're talking about the timing of when this should be—

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay, now we're getting more into debate. Let me say this, what we have on the floor right now is an amendment. The amendment is there amending.... It's not like after a colon. It actually says, "sitting days and that this request". So when you're dealing with that amendment, it's very difficult only to talk about that last "and" without referencing what goes in front of it. Otherwise, we're back into one of those things again: yea or nay.

So to be fair—and I am really trying to hear your concern—I would urge the member to remember that we are here to speak to the amendment. Even though the amendment does amend the paragraph before it, or the sentence before it, and it does actually give the member some latitude to talk about what the amendment will actually do and talk about the content—so it does have that kind of latitude—I would urge the member not to go off fishing in a far river.

• (1815)

Mr. Jack Harris: Thank you, Madam Chair. I guess I should be more clear. I actually don't want this—

The Vice-Chair (Ms. Jinny Jogindera Sims): Sorry, Mr. Harris we have another point of order from Mr. Lamoureux.

Mr. Kevin Lamoureux: Madam Chair if I may, is it possible to get a copy of the entire amendment? I have one copy and one of my colleagues to the right of me was showing some other piece of paper. It looked like it was a different formatting possibly. Could I get an actual copy of the motion as being suggested to be amended?

The Vice-Chair (Ms. Jinny Jogindera Sims): We will get that and I will ask a question of clarification.

Are you saying that you want us to wait until we get that, or can we carry on with the debate?

Mr. Kevin Lamoureux: We can carry on with the debate. I just want to make sure that I'm with everyone else.

The Vice-Chair (Ms. Jinny Jogindera Sims): I just wanted to make sure I had heard you. So we are getting the motion as well as the amendment in a printed form for everybody.

We do have you on the list. Is it a point of order? Okay, another point of order.

At this time, welcome to our committee. I know I've had the opportunity to observe you at a different committee and I really appreciate the amazing way you conduct yourself when you're at committee.

Welcome, Ms. Liu.

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Thank you, Madam Chair.

It's a pleasure to be here, and thank you for your indulgence. I'm not a regular sitting member of this committee, so I appreciate help from my colleagues and from you, Madam Chair, in understanding the topic that we're discussing today in committee.

I would just like to raise a point concerning the amendment and concerning my colleague's very reasoned point of order as well.

I would like to know if eventually, when we get the amendments, they will be available in both official languages?

The Vice-Chair (Ms. Jinny Jogindera Sims): When the amendments get handed out, they will be in both official languages.

Ms. Laurin Liu: Thank you, Madam Chair.

The Vice-Chair (Ms. Jinny Jogindera Sims): Because that's the way we operate at committee when we hand out documents. Thank you.

Once again, apologies.

We're back to you, Mr. Harris.

Mr. Jack Harris: Thank you, Madam Chair.

To be perfectly clear on this, I don't actually want this request to take place in the House on June 21, 2013. In fact, I don't want it to take place at all because I don't think it's an appropriate motion and I don't think it should be presented to the House. I don't think it's acceptable that we start taking private members' bills that are presented in good faith by private members, which are dealt with in a committee within a timeframe as set out in the rules of the House, and then have somebody hijack the bill and turn it into something else.

The government can bring whatever bill it wants. If the Minister of Citizenship and Immigration wants to bring in a bill, the minister has every right to do that.

The Vice-Chair (Ms. Jinny Jogindera Sims): As vice-chair, I would ask my colleagues that if they want to carry on a conversation that's a little bit louder than a whisper, then please move away from the table.

Mr. Jack Harris: He wants to get on the list, I think.

The Vice-Chair (Ms. Jinny Jogindera Sims): Oh, sorry. It's been a long day.

Mr. Jack Harris: Thank you, Madam Chair.

I think there are opportunities. We have three kinds of bills in this House. We have ones that come from private members. We have ones that come from the government, and we have ones that seem to come from the other place, the Senate.

I think there's a value in leaving private members' business as private members' business. You know, we come to these committees all the time with legislation that comes from the government, and we propose what we think are reasonable amendments to legislation to try to make it better. These amendments are constantly being ruled out of order in committee because, by the analysis done by the clerks and the officers at the table, the amendment being proposed is out of scope, because it's not already mentioned in the bill. We're not amending the bill; we're actually changing it. We're adding something else to it.

Here we have a situation where a private member had an idea for a piece of legislation, brought it to the committee, and then somewhere along the way, the minister decides that he wants to amend it, that he has his own ideas as to what to do. Well, the minister has every right to bring a piece of legislation to the House, to amend the Citizenship Act, take ownership of it as the government, and bring it in as a government bill.

Instead, what we have here is the minister piggybacking on a private member's bill, seeking to further politicize a piece of legislation. You know, we've come to the point where we're losing the opportunity for private members to bring their ideas forward.

This has been brought by Mr. Shory. It has been argued. We called witnesses. All these things have taken place. There's an opportunity to amend bills to a certain point, but they're trying to do two things here, and the things that they're trying to do are making a mockery of the private members' procedure in the House of Commons. I don't think that we should support this kind of request, whether it's made on the 21st of June or whether it's made on the 10th of June. I don't think it should be made at all.

I suppose it's going to be opposed on the other side because the 21st of June won't give them time to do all the things they want to do. Well, I'm on House duty on the 21st of June, so I'd be happy to debate that in the House if it comes to the House for debate and consideration. I'm sure there are honourable members who have House duty that day as well. There seems to be a lot of members interested in the issue. I see the government House leader was here a few minutes ago, and the government whip is here. It seems to be a pretty popular idea, so maybe the House will be open on the 21st of June to debate this or give consideration to this.

As I say, I'm on House duty and I'll be here, but the fact is that I don't really want this to be debated on that particular day. I don't want it to be debated or presented or requested on any day, because I think it's something that does great disservice to the whole notion of citizenship, to the whole notion of using citizenship as a political tool, in this case to denigrate certain persons. The bill goes off in two or three different directions already, in giving special citizenship rights to individuals who serve in the armed forces, taking away citizenship from other people in certain circumstances. It is legislation that is politicizing citizenship in this country to the extent that we don't like to see.

My colleague Ms. Sitsabaiesan has spoken about the things discussed in the bill, about the notion of citizenship and how that is being tampered with by this kind of legislation. Yet what we have here is an attempt to expand the scope even further, and because they haven't been able to do it within the rules of the House, they want to extend the time for consideration. They want the permission of the House to expand the time for consideration. The House hasn't given that consideration. I suppose you could say that by waiting till the end of the session, there might be the possibility that the House might be able to make a decision on it.

You would think that perhaps the members opposite would like this motion because it gives more time for the House to consider the request to expand the scope.

• (1820)

I'm not sure whether that's going to happen. But if the committee is waiting for a decision from the House, then putting the request on June 21 as opposed to tomorrow or the next day might be to their advantage. However, with all due respect to my colleague, I don't support this request taking place in the House on June 21. I don't support this request taking place at any time because of the concerns that have been raised about the expansion of the bill. I think it's highly unusual. I'm not aware of any precedent certainly whereby at

the request of the minister the scope of the bill is expanded to allow the minister to interfere with the process of private members' business. This is highly unusual.

We're in unusual times, I suppose. We have a government on the one hand that shows very little respect for Parliament, and we've seen all the things that have happened. For example, in the last number of days we've had up to 46, 47, or 48 time allocation motions to deal with legislation, some of which has been hanging around forever. All of a sudden the government decides it's urgent. They've had little or no debate on some of these pieces of legislation before this month, and all of a sudden they're so urgent that they have to be brought before the House for the sake of government pushing an agenda or making it look like it's accomplishing something, when it's trying to divert attention from the scandals that are taking place all around us.

We can't support this kind of interference with House proceedings. It's an unusual and extraordinary measure that's being suggested here, to ask the House to give the committee the power to expand the scope of a private member's bill. There's no reason set out here. It's just a recommendation that's made that they be granted the power to join consideration of the bill to expand the scope. That turns this committee not into a committee discussing a particular private member's bill; the whole world is open then. There are no specifics here. Expanding the scope of this bill allows this committee to then bring in all sorts of amendments, amending various other aspects of the Citizenship Act, the Canadian Forces Act, the National Defence Act. Is this something we want to see a precedent developed for?

We're going to take a committee that starts in one direction and goes off in whatever direction the committee sees fit, particularly if it's going in the direction of a minister of the crown, particularly at this stage of the bill. We've gone through second reading. We're now at committee stage of a bill. At committee stage of a bill it's supposed to consider the clause-by-clause study of a piece of legislation. That's what the scope rule is for.

First reading of the bill takes place in the House. Second reading takes place in the House and people get a chance to debate the legislation within the scope of the legislation. If the bill is about a particular topic, do we like this in principle or do we not. We may like some aspects of it in principle, but we want to change certain aspects of it because it deserves further study and possible tweaking with an amendment. In the past, second reading goes to third reading or it goes to committee for consideration and clause-by-clause study. If you start changing the scope of the bill, you're effectively avoiding second reading of the bill. You're avoiding an entire stage of the bill because now your bill is in committee. Instead of having approval in principle at second reading, which you're supposed to have, you're bypassing all of that. You're going to amend the bill in committee, send it back to the House for report and third reading debate, and then a possible passing of the bill. But you've bypassed a whole stage of the bill.

● (1825)

If you're doing it at the behest of the government and the minister, who has his own right to bring in bills if they pass through cabinet, if they pass through the whole legislative process—they're given first and second reading, they're part of the government agenda—then that's one form of legislation that Parliament is prepared to deal with, that the rules are designed to deal with. This is a method of getting around those rules, avoiding parliamentary procedure, and showing disrespect for Parliament.

We've seen it again and again. What's being sought here is an opportunity to avoid the whole parliamentary process of providing second reading and approval in principle to something that the government wants to see happen. You can't use the back door with this kind of a motion and request to the House to get around two rules—we're trying to get around two rules here now—to allow the manipulation of a committee, the manipulation of the parliamentary process, and the manipulation and avoidance of the normal proceedings of the House.

I defy anyone opposite to give me examples of how this has been done in the past, how often it has been done, and what the circumstances were. I think there's the possibility, if you had unanimous consent, if you said you went to committee and something was brought to the attention of members...and this has happened. When government members, for example, or experts on behalf of the government or the department that might be affected by this come to a committee and say that this particular section here, the consequences that someone has talked about as a witness, would require a change in the bill that's beyond the scope, but if we had unanimous consent they might be able to fix it. That's one consideration. You would be able to improve the bill, and have an opportunity to give effect to what the intention was.

If the intention of the mover of the private member's bill was debated in the House of Commons at second reading, if it passed second reading, if the intention was approved in principle, if the debate and evidence in committee led to the result that there was a flaw that prevented the proper implementation of that particular intention to be given effect, if it was pointed out by the legislative drafters or by experts on behalf of the department that a certain amendment might be required or be in order to give full effect to what was intended, then I think if there was unanimous consent to that or if that was the nature of the change required, then that would be a different matter.

The opportunity to amend this bill is near expiry, or has already expired. We have a desire to expand the scope to talk about something completely different that wasn't part of the principle of the bill when it was brought in at second reading. It was approved in principle on the basis of the bill itself, Bill C-425. Those were the principles that were debated.

The scope rule is there to protect the parliamentary and the legislative process so that only bills that are approved in principle by Parliament are able to be considered. If you bypass this rule, then you're bypassing the opportunity for the members of the House of Commons to discuss a bill with that in it at second reading.

It requires another bill. If someone wants to bring in another private member's bill to attempt to rewrite the citizenship laws of this country and to add as a penalty for other activities or crimes a stripping of citizenship, whether it's the minister himself or someone else on his behalf, then that ought to be considered separately on its own merits.

● (1830)

The notion of citizenship is something very sacred to an awful lot of people. I suspect this is the first Parliament that has ever considered the stripping of citizenship of Canadians, particularly from Canadian people who have Canadian citizenship and may happen to have another citizenship for other reasons. You can be a citizen of another country without a right of residency. You can be a citizen of another country without ever having been there by virtue of birth, or your parents' birth, or your grandparents' birth in the case of some countries.

Some countries have citizenship written in such a way that people who have never been there, to the second and third generation, are citizens of that country. So are we saying that we have a class of people who happen to have another citizenship and they're subject to having their citizenship revoked under certain circumstances? That's a whole new notion. If you start messing with that, and then you want to expand the scope to something that's never even been considered at second reading, then you're going down a very rocky road and a very slippery slope of disrespect and disregard for the very notion of citizenship itself, or treating it as if were something that could be yanked at will.

People may commit crimes. Citizens of this country commit crimes in this country, or even abroad, but they can be prosecuted in this country and they will be treated by the criminal law. The criminal law is supposed to be there for all, and citizens of Canada are to be treated equally and in such a way that the full course of the law ought to be used against them. I have no difficulty with that. Despite the comments that we hear ad nauseum from members opposite, both in the House and sometimes in committee, that the members of the NDP are soft on crime, that we are coddling criminals, I have no problem with enforcing the law. The law is there to protect citizens after all, to protect Canadians and residents and visitors to Canada, not just citizens, because as it says in our Constitution, we want to live in a land of peace, order, and good government.

It is not good government when we start playing with the rules like seeking extraordinary amendments to allow playing willy-nilly with the rules of Parliament and the normal process whereby legislation has to pass through the House. There was a time when private members' business was relegated. I saw something recently that talked about the number of pieces of legislation that went through the House as private members' bills up until the early 1990s. Most of them involved the change of name of a riding. Someone wanted to change their name to something else, and they were the only ones that ever got passed.

Private members' business has been transformed as a result of a number of developments that have taken place over the last number of decades, starting with what's commonly been known as the McGrath committee, the Special Committee on the Reform of the House of Commons. My immediate predecessor as member of Parliament, when I was first elected in 1987, was a gentleman by the name of James McGrath, who later became Lieutenant Governor of Newfoundland and Labrador. He was my immediate predecessor when I was elected in 1987, and one of his lasting legacies was that he was in charge of the committee that studied the role of the private member.

One of my former colleagues, Bill Blaikie, was a very important part of that committee as well. They looked at the role of the private member. They looked at what scope there was for private members to actually play a strong role in Parliament. I know members opposite don't want to come to this Parliament and just be, as someone said the other day, "trained seals". They don't want to be here as trained seals, they want to have a role to play. They want to be able to bring private members' bills. They want to be able to contribute to Parliament.

They have another Conservative member, James McGrath, and my former colleague, Bill Blaikie, to thank for the role of private members being expanded in the House of Commons.

• (1835)

I think it's to the good. I see my colleague from the longest-named district in the country—"Sea to Sky Country" is the last part, and that's the best part. He likes that part. I think we all like hearing that, Mr. Weston. Then he has all these other great names—Sunshine Coast, Sea to Sky Country, West Vancouver.

An hon. member: Copenhagen.

Mr. Jack Harris: Copenhagen? He must have slipped that in. I forgot that part, too.

But to live on the Sunshine Coast and to be near the Sea to Sky Country is probably a great blessing. I know that the member also enjoys and relishes the role of a private member in this House. We are happy that it was expanded as a result of the McGrath commission, and that one of the great benefits of it was the creation of private members' business. What bothers me, and I see the chair wondering what the relevance of this is, but what bothers me—

The Vice-Chair (Ms. Jinny Jogindera Sims): I know you will get there.

Mr. Jack Harris: I want to make sure the chair knows I will bring it right back to relevance. But what bothers me about this particular motion—whether we bring it on June 21 or June 29 or next September, or next week, early next week—is that it does injustice to the whole notion that private members' business ought to be private members' business. You go to the House of Commons, you get second reading, you get approval in principle, you go to committee, and then find you don't have total free reign. You don't then say, "We got it into the committee, now we'll use our majority in the committee to change the scope of the bill, we'll talk about something else, we'll add things to it, and if we need the help of the House we'll go back to the House and get permission, then come back and do it", without even going to second reading on the principles contained in

the expanded scope. That is what's fundamentally wrong with this approach.

I'm opposed to that. We've heard, thanks to Ms. Sitsabaiesan, what concerns were raised during the bill itself, and why—

• (1840)

The Vice-Chair (Ms. Jinny Jogindera Sims): The chair is suspending the meeting for two hours, so we can eat and stretch our legs a little bit and come back.

Mr. Rick Dykstra: Two hours? One hour.

A voice: One hour.

The Vice-Chair (Ms. Jinny Jogindera Sims): We will be suspending for two hours and we will return. This gives people a chance to go and stretch their legs a little bit as well. We've been stuck in this windowless room all day, and we want to do good work tonight.

• (1840)

(Pause)

• (2040)

The Vice-Chair (Ms. Jinny Jogindera Sims): I will call the meeting back to order.

Just to remind everybody where we are, we have an amendment on the floor, so we are on the amendment.

Mr. Harris is not in his seat, so he loses his speaking spot, even if he decides to come late. We are now moving on to Mr. Lamoureux.

Mr. Dykstra, do you have a point of order or something?

Mr. Rick Dykstra: I have a subamendment to make. Just let me know when the appropriate time to make that subamendment might be.

The Vice-Chair (Ms. Jinny Jogindera Sims): I will put you on the list, because you actually have to be on the list to do that.

Mr. Rick Dykstra: Who is first on the list?

The Vice-Chair (Ms. Jinny Jogindera Sims): I erred in my pronouncement, so to speak. Just give me a second and I will clarify the process in my own head. I want to understand what I'm doing.

The chair is going to give her clarification. I have just gone over who was on the speakers list and who the next speaker was going to be.

When Mr. Dykstra spoke, I asked whether it was on a point of order and he said that it was. So the first person from the government side who is on the list who could make an amendment to the amendment is Mr. Menegakis. But I will put you on the list as well, in case he doesn't want to move your amendment.

Okay. We are going to Mr. Lamoureux.

Mr. Menegakis, do you have a point of order?

• (2045)

Mr. Costas Menegakis: No, I thought you were going to me, so I started talking.

The Vice-Chair (Ms. Jinny Jogindera Sims): The next speaker, as the chair had already said, is Mr. Lamoureux, and Mr. Lamoureux has as much time as he needs.

Mr. Kevin Lamoureux: Thank you, Madam Chair.

I can appreciate Costas' attitude in being anxious to contribute to the discussion. Speaking for myself, you wouldn't believe how long I've had to wait, Madam Chairperson, to be able to do so.

Sometimes it can be challenging, when the temptation is to really become engaged and to want to share your ideas and your thoughts. Then as we move along, the scope of the discussion starts to narrow. What I'm thinking is that I'd like to express a number of concerns, concerns that I think all members should be very sensitive to.

You will find that it is actually quite relevant, and if at any point in time members want to ask how it is relevant, they may feel free. I caution members that often, points of order are another way of adding to the filibuster, so they might not want to raise points of order. But I don't mind it.

I must also say, Madam Chairperson, that if people want to heckle they can go ahead and heckle, but the problem is that if you heckle, chances are I might pick up on some of it, and that would add, potentially, to what I might have to say. I say this only because I appreciate the importance of democracy and procedures and process and how things of this nature work.

Over the last day or so, it has been really interesting to sit back and listen to a number of people exchange their thoughts and their ideas on something that I believe is really important. Being a parliamentarian for more than 20 years, I can honestly say that I deeply love and have a passion for process. Whether it was sitting in the chair or sitting on the side—

The Vice-Chair (Ms. Jinny Jogindera Sims): Mr. Lamoureux, I'm going to interrupt you for a moment to remind people what it is we're debating right now. I'm not saying that you were out of line or anything—

Mr. Kevin Lamoureux: Oh, I know that, Madam Chair.

The Vice-Chair (Ms. Jinny Jogindera Sims): —but because we had our break, I want everybody to know what we are debating.

Right now, before the committee is the motion to extend by 30 days; also that gives the government the chance to go to the House of Commons to get an expanded scope. The amendment is at the end of the second paragraph, “and that this request is to take place in the House on June 21, 2013”.

That's the amendment, and of course, you know the rest.

Mr. Kevin Lamoureux: Yes.

It's interesting that you point that out, Madam Chair, because I have right in front of me exactly what it is, and I had anticipated—

The Vice-Chair (Ms. Jinny Jogindera Sims): I think we have a point of order.

Mr. Kevin Lamoureux: Oh, wow!—so soon.

Mr. Costas Menegakis: This is a point of order just to see whether I can understand. Really, it's not.... I don't want to interrupt or get into that whole thing.

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you.

Mr. Costas Menegakis: It is the amendment we're discussing now. We have to decide whether we accept the amendment, and then

we go back to discussing the motion itself, whether it is amended or not. Is that right?

The Vice-Chair (Ms. Jinny Jogindera Sims): Yes. I still have a list for the motion.

Mr. Costas Menegakis: Oh, I see. So at this time it's just the amendment.

The Vice-Chair (Ms. Jinny Jogindera Sims): It's just the amendment, but in order to discuss the amendment, as I explained previously, it's very hard to just discuss the end words, such as “yes” or “no”, without linking them back. But we're not expecting a full-fledged discussion of the whole motion.

• (2050)

Mr. Costas Menegakis: And that's because we have another list for that.

The Vice-Chair (Ms. Jinny Jogindera Sims): That list is very long.

Mr. Kevin Lamoureux: I anticipate, even though my name is on that list, Madam Chair, that it could be quite a while before my name is called. That's why I'm somewhat glad—

The Vice-Chair (Ms. Jinny Jogindera Sims): It could be in about another four days.

Mr. Kevin Lamoureux: Absolutely. That's one of the reasons why I was glad that there was an amendment to move.

What just happened actually proves my point. Again, you'll never see me deny members the opportunity to stand or to sit in their place and raise a hand on a point of order. I won't discourage it because that's all part of the process and I respect the process. Relevancy is critically important too, and that's why I highlighted the fact, in my few minutes that I already had to talk, that if any member feels that I'm getting a little too far off, you won't offend me by rising on a point of order and expressing why it is you think I'm not being relevant. I'll be more than happy to make that direct link because I don't want, in any fashion, Madam Chair, to be irrelevant to what I think is a very important discussion that we are having.

It was interesting, Madam Chair. As you had initially interrupted you made reference to the motion itself, and to the amendment. I actually have it right in front of me. At some point I was figuring that I would take the time to read through it—not right now, because I don't think it's necessary. But we will get to that point where I'll want to do that and especially if it's deemed necessary for me to try to make some sort of a connection.

What we're really talking about is process. We have an amendment before us that was trying to get something sped through or set through a time so that this bill would in fact be reported. I wanted to be able to talk about process and the importance of it. I think far too often legislators, or parliamentarians, take things for granted. I think that is a big mistake because when we take things for granted, quite often you'll see some individuals might choose to abuse or look for ways around the system, or even possibly the rules, or use the rules in certain ways that would limit people from being able to participate.

I want to give a few examples of that, Madam Chair. I had my assistant, just a few hours back, go and do a quick search in terms of bills and time allocation. Members of the committee will be very much aware of to what degree I've had the opportunity to stand up inside the House and talk about the time allocations. Time allocations are all about process, and that's what it is that we're talking about here.

We're talking about trying to set something into the calendar, and it's very important for us to recognize the role that the calendar plays in all of our lives in a very profound way. There is a huge difference, for example, when we are in session versus outside of session. When we have roughly nine months of the year that the House is actually sitting, there are typically three weeks of that month where there is an expectation that members of Parliament would be here in Ottawa. That other week is not a week off, as I'm often reminded.

I know that members across the way or on this side of the committee room use that opportunity to be able to connect with their constituents, for the most part. I know I do. Whenever I get the opportunity, I want to be able to connect with the residents of Winnipeg North. I appreciate the trust that they've given me, and I hope to be able to perform to the degree to which they will appreciate my efforts, and ultimately assist me in re-election.

When you are in session, the expectation is that there's a legislative agenda, and that's what this bill is really all about, part of the legislative agenda—in a very unique way, I must say. If you take a look at the amount of time that's being dedicated to this particular piece of legislation, especially in terms of committee time, I suspect—and Mr. Shory might even have a better sense of it because it's his private member's bill—that there are very few private members' bills that get as much attention as this particular bill has been able to get.

• (2055)

Now one could speculate, and I'd like to speculate as to why that is. But before I do, I want to continue along the line of this whole process. We talk about “in session”, “out of session”. We talk about the importance, while we're in session, of what we're doing and how the calendar actually works. What we're really talking about is the government House leader working in cooperation with the opposition parties' House leaders in trying to come up with a timely agenda, so that both the government's agenda and the opposition's agenda can actually be met. There's a balancing—

The Vice-Chair (Ms. Jinny Jogindera Sims): I know we've had a bit of a break, and sometimes at this time of night our memories are a bit shrunken, as I would say. I would urge our colleagues to please keep the chatter down so that Mr. Lamoureux who, as he said, has waited so patiently, is not interrupted and he can have his say. It's the same as we would want for ourselves when we are speaking. Let's make sure we do not interfere with him.

Carry on, Mr. Lamoureux.

Mr. Kevin Lamoureux: Thank you, Madam Chair.

As I say, it is a bit of a fine art in terms of some of these negotiations that take place, but I could imagine House leaders coming together or maybe even the respective caucus leadership staff coming together and saying here are all of the bills and here's all of the legislation that we have before us. They have a responsibility

on the government side to meet with the ministers, on the opposition side they'll meet with the critics, and they kind of get a sense in terms of the real value of what is an important bill, what type of bill should be getting what kind of debate inside the chamber or inside the House of Commons, versus how much time we want to allocate out for committee stage. It really varies.

Mr. Shory's bill is no different than that. If there was a great deal of good faith in terms of negotiations that were taking place, I suspect that we probably wouldn't be here right now, that there would have been an agreement that would have dealt with Mr. Shory's private member's bill.

An hon. member: Hear, hear!

Mr. Kevin Lamoureux: I don't say that lightly because as a number of members might know, I have been a parliamentarian for just over 20 years. I have had the opportunity to work as a House leader and as a deputy House leader—the House leader in the smaller jurisdiction of the province of Manitoba. But I tell you I've worked in majority governments as a House leader and in minority governments, and I know how critically important that relationship is for that House leadership team to get together in good faith and do the negotiating. If they're prepared to do that, Madam Chair, then you will see a more orderly fashion in terms of what is taking place, whether it's in the House of Commons or it's in the committee rooms.

So let's talk about Mr. Shory's bill as one of the examples, because I know people want to make sure that we give fair treatment to Mr. Shory's bill this evening. If I were Mr. Shory, I would have been inclined to sit down with the deputy House leader or the House leader or members from the House leadership team in terms of where we are going with this bill. After all, it's a unique bill. It's not like the government's bill we're talking about. Private members' bills are very unique. We don't even have anything like that in terms of the province of Manitoba.

I was actually quite impressed with the number of private members' bills that are brought forward. It's an amazing number of private members' bills. You have some members who have a litany—a dozen or so private members' bills. You might have some private members who have none.

I happen to have one, a very good private member's bill. If I can give a bit of a sales pitch tonight on it, I probably will. The essence of it and I would think that everyone would want to support it.... I voted for Mr. Shory's bill to come to committee. I'm hoping that I'll get a reciprocal type of support for my good idea because it is a good bill. But you know what I've already done? I've already talked it out—I shouldn't say talked it out—I've already had discussions within my own caucus. My House leader has a good sense of what I would like to see happen with this particular bill and I've explained it.

I remember Mr. Shory's presentation. He talked about how he went into his constituency, how proud he was of being able to sponsor this. He made reference to his family. He talked about how important this bill was not only to him, but also to the community, and the type of message, and if you read his speech.... I know I have it somewhere here, Madam Chair, and maybe what I'll do is I'll go through some of that a bit later, but at the end of the day, if you just read the speech that Mr. Shory gave, I'm sure members will understand why it is that Mr. Shory has taken such a huge interest in wanting to be here at this committee as we go through his bill. Obviously he is concerned about the future fate of his private member's bill and I don't blame him for that, Madam Chair. I wish him the best. At the end of the day there do need to be some amendments to it.

• (2100)

I would caution that this whole issue of scope could ultimately cause the bill to fail. As private members we have to be cognizant of the process that we enter into when we select and say this is our bill, this is the bill I like, and this is the bill I'm going to put in priority. Now he has the opportunity. He allows it to come to the chamber. It has two hours of debate and then it goes to committee.

My concern for the private member, Madam Chair, is that he might be being used as a pawn by the Minister of Immigration. I'm speculating. I want to make sure that Mr. Shory understands how he might be being manipulated here.

You have the Minister of Immigration, and I'm going to assume that the Prime Minister's Office was aware of this. I would be surprised if the House leadership team was not made aware of it, Madam Chair. I would be willing to bet, and I'm not a gambling man, that the House leadership team knew about it. So that means the House leader, the deputy House leader, the whip, the party whip, the PMO, and Mr. Shory would have been informed of the discussions, and obviously the Minister of Immigration.

Their agenda is nowhere near the same sort of an agenda that Mr. Shory would have had. Why do I say that, Madam Chair? If you listen to many of the comments that came from the Minister of Immigration, and even look at some of the presenters who came before the committee, you will find a great deal of contradiction. On the one hand we have a minister who seems to be so happy to tell the Canadian public what he wants to do with Mr. Shory's bill.

The problem is that he would have known that by proposing what he was proposing to do to Mr. Shory's bill, two things would have happened. One is that he would have changed the scope of the legislation. That's why we're here right now, Madam Chair, because of that particular issue. The minister would have known that, Madam Chair.

The other issue is that the minister, if successful—and it's hard to say if he will be successful as we'll have to wait and see what kind of amendments might come forward. We have to wait and see how this bill will ultimately look. But if he is successful, I don't see that as a positive thing. I see that as a negative thing, and this is the reason I believe it's a negative thing, Madam Chair. You have a minister who identifies a private member's bill and says he doesn't need any form of time allocation. He just taps into that bill, and it has a built-in time allocation mechanism.

All of us know the rules of process and procedure. When a government minister introduces a bill, what is the procedure? You have first reading. After first reading you have second reading. Quite often if there are substantial amendments prior to second reading there are certain things you can do to make some of those substantial amendments prior to second reading. But here's where it really starts to change, Madam Chair, on the issue of time for second reading in the House.

• (2105)

As all of us know, there's a limit on the amount of time for a private member's bill. That means once you're in second reading for a private member's bill there's a maximum of two hours for debate. So what takes place in that two hours? The member whose bill it is will stand in his or her place. They will introduce the bill for second reading. Then they will be given 10 minutes to make their case as to why it is that the bill is an important thing for them personally and how they believe it would be in Canada's best interest to ultimately see that legislation pass. Quite often when there's a presentation of that nature, you will find that there are members of different caucuses who will have questions directly for the member.

I happened to be in the chamber, or in the House of Commons, when Mr. Shory introduced his bill. In listening to the bill, and being a member of the Canadian Forces, I was quite interested in terms of what was actually being said. That's something I really haven't commented on, of course, that is, what it is that the bill really is, what it is proposing to do. It does a couple of things, but the one area that I focused in on—and you'll find, if you take a look at all of the comments on the bill in second reading—is that it seemed to me that most of the comments, most of the speeches, were based on the Canadian Forces and the idea of two years. That seemed to be the real focus of the attention.

I'll provide a little bit of feedback in terms of what it is I would have said in second reading. But first let me continue on with this whole 10 minutes thing, because in second reading Mr. Shory would have talked about it for 10 minutes and then if people had questions, or members had questions, they would be able to go ahead and ask their questions. I was more than happy to ask a question of the member. I listened to his speech.

While he was speaking I happened to have my laptop out and I was thinking, I'm going to key in this whole Canadian citizenship issue with the Canadian Forces. Imagine my surprise, Madam Chair, when I found out that on the website of the Canadian Forces it actually says, are you interested in becoming a member of the forces? This isn't word for word obviously, but it said on their website, are you interested in being a member of the Canadian Forces? This is how you qualify, you kind of pre-qualify, if you want to be able to be a member of the Canadian Forces.

On one of the points it said that you had to be a Canadian citizen. So you step back because that doesn't make any sense. If I'm a landed resident, or a permanent resident here in Canada, and I read that front page or that second page, that second link, that's all it's going to take for me to say, I guess not. I don't qualify. That concerned me, and that came up right away. Remember, the bill says that if you are a member of the Canadian Forces as opposed to having to wait for three years in order to qualify for your citizenship you'd only have to wait two years. After that two years you would be granted your citizenship. Every so often I think it's important, Madam Chair, that I go back to the reason as to why it is that it's quite relevant to the motion before us. We need to remember it is in fact about the process, the timing, and the manner in which we are trying to rush through this bill, and the scope. That's 100% in terms of what it is that I'm referring to.

In reading that website—getting back to my website—a red flag came up. Now, right offhand I can't recall exactly what it is that I had asked Mr. Shory. But I know that after I had spoken I had also talked to Mr. Shory. So it might have been in the question or it might have been after I had made my comments that he came over and we chatted about it. I would have showed it to him. I would have said, this is a real concern of mine. Shortly after that—I can't remember if it was an hour or two hours, I really don't remember offhand—but he was able to provide me with a document. In that document, apparently if you click here, click there, and do a real good search, there is a document that's located somewhere on that website that gives a better definition of a Canadian citizen. It would appear that, in fact, maybe you don't have to be a Canadian citizen. If it weren't for that second reading, Madam Chair, I would not have had the opportunity to gain that experience.

• (2110)

So a person with an idea introduces a private member's bill, there is a five-minute question and answer, and then representatives from other political entities, and private members or members in general, will stand up. Now, that's only given one hour, and it's 15 minutes for the one, which means you have 40 minutes and maybe another four speakers, depending on how long they speak.

If you follow the debate on a private member's bill, you'll find that the first hour is quite interesting. It's probably one of the better hours to tap into, especially if you follow on CPAC. You get a good sense of a wide variety of issues. What's really kind of nice about it is that there are free votes, more often than not. Some parties are more open to free votes than others, but I'm not going to say which particular party tends not to have those free votes—that's another issue for another day.

Mr. Dykstra has pointed at the New Democrats. It was he who pointed, not me. Having said that, Madam Chairperson, I think it's important.

Then, after that first hour of debate, what happens? It goes back—and I'm not too sure of the exact period of time—but generally speaking, it will come back on the order paper in a reasonable time. That's what happened, again, for Mr. Shory's bill.

Once again, it's up for the second go-round. Remember, the first round is limited to only one hour. When the second round comes by, you're not going to have more than six people speak unless, of

course, each one is a little short, in which case you might get the bonus of a seventh person. Quite often in that second hour you have three people speak, and after those three have spoken, that's it. The question is called and it doesn't even fill the full two hours, and then it's agreed that we will see the clock an extra half hour, and then we go on to some form of government business or whatever it might be.

It's an interesting process, Madam Chairperson, but it means that at the end of those two hours, the private member can know, and feel comfortable in knowing, that the member is going to have the opportunity to have his bill voted on.

That's what took place here. Quite often when you think about that vote, what you're really talking about is that a lot of members.... I don't know if others have witnessed this—as I've said, I do enjoy private members' hour—but I've witnessed many occasions where everyone supports the bill.

Personally, Madam Chairperson, I think we should change the rule.

There is a bit of a trick. Someone has to say "No". If someone doesn't say "No", then the bill goes on. Quite often the private member says, "No, I want a vote", and you'll see one of the member's colleagues kind of cover his or her mouth and yell out "No". The Speaker will say, "Someone said no", will call for the yeas and nays, and then five members will stand up, and then there will be a vote. Don't blame them.

Personally, on my private member's bill, I want to see a vote too. I want to see if there is anyone who would vote against a leader's taking responsibility for political advertising that they're ultimately authorizing. I'd like to think that our leaders want to be accountable and transparent, but that's another bill.

Going back to Mr. Shory's bill, in this particular case, there was a recorded vote. I know there were some concerns within my caucus, and many of my caucus colleagues asked what I would suggest because we do support having free votes on private members' bills. You'll often see members of the Liberal caucus go to a critic or someone else within the party, or even talk to the sponsor to get a better sense of what the bill is, and I like to think that's a good thing to do.

• (2115)

I was thinking, "For now, I think it's okay. Let's see it go to committee and see what happens to it at the committee stage." That's what I was suggesting and would have recommended to my caucus. I was very pleased with my caucus colleagues after being solicited for my thoughts and ideas that the decision, I believe from virtually all my caucus members, was to give me, the critic of the bill, the opportunity to see it go to committee.

I don't think any Liberal MP has voted against it coming to the committee stage, which says a lot for Mr. Shory's bill going to committee. I think we were very much open to it. I must admit I was a little embarrassed when we found out the Minister of Immigration had some other plans for Mr. Shory's bill. I think it made a number of my caucus colleagues a little concerned, because now we've already passed this bill through second reading and it would appear as if something unethical—"unofficial" is probably a better word for it—has taken place.

Having said that, I'm an optimist, my glass is more than half full and at the end of the day I wanted to see if we would be able to do something, make some amendments to the legislation, make it a little healthier, a little more acceptable to Canadians. I had some questions and concerns in committee.

So we go through that committee process, and what took place in committee? Because I'm very biased, I have a trust issue with the current Minister of Immigration, to be honest, so you have to factor out that one. When it went to committee—and here I'm thinking about how can we make this bill potentially better—I listened to the presenters, and some interesting presentations were made.

Many members here tonight were at that particular committee meeting when we had members of the Canadian Forces come forward. You'll recall, I think it was a colonel or maybe a lieutenant colonel, who said something to the effect that in the Canadian Forces.... We had asked how many people in the Canadian Forces today are landed immigrants. In other words, how many would it apply to? Good question.

I don't necessarily want to take credit for the question, but it was a good question and I was quite surprised to hear the response. Remember, we have tens of thousands of members in the regular force and tens of thousands more in the reserves. Both Mr. Opitz and I are very proud of our military history. He has a longer reputation with the forces than I do, and I appreciated every day I was in the forces.

But having said that, I think he said 14 people who are permanent residents would be taken in, in any given year. What astounded me was the fact that it's not as if you have these 14 people coming to the forces. It's more like the forces looking to identify 14 types of specialists and getting them to join the force. A whole litany of issues came to my mind on that issue, because I'm a strong advocate of multiculturalism. I believe our greatest strength as a nation is our diversity and if we can capitalize on that, we will be the best country in the world to live in well into the future. We need to capitalize on it.

I was quite surprised with the number and it made me start thinking about maybe there might be a bigger issue there that needs to be dealt with. So in that sense I was glad. Imagine, we went from second reading into the committee stage and at that committee stage we found out information that I don't believe anyone around that table had any idea was the case, Madam Chair.

So then you have individuals such as I who looked at some of the facts that were being presented, and I believe we could ultimately see a change, whether it was a political party, a partisan policy being influenced, or a reinforcement of policy.

● (2120)

It depends in terms of what spectrum, I guess, one might be on. But it is an issue that needs to be talked about. I learned that from that particular committee meeting. I wouldn't have learned that had it not been for Mr. Shory's private member's bill, and the limitations, those time allocations, in terms of process, right? That was of great benefit.

I had many other ideas, but then all of a sudden we start to hear about—uh, oh—the Minister of Immigration is talking about his

own amendments and they're pretty substantial amendments. Then the types of presenters, I thought, were starting to change a little bit. Here we're getting more presenters talking about potential amendments than Mr. Shory's bill. I was a bit taken aback by that because I wanted to be able to continue to see more discussion strictly about Mr. Shory's bill.

One of the issues, and I'll give you an example—and that's why it's dangerous when you start looking at changing the scope, and that's what this motion is all about. It's about putting in a date so that ultimately the legislation will be reported back in some...whether it's going to be in scope or out of scope. There are many issues that I believe we should have focused attention on while we were at the table dealing with Mr. Shory's bill, without having to change the scope.

But we'll all recall in terms of what took place that there wasn't any exchange. What would normally happen? Well under a normal process, after a private member brings a bill to committee—because I have had the opportunity to sit in those situations also, you know—you get the presenters, you call witnesses, you often get witnesses who will come from all different regions of our country and they'll give their thoughts and ideas and so forth, on a private member's bill. I think that's great. We need to continue to do that, encourage it, support it, and so forth.

Then after that's done and the formal witness aspect is done, then what takes place? At the end of the day or the end of those presentations you will get individuals who will come forward and now start talking about the clause-by-clause. Quite often you will get introductions. That didn't happen here with Mr. Shory's bill. What happened with Mr. Shory's bill was kind of like an admission right up front. I remember the admission. I shouldn't say I was surprised, but I was disappointed that the Minister of Immigration felt it so necessary to want to make profound changes to Mr. Shory's bill. I thought that he was exploiting a private member's bill. So that disappointed me.

I was pleasantly surprised when Mr. Dykstra at the beginning of the meeting confessed that this was going to be changing the scope of the bill. So as opposed to putting on some sort of facade or trying to put pressure on us to deal with amendments that we know will change the scope of the bill, the government did the right thing in a twisted fashion and said it was going to change the scope.

Madam Chair, that's when, for me, this 20-plus years of being a parliamentarian started to say, "Oh, no, just wait a minute here. We can't do this. It's wrong on many fronts." It's not acceptable for us to just agree to change the scope of a bill.

● (2125)

So let's be a little bit hypothetical here, and let's just assume that we wouldn't have changed the scope and Mr. Dykstra did not introduce that motion. What would most likely have happened, Madam Chair?

I would suggest to you there would have been more dialogue between the members and we would be getting ready to go through the bill, and—

The Vice-Chair (Ms. Jinny Jogindera Sims): Excuse me, Mr. Lamoureux. I just want to make sure that the question you asked was rhetorical and you were—

Mr. Kevin Lamoureux: Oh, absolutely.

The Chair (Ms. Jinny Jogindera Sims): Okay, I just didn't want you to think I wasn't listening to you.

Carry on.

Mr. Kevin Lamoureux: Now being somewhat hypothetical here and looking forward, what would have happened had Mr. Dykstra not moved that motion?

Well, I have a good sense of what would have happened and I'll just quickly made reference to it. What would have happened is that members would have had dialogue about the content of Mr. Shory's bill. We wouldn't have had to have this whole discussion about what it is that the Minister of Immigration was attempting to do, and I think that this would have been a positive thing, Madam Chair.

I'll give you a sense. When I think in terms of scope, or not changing the scope, and important questions that need to be answered.... I'm not sure if I mentioned it in my second reading comments, but I know I've raised it with many others. I'd have to read my second reading comments...but I probably did. I do have a copy of it here somewhere and maybe I can go back to that, but one of the first thoughts that came to my mind was yes. As I say I'm a proud former member of the Canadian Forces. I enjoyed my service. My last posting was in Edmonton, Namao, or Lancaster Park, home at the time of the 435 squadron, which was responsible for search and rescue. I sat in the tower for a couple of years. Ultimately I wanted to work radar.

But at the end of the day, I was open to the idea that two years, three years...we want to encourage. You know, I had a number of questions. Does that mean we're going to see a recruitment office at the airport so as people come in...? But those were more tongue-in-cheek comments that were being made. Then there were some serious things, such as, what about RCMP officers? Should RCMP officers not get some form of recognition also?

I believe we had representation to the committee from RCMP officers, Madam Chair, and we even have former RCMP officers. I think we have, I heard in the chamber earlier because I did get an opportunity to speak a little bit in the chamber because I couldn't speak here, but I did get an opportunity to speak in the chamber and one of the things that I heard was that the Conservative backbench has 14 police officers or something like that. Thirteen? The person who spoke in the House misspoke then. I'm pretty sure I heard 14.

So I don't know how many of those are RCMP officers but I can tell you—three?—I can tell you that there's a special relationship between the Canadian Forces and the RCMP officers. I have flown on many Hercules aircraft. Beautiful wonderful aircraft, the C-130s. I must say right up front, Madam Chair, that none of them are painted blue—yet.

But having said that, there was a special relationship between RCMP officers and military personnel. In fact, when I was a member of the force, you would often see RCMP officers on aircraft, military aircraft, because there were extended benefits that were given to

members of our Royal Canadian Mounted Police. I think that there was a sense of mutual feelings in terms of respect of service to our country and what it is that we did.

So it got me thinking that if we are going to do this for our Canadian Forces personnel, why wouldn't we allow it for RCMP personnel? In fact, if memory serves me correctly—and this might not be 100% accurate Madam Chair—I do believe that I might have asked a question in regard to the number of RCMP officers who are, in fact, landed immigrants, or I might have even been beaten to that particular question. I just can't recall right offhand. But I do know that there was a response and the response was not overly encouraging. It might have even been discouraging to a certain degree.

• (2130)

At the end of the day, I think it raises other issues that it would be great to see parliamentarians talk more about, or maybe even political entities look into a little bit more—members of the Canadian Forces, members of the RCMP, and the degree to which we want to see landed or permanent residents be a part of those forces. To what degree do you want to have some sort of expedited citizenship?

I think there is a valid argument. One could ultimately ask why just the Canadian Forces rather than the two of them? Well, now I open up a can of worms. If you say RCMP officers, and then you have the Canadian Forces, what about first responders? First responders would include such things as ambulances, fire trucks. There is an immense amount of respect for our firemen.

Mr. Costas Menegakis: It's "firefighters".

Mr. Kevin Lamoureux: Yes, I mean firefighters. Thank you, Mr. Menegakis.

Our firefighters put their lives on the line. There was a firefighter who passed away—actually, I think it was two—and there was a huge service in the city of Winnipeg. It is saddening, when we lose someone to a fire, especially firefighters. I don't know how many times I have heard, whether in the House of Commons or inside the Manitoba legislature, reference to 9/11. You have these first responders.... As everyone is evacuating a scary situation, you have first responders who are going into it. These people are heroes too.

Should you give some consideration to reducing the three years to two years in that category? But then again, all of a sudden, now we start coming up with this list.

I've argued that in the province of Manitoba our health care workers are the backbone of our health care services. If you ask Canadians what the one thing is that makes them feel really good about being a Canadian or calling Canada home, more often than not—more often than any other issue—they're going to say health care. They believe and they want and they desire our health care services.

That's for good reason. We have the best system in the world. Yes, there are some flaws. Yes, we need to see stronger leadership. We want to see that 2014 Paul Martin accord renewed so that there is more long-term security and we continue to see this federal investment in health care. I have a lot of concerns about the administration and management of health care. I think there is a stronger role that Ottawa can play in assisting provinces through national standards and many other things. But you'll find that they're saying health care is one of the things they identify the most with.

Well, if you put it in the perspective of the backbone, and I've said this on numerous occasions, Madam Chair—some people think that I might be a little talkative here in Ottawa, but I can assure you that I talked more when I was in Manitoba—the health care worker is very important. I'm wondering whether we should add heart surgeons or our registered nurses or LPNs. These are important people too. Should that category be reduced from three years to two years?

Madam Chair, you may get the general gist of where it is I'm going with this. I had someone suggest to me, and I think I may have made reference to this in my second reading comments, I'm just not sure.... Many would say that the reason you want to do this is that it assists in settlement. If you encourage and say it's two years, if you're in the Canadian Forces, that is going to really benefit Canada as a whole, because it allows that person to be better able to settle in our beloved Canada.

• (2135)

Well, Madam Chair, one could ultimately argue for those who participate in volunteer organizations or charitable groups. I can think of a number of charitable groups—the cancer foundations....

In the House right now, they're debating.... I don't know; they may be adjourned. I don't think they're adjourned. They're supposed to be —

• (2140)

The Vice-Chair (Ms. Jinny Jogindera Sims): The House has adjourned.

Mr. Kevin Lamoureux: So they have adjourned.

What they have been talking about all day is contraband cigarettes, illegal cigarettes. That's a pretty serious issue. At the end of the day, we look at this situation and say that we could do better, because that issue causes many more people to smoke. You will find that there are many different interest groups, stakeholders, out there saying that they want to decrease the amount of tobacco consumption in our country. You would be amazed by the number of volunteers the cancer foundations have, the amount of dedication, the thousands of volunteer hours that are put in. There are incredible hours.

If you work for a charitable organization—and that's a great way to network—it's a great way to assist someone who has just landed in Canada in settling, in many different ways. It would take me a great deal of time to explain those many ways. The bottom line is that there's great value to it.

So if making this “three years to two years” change is about value and about recognizing what is important to Canadian values—to use “values” in a different sense—there might be some argument to be

made about those popular, well-respected and cared-for charitable organizations in which someone puts in a thousand hours of volunteer work every year. There could be some merit in including them.

Why, then, don't we decrease it from three to two years? Madam Chairperson, this is where you can start to appreciate and understand why it's really important that we stay within the scope of the legislation. Each one of those points, I believe, should have been well talked about and questioned, because I can tell you that there are differing opinions. After all, I said that this is a private member's bill. There are differing opinions within my own caucus about the direction we should go. Many positions have great value. Some would argue that all positions have great value. Are you really wanting to move in that direction?

I think it was Pierre Elliott Trudeau who reduced the citizenship requirement to three years. It used to be five years. But what was the difference? Unlike the case in this bill, it was universal. It applied to everyone, Madam Chair.

One of the things I respected immensely about Pierre Elliott Trudeau was that he had a sense of fairness. He recognized the value and the importance of citizenship. He saw the value of reducing from five years to three years. By doing that, Madam Chair, I believe he added to the ultimate socio-economic fabric of our community and allowed many people the opportunity to acquire their citizenship a whole lot earlier. That's what we want to emulate. We should be looking at Mr. Trudeau's approach in dealing with the issue of citizenship and at the very least be open to it.

I would like to have had Mr. Shory respond to some of the comments I have just enunciated. At the end of the day, this is an idea that Mr. Shory had in regard to the Canadian Forces. I would have been interested in knowing his opinion on the RCMP. What is —?

The Vice-Chair (Ms. Jinny Jogindera Sims): My apologies; I was trying to sort out some logistics, but I want to remind colleagues to keep the noise level down. If you're going to chomp on popcorn, don't make any noise while you're doing it.

Mr. Lamoureux has the microphone at the moment. He is going to continue to make his presentation.

Mr. Kevin Lamoureux: Absolutely. For those who enjoy popcorn I will give you a bit of a caution. If you plan on speaking, make sure you drink a lot of water after you've had popcorn because popcorn will irritate your throat if you have to speak for any length of time.

Having said that, I believe that at the end of the day we want to recognize that I was kind of denied the opportunity to be able to ask what I thought were some really good questions to Mr. Shory. I wanted to get a better understanding of what it is that he was really wanting to accomplish. Maybe that was in fact quite doable. We might have to make some amendments to the legislation, and that's the reason I recommended to my caucus colleagues that we support the legislation.

But there are some genuine concerns that really and truly need to be answered by Mr. Shory, and because the minister approached the bill in the fashion that he did, that opportunity was lost. It might not be permanent. There might be another opportunity for us to be able to go through that clause by clause. If that happens, great. Maybe Mr. Shory can go over some of the thoughts that I've expressed in regard to the issue of who should be eligible to have their citizenship time residency dealt with. That would be wonderful if he were able to do that. Maybe he could provide a detailed comment as to each one of those points.

If I were a government backbencher, or even a minister within the government...everyone needs to at least understand some of the points that I've raised, Madam Chairperson. Those are legitimate questions. Imagine, if you will, you're a member of the Royal Canadian Mounted Police, and this bill were to pass as is. What we're saying is that if you serve for two years in the military, you will be able to apply for your Canadian citizenship. If I were a member of the RCMP, I would feel a little uneasy about it. I might wonder why the government doesn't care about my profession. Is my profession not an honourable profession? I could imagine the discussions that would take place between the two professions, Madam Chair.

Don't think for a moment that this wouldn't happen, because I can tell you it would happen. I understand and I appreciate the relationship, as I said earlier, between those two great Canadian entities. That's why the committee process is a very important process—

• (2145)

The Vice-Chair (Ms. Jinny Jogindera Sims): Excuse me, Mr. Lamoureux.

I hate to interrupt you again. Once again, I'm asking my colleagues to remember that when somebody is speaking, especially at this late stage, when you know how many days and hours we've been here, we really should not have the noise level so high that it interferes. My general rule is that if you're whispering over there and I can't hear you, then I presume the noise level isn't going across. But if I can actually hear your conversation, then that's too loud.

I know, Mr. Weston, you're going to say you're really sorry and then we can move on.

A voice: He's innocent.

Mr. John Weston: No kidding.

I am sorry. If we weren't so galvanized by the speech on the other side, then we probably wouldn't be blabbing along like this.

I do apologize.

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you. I really appreciate that.

Back to you, Mr. Lamoureux.

Mr. Kevin Lamoureux: Thank you, Madam Chair.

I would go a little further by suggesting that if we approached this issue openly, and given Mr. Weston's interest in the issue, I would be more than happy.... Maybe we arrange to have a meeting in Winnipeg North, a constituency in which I'm very comfortable. It wouldn't be a set-up. Trust me. It would be a clean type of.... We'll

invite some people. We could even go into Winnipeg South or whatever. I would ask that it be in Winnipeg. I want to make sure that I work as hard as I can in Winnipeg. It doesn't mean that I won't go into other jurisdictions. I often travel to other jurisdictions, British Columbia and so forth.

I'd like to extend an offer to Mr. Weston. If we were to take this issue and go to a public school where we were to challenge some grade 12 students to provide some feedback on the issue and if we were to work with the principal.... I'll give you an example. George Heshka, phenomenal principal. Sisler High School has been ranked as one of the best high schools in the country. I think it was even number one on one occasion. It has 1,400 plus students. It might even be up to 1,700. We could approach someone like Mr. Heshka, the principal, and ask Mr. Heshka if he could identify a grade 12 classroom and meet with 30 students. We want to talk about citizenship.

If we were to take Mr. Shory's bill we could talk about who should be eligible and get some feedback. We want to get more young people involved. We always say that. I'm prepared to do what I can to follow through on this and have that discussion. We'll say here's Mr. Shory's bill and here is what I would like to say about it. We can even throw in how the Minister of Immigration wants to change the scope of the bill and his ideas behind it. Then at the end of the day, see if we can build on some sort of a consensus.

I don't want to prejudge it completely but I'm feeling relatively confident that the bill would be amended, that there would be an agreement that you'd have to amend the bill. How? I don't know. I suspect you might see more than just the Canadian Forces. There might even be some suggestion that it should be universal, as Mr. Trudeau suggested back in, I believe, the 1970s when he reduced it from five years to three years. Then you find some other way to recognize the valuable contributions of members of our Canadian Forces, and you come up with something that promotes that valuable contribution to our landed immigrant community.

But I suspect that if we did that, committee members would be surprised if they weren't listening to what I said because at the end of the day, they're going to find out there is a need to amend the bill. When I say amend the bill, I'm talking about not having to change the scope of the bill.

Mr. Shory has something there that we should be able to work with and make some amendments that would allow for a broader sense of support, whether you're an RCMP officer, a wonderful registered nurse, nurse's aid, heart specialist, or a member of many other professions. We should all feel comfortable and confident that the quality of the bill that's being suggested and ultimately passed would get that wide level of support. I suspect, Madam Chair, that if we approached it with an open mind, that's what would happen.

If you think about it in terms of the scope, that's where it's getting us into a dilemma because the minister wants to make such profound changes to the legislation that in essence he might be sabotaging what could be a positive piece of legislation, if Mr. Shory would recognize the importance of making some amendments.

• (2150)

That's why I thought it was important that Mr. Shory should maybe talk with some of his House leadership committee members, to see if in fact they might want to change their attitude on why they want to do what they want to do.

Madam Chair, there is something else I need to comment on.

At the end of the day, what normally happens? Well, it's in the committee stage. Let's just assume we have the wonderful opportunity—as have all private members' bills that pass second reading—to have clause-by-clause discussion. During clause-by-clause, bills are voted on and they're passed, defeated, amended, or whatever it might be.

You finish that process and then what happens? Well, then the bill is reported to the House for report stage. When that happens, you will see the private members who are responsible for those bills start to get somewhat excited about the prospect that they've cleared what is in fact the biggest hurdle. Because after it clears the committee stage, the likelihood of seeing this bill turn into law is greatly enhanced. A lot will depend on the government and the way government wants to approach it, but the good news is that it's a private member's bill and because of that, it's treated differently from a government bill.

That's a very important point, Madam Chair, because that's going to be the next area of my discussion.

You need to remember the difference between a private member's bill and a government bill. This is the reason that I'm trying to explain, in the best way I can, the process of a private member's bill. In the motion, Madam Chair, it talks about reporting this bill back to the House on June 21. That's a very important date to note, and we'll have a good understanding why I say that in a bit.

What normally happens? You pass it on to the committee stage. You have a very happy private member who anticipates that the bill is now going to report stage, third reading, and then ultimately is passed. All of us have had the opportunity to vote on private members' bills. Much as in second reading, it's limited debate. You can't talk indefinitely. It's self-imposed. Imagine, if you will, that the Parliament of Canada says that private members' bills are so important that we don't want them subjected, in the normal way, to filibustering.

Now, this isn't normal what we're doing.

Mr. Shory, don't get me wrong, here. Mr. Shory's bill is not a normal bill because of the hijacking by the minister.

Generally speaking, you go into that third reading and you're going to see not time allocation, but priority given because of one reason: it's a private member's bill. That means you have a couple of hours more of debate, and often it doesn't even come to the two hours. One thing that makes me a little nervous is that I realize there are clerks and people who have been in the House of Commons for much longer than I have, so it is possible that I might be a little bit off. I believe it's two hours in third reading.

• (2155)

The Vice-Chair (Ms. Jinny Jogindera Sims): It's two hours.

Mr. Kevin Lamoureux: It's two hours in third reading.

The nice thing is that, in that two hours, you could see maybe 12 members stand up and speak. Who would be the first one to speak, Madam Chair? It's always the person who came up with the idea, who brought it through the first reading, took the time to do the first reading, the second reading, and got the vote in second reading—and generally speaking, it's always a stand-up vote—then got it through the committee, and now it's in third reading. They are the first person to stand in their place and say, "Here is my bill. It's passed everything else". Now they're anxious to see it get through the third-reading process.

They know they have only two hours, which is significantly different than for a government bill, Madam Chair.

What could happen with a government bill? Maybe I'll talk about the government bills, or I'll do the contrast because I don't want to lose the focus in terms of the private member's bill. I'll go to the government bills right after that.

The Vice-Chair (Ms. Jinny Jogindera Sims): I wouldn't want you to lose your focus, so you time yourself the way you—

Mr. Kevin Lamoureux: Exactly, focus is important in life.

After third reading is complete, often you will see the member stand up for the vote. The first thing you happen to notice is that the members around that member will applaud. Virtually everyone applauds the member, especially from their respective caucus, for finally having their bill voted on. It's the member who first stands up. It doesn't start from the back corner and go down the different rows. The member who introduced the bill will stand up. Then after he stands up, it will go to the back row, and it continues to go through.

But the point is, Madam Chair, you have this wonderful bill—how one might be voting will determine whether or not it's wonderful or if it's bad, but from the sponsor's perspective it's a wonderful bill. They have their bill. They've been applauded. They're feeling good about it. The vote occurs, and typically if it's a government private member, a backbencher, there's a very good chance it will pass. If it gets to third reading there's a very good chance the bill will pass.

One of the things I didn't comment on, Madam Chair, is what a private member will do. It's not as if they had this idea and this is where the idea came from. Usually there is a plan in place. The member of Parliament will want to ensure they build up support, that they've consulted. I don't want to prejudge exactly what Mr. Shory would do, that would be most inappropriate. Having said that, I would like to give an example, and I'll use my own private member's bill as the example, Madam Chair.

I think you will find that most members of Parliament do this. This is why I caution members, when you think of the idea that's been generated, I don't believe members take their idea, bring it to second reading, pass it out of second reading, only to be met at committee stage with a minister wanting to take over the bill and change its scope.

I wouldn't want that of my private member's bill, Madam Chair, because chances are I would have done a lot of work in the lead-up to it, and I give you an example. I made reference to a private member's bill, my only one thus far, which I'm quite proud of. As much as I would like to take 100% credit for the idea, the idea originally showed up in a discussion at a local McDonald's.

We had this discussion. The concern was the impact of negative ads, among many other things. What can we do about negative ads? It led to another discussion, and we came up with the idea of why not...because you don't want to censor. You can't tell a political party or a leader you can't have a negative ad. I think that would be wrong. If a party wants to do it, great, let them go nuts, spend whatever they want. The last negative ad probably made our party a little money, but we can't count on that happening all the time.

The point is that the idea itself usually comes not just from the member. If you check with Mr. Shory, and if you like, Madam Chair, I have his comments on second reading over here, and he probably made reference to it at the beginning, because it's the same principle.

This is a quote from the member:

I would like to start by thanking my family for putting up with the crazy hours and travel schedule of a member of Parliament who is also a husband and a father. I thank my wife....

I also thank the staff and volunteers who have helped me work on this legislation....

This is the point, Madam Chair. Here is what Mr. Shory said, and I give him full credit for it:

I also thank the staff and volunteers who have helped me work on this legislation....

• (2200)

This isn't just some thought that came through his mind and then all of a sudden it appears on the order paper. He obviously would have consulted with people. He's making reference to it. He's acknowledging the work of his staff and volunteers. So he says, "I also thank the staff and volunteers who have helped me work on this legislation, men and women whose creativity, insight and hard work have helped make the second reading of this legislation possible today."

Well, I can sympathize with him, and I'm a little bit envious. Your private member's bill has come this far. I'm hoping mine gets to be voted; I'm 150th on the list. The point is that you have come up with an idea, and that idea is something you worked on, you developed—much as I did with constituents of mine—and then you took the idea to the legislative counsel.

I admire the phenomenal work that our lawyers here on the Hill do, or here in Ottawa. I don't know exactly which building they are in, but they do a phenomenal job, whether in preparing amendments or, in this case, private members' bills.

We come up with the legislation, we come up with these ideas believing, because it is a private member's bill, that they are going to stay relatively close to the form in which we introduced them. If Mr. Shory, for example, were to work with individuals who might have assisted him with this bill, or if he were to talk to others and say, "Here's what the government wants to do: they want to take away citizenship in this situation, or they want to create a two-tier citizen,

or whatever it might be, which really dramatically changes the scope...".

We know this. I'm not exaggerating. Even the government itself argues that the legislation is going to change the scope. In fairness, and out of respect for Mr. Shory and his efforts, and the efforts of those who were involved in bringing forward this legislation, I think it is important for us to acknowledge this.

One of the reasons I think it is important is that when we look at the motion we have before us and see that it makes reference to scope, we need to think twice before we allow something of this nature to take place. Even if, Madam Chair, Mr. Shory agrees with changing the scope of the legislation, he might be sympathetic to it now, but it's no longer just Mr. Shory's legislation. This is a bill that ultimately, I would suggest to you, Madam Chair, has a much larger ownership, which is broader than the private member. Even though the sponsor of the bill might be comfortable with the changes that are being imposed upon him, we don't know why, how, or whether there will be a negative vote if in fact he doesn't accept the changes. We don't know that. We don't know what has been told in the back room about the bill.

But even if Mr. Shory is doing it 100% on his own and is in full compliance and says, "Yes, I want the government to change the scope of my legislation", we still shouldn't be changing the scope of the legislation, because it is entirely different from its original form. That is why I say you have to factor in other circumstances, other concerns, in making a substantial change of this nature, Madam Chairperson. That's why I think it is important that we have this discussion.

So you look at it, and we get back to where the bill was last—it gets third reading, it passes.... Chances are that the individual private member is going to want to let the stakeholders, the individuals who participated, be made aware of it. Quite often you'll see that a private member's bill will even generate media interest. For good reasons they'll often generate media interest, and that's a good thing.

• (2205)

Whether it's Mr. Shory or any other private member, it's always encouraging when we have a private member who brings in a piece of legislation and is able to attract some media coverage. We need to recognize that when you have a good story that comes out of the House of Commons from a member of Parliament, all of us indirectly benefits by that. I don't think there are enough good stories out there, so it's a positive reflection on all of us when it happens.

I had a number of interviews when advertising my private member's bill—and I just gave it first reading the other week, Madam Chairperson. I was asked what I thought about other parties and whether the Leader of the New Democratic Party would support it, and what about my own leader and so forth.

An hon. member: There's no stopping—

Mr. Kevin Lamoureux: There's no stopping that guy, that's true, but that's another issue. I won't go there right now. I'll save that for another day, another speech, and I do plan to enjoy it.

At the end of the day, Madam Chair, when we get a positive story, we all benefit by it.

When they asked me, what about the other members of Parliament, my response to them was that one of the things I like about private members' business is that in the Liberal caucus it's a free vote. I have seen in the Conservative caucus many members stand up separately, voting on either side of a particular issue on a private member's bill. We can't necessarily see that on....

Oh, I do remember. On the gun registry there was a New Democrat who stood up on the other side.

Mr. Rick Dykstra: What happened on that? I can't remember.

Mr. Kevin Lamoureux: That's a good point. She's no longer with the New Democrats, but relevancy is important here.

My apologies, Madam Chair.

The Vice-Chair (Ms. Jinny Jogindera Sims): You can carry on. I'm not interrupting you actually—well, I am. I apologize.

I'm simply reminding the parliamentary secretary sitting to the right of me that the rules of decorum—this is not a reference to you, Ms. Leitch. I was referring to my good friend, Mr. Dykstra, who knows that what he did at that time is not acceptable behaviour at a committee—

• (2210)

Mr. Rick Dykstra: He was making such a good point, Madam Chair—

The Vice-Chair (Ms. Jinny Jogindera Sims): —and I know you want to learn.

Mr. Rick Dykstra: I couldn't quite remember what happened at that time with respect to that decision, and he did clarify what happened.

My apologies.

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you.

Now we will go back to Mr. Lamoureux.

Mr. Kevin Lamoureux: Thank you, Madam Chair.

When we see that happen it reinforces positive feelings. We all benefit from that. When you see members of different political parties support a private member's bill in different ways, it adds a little bit more to the celebration, if I could put it that way, in the ultimate passing of the bill. That's one of the reasons why, when we were in the committee stage, there's this genuine desire to try to come up with amendments, if it's deemed necessary, that would broaden the support of the private member's bill.

Again, it is that glass half full attitude. Being an optimist I really thought it was going to happen on Mr. Shory's bill. In my recommendation that's what I was wanting to see happen. Let's just bring it to committee and see if we can make some positive changes to it. I would have loved to see as many Liberal members of Parliament recognize a good idea. But that was only going to happen if we were able to get a number of questions that I had answered so that I could explain to my caucus colleagues why it is that I was going to be supporting the bill. Even for me to support the bill there were amendments that I was looking to see or at least have responses to a number of questions that I had.

With what the government is currently doing there is no way that I could recommend to my caucus colleagues that they should vote in favour of Mr. Shory's bill. That isn't going to happen. Again, it's a private member's bill so technically it's a free vote within our caucus. But I have to be honest to not only my constituents but also to my caucus. This is not a typical private member's bill.

Madam Chair, the point is that it would have been nice to see Mr. Shory prevail and the Minister of Immigration pull out. The opportunity to work with both the New Democrats and the Liberals in trying to improve the legislation.... Had that happened, I believe that there would have been actual support for Mr. Shory's bill. He would have had his moment of being able to say that not only did he have Conservative support on this bill, but this bill was so good he had members of all political parties support this bill.

I'm afraid that if there are no substantial changes to the Minister of Immigration's motions, that it's not going to happen. You are not going to be able to get the type of support that you might have been able to get had the bill not been hijacked.

I understand, Madam Chair, that I might have only a few more minutes. I didn't even get the opportunity—

The Vice-Chair (Ms. Jinny Jogindera Sims): May I remind my colleague that there is no limit. I know how much he loves to speak. Actually, you could carry on all night if you so choose, but I don't want you to feel that I'm putting any kind of restraints on you.

Mr. Kevin Lamoureux: I might want a few more minutes, Madam Chair.

The Vice-Chair (Ms. Jinny Jogindera Sims): That's fine. I realize you have a meeting to go to.

Mr. Kevin Lamoureux: Madam Chair, I think what I would like to do is to contrast the government bill versus the private member's bill.

I talked about the private member's bill and the process that it goes through. What I haven't talked about is the government bill and the process it goes through. This is where it would be wonderful to build the connection between how the government, or its behaviour since the last federal election, has not been favourable and how rules such as time allocation have worked to the detriment of the House of Commons. What's happening with the private member's bill is even worse.

When you think in terms of the scope of the legislation, we first need to recognize and ask why the minister is choosing to use the private member's bill to invoke the changes the government wants. I've given a lot of time to try to figure out why they might be doing that. I'm sure that I'll get another opportunity to expand on that point, but I want to conclude my remarks relatively quickly by saying that at the end of the day, the manner in which the government brings in its own legislation is profoundly different from the process a private member's bill goes through. My concern is that the Minister of Immigration is using a private member's bill to pass legislation that should have been a government piece of legislation. If it had been a government bill, we would have seen a totally different approach to passing the legislation.

In a nutshell, look at it in this sense: there's two hours of debate at second reading on a private member's bill and unlimited time for debate on a government bill at second reading in a normal situation. That means that as opposed to maybe six people giving 10-minute speeches, you'd potentially have 305 members, or up to 308 technically—well, not the Speaker, but 307 members—who could speak. Many of them would have been provided the opportunity for 20 minutes. In reality, that is not going to happen. The most you will probably get on a government bill would be 150 speakers and you might get 20 of them, or whatever the rule is, who would be able to go 20 minutes. But you have 20-minute speeches followed by 10-minute questions and answers. You have 10-minute speeches followed by five-minute questions and answers. There's a whole lot more diligence and accountability inside the chamber for a minister to be able to do what Mr. Shory is doing. That is for good reason.

I'm going to conclude my remarks by saying that there is so much more that I want to talk about on that particular issue. I trust and hope that I'll get another opportunity to express it in such a fashion that members will understand why this offends me and why it is so critically important that Canadians need to be really aware of what's happening. As a member of Parliament, I am going to do what I can to make sure that in fact they are made aware of it.

• (2215)

So I appreciate the members listening to my comments so far. I look forward to being able to continue some dialogue on the bill, whether it's in committee or at third reading. I hope, and would highly recommend and suggest, that we ask the minister. If I could move a motion, the motion I would move, Madam Chair would be that the Minister of Immigration be disallowed the bills he has asked Mr. Dykstra to introduce on his behalf—because they are government bills—and to allow Mr. Shory the opportunity, without any sort of penalty, to continue to go ahead and try to work out some sort of a compromise and hopefully get amendments that would then allow for other political parties to genuinely get engaged and possibly support the bill.

Now I would look to the clerk and ask how we put that in the form of a motion and maybe write it out. Then I would hope that at the very least Mr. Shory would vote for it, and maybe one or two other members who would recognize the difference between a government bill and a private member's bill, and the value of sometimes saying no, even if it's to the Minister of Immigration, who might have greater ambitions at some time in the future.

So thank you very much, Madam Chair, for the opportunity to share a few thoughts.

• (2220)

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you very much, Mr. Lamoureux. You've really earned that sip of water.

I'm just going to go through my speakers list. We're on the amendment, and Mr. Toone, you're next.

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Thank you very much, Madam Chair.

The Vice-Chair (Ms. Jinny Jogindera Sims): And Mr. Toone, welcome to our committee. I think this is your first foray into the immigration committee.

Mr. Philip Toone: It's actually my second or third. Thank you.

The Vice-Chair (Ms. Jinny Jogindera Sims): It's the second or third.

Mr. Philip Toone: Right, time flies

An hon. member: When you're having fun.

The Vice-Chair (Ms. Jinny Jogindera Sims): Anyway, welcome back.

Mr. Philip Toone: Thank you, Madam Chair, and thank you for the opportunity. I'd like to congratulate my colleague Mr. Lamoureux for his breathtaking intervention just now and a well-earned water break indeed.

I share his concern that this bill risks not getting all-party support, which would be unfortunate. The process that's been invoked until now has been difficult and, in many cases, without parallel. We have here a private member's bill, not a government bill, where a government minister has proposed a number of amendments—a very unusual step and one that calls into question the validity of this even being considered a private member's bill.

I'd like to point out that all members of the House of Commons, with a few exceptions, have the opportunity to present private members' bills in the House. The exceptions, I think, are very revealing: ministers and parliamentary secretaries. And yes, I would have a reaction to that as well. Parliamentary secretaries and ministers are not allowed to present private members' bills, and there's a reason for that. They are government officers of the House of Commons. Private members are commonly referred to as backbenchers. They need their time in the sun. They need the opportunity to be able to speak freely within the House of Commons without undo influence. This bill has been influenced perhaps more than any other.

I'll remind the members of the process involved. The private member's bill goes through a process, a time-honoured process of some 30 years now in Canadian politics. We have had this process in place where there's essentially a lottery, a lottery of private members who are put in an order of precedence whereby they can present bills or motions to the House of Commons—and I'll get to the distinction between a bill and a motion in a moment—and are in fact encouraged to do so. In fact, there's an unlimited number of bills or motions that can be presented, but the member must determine the one within the order of precedence that he or she will in fact debate in the House of Commons.

Mr. Shory had the opportunity to be within roughly the first half of members who were selected what was essentially a lottery, and had the opportunity to present his bill a little bit earlier on. We're almost midway through the 41st Parliament if, indeed, it does last a whole four or five years. He had the opportunity to present his bill according to that order of precedence. Here I'd like to point out that I'm more or less at the bottom of that order of precedence. I have no idea if I'm going to have an opportunity to present my bills, but I certainly look forward to being able to debate any bills that are brought forward to this House. We have that order of precedence for a reason. Everybody gets a turn, depending on the length of the parliament. Every parliament is defined from one election to another as a parliament. We're currently in the 41st Parliament, and the order of precedence was set.

Again, I'd like to bring it back to the point that only private members have the opportunity to present these bills—not ministers, not parliamentary secretaries. When a minister tries to present amendments to a private member's bill, it in fact puts into question the very validity of that private member's bill. Is it really a private member's bill if a minister, who's not allowed to present bills within the order of precedence to private members bills, proposes a series of amendments. Then the question really is about whether we are even discussing a private member's bill. Are we in fact not discussing a government bill? And if it's a government bill, it falls under a series of new criteria. I think my colleague Mr. Lamoureux mentioned a few of them and they bear repeating.

• (2225)

Private members' bills only have a certain amount of time to be debated in the House. They're essentially an opportunity to bring forward motions or bills in an express manner, in a rapid manner, with very little debate.

I'll get to the process of that in a moment. I just want to point out that if government ministers introduce amendments to a private member's bill, they're essentially circumventing the opportunity for members of Parliament to be able to debate those motions fully. That is a clear violation, as far as I'm concerned, of the spirit of private members' bills and their place within our parliamentary system.

Private members' bills, when they're presented, have the opportunity to be briefed, to be put through a process, whereby experts within the House of Commons are helping them to vet the bill, to properly draft the bill, to see whether it will meet certain criteria.

This bill actually had the benefit... This was before the amendments were brought forward, suggested by the minister. We had the opportunity to hear from experts, from clerks, from lawyers, from experts within the House of Commons on whether the terms of this bill actually met the basic criteria of a private member's bill. The question still remains whether it's actually a bill that should meet those criteria.

The only real break or possible opportunity for a bill to be rejected is through our private members' bill subcommittee—which I happen to sit on, if I can take an opportunity for full disclosure. The private members' bill subcommittee is a subcommittee of the Standing Committee on Procedure and House Affairs, commonly known as

PROC. That subcommittee has a duty to vet private members' bills or motions according to a series of criteria.

It bears mentioning what those criteria are, so I'll just mention them now. According to Standing Order 91.1, the criteria are that bills and motions must not concern questions that are outside federal jurisdiction. Bills and motions must not clearly violate the Constitution Act, 1867 to 1982, including the Canadian Charter of Rights and Freedoms, which as we know is part of the 1982 Constitution Act. Bills and motions must not concern questions that are substantially the same as ones already voted on by the House of Commons in the current session of Parliament, or as ones preceding them in the order of precedence. Bills and motions must not concern questions that are currently on the order paper, or notice, as items of government business.

Those are the four criteria that the private members' bill subcommittee base themselves on to approve or disapprove a bill.

More specifically, I'd like to point out that a bill is deemed votable right from the get-go. It's only deemed non-votable if the subcommittee deems it so, according to those four criteria.

I think the fourth among the criteria bears addressing here, that bills and motions must not concern questions that are currently on the order paper or notice paper as items of government business.

Now, while this bill doesn't actually break the stated wording of that criteria, I'd say it actually breaks the spirit. Again, because the minister brought in so many amendments, it bears questioning whether this is in fact not government business. Government business, as we know...and I think Mr. Lamoureux put it quite well a moment ago when he said that bills that are a part of government business have the benefit of exhaustive debate in the House of Commons—or at least in a normal Parliament it does.

We have the serious difficulty right now that government business seems to be fast-tracked at an incredible rate. We also have omnibus bills that make it clearly impossible to debate issues of great importance to Canadians in a fulsome manner.

But the government seems to have found another way, a third way, to fast-track their legislation, and that's to piggy-back them onto private members' bills. At least that seems to be what's going on here.

• (2230)

If it hadn't been for the fact that the minister had brought so many amendments, trying to divert the meaning of this bill, then perhaps my impression wouldn't be accurate.

Mr. Rick Dykstra: Just as a point of order, I realize that the minister is here, and he's actually going to substitute at committee.

The Vice-Chair (Ms. Jinny Jogindera Sims): We welcome the minister to our committee.

Mr. Rick Dykstra: Great. Thank you, Chair, but I do want to mention, and I think it's important to note, that we are speaking to an amendment that has been moved by the New Democratic Party.

I know we heard Mr. Lamoureux comment about whether or not this is a government bill or whether this is a private member's bill. I'd have lots to say on that issue if I had the opportunity to speak, but I will say that the amendment in and of itself is something that needs to be referred back to in terms of the speaking that Mr. Toone is going to do.

I just would like it if you could remind him that making accusations is fine when we're in the House of Commons during question period, but there is a point to be made of sticking to the core message of what their amendment is attempting to do to the motion.

The Vice-Chair (Ms. Jinny Jogindera Sims): I would like to remind all members to take a look at what they're here to debate, but I also want to remind all my honourable colleagues that we did have a speaker here who spoke quite at length, and was given a lot of leeway, without any objection, on a similar line of—

Mr. Rick Dykstra: I objected twice, actually, but....

The Vice-Chair (Ms. Jinny Jogindera Sims): Well, not on this line of debate.

I will remind members that you always have to remember what the motion is and what it is you're debating, and that we must apply the rules in the same way to all members.

Mr. Rick Dykstra: Then, Madam Chair, if you felt that the previous speaker was going out of line in terms of not sticking to the topic, I would leave it to your determination when to bring that person back closer to the amendment.

I'm just reminding Mr. Toone that I would love to hear his comments with respect to the amendments. I've heard lots of comments that are very similar from Mr. Lamoureux and that Mr. Toone is making now regarding who actually has ownership of this bill. I've heard them from Mr. Lamoureux, and they sounded very, very similar from Mr. Toone.

I'd like to hear more about his feelings on his amendment.

The Vice-Chair (Ms. Jinny Jogindera Sims): Mr. Dykstra, two different members speaking on it can be saying the same thing, but it's their feelings, their perspective, and that's what this member has the right to express.

I've given...I wouldn't say a lot of latitude, because I believe there is a connection here. So we'll let the member finish.

I would remind all members when they're speaking to always be cognizant of the motions that are before them, and the amendments as well.

• (2235)

Mr. Philip Toone: Thank you, Madam Chair.

I'd like to point out that I am trying to bring out arguments here as to why this is an important amendment, and why this amendment was brought forward, and how it is there is a need for an amendment to this bill. It is contrary to the amendments that were brought forward in the past that were going to substantively modify the meaning of the bill. They were brought forward by a minister of the crown, which in my opinion puts into the question the very validity of this in fact being a private member's bill.

Certainly this bill will benefit from amendments. I think that's the whole point of bringing members' bills to committee. It's important that all members' bills have an opportunity to be heard. They certainly tend to benefit from the process of committee and the process of fulsome debate and also the process of having witnesses testify and possibly bring forward ideas for amendments.

The amendment on the table right now is one that's worth debating.

Certainly when it comes to a private member's bill being presented as it was to the subcommittee for that private member's bill, had there been a question of non-votability, had there been any suggestion that it in fact was a government bill, the subcommittee for that private member's bill would have had a difficult time continuing to consider that this bill was votable. It might have in fact deemed it to be non-votable, which would have changed the whole process.

I'll get back to that process in a moment, but the process would have brought this bill to an entirely new level, where the House of Commons itself would have had to determine whether or not this bill were actually votable. But it was deemed votable; it kept its votable status.

We're here now, and we have to debate whether the amendment that was proposed is actually going to be of benefit to this motion and whether it's going to be of benefit over the long haul to the democracy that we're in.

I want to point out that when this bill was debated in committee—and I was able to sit in on a couple of occasions and benefited from hearing the minister himself speak on this bill—the minister mentioned that he supported the bill and that he believed this bill would probably benefit from amendments, were they to be brought forward.

If I remember correctly, he brought forward ideas especially on the second part of this bill, which had to do with determining whether Canadian citizens could lose their citizenship if they were to engage in acts of war against the Canadian Armed Forces. That certainly led to a fairly important debate on the matter. That question is still being raised, and I would argue that it's not been completely exhausted as a matter of debate.

Certainly we heard from a number of witnesses at the committee who called into question whether that was actually an appropriate manner in which to remove citizenship from an individual. I won't go through all the witnesses who brought it up, but we can certainly go back to the testimony and point out that when it comes to removing citizenship without any apparent due process, that seems to be in opposition to the principles of fundamental justice that we tend to abide by in Canada, or at least I thought we did.

The other part of the bill, though—which I think is more a point of the bill—is to fast-track Canadian citizenship for members of the Canadian Armed Forces who do not yet have that citizenship. That's certainly an interesting proposal.

It doesn't affect very many people, as we heard in the committee. I was also present when we heard from Canadian Armed Forces officers who pointed out that it was either 14 or 17 people in a year who would actually benefit from that.

• (2240)

The Vice-Chair (Ms. Jinny Jogindera Sims): It is 14.

Mr. Philip Toone: It's 14? Thank you, Mrs. Chair.

So 14 people would benefit from that, which is sizably different from all the other Canadians who also wish to benefit from Canadian citizenship. The backlogs are horrendous, and those issues should be addressed, not only by this committee but also by the ministry and the minister himself.

It's unfortunate; had the government come up with a plan for all of those people waiting for citizenship, perhaps this bill never would have been required in the first place. The idea to fast-track Canadian citizenship for some, with the backlogs that keep increasing every year—so in fact slowing down the process for just about everybody else—really leads us to question whether the member might have benefited from discussing with the minister other ways of fast-tracking citizenship. Perhaps some of those would have been to ensure that there are enough officers within Canadian immigration to be able to process files within a reasonable delay and not allow backlogs to increase.

When it comes to the question of citizenship and fast-tracking citizenship, and that we need to be referring this back to the House in all due haste, I think that speaks to the fact that this is an important matter. I think it's important on many levels. We want people who are working in Canada, people who are contributing to that society, whether by paying taxes, producing wealth, extending family and friend relationships, or adding to the vibrancy that makes this nation such an exciting place to be. We really need to be looking at making sure we are not creating a two-tiered system where some individuals will get citizenship sooner rather than later.

I just want to point out how it stands right now with the Canadian Forces: (1) In order to be eligible for enrolment in the Canadian Forces as an officer or non-commissioned member, a person must:

- a. be a Canadian citizen, except that the Chief of the Defence Staff or such officer as he may designate may authorize the enrolment of a citizen of another country if he is satisfied that a special need exists and that the national interest would not be prejudiced thereby;

So we have the problem here, a real dilemma, that in order to be considered acceptable to be a member of the Canadian Forces, you have to be a Canadian citizen. Without any clear system for getting that status, a person must be a Canadian citizen, except that the Chief of the Defence Staff or other such officer believes that person deserves to be a member of the Canadian Forces.

There's no clear path here, even for an individual who wants to contribute by being a member of the Canadian Forces. I think this bill might benefit from further debate even in the House of Commons in terms of how that process would actually work.

We have here a situation where the bill would allow shortening by a year the amount of time it would take to go through the process of residency requirements in order to be eligible for that Canadian citizenship, which is laudable in and of itself. The difficulty here is how do you become a member of the Canadian Forces in the first

place? There is a bit of a catch-22 in this bill. It doesn't seem to address the issue.

Again, we're only talking, according to the Canadian Forces themselves, of 14 people in a year. We're not talking about a very effective way, I think, to be dealing with the fact that we need to deal with backlogs in the Canadian citizenship process.

I think it's really a horrendous thing, in a country that's essentially built on immigration, that we don't have a better process to be able to welcome new Canadians in a more forthright and expeditious manner than trying to come up with other ways, through another door, in order to be able to gain that citizenship.

• (2245)

In this bill we're creating a false hope for new arrivals in Canada that they might also become Canadian citizens, by suggesting to them that they could fast-track if they became members of the Canadian military, when the Canadian military, in a *prima facie* manner, cannot accept them as members of the Canadian Armed Forces unless they have exceptional circumstances.

We're creating exceptions to exceptions. This is not a way to deal with an immigration issue. It might be a way to congratulate people and to thank them for their service, but the problem is that it's very difficult for them to even give that service in the first place.

This bill has a lot of difficulties on so many levels. Just the process involved here leads one to really question one's ability to be able to come out in favour of this bill.

Again, this bill risks not getting all-party support, and that would be very unfortunate, because all parties believe that this country benefits from new Canadians. As we all know, this country in fact was built on the backs of new Canadians. We have a lot to thank the new Canadians for in regard to all the hard work they've put into creating this wonderful country that we live in today. We should honour them, and we should honour them in many other ways.

Some of those ways would include having the government producing bills in the normal manner, that is, as government bills that offer the opportunity for a fulsome debate. A fulsome debate means the government coming forward with bills in order to bring witnesses forward, to have fulsome debate in the House of Commons, either at second reading or at report stage, and to have a fulsome debate at the committee level. Then, when we finally get to the third and final reading in the House of Commons, the bill will have had the opportunity to be debated fully and with the benefit of testimony from expert witnesses.

When it comes to private members' bills, a lot of those processes are simply unavailable. Private members' bills only benefit from a couple of hours of debate in the House of Commons, and "debate" is probably a very generous way to express what happens in the House of Commons with a private member's bill, seeing as only the sponsor of the bill, that is, the member of Parliament who's presenting the bill to the House of Commons, alone will have an opportunity to benefit from a question and answer period. No other person who does any presentation or at any time intervenes to speak to the bill will benefit from the opportunity to be questioned by any other member.

The process is short, the process is expeditious, and the process does not benefit from the fulsome debate that a government bill would benefit from. Even in this era of time allocation, even in that environment, government bills, as a rule, are actually getting more debate than a private member's bill does.

Here's what the question really is. With the attempts being made to turn this into a government bill, or to at least give it the appearance of a government bill, wouldn't this bill and all those amendments have benefited from a more fulsome debate in the House of Commons? If that had been the intention, why wasn't the minister perhaps more forthcoming, at the stage when we were debating this in the private members' bills subcommittee, to make it apparent that the government is very interested in this bill and would be bringing forward a series of amendments?

It is very possible that at that point the private members subcommittee would have deemed this bill non-votable. I'll remind members that if it had been deemed non-votable, it would have been very similar to the bill on sex selection that was brought forward recently by the member from Langley, whereby the private members' bills subcommittee deemed that bill to be non-votable.

Such an occurrence could have happened. If it had happened to this bill, there would have been an appeal process, certainly, and that would have led perhaps to another level of debate, but on the matters of the bill itself, we would have missed that opportunity.

● (2250)

What we could have had here was the minister bringing forward a bill that would have reflected his amendments. Unfortunately, we were not given the opportunity to benefit from that process. We were given the opportunity to debate this bill, which, again, has a series of difficulties.

I really need to bring this point forward, Madam Chair. On the possibility that we would remove somebody's citizenship, I find it very difficult and very disturbing. When we talk about removing somebody's citizenship, as the bill points out, we would remove it only if the person is "a citizen or a legal resident of a[nother] country". That seems to contravene the 1961 UN convention on human rights. It contravenes the point that we must not create a situation whereby an individual is stateless. This bill, without even the benefit of due process, seems to lead to the possibility of somebody becoming stateless, because the bill does in fact say the person would have to be "a citizen" or simply "a legal resident" of another country. The bar is fairly low.

We also actually would have difficulty with the definition of a resident in another country. I would put forward, Madam Chair, that even determining who is a resident in Canada sometimes is not very apparent. Province by province, the rules change, and the rules of international law are sometimes misunderstood.

In my opinion, it is simply not appropriate that in Canada, without any apparent due process, somebody's citizenship could be removed without giving them an opportunity to be heard. A fundamental principle of justice in this country is the right to be heard. This bill doesn't seem to allow for that. It just says that if an individual engages in an act of war, we will remove their citizenship if they have citizenship or if they have residency status in another country.

It's fraught with danger, Madam Chair. Even the possibility of defining "an act of war" has been debated in this committee. I would challenge anybody to actually come up with the definitive answer as to what an act of war is. That part of the bill still remains highly questionable and again seems to contravene an international convention to which Canada is a signatory. It's very difficult on many different levels.

But if we get back to the fact that this bill seems to be one that brings forward government business, and not private members' business, I have to ask this question. If this bill isn't being whipped by members of the government party.... It would at least appear to be a two-line whip, if not a three-line whip. To be clear, a two-line whip occurs when ministers have to vote in favour of the bill and other members are left to vote according to their conscience. I'm not sure that this isn't a three-line whip, considering the amount of attention the minister has put on this bill and his presence in this committee—

The Vice-Chair (Ms. Jinny Jogindera Sims): [*Inaudible—Editor*]...a point of order, Mr. Toone, if you could.

We're fairly relaxed with extra people coming in and visiting, with extra staff, MPs, and whoever wants to come in and enjoy our company here, but I am going to ask if people could be a little respectful and not get so loud that it interferes with my being able to hear, because that's the test I'm using.

Thank you.

Carry on, Mr. Toone.

Mr. Philip Toone: Loud and clear, Madam Chair. Thank you.

The very presence of the minister at this stage suggests that the government ministers continue to be very interested in this bill. Again, it's an unusual level of interest, given that this is a private member's bill.

I'm not sure if the minister had the opportunity to hear this or not, but it bears repeating that ministers are not allowed to bring forward private members' bills, nor are their parliamentary secretaries. Only those who are commonly referred to as "backbenchers" can bring forward private members' bills, so the fact that the minister would bring forward amendments calls into question the process. I think a fulsome debate just on that point alone would be an interesting one for the House of Commons to engage in—

● (2255)

Mr. Rick Dykstra: A point of order, Madam Chair.

The Vice-Chair (Ms. Jinny Jogindera Sims): What is your point of order, Mr. Dykstra?

Mr. Rick Dykstra: Mr. Toone has gone down this road once already. He's repeating himself somewhat—

Mr. Philip Toone: It's for the benefit of the minister.

Mr. Rick Dykstra: Let me tell you something: this minister reads all of *Hansard* when it comes to this committee, so he's probably already read what you said, Mr. Toone.

Some hon. members: Oh, oh!

Mr. Rick Dykstra: I understand the point you're making. I do want to make one point of clarification on my point of order. I am the one who actually introduced the amendments here at committee; it was not the minister.

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you, Mr. Dykstra.

Once again I will remind speakers to be careful.

I absolutely can say that we do have a minister who reads a lot and reads everything. He's just working away, even in here.

Thank you.

We'll go back to you, Mr. Toone.

Mr. Philip Toone: Some members might be accused of not even sleeping sometimes, but....

I appreciate the comment by the parliamentary secretary. I would also point out that the parliamentary secretary also cannot present private members' bills. The point is similar, but I appreciate the point.

I wasn't here for all of the sittings in this committee, just for some, so I didn't get the benefit of all the proceedings, but the gist remains the same. The sanctity of the private members' bills needs to be protected. It bears mentioning that throughout history, private members' bills in this House of Commons and this Parliament have not always been as sacrosanct as they are now. It's only fairly recently that we determined for this particular process that we would ensure that all members could bring forward issues that are of some importance to them and to their constituents. Prior to the sixties, there essentially wasn't really much of a process at all for bringing forward private members' bills, and it's only through a lot of pressure from private members that a new process was developed and is reflected in what we have here today.

It's terribly important that the government not have full control of the agenda of the House of Commons, because the government sees things on a more global level, as a general rule, whereas individual members will have a much better appreciation of the needs of their constituents. Government ministers and parliamentary secretaries, I think, have an important role to play in this country, managing the affairs of this country. It's very important work indeed. But individual members also need to reflect the needs of their constituents, and that is the point of a private member's bill, to bring motions forward that otherwise would not have the opportunity to be debated. In the past we simply did not have a similar process in place. We had a process whereby members needed to convince the government itself to bring motions forward, or private members' bills forward, which would be fulsomely debated in the House of Commons. It was clearly a very difficult process and one that was very subjective.

We now have a very objective process whereby members have the opportunity to bring forward their individual motions. In fact, as I mentioned earlier, they can bring an unlimited number of motions or bills to the House of Commons, but they are limited to debating only one in a single cycle of precedence, which, largely speaking, reflects a four-year Parliament, if you will. Generally speaking, as we have just over 300 members of Parliament, it takes roughly a full four

years for that full cycle of 300 members, less the ministers and the parliamentary secretaries, to have an opportunity to bring at least one motion forward, if ever we made it through all of the members bringing motions forward. So if we went through the entire order of precedence, then we would create a new lottery whereby there'd be a new order and all members of Parliament would again have an opportunity to bring forward motions on a new cycle. But that's fairly rare. In fact, I'm not sure if it's ever happened, but it certainly can happen if a Parliament is in any way longer than usual. If I'm not mistaken, a Parliament can last only five years, unless it's extended through perhaps an act of war, which might bring us back to the bill here, under certain circumstances.

Having an opportunity for members to bring forward their private members' bills is very important. They can bring bills or motions. The distinction isn't a very important one for most individuals, but it might be important to say here that a motion speaks to the will of the House of Commons, whereas a bill would actually amend law or create law as the case may be.

In this particular case, we are looking at a bill, and we are looking at amendments to the Citizenship Act.

● (2300)

We've seen a lot of bills change the Criminal Code in this Parliament, something that is fraught with danger, because the Criminal Code tends to be in the purview of government. It should often be the case—not necessarily exclusively, but predominantly, at the very least—that members of Parliament should ask the government to be amending the Criminal Code and not individual members through their private members' bills. But it is their right, and we respect that right. Again, all motions are deemed votable right from the get-go.

We need to be looking at a bill here that has been criticized significantly in this committee, through a number of interventions, through a number of witnesses who have a lot of experience in the field. Refugee lawyers especially, I think, had a number of interesting things to say.

I think one of the more interesting aspects was this. One of the witnesses brought up the point that if we create a stateless person, we no longer really have any control over their ability to be prosecuted for the very reason that we've determined them to be stateless.

If somebody has committed an act so grievous that we believe it's necessary to remove their citizenship, surely it would be better for us as a state to take on the responsibility of judging that person through due process than to remove their citizenship, which this bill seems to remove without the benefit of due process.

Again, I think it is very important that this bill has the opportunity to be fulsomely debated, not just at this committee but in the House itself. The amendment brings forward the opportunity for debate on this on a larger scale. I think Canadians as a whole would probably benefit from hearing this bill spoken of in the House of Commons itself, with a fulsome debate there as well. It's not enough to simply have it at committee level.

We're talking here about a fundamental element of Canadian society, our very citizenship within that society. That bears a very fulsome debate in the House of Commons. Again, when it comes to a private member's bill, that debate is simply not as fulsome as if it were a government bill.

In the past when we were creating bills that created or denied citizenship, I would be very hard pressed to be able to point out any significant precedent that said a couple of hours of debate would be enough in the House of Commons in order to determine whether we can actually remove somebody's citizenship, again, without a fulsome due process. It's very disturbing and very difficult for me to accept that it's through an almost automatic process.

Again, the bill does not speak to any other process. It simply says that if the person has been engaged in an act of war, we will remove their citizenship. It's very, very difficult wording. It's very, very difficult to understand the full impact and to detect any particular due process that would be afforded the individual.

We live in a society of laws. We don't live in a society where individuals, through possible evidence, possibly lack of evidence, through a process that is not transparent...that we would be removing one of their fundamental rights in Canada, which is to be a citizen of this country.

We applaud the initiative to be able to fast-track somebody's ability to become a Canadian citizen. The idea that somebody can work in this country and not be afforded the opportunity to become a citizen, we see a little bit too often. We saw that recently with the scandal with the Royal Bank bringing in temporary foreign workers. Those people would be working in this country, contributing to its wealth, contributing to its development, and we would be denying them the opportunity to be able to enjoy the rights and privileges that so many others who have made it to this country have been afforded.

Others were given that opportunity—namely, you come to Canada, you contribute to Canada, you want to lay roots in Canada, and we will afford you the opportunity to become a citizen.

• (2305)

It's laudable in this bill that we want to give 14 people that opportunity. I'm very happy that a number of individuals might be afforded that opportunity.

But what about the tens of thousands who would also like to be afforded that opportunity and who are simply waiting in line? They too are trying to contribute fulsomely to our country. I find it difficult to simply draw the line at people who join the Canadian Forces. Why not go further? Why not give the opportunity to so many others who are working here? Why not speak to those individuals who work for the Royal Bank of Canada, who are offering surely sound financial advice to Canadians? Why are they not being considered for fast-track Canadian citizenship?

Again, this probably would have been discussed had this been a government bill right from the get-go. But it's not; it's a private member's bill on a very finite and very restricted interpretation of who needs to be fast-tracked and who is going to be left to the side.

The bill simply lacks breadth. It lacks scope. It needs to look at where the rest of the backlog is in order for people who equally are

contributing to society in so many different ways can benefit from being full citizens of this country.

It's not enough to be a resident of this country. I think the Americans put it very, very well when they said no taxation without representation. The idea that you're going to be taxed, you're going to pay into EI, and you're going to pay into various funds in this country without having the right to be able to draw from so many of them is difficult to accept.

For our neighbours to the south, their very statehood was based on that very notion, that they did not believe in creating tiers of citizenship. They wanted to be full citizens, with full rights over their lives, and full participants in their democracy.

Canada is a proud country with proud traditions of democracy, drawing from two systems in the history of democracy, the British Commonwealth system and the French civil law system. We're truly a unique country in so many ways, with a proud history of contributing to the growth of democracy across the world. And yet here we are, saying that there are going to be classes of opportunity of citizenship. That is troubling. That is very troubling indeed.

In the House of Commons, this bill will I hope benefit from significant improvement. At the very least, it will give Canadians the opportunity to hear more about what needs to be discussed in this bill, what needs to be perhaps improved in this bill.

The improvements that we have made to the bill at this point, or at least we are debating, in many ways are simply not enough. That the government would bring forward through its parliamentary secretary a series of amendments is troubling. It speaks to a government that simply doesn't want to benefit from the debates that are afforded it, the opportunities of debate that are afforded it.

I'm troubled not just by this bill, but just by the frequent and incessant—

An hon. member: [*Inaudible—Editor*]

• (2310)

The Vice-Chair (Ms. Jinny Jogindera Sims): [*Inaudible—Editor*].... Thank you, Mr. Dykstra.

I'm listening. I'm a woman; I can multi-task.

Mr. Philip Toone: —opportunities this government takes to seemingly curtail debate.

This bill seems to have suffered that same fate. We are not bringing these ideas forward to Canadians. The very reason we have a Parliament is for all of us to come together and debate these bills in an open and transparent fashion, and to not suffer from the government unduly taking over the process, which seems to have been what was attempted here. It's an unusual step, indeed, a rare step, a questionable step, and a step that simply betrays that a government doesn't want to benefit from a fulsome debate.

We need to have more opportunities to bring forward amendments as members of the committee, as members of the House of Commons. It is a private member's bill, after all. It is a member's bill that's to be debated amongst colleagues, members from all of the parties.

In Parliament when it comes to private members' bills, as much as possible, these bills are essentially treated as non-partisan bills. We saw it just yesterday with the private member's bill on having a certain date to celebrate Pope John Paul II. It had significant support from all the parties in the House of Commons. I think it was clear that was, in fact, the nature of private members' bills: to indeed bring forward that level of support and that level of debate amongst all of the members of the House of Commons.

In this case we're seeing a private member's bill that's been almost completely turned on its head by the government members of the House of Commons. That, again, betrays the very nature of the private member's bill.

We have this process in place specifically to allow members who are not government officers to bring issues forward to this House of Commons. In this particular case, that process was betrayed, and it's of great concern.

I question whether this might be a precedent. If it is, all of the private members of the House of Commons have reason to be very concerned. Their bills could be adopted and modified by the very officers of the government the private members process was meant to protect them from.

It betrays a lack of understanding, perhaps, of the history of the private member's bill process in this House of Commons. It betrays a certain expediency by government officers, that they would take that opportunity, when so many other opportunities are afforded them, to bring forward their bills.

Private members' bills need to be treated as sacrosanct. The right of private members to bring forward their proposals from their constituents needs to be considered an inalienable right, if you will, of members of this House of Commons. The very fact that we had a controversy in the House of Commons recently on Motion M-408 betrays to what extent private members want to defend their rights to bring forward their bills and their motions without interference from government officers. And that debate is ongoing.

We are one of the few countries that allow private members to bring forward their bills. We've had delegations from countries, from overseas, that have come to ask us how that process works. They're interested, because they don't have that same process. They want to see whether they can integrate our process over there.

• (2315)

I would find it very unfortunate if I had to explain to them that our process works as long as government officers don't turn that process on its head and turn a private member's bill into an apparent government bill. I don't think that's what they come to Canada to hear. I suspect they come to Canada to hear how we work collegially to bring forward private members' bills to support members in their endeavours to bring issues forward from their constituents.

I suspect that when other countries look at us through this process, they're probably very discouraged. Certainly I don't think the ones I've met would have been very pleased to hear the way this bill has been treated by members of this House of Commons.

We need to respect that process. It has history, it has meaning, and it's a process for which our predecessors fought hard in order to have the opportunity to bring these bills forward and to have a debate.

Now, there are limits to this process. We have only a few hours of debate, unlike government bills that have essentially an almost unlimited period of time, or at least—the current time allocation notwithstanding—the time that's available for government bills to be debated is very lengthy indeed, as it should be. Government bills have consequences, or on the face of it they should have consequences, for all individuals in Canada. Private members' bills sometimes deal with specific constituents, and perhaps that's why we have less time to debate them.

Be that as it may, it was a compromise, because in the past we simply didn't have any time at all to debate them. So having any time at all, we need to be respectful of that. We need to be cognizant of the fact that there was a fight in the House of Commons to be able to get that right, and that right should be respected.

I have difficulty seeing how that right is being respected here. It's a dangerous precedent. It's a precedent that could lead private members, commonly called backbenchers, to revolt. If you squeeze too hard, people fight back. We've seen that in the House of Commons recently and we're going to see it again, I'm sure.

There have to be limits to the way the government can bring its bills forward, and this is one of them. Private members' bills are exactly that: they're private. They are not the public domain of government officers.

We need to be very cognizant of our history, and we need to understand why the history transpired as it did, in order to respect the institutions we have here today and in order to help them grow in the future. We're simply not measuring up to that high standard right now. That's unfortunate, because it might lead us down the wrong path.

The amendment here I think helps guide us back to a proper path. I think it will help bring back a little bit of balance to the debate, a debate that I think has been difficult. It's brought out a lot of emotion. It's a debate towards the end of the parliamentary session before the House rises for the summer, one that takes on a certain urgency, which to some extent explains why we're still sitting here at this late hour. This is not the only committee that has sat at such a late hour. In fact some have sat for hours and hours and hours, and days on end. But those debates are worth having. We're talking here about helping residents become citizens.

In the case of individuals who want to join the Canadian Armed Forces and become citizens, we're offering them a fast track to that citizenship—which is laudable, indeed laudable, but in so many ways insufficient.

To twin this with the idea of removing citizenship gives an odd carrot-and-stick element to this bill, which has been criticized by so many individuals. The permanent members of this committee will certainly be aware of it, and I'm sure the parliamentary secretary no doubt has a great recollection of it all.

• (2320)

We really need to be thinking about what the objective is here. What constituents are being aided here, and to what benefit?

I have no doubt that Mr. Shory has a number of constituents who would see this bill as being a step in the right direction. That he reflects the will of his constituents, I applaud him, but surely he has so many other constituents who would want another option as well to be able to get that citizenship that isn't just limited to those who are going to enter the Canadian Armed Forces.

We need to be looking at the big picture as well as the micro. In this case, the micro has been criticized by a number of individuals, and for good reason. The bill seems to ignore the fact that there are legislative obstacles for those very people that the member is trying to help. They will only be given the opportunity to benefit from the beneficial sides of this bill through exceptional circumstances, and subjective exceptional circumstances.

I don't think that individuals who enter the Canadian Armed Forces—certainly the ones I've spoken to—would be satisfied that there would be an exceptional subjective circumstance whereby they might gain Canadian citizenship even through the terms of this bill. It's insufficient. That is why these bills benefit from debate, in order to identify the insufficiencies, in order to benefit from the testimony of expert witnesses and also from the experience of colleagues.

I think the committee is especially well placed to hear from the expert witnesses, but the House of Commons is where you're going to hear from your colleagues as to where there are possible opportunities for amelioration of the bill.

The private members' bill process does not allow for significant debate in the House of Commons on that front. To bring this bill forward to the House of Commons is probably in certain ways a step in the right direction. But at the same time, we have to understand the limitation of this bill, that the debate in the House of Commons is terribly limited and *encadré*, boxed in, by certain rules that don't allow for fulsome debate.

Perhaps the parliamentary secretary was right in some senses to bring forward certain amendments in the sense that this probably warrants a more fulsome debate in the way that a government bill would have opportunity to be debated. But we're not talking about a government bill here, we're talking about a private member's bill.

I would certainly invite the parliamentary secretary to speak to his minister to see if there are other ways the government could help in the situation of a backlog of individuals who are looking for Canadian citizenship. But when we're looking at this particular bill, I think we have reason to pause and reason to be concerned. We simply are talking about a bill that, while it might have started as a private member's own initiative, has taken on an air of government responsibility.

This part is the most worrisome of them all. We really need to be looking at the process that this bill has gone through and at the issues that were brought forward in this committee for where the ameliorations could be.

Unfortunately, the amendments that were brought forward by the parliamentary secretary I don't think fully addressed what was being

brought forward by the witnesses. In fact, it turned the bill on its head. That's terribly unfortunate. We should not be doing that.

A private member should be defending his bill with all of his might. The private member brought it forward in the first place for good reason, I'm sure, and that private member should take the criticisms and the suggestions from government officers with a certain reservation, with a certain hesitation.

• (2325)

I don't want to tell the member how to deal with his private member's bill per se, but I do suggest that he would have benefited from discussing with the minister the point that government business belongs in government business and private members' business belongs where it belongs.

This bill will probably have a lot of difficulty getting all-party support. It continues to be hotly contested whether in this House, in this committee, or outside among refugee and new Canadian circles.

It's a disturbing bill. It's going to have to be improved.

With that, Madam Chair, I throw the ability to speak back to you.

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you very much, Mr. Toone, for your words and for your participation in the debate.

The next speaker I have is Mr. Menegakis.

Mr. Costas Menegakis: Thank you, Madam Chair.

I am delighted, and I certainly welcome the opportunity to speak to this amendment. I will try to be somewhat brief in my comments, if I may, although I do want to touch on some key points that I think are pertinent to the discussion we've been having in this committee over the last few days.

I do want to say that I have been quite attentive, as you and other members here know well. I have also been somewhat touched, and at times emotional, at some of the personal stories that some of the members have shared with us. I understand when we speak about Canadian citizenship that we are evoking emotions and passion in people because of the deep respect and value that we all put on our citizenship.

From its outset, when the sponsor the bill, Mr. Shory, the honourable member for Calgary Northeast, presented his private member's bill, Bill C-425, he was very clear as to the reasons why he did it. It was based on three fundamental beliefs, key beliefs that he had: his belief that our troops deserve the highest respect, his belief in creating more pathways to integration, and his belief that Canadian citizenship is a privilege and its value should be protected.

I know from personal experience what it means to a family. Mine is a family like so many other Canadian families, a family of immigrants. My parents came to this country in the mid-fifties. In fact, my dearly departed mom, in 1956, and my dad in 1957, boarded a ship from their native country and landed on the shores of Halifax, in Canada, with a dream for a better life. I know how valuable Canadian citizenship was to my parents when I was born and my brothers were born, and how important it was for them to obtain their Canadian citizenship.

Without making this a personal story about me, because that's not what we're here to do today, I will share with you how emotional and how proud I, along with my family, felt as the first born to my family in this country, when I was sworn in as a member of Parliament in this country, so far away from my parents' native country of Greece.

The day I was being sworn in as a member of Parliament, as it was for all of us, was a very special day. I invited 34 family members and friends to attend. Unfortunately, and quite tragically, I lost my mom six months to the day before I was elected. She could not be here to witness that very special moment for me, although I confess that I felt her presence abundantly. But in those 30 seconds when we were being sworn in, when we put our hand on our book of worship, I looked in the crowd at the 34 people, Madam Chair. The cameras were going and people were smiling and they were happy with this, and right there sitting in the front row was my dad. He had a red and white tie on with a maple leaf and the word "Canada" across it, and while everybody else was smiling and taking pictures, he had tears streaming down his face, because the moment was not lost on him. Certainly when I saw his face, understanding the life of the immigrant and the hardships they had when they came to this country and the life I have had, having been born in this country and having had every opportunity available to me because of my hard-working parents, that moment was not lost on me either.

The value of Canadian citizenship is something we all feel and cherish. When I heard my honourable members opposite speak about their own personal experiences, I felt their emotion, as I have felt on numerous occasions, knowing how blessed I am to be a permanent member of this particular committee of this House of Commons.

● (2330)

When I heard Mr. Shory in that very first reading speak about his bill—and I've had many opportunities to speak with him about it since then—I was struck by how open and welcoming he was in soliciting input in the form of information and amendments from everyone in the House. He was really eager to make something that he felt so strongly about even better.

I have been very cognizant of this because of the personal attachment I feel to this particular piece of legislation. I've been very cognizant of how Mr. Shory has felt about some of the amendments and the changes to his bill since that very first reading. He has in every instance demonstrated his pride of the ownership of this bill and, equally, has accepted the recommendations and amendments that he felt made this piece of legislation even better.

I was also touched by the fact that Mr. Shory, not being a permanent member of the citizenship and immigration committee, attended every single meeting while this bill was being debated. He heard every single witness, he heard every single comment from every member of Parliament who had an opportunity to participate and speak, and in some instances was subbed in when someone could not come.

Further, the fact that he has been present in this marathon of hours in which we have been meeting and discussing this particular amendment testifies to his pride of ownership in this piece of legislation. At no time has he indicated or demonstrated that his member's privileges have been in any way impeded. Therefore, I feel wholeheartedly supportive of the fact that this private member's bill

is indeed a private member's bill by a member of Parliament who welcomed any and all input as valuable input to him in moving forward.

Mr. Devinder Shory: From all parties.

Mr. Costas Menegakis: Yes, from all parties.

I want to share a little bit of information I have in front of me about a survey that was done. I'll keep it as brief as I possibly can.

On a question about whether Canadians agree that Canadian citizens who are found guilty of committing acts of treason against Canada, such as an act of war against Canadian troops, should be stripped of their citizenship, if we take an overall average of all respondents to the survey, 83% agreed with that, Madam Chair, 14% disagreed, and 2% said they don't know.

Of particular interest to the multicultural community, this beautiful mosaic we have here in the most welcoming country in the world in which to live, is that on that very same question, while 83% of those born in Canada agree, perhaps even more striking is the fact that 83% of those not born in Canada also agree. I think that is a further testament to the importance and the significance that all Canadians, regardless of their country of origin, attach to Canadian citizenship and to how they feel about it.

That's my assessment, based on reading some of these results.

There was one other breakdown of that survey. It was done by political party. I should say that in all cases—Conservative, Liberal, NDP, and even the Green Party—the lowest number of people who agreed was 82%. These people were voters in the May 2011 election who said they voted for a particular party. The lowest number was 82% and the highest was 94% of those who agreed that people who perpetrate an act of war or an act of treason against our country or our troops should be stripped of their Canadian citizenship.

● (2335)

Here is what we heard from some of the witnesses who came to our committee—and I listened to them quite attentively, because there was a broad group of people who presented to us from different organizations and different associations representing the largest or most significant numbers of people in our Canadian population.

Frank Dimant, for example, is the chief executive officer of B'nai Brith Canada. This is what he had to say:

We welcome the signal in this bill of a commitment to move the recommendation for revocation of citizenship beyond fraud, something we have long argued for. We all value the cherished rights and freedoms that Canadian citizenship bestows but B'nai Brith Canada has a long history of also promoting the serious responsibilities that citizenship entails.

This is from his letter dated January 28, 2013.

Bashir Ahmed is the executive director of the Somali-Canadian Education and Rural Development Organization. This is what he had to say, Madam Chair:

This bill will go a long way toward strengthening the value of Canadian citizenship. It makes good sense to expedite citizenship for those who are willing to defend it, while stripping it from those who fight against Canada and Canadian values such as freedom. This bill will prevent terrorist groups [from entering] Canada and [engaging in] further terrorist activities.

There are many groups, Madam Chair.

Salma Siddiqui, president of the Muslim Canadian Congress, said:

Canadians who are opposed to the values of our society should not be allowed to abuse the privileges that come with holding Canadian citizenship. We must act to strip Canadian citizenship from those who seek to exploit it for violent and illegal activities....

I have heard concerns that Bill C-425 represents a major reaction or that it serves a "political process". I disagree. Bill C-425 represents an assertion of the pride we hold in our values of an open, liberal democracy where our freedoms are applied to all.

It goes on and on and on, Madam Chair. I'm not going to go into everybody's testimony, but I will finish with the testimony we heard from Asif Khan, the national secretary for public relations of the Ahmadiyya Muslim Jama'at. This is what Asif had to say:

Canadian citizenship is a great blessing and a gift whose importance and purity must be protected and preserved. That is why it is crucial that the Canadian government possess the power to strip Canadian citizenship from all such dual citizens who are convicted and confirmed in committing acts of war against the Canadian Armed Forces.

Madam Chair, this is the point I want to highlight for you and all my colleagues here today. This is a bill that addresses terrorists, people who commit crimes, crimes against Canada, crimes against our brave men and women who serve in the Canadian Armed Forces. It is a bill that protects and further gives an indication of strong protection for our victims. That's what this is.

This is not going to strip a poor family that had dual citizenship and now somebody is going to be kicked out. Here's a simple solution. If you don't commit a crime against Canada, if you don't commit an act of war against the Canadian Armed Forces, there is no opportunity for you to lose your Canadian citizenship. There's no possibility of that happening. This only addresses criminals, terrorists, people who would perpetuate a crime against our country. That's what this legislation does. It also rewards those who put their name forth and serve on the front lines both within our country and beyond our borders whenever they are called to do so by serving in our armed forces. That's what it does.

• (2340)

Madam Chair, I can go on and speak about debate in the House—

The Vice-Chair (Ms. Jinny Jogindera Sims): And you have every right to do that.

Mr. Costas Menegakis: —and I appreciate—

The Vice-Chair (Ms. Jinny Jogindera Sims): You could speak for 12 hours and this chair would not object.

Mr. Costas Menegakis: —your latitude on that. I appreciate your indulgence.

The Vice-Chair (Ms. Jinny Jogindera Sims): It's the same treatment for everyone on the committee.

Mr. Costas Menegakis: I know that a lot has been said tonight about process and about debate in the House. I think we all understand that a government's objective is to pass legislation and govern. I think we all understand the important role that the opposition has—I don't want to harp on the word "oppose"—to question and to try to make—

The Vice-Chair (Ms. Jinny Jogindera Sims): Hopefully to make it better.

Mr. Costas Menegakis: —an important contribution to the legislative process by making it better. I think it would be wrong of

me or any member of Parliament to point to someone on the other side and say, "You don't have a right to do what you were elected to do by your constituents."

We are all here representing our constituents. I am extremely proud of the fact that I have the privilege of representing Richmond Hill, one of the most diverse communities in the country, and I am sure that a lot of us around the table can say that. We all understand

The Vice-Chair (Ms. Jinny Jogindera Sims): I was having a little smile, so please excuse me. That's the reason I smiled: because I think there are many of us who love to say that, right? You're absolutely right. We live in a beautiful country, with a huge diversity.

Mr. Costas Menegakis: We all understand—and we should all understand—that the chairs we are sitting in are lent to us by the people who elected us to be here to represent them. They don't belong to us; they belong to them.

Madam Chair, with that, I am in support of extending the period of time in order to be able to properly review, discuss, and enact improvements to this legislation, so that we can move forward in the spirit of Mr. Shory, whom I thank profusely for bringing this legislation forward. We can help him realize his private member's bill with royal assent.

At this time, I would like to move a subamendment to the amendment, which is that—

The Vice-Chair (Ms. Jinny Jogindera Sims): Please say it slowly enough so that we can write it down. We're not all used to writing any more, or to using pen and paper, so it takes us a little bit longer than it used to, I think.

• (2345)

Mr. Costas Menegakis: I will be happy to do that.

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you.

Mr. Costas Menegakis: I am moving that the amendment be amended by leaving out the words "take place in the House on", and substituting the words "be tabled in the House not earlier than", so that it will read as follows: "and that this request is to be tabled in the House not earlier than June 21, 2013". Of course, it follows exactly in the same spot where the amendment follows, but I am moving that we replace the amendment with the subamendment I just read.

Thank you, Madam Chair.

The Vice-Chair (Ms. Jinny Jogindera Sims): I'm just going to go through the wording again so we have it right.

Mr. Costas Menegakis: Sure. Please.

The Vice-Chair (Ms. Jinny Jogindera Sims): I really appreciate the fact that a printed copy was given to me, so while the rest of you were scribbling, I wasn't. Thank you.

It is that the amendment be amended by leaving out the words "take place in the House on" and substituting the following words: "be tabled in the House not earlier than".

Mr. Costas Menegakis: That's right. Should I repeat how it will then read?

The Vice-Chair (Ms. Jinny Jogindera Sims): Okay.

Mr. Costas Menegakis: It will read: “and that this request is to be tabled in the House not earlier than June 21, 2013”.

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you very much.

Mr. Costas Menegakis: Thank you, Madam Chair.

The Vice-Chair (Ms. Jinny Jogindera Sims): Thank you very much.

A number of hands went up and I've been writing down names. You've moved an amendment to the amendment, Mr. Menegakis, so you have the right to motivate right now.

But I am going to say that I have the following names written down to speak on the subamendment: Rathika; myself, and I will step out of the chair when I do that; Phil Toone; and Rick Dykstra. That's the speakers list I have on the subamendment.

Just to review the process with everybody, we're going to be dealing with a subamendment now, so I have a new speakers list. When I've finished dealing with this, we will go back to the amendment list. After we've dealt with this amendment, if it fails, it goes back to Mr. Menegakis and if it passes, then of course it moves on to the next speaker, who is me. Then we have a series of speakers.

On the main motion after we've finished dealing with the amendment, we have Rathika, because her amendment is still on the floor. If the amendment carries as amended, then she gives up her speaking spot and it goes on to the next person.

However, if the amendment fails as amended, then we go back to Ms. Sitsabaiesan and we carry on down our list, which then has Rick as the next person after Rathika, and then it's Mylène, and then we go down the list that I read out earlier.

With that in mind, I'd like to suspend the meeting to 10 a.m. tomorrow in this room.

• (2345) _____ (Pause) _____

• (3400)

The Vice-Chair (Ms. Jinny Jogindera Sims): I'd like to call the meeting back to order.

I have two, four, five, six members. Mr. Dykstra was here a minute ago. I need a quorum to call the meeting to order, and the critter at the table doesn't count.

Sorry. My apologies.

Mr. Ted Opitz: I thought you said 10:20.

The Vice-Chair (Ms. Jinny Jogindera Sims): No. The chair had suspended the meeting and called the meeting for 10. I said that I would have to sit in the chair, convene the meeting, and then make a decision and say that the meeting was suspended. That's just the procedure; I'm not trying to be awkward here.

We need one more person in the room, folks.

Thank you very much.

I'm suspending the meeting until 10:20 or close thereto.

I would like people to stick around and not go too far, because as soon as Mr. Dykstra and I come back together....

Thank you.

• (3400) _____ (Pause) _____

• (3425)

The Vice-Chair (Ms. Jinny Jogindera Sims): I would like to call the meeting to order.

We have agreement to suspend until 9:45 Monday morning.

• (3425) _____ (Pause) _____

• (10545)

The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)): Good morning, everyone. This is the Standing Committee on Citizenship and Immigration. We are reviewing Mr. Shory's Bill C-425. This is the continuation of meeting number 84.

First of all, I want to thank Ms. Sims for filling in as chair.

Ms. Jinny Jogindera Sims: It was a pleasure.

The Chair: I'm sure it was. I hope you enjoyed yourself.

So we're continuing on, and I gather we're in debate. I'll need some assistance from all of you as to where you've been, but I gather we are now continuing on debate on the subamendment of Mr. Menegakis.

Mr. Menegakis, you have the floor, sir.

Mr. Costas Menegakis: Thank you very much, Mr. Chair, and welcome back.

We've certainly had a lot of discussion on this issue on this bill over the past week, and I'm delighted today to have an opportunity to speak to the subamendment. I think we all have the subamendment before us, and it reads as follows, just to make sure that we're on the right one:

Pursuant to Standing Order 97.1(1), your Committee is requesting an extension of thirty sitting days to consider Bill C-425, An Act to amend the Citizenship Act (honouring the Canadian Armed Forces), referred to the Committee on Wednesday, February 27, 2013.

On Tuesday, April 23, 2013, the Committee recommended to the House that it be granted the power during its consideration of Bill C-425 to expand the scope of the Bill. The Committee is awaiting for a decision of the House before further considering the Bill. Therefore, your Committee requests an extension of thirty sitting days and that this request is to be tabled in the House not earlier than June 21, 2013.

I'm going to speak in favour of the subamendment for a number of reasons, Mr. Chair. First of all, it is my belief that legislation should not die on the table simply because of some kind of procedural tactic, if you will. I think it is important that we have an opportunity to review it, to debate it. Asking for an extension to be able to do so only affords parliamentarians the opportunity to weigh in on the subject and exercise the ultimate right that has been given to them and to all of us by the good citizens of the constituencies that we all have the honour and privilege of representing.

We heard a lot of testimony last week, extensive speeches from members of the opposition, speaking about a number of things. I have to refer to some of that so that I can support my argument for the passing of this very important subamendment.

The Chair: Just as long, Mr. Menegakis, as you remember what the debate is before the committee, and that is your subamendment. I don't want you getting into repeating long discussions that took place last week. You can refer to them as long as they specifically refer to this subamendment.

Mr. Costas Menegakis: It's virtually impossible, Mr. Chair, to speak to all that we heard last week. Basically, it was just material that was being read over and over again, so as much as I'd like to think that I have such a tremendous memory that I would be able to refer back to everything I heard here, certainly that would not be possible given the amount of information that was read out here last week in an attempt to filibuster the process. But there are a number of things I have to speak about, because it is incumbent upon me to try to convince my colleagues around the table of the importance of allowing an extension so that we can properly review the amendments and allow Bill C-425 to move forward.

One of the arguments we heard repeatedly last week was that this was a PMB versus a government bill, and that somehow the PMB was being hijacked by the government. I believe that was the word that was being used by the opposition.

I want to remind all members around the table of the words spoken by the sponsor and the actions of the sponsor of the bill, who would very much like to see the subamendments go through. Mr. Shory, from the inception of the bill, from the presentation of this bill in the House, made it very clear that he was open to amendments. He was open to suggestions from all sides, including the government and the opposition, that would make this bill better.

He has repeatedly said and shown by his actions that any suggestion that would make the bill better would certainly be acceptable to him. In fact, Mr. Chair, you might recall that Mr. Shory, even when he was not being subbed in as a member of this committee, attended all committee meetings to listen very carefully, not only to what members of Parliament had to say but also to what witnesses had to say.

This is a member of Parliament who understands the process and who welcomed input from absolutely everybody. He is very amenable and accepting of the recommendations and the four amendments that have been put forward. He has been a critical player from the outset and has been more than forthright in his acceptance of any suggestion that would make his bill better moving forward.

The suggestion or the inference that the government is somehow hijacking certainly has no merit whatsoever. The importance of private members' legislation, moving forward, is something that can be debated for days and days. But in keeping with your intervention to me, Mr. Chair, I won't go into all of the details of the differences between a private member's bill and government legislation, other than to just conclude that segment of what I wanted to say by saying that any suggestion that the government can have no input whatsoever on any private member's legislation by speaking with the sponsor and making suggestions of their own is questionable at best. Certainly every elected member has an opportunity to weigh in on legislation before us, and that is exactly what everyone has done.

To Mr. Shory's credit, he has been accepting of all of the suggestions, and I might add, he has given his input on some of them, if not all of them, as well.

Mr. Chair, the subamendment asks for a period of time to be able to further evaluate the importance and the significance of these amendments to a piece of legislation that we know is something that Canadians would very much like to see. It speaks to a recognition of the tremendous sacrifice that the brave men and women of the Canadian Armed Forces make on a daily basis. It speaks to the fact that anyone who would want to—

The Chair: Mr. Menegakis, the amendment says that the request to the House to extend 30 days is to take place in the House on June 21, 2013. Your subamendment says that this request is to be tabled in the House not earlier than June 21. I believe you're going beyond. You're getting into items that have nothing to do with this subamendment.

I am going to have to insist that you stick to the subamendment, dealing with support or non-support, whoever's going to be debating this, as to why this request is to be tabled in the House not earlier than June 21, 2013.

I don't think we need to hear all that other business. That has nothing to do with the subamendment.

Mr. Costas Menegakis: Well I would suggest, Mr. Chair, that it does have something to do with the subamendment and I'll try to explain why perhaps.

The Chair: I just told you I'm giving you a warning. We'll move on to the next speaker if you can't specify this.

It's all very interesting. I expect what you have been talking about was talked about over and over last week. I don't want to hear that. The committee doesn't want to hear that. We want to hear why you're arguing that this request is to be tabled in the House not earlier than June 21, 2013. That's all we want to hear about. We don't want to hear about anything else.

Mr. Costas Menegakis: Fair enough, Mr. Chair.

I want to explain myself a little bit. I accept your ruling, of course. You're the chair. You're in the chair. I think it's important that we all understand that if we do not get an extension, this bill will go back to the House unamended. That's not something we would like to see.

We believe the legislation and suggestions to make legislation better ought to be discussed amongst the members of Parliament and not use some kind of procedural deadline to kill very important legislation, because that's not what Canadians want us to do.

There are a whole bunch of things I can say, but I don't want to risk getting out of the level of discussion we should be talking about now, the matter at hand, which is the subamendment. But you should know, as everyone in the House should know, that over 82% of Canadians would like to see this legislation move forward. It's very important we understand that on the question of whether Canadians agree that those found guilty of treason or even war against Canadian troops, and a piece of legislation that addresses that.... Over 82% of Canadians believe this legislation should be moving forward.

So I'm speaking to the subamendment because I want it to be discussed. I want it to go further. I don't want it to die or come back unamended simply because somebody has decided they're going to filibuster this legislation or try to take advantage of the fact that it has a deadline by which, if it's not discussed, then too bad, it's going to come back unamended and the opposition has a win. That's not what it's about. We're here to serve.

Therefore my subamendment allows for an extension so that we can discuss all of these things and make this piece of legislation even better than it is. Because at the end of the day, we are not talking about taking anything away from Canadian citizens. We are talking about punishing terrorists who commit acts of war or treason—

The Chair: On a point of order, Ms. Sims.

Ms. Jinny Jogindera Sims: On a point of order, Chair, I'm all for the latitude and everything, but there is nothing in Mr. Shory's bill that even indirectly refers to acts of terrorism or terrorists. I would really ask that we stay with Mr. Shory's bill, which is what we're going to the House to seek an extension on. Here there is a subamendment to the amendment about the date and the timing.

The Chair: Ms. Sims, I would go even further than that.

I've asked you once. The issue that is before this committee now is the subamendment that says this request is to be tabled in the House not earlier than June 21, 2013. I don't want to hear anything else but debate on that issue. This is the second warning. On the third warning, you're out. Three strikes and you're out, in the old ball game.

You now have the floor.

Mr. Costas Menegakis: Well, Mr. Chair, I certainly understand that.

It's certainly difficult to argue for a subamendment if I can't speak to the reason I put that subamendment forward. My insistence.... It's not even an insistence. I've tried to change my train of thought to be more in alignment with your ruling on this matter. I have nothing but the utmost of respect for you trying to keep order, and I certainly welcome it.

When we consider what we were put through here last week—

The Chair: Don't go there.

Mr. Costas Menegakis: No, I'm not.

There is a lot that has been said in this committee, Mr. Chair. This was a suspension of a previous meeting, so it's a continuation of that, unfortunately.

I believe we need an opportunity to discuss the amendments put forth without letting a deadline expire or be reached, at which point the opportunity to make a piece of legislation better would have been missed. It would be a travesty to miss spending a few extra weeks to have an opportunity to discuss amendments that would punish terrorists. These amendments would help, if you will, to give some comfort to Canadians, and particularly to victims. I think it is incumbent upon all of us as parliamentarians to do so.

We're on the right side of this equation, and this is what Canadians

The Chair: On a point of order, Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair. Welcome back.

I'd like to provide some clarity. Once again, I think we are speaking to the motion before us and the subamendments to the amendment. Nowhere in the subamendment, the amendment, the motion, or the original bill that the motion was written about, is there any mention of punishing terrorists. I find it a bit misleading to Canadians who are watching this at home who might think we're debating the punishment of terrorists. There's no mention of terrorism and the punishment of terrorists in the bill, the motion, the amendment, or the subamendment that we're discussing right now.

The Chair: Okay. I understand. I'm not going to agree with you

But I will say, Mr. Menegakis—I'm sorry to keep picking on you—that you're starting to repeat yourself, on a number of fronts.

I allow a certain amount of leeway, but we won't have repetition. There is a rule against repetition, and I'm reading from O'Brien:

The rule against repetition can be invoked by the Speaker to prevent the repetition of arguments already made during the debate by any Member. The rule of relevance enables the Chair to counter any tendency to stray from the question before the House or committee. It is not always possible to judge the relevance (or the repetition) of a Member's remarks until he or she has spoken at some length or even completed his or her remarks. In practice, the Speaker allows some latitude—if the rules are applied too rigidly, they have the potential for severely curtailing debate; if they are neglected, the resultant loss of debating time may prevent other Members from participating in the debate. Particular circumstances, the mood of the House and the relative importance of the matter under debate will influence the strictness with which the Speaker interprets these rules.

That will be the last time I will read that to anyone here.

You are repeating yourself quite a bit. That has to stop, or we're going to move on to the next speaker.

You may continue.

Mr. Costas Menegakis: Thank you, Mr. Chair.

This is the first time I have had an opportunity to speak to the subamendment, Mr. Chair. Perhaps erroneously—although I personally do not think so—I think it's incumbent upon me to try to convince the honourable members around the table of the importance of allowing a bit more time to review this piece of legislation and its amendments, and not simply be guided by a deadline that ends on a specific day, in which case this piece of legislation will go back to the House unamended, which is something that I certainly would not like to see.

In so doing, I feel it very important to delve into some of the material that we have heard over the past week, because it's the first opportunity I've had to speak to the subamendment. I am hoping, in the spirit of openness around the table, that members opposite will see some merit and some of the logic behind asking for this particular subamendment to extend the time. This is why, therefore, I'm perhaps sounding a bit repetitive, but it is not intended in any way, shape, or form, as a form of disrespect towards the chair or the rulings of the chair; that is for sure.

One might ask why it is that member Menegakis wants an extension—

Ms. Jinny Jogindera Sims: I have a point of order, Chair.

The Chair: On a point of order, I will hear Ms. Sims.

Ms. Jinny Jogindera Sims: I believe there is a way to get on a speakers list, and that is that we raise our hand from our seat to get on the speakers list. I'm hoping that the chair will follow that process, because what I just heard really concerns me. I don't think one person can put everybody on the speakers list.

The Chair: That's not a point of order.

Continue, Mr. Menegakis.

Mr. Costas Menegakis: Thank you very much.

I don't believe I said anything about a speaking list.

The Chair: You're on your debate on this subamendment.

Mr. Costas Menegakis: Thank you, Mr. Chair.

What I was getting to is simply this. I want to give some of the reasons that explain why I think this subamendment is very important. I want to speak to the subamendment by proving my case as to why I want to see an extension, why I want to see a period of time allowed so that we can properly debate this issue.

I am somehow buoyed by the results of a study that was done that said this is what Canadians would like to see. After all, we're all elected here. Canadians would like to see us on the right track, as far as this piece of legislation is concerned. The only way we can deliver to the people who voted for us is to extend the period of time in which we can evaluate the importance of these amendments one way or the other, Mr. Chair. It is very critical that we not allow procedure to get in the way of a good piece of legislation.

Here is a survey that was done, if you'll allow me. Now, if this is off—

I see you shaking your head. Perhaps you don't want me to go there, so maybe I won't.

The Chair: You only have one strike left, and then you're out.

Mr. Costas Menegakis: I understand that. I played baseball growing up, Mr. Chair, and I understand what three strikes mean. It's quite possible that I would end up—

The Chair: You're getting very close. There are no more balls; it's three and two.

Mr. Costas Menegakis: I know, but you still have to pitch it, and somebody has to swing and miss. Let me just try to summarize my comments.

I want to speak to the importance of allowing enough time for these amendments to be debated, moving forward.

The Chair: I don't want you reading a report. You're not going to read a report, are you?

Mr. Costas Menegakis: I actually don't have a report to read—

The Chair: That's very good. Thank you.

Mr. Costas Menegakis: —but thank you for pointing that out.

I do have a survey that was done—

The Chair: I don't want to hear about the survey.

Mr. Costas Menegakis: Okay.

Mr. Chair, let me ask this; perhaps I can ask you for some clarification on this. As a member of Parliament, I have documentation to support an explanation for my making this subamendment. That supporting documentation was part of the work done by my staff in putting together information for me to decide upon, prior to my preparing the subamendment and moving it as a motion here in committee.

Am I not allowed to speak now to all of this very valuable information that gave me the impetus, the background?

The Chair: We'll have a go at it, but you're getting warmed up to be kicked out.

You go right ahead, sir. I respect what you're trying to say. You're trying to explain why you've made the subamendment. I think the committee is prepared to hear why you have made the subamendment.

Mr. Costas Menegakis: Okay.

I made a subamendment for a number of reasons. Number one is that I believe this legislation and its amendments are good legislation. I believe that as members of Parliament we have a responsibility to make legislation better during deliberations at the committee stage, and we certainly have an opportunity to exercise our opinion with our vote—the ultimate power we have as members of Parliament.

The Chair: Okay, those comments you're getting into should be on the main motion. We're going to move on to another speaker.

Ms. Sitsabaiesan has the floor.

Mr. Kevin Lamoureux: I have a point of order, Mr. Chair.

The Chair: There is a point of order.

Mr. Kevin Lamoureux: Mr. Chair, shortly after the meeting was called to order I indicated that I would like to speak. I'm wondering if you could read off the speaking order, please.

The Chair: Ms. Sitsabaiesan is next and then Ms. Sims. Mr. Toone is not here. Ms. Freeman isn't here. So we have Mr. Lamoureux following Ms. Sims and then Mr. Dykstra. If you're not here, you can't be on the list.

Ms. Jinny Jogindera Sims: I just need some clarification. What we have been doing the last few days—and we operated on this with advice—is that the person who substituted for the person who was on the list, because we were going—

The Chair: No, I don't like that.

Ms. Sitsabaiesan is next, then Ms. Sims, and then Mr. Lamoureux followed by Mr. Dykstra. You have to be here to be on the list.

I'm looking at notes here from last week, and of course I wasn't here last week.

Mr. Toone, Ms. Freeman, and Ms. Latendresse are not here. So the speaking list—I'm sorry Mr. Lamoureux—has Ms. Sitsabaiesan next, followed by Ms. Sims, Mr. Dykstra, and Mr. Lamoureux.

On a point of order, Mr. Dykstra.

Mr. Rick Dykstra: I just indicated to the clerk that all of us who hadn't spoken to this motion yet wanted to be on the list.

The Chair: Well, I have a list. Do you want me to go down the list? It goes on for a page.

Mr. Rick Dykstra: No, it's fine.

The Chair: We're going to proceed with Ms. Sitsabaiesan.

Ms. Jinny Jogindera Sims: Mr. Chair, I have a question. I'm sorry. Can one person just walk up and put everybody from their team on the list?

Mr. Costas Menegakis: You did that last week.

Ms. Jinny Jogindera Sims: I was in the chair, and I made a list of people down both sides.

The Chair: Ms. Sitsabaiesan, you have the floor.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair, and welcome back.

I'd like to mention that we're here, and Mr. Menegakis, who is the mover of the subamendment mentioned that he was moving this subamendment because he wanted, to take the opportunity to review it and debate it further. I'm assuming that when he mentioned "it" he meant the original bill that is before us.

With respect to that, I respectfully submit to this committee that we have had the 60 days within which a bill is required to be studied in a committee. I can provide a plethora of examples as to why and how we have studied it enough and that we don't need the extension of 30 days to continue the study of this bill. As you mentioned, Mr. Chair, in referring to O'Brien and Bosc, with respect to the rules of a petition or in order to respect the time of the House and to respect the time of this place, we don't want to unduly continue the same arguments over and over again. That is why I believe, Mr. Chair, that this bill has had a sufficient amount of study.

The subamendment before us would tell the committee that we need to table our report not earlier than June 21, which means that we have to continue our committee meeting until then, and only after June 21—which means after the House has risen.... What this subamendment does is automatically extend the time that is given to this committee, or this would be a motion of instruction from the House to extend this time.

Also, some of the arguments that Mr. Menegakis made to move this subamendment went to prove that we don't need further study, as when he says that the differentiation between the amendment and the subamendment is that in the amendment we're saying that the request is to take place on June 21, which would mean that we would deal with this in a quicker, more timely manner than Mr. Menegakis is proposing in the subamendment, which is just saying that we would bring this back to the House at any point in time after June 21—which could mean in September, on whatever date we come back, but could also mean two years from now. There's no real specification as to what the requirement is. It just says "not earlier than", which means that it's any time after.

The high level of ambiguity that this subamendment provides makes it not very sound. It makes it a subamendment that is not clear. It makes it a subamendment that will further the confusion with respect to the work on this particular bill.

My confusion, Mr. Chair, is with respect to this private member's bill. Even though it has received its 60 days of study and the

schedule for the study in committee was set by the government.... I guess I should offer apologies, Mr. Chair; I should say by the government members who are on this committee. If they felt that they needed more study time—

The Chair: Please stick to the subamendment, Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Absolutely, Mr. Chair.

This is very pertinent. What I'm trying to say is—

The Chair: Actually, it's not. You're not speaking to the subamendment. You're talking about something entirely different. I want to hear what your comments are, whether you're for or against the subamendment. I don't want to hear about anything else.

Ms. Rathika Sitsabaiesan: Absolutely. Thank you, Mr. Chair.

What I'd like to demonstrate to you, Mr. Chair, is that the subamendment is the entire wording, starting from "Pursuant to Standing Order 97.1" to the end, where it says "tabled in the House not earlier than June 21, 2013". The subamendment is not just the five words or the 10 words that are changed at the end, but includes the entire wording of the motion that is before us.

Truthfully, Mr. Chair, and respectfully, I must say that the subamendment includes the entire wording that's in front of us under the heading "Sub-amendment of Costas Menegakis". If I speak to the fact that there's the requesting of the 30 sitting days to consider Bill C-425, that is part of the subamendment.

The Chair: That's not quite true, Ms. Sitsabaiesan. The subamendment repeats the amendment. It only changes the words "that this request is to be tabled in the House not earlier than June 21, 2013". That is the subamendment.

I don't want to hear debate on the amendment. I want to hear debate on the subamendment.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

I've mentioned how the change of the timeline from the amendment to the subamendment would make it more of a frivolous case, really, because we're just ensuring that Bill C-425 can be debated until perpetuity. To be honest, that's basically what's being proposed by the subamendment because it is to be tabled in the House not earlier than June 21.

I find it quite reckless when such an amendment is proposed to the amendment because what I tried to do with the amendment was to make it more timely and ensure that we were doing what we were supposed to be doing, and reporting back as quickly as possible. But the subamendment actually reverses that and makes it so that we are not reporting back as quickly as possible. It makes it so that we're reporting back at any later date. That's actually not responsible.

Mr. Rick Dykstra: You can report it back now. If it's too long, we can do it today. We could if she would like to.

The Chair: Mr. Dykstra, Ms. Sitsabaiesan has the floor.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

Mr. Rick Dykstra: She's worried about time.

The Chair: Mr. Dykstra, Ms. Sitsabaiesan has the floor.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

In my understanding this is clearly looking for a motion of instruction from the House to the committee to extend our study. If we're looking for that extension of time from the House, then we should report it back to the House as quickly as possible, so that the House can provide us that latitude with the extension and with the instruction from the House itself.

We know that the committee—

The Chair: On a point of order, Mr. Opitz.

Mr. Ted Opitz: Mr. Chair, I seem to have heard a lot of this before on this argument. It seems to be going rather circular right now.

The Chair: I agree.

Remember the little section I read about repetition? You are getting into repetition. If you have anything new to tell us, I think the committee would be pleased to hear that. Again, your comments should be restricted to why this request “is to be tabled in the House not earlier than June 21, 2013”. Either you are opposed to that or you are in favour of that. We don't need to hear anything else.

Ms. Rathika Sitsabaiesan: In case it wasn't clear, I will say that I am opposed to the subamendment.

I was just about to get into motions of instructions and the powers that committees have with respect to the scope of changing the bill.

The Chair: I don't think so. I think we have a date in the amendment and we have a different date in the subamendment. We don't need to get into that. That may be very relevant with respect to the main motion but nothing with respect to the subamendment.

I don't want to hear anything about powers. You are quite free to debate that when we're talking about the motion but not the subamendment. If you're prepared to conclude, we will move on to the next speaker.

Ms. Rathika Sitsabaiesan: I'll make a note to myself to bring up the motions of instruction when I do get back on the speakers list for the main motion.

Mr. Chair, I will conclude my remarks with respect to the subamendment. I think it's pretty clear that the goal of this subamendment is to open up the floodgates as to never, or taking as much time as government members want to report on the study of this bill from committee. I don't think it should be opened up to whenever at any later date. I feel it should be a set date when we do respond back to the House.

The Chair: Thank you. Ms. Sims has the floor.

Ms. Jinny Jogindera Sims: Thank you very much, Mr. Chair. I'll be opposing the subamendment to the amendment and I'm going to take my time to explain why in detail.

Right now, as you know, the rules for private members' bills are that this particular bill, Bill C-425, would deem to be reported on June 21st, as is. What is now happening is that the government is seeking a 30-day extension to that. Then an amendment went on the floor to say that this request takes place before June 21st.

What we're dealing with right now is a subamendment to that.

The Chair: I think the amendment says to take place on June 21st.

Ms. Jinny Jogindera Sims: On June 21st.

The subamendment changes that to say that this request is to be tabled in the House not earlier than June 21, 2013. I am opposed to this because I believe it changes the intent of the amendment that was proposed and of the rules that govern the original motion as well.

As we know, according to the rules we operate under, a private member's bill comes to committee, it goes through all the rinse cycles that it's supposed to, as this one did. Then there was a request for an extension. If an extension is not given on the 21st, this bill is deemed to be reported, which means it goes to the House as is, without the government amendment that was ruled out of order, out of scope.

Through this subamendment, the government is trying to put those rules aside, to change those rules and to open this legislation, this private member's bill, up so that the request for an extension could be put in the House any time after the 21st of June. We have a great deal of concern with that.

Chair, in order to motivate why one is opposed to the specific words of the amendment, if you could only speak to those three words it would only require a yes or no. But you have to have a rationale, and the rationale has many linkages. So I'm going to put forward my rationale as to why we are opposed to this subamendment, which would change the rules to such a degree that it would make it open-ended from this committee.

Once again, I remind that we're not dealing with a government bill here. We are dealing with private members' business, and when it is private members' business it does come under different rules.

The Chair: Stick to the subamendment please, Ms. Sims.

Ms. Jinny Jogindera Sims: Mr. Chair, I would argue I am sticking—

The Chair: No you're not.

Ms. Jinny Jogindera Sims: —and I will give you the rationale.

The Chair: I'm warning you, you're not. You're getting into an area that goes beyond what this subamendment says. I'm going to repeat, for I don't know how many times, that the subamendment says, “that this request is to be tabled in the House not earlier than June 21, 2013.” That isn't what you're debating.

Ms. Jinny Jogindera Sims: In order to motivate why I am opposed to this, I hope the chair will bear with me as I give a rationale. To have a rationale in isolation of the major focus here would be vacuous in its very argument because if you cannot refer to the substance as to why the subamendment has been moved, then it does make it very difficult for those who want to speak to or against the subamendment to put forward their argument, and thus interferes with their right to be able to express themselves.

The Chair: Let's be clear, Ms. Sims. There are three matters before this committee.

One is the request that this committee extend the time by an additional 30 days. Some of your arguments are most relevant to that. We're not there yet.

We have a subamendment and we have an amendment. The rationale that you're about to get into—and we'll see how it goes.... But I don't want to hear about a rationale that's relevant to the original motion. You know, you're right, we need to know the rationale as to why the government is requesting 30 days. That's not the appropriate time to do it with respect to this subamendment. The subamendment has to do with dates. That's all I want to hear. I don't want to hear a rationale that you're going to be getting into with respect to the main motion.

Ms. Jinny Jogindera Sims: Mr. Chair, I hope you will bear with me as I present my rationale, and in order to present that rationale, as you know—no matter how many committees I've sat on or how many different venues I've participated in—in order to explain why I'm opposed to this, unless I make a linkage, it is as I said a very vacuous argument where the only thing one is talking about is earlier than or on this.

I believe that the argument—

The Chair: That's what these amendments are about. The main motion has to do with what you're about to talk about and if you get into the main motion I'm going to move on to another speaker.

Ms. Jinny Jogindera Sims: Chair, as I said, on the motion of whether it should be on or before, the reason it is there specifically in the original amendment as “on” is because that is the rule that exists right now. The bill will be deemed to have been reported, as is, by June 21. That's why the amendment is there.

What the subamendment does is undo the intent of the amendment by now saying, “in the House not earlier than”, which ultimately, as you know, fundamentally changes when and how the extension is going to be tabled in the House. That's what we're talking about—when and how.

As you know, committees can put forward motions to seek an extension, but those extensions have to be sought within the timelines unless we can get a variation from the committee here.

What we have done.... There is a concurrence motion in the House, as you know, that has not been moved yet. That is one way for the government to do this. But I believe this is a way for the government to now change the timelines, and I am on the timelines, Mr. Chair, because I'm specifically talking on—

The Chair: Ms. Sims, we're not talking about concurrence motions. That has nothing to do with the subamendment, it has nothing to do with the amendment, and indeed it has nothing to do with the motion.

The motion is all about extending the time by 30 days. We're not going to talk about that.

I'm going to do the same thing as I did with Mr. Menegakis. You've had two strikes. On the next strike, you're out.

Ms. Jinny Jogindera Sims: Mr. Chair, if you feel there is so much disorder, you do have—

The Chair: No, I didn't say that there was disorder. I'm trying to keep the debate relevant to the subamendment. That's all I'm trying to do.

We're dealing with a subamendment. We're not dealing with the amendment, we're not dealing with the motion, and we're not dealing with a concurrence motion.

Ms. Jinny Jogindera Sims: Let me get back to the timing “on or no earlier than”. When you look at “no earlier than”, it gives back to the government a way to deal with the bill, Bill C-425—and it is relevant for me to talk about that in that context because I'm now talking about the timing. It gives the government a way to deal with that bill that actually changes the rules that exist in the House.

Currently, as you know, the original amendment said that the request is to take place in the House on June 21. The subamendment fundamentally changes that and basically opens it up and gives an extension that goes way beyond that.

The Chair: Point of order, Mr. Opitz.

Mr. Ted Opitz: Mr. Chair, she already made the same point near the beginning of her argument.

The Chair: I've actually been taking notes, Ms. Sims, and you are starting to repeat yourself. I read the ruling once. I'm not going to rule it again. If you continue repeating yourself or going off topic, we'll move on to the next speaker. You're about to have three strikes.

Ms. Jinny Jogindera Sims: Chair, when I talk about “on” or “no earlier than”, I do have to keep repeating those words because that's what I'm here to talk about, whether the subamendment, which says, “no earlier than” as it refers to the amendment, which says “on”. If I repeat those phrases often, it is for the reason that the chair has asked me to relate everything I say back to the wording that is here. I'm doing my very best to do that.

For me to comprehend and to motivate why I am opposed to the subamendment to the amendment, it is very difficult to put forward those arguments without using those words. If the chair has suggestions of other words I could be using instead of those over and over again.... Will I say that subamendment?

The Chair: I'm just trying to keep order, Ms. Sims. I'm not going to tell you how to debate.

Ms. Jinny Jogindera Sims: I am just trying to follow the rules.

The Chair: I am telling you that you can't repeat; you have to stay on topic.

Ms. Jinny Jogindera Sims: I would argue that I am opposed to this subamendment and I'm opposed to it for the following reasons. I'm opposed to it because it allows an open door, number one.

The Chair: Go ahead, Ms. Sims. I'm listening to you.

Ms. Jinny Jogindera Sims: Second, I'm opposed to it because once again this subamendment gives the government the opportunity to carry out their agenda to do, through this extension, what they could not do through the initial committee.

I will say that there are other ways government can achieve this agenda. They can achieve the agenda they want to achieve here. They can achieve what they want to do through this subamendment through a government bill.

The Chair: Okay. That's it.

Mr. Dykstra has the floor.

Mr. Rick Dykstra: Thank you, Mr. Chairman.

Why don't I try this? The opposition is so opposed to the subamendment, the government would be willing to withdraw it. Unanimous consent will withdraw the subamendment.

The Chair: Unanimous.

Ms. Sims, you need unanimous consent to withdraw.

Mr. Rick Dykstra: I've heard the opposition say and repeat time and again that they're opposed to this subamendment, so we'd be willing to withdraw the subamendment.

The Chair: Do I have unanimous consent that the subamendment be withdrawn?

Some hon. members: Agreed.

Ms. Jinny Jogindera Sims: Yes.

The Chair: Mr. Lamoureux...?

Mr. Kevin Lamoureux: Agreed.

(Subamendment withdrawn)

The Chair: We're now talking about the amendment.

I have a new floor. I have Mr. Dykstra, Mr. Leung, Mr. Weston, Mr. Opitz, Mr. Menegakis, and Ms. James.

Ms. Jinny Jogindera Sims: And everyone on this side, too.

The Chair: I looked over here. Theirs were the first hands I saw.

Ms. Jinny Jogindera Sims: But we still have our hands up.

The Chair: Of course. Ms. Sims, Madam Groguhé, Ms. Sitsabaiesan, Ms. Latendresse—hello, welcome to the committee.

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Thank you very much.

The Chair: I don't think I've met you before. You're next and followed by Mr. Lamoureux.

Ms. Jinny Jogindera Sims: Point of order.

The Chair: A point of order, Ms. Sims.

Ms. Jinny Jogindera Sims: Just on what happened here. I'm trying to seek clarification, Chair. I'm looking for some references as to why this happened.

When a subamendment is withdrawn, passes, or fails, you go back to the speakers list that existed on the amendment. I want an explanation of what happened here. I would like the records and the books, please.

The Chair: I'm going to confer with the clerks.

Ladies and gentlemen, I've conferred with the clerks on Ms. Sims' point.

With respect to a speakers list, the clerk has drawn to my attention that there was a list made for the amendment made by Ms. Sitsabaiesan. I now have that list before me. However, I gather, after conferring with the clerks, that I wasn't present when that list was made. I didn't make that list; someone else made the list. You were chair and you made the list, Ms. Sims.

The clerks have advised me that I have complete discretion to form a list when something such as this has happened. I'm exercising my discretion. The list as I originally advised stands.

Mr. Dykstra has the floor.

Ms. Jinny Jogindera Sims: Point of order.

The Chair: On a point of order, Ms. Sims.

Ms. Jinny Jogindera Sims: With all due respect, Mr. Chair, when I suspended the meeting on Friday, it was with lists in place, with speakers lists. The meeting was not adjourned.

When a chair changes—and you are the chair, absolutely—I find it unfortunate that, as this is not a new meeting, the chair has now unilaterally started a new list.

The Chair: Ms. Sims, if you want to challenge my decision, you go right ahead. We'll do that.

Ms. Jinny Jogindera Sims: I will challenge your decision.

The Chair: Okay.

Shall the ruling of the chair be sustained?

(Ruling of the chair sustained)

The Chair: Mr. Dykstra has the floor.

Mr. Rick Dykstra: Thank you, Chair.

The amendment itself, when moved, was a little surprising for the government, because it actually changes the ability for the government to deal with this.

If the motion here, for the extension on the private member's bill, were to carry, it would mean that it would need to be reintroduced in the House through a concurrence motion, at least initially at report stage by you, Chairman. It would actually change the ability for the government to introduce that motion into the House by refining the day of introduction to one day, that day being Friday, June 21.

Now, the difficulty with that, and the purpose, I suppose, of the amendment, is to define one specific day that the bill would be reintroduced. The difficulty in that, Mr. Chairman, is that if the House were to rise tomorrow, Wednesday, or Thursday, it would put us in a position where the government's hands would be tied—your hands would be tied—in terms of the day that you would introduce the motion from the committee into the House of Commons.

The Chair: Ms. Sims.

Ms. Jinny Jogindera Sims: On a point of order, Chair, I'm just wondering what time adjournment is set for today.

The Chair: Oh, we're just going on.

Ms. Jinny Jogindera Sims: Thank you.

The Chair: Mr. Dykstra, go ahead.

Mr. Rick Dykstra: So if the House were to rise, as I was saying, Chairman, before June 21, this motion would actually put us in a position of not being able to introduce.

Our argument, and why we're against this motion, is that you should be granted, and this committee should be granted, the ability to actually.... When it votes on a motion, which you are going to report back to the House, no one's hands should be tied by this committee, by a motion, or an amendment that would actually tell you that you cannot introduce.

I'm not sure, Chairman, and I'd certainly like to hear from the clerk, if there has ever been.... I'm saying that somewhat rhetorically. She doesn't need to answer this question, or through you—

The Chair: Is there a point of order?

Ms. Mylène Freeman: No, no, I just wanted to get on the speakers list.

The Chair: Oh. Welcome back to you.

Ms. Mylène Freeman: Welcome back to you, Chair.

The Chair: You are on the speakers list.

Ms. Mylène Freeman: Thank you.

The Chair: Mr. Dykstra.

Mr. Rick Dykstra: I'm not sure if there ever has existed a motion with a day attached to it versus just giving the chairman the opportunity to introduce a motion that was passed at committee; that it actually ever defined a specific day that it would be allowed.

The stated purpose of the amendment isn't to be more generous. It isn't to allow for more time. It doesn't allow for flexibility. It simply sets a date of June 21. I've been here about eight years now, Mr. Chair, and as I recall, there has never been a day in the summer that we have actually sat on the final day as scheduled. Each and every year, we have risen on the day before the official date for the House to rise.

So the only purpose of this amendment is to thwart the government's efforts to, as they've indicated, move a motion of concurrence to be able to expand the days to allow for the private member's bill to be heard. The only purpose of the stated amendment is to ensure that, even if the motion were to pass, it would never be introduced because of the fixed timeframe surrounding the introduction from you and the reporting back of the vote on the motion.

The Chair: Mr. Dykstra, I'd like some help on this from all members of the committee. I've read the motion and I've read the amendment. You're making it clear that you're opposed to the amendment that says "that this request is to take place in the House on June 21, 2013." The motion doesn't say when. So neither the motion or the amendment says.... Well, the amendment does. The amendment says, "that this request is to take place...on June 21, 2013."

I don't know how appropriate it is for a chairman to make recommendations to a committee, but it just seems to me that if you're opposed to that, if you're opposed to the amendment, which you've indicated you are, shouldn't there be another amendment that says, "that the request take place in the House as soon as possible"?

Mr. Rick Dykstra: It has always been my understanding, Chairman, that is the case regardless.

The Chair: That's true, it may be. But the motion doesn't say that. The motion—it could be any time. So therefore if you're....

I'm just following your argument. I'm getting into an area that I don't like to get into and that's debating with a member of the committee as chairman. But it just seems to me that if you don't like that and you want to be specific, there should be an amendment by somebody that says that this request be made as soon as possible. What are your comments on that?

Mr. Rick Dykstra: My comments would be that it would surprise me. You've been the chair of this committee as long as I've been the parliamentary secretary. I've never seen you attempt to delay the introduction of the committee's work into the House. We take that as a given, that any chair, or any person who would be sitting in the seat that you are, would not, for an untoward reason or any reason other than trying to get the committee's work done, not introduce it as soon as possible.

It would be my instructions, and normally I would follow up with a comment, Chair, that whenever we do pass, whether it be a study, a government bill, or a private member's bill, that upon completion of the vote, we have a brief discussion of what the next steps are going to be. The opposition and the government submit their "what should happen next in terms of introduction" and you always let us know how you're going to proceed with the motion, the private member's bill, or the piece of government legislation.

My understanding is that we would do the same here. Upon completion of the vote on the motion, we would turn to you and have a discussion. You would let us know and we give you the prerogative to be able to let us know when you're going to do it.

The Chair: You're right.

On a point of order, Mr. Lamoureux.

Mr. Kevin Lamoureux: Mr. Chair, I do think that there's some benefit in terms of having this clarification on the issue. What happens if the committee were to pass the motion, the original motion? Let's say for the sake of argument that the amendment is defeated. You go on to the main motion. Then you report it to the House. Does that automatically then give it the 30 days' extension, or is there a debate that would occur?

The only reason I'm bringing it up is because it's very time sensitive, of course, with the 21st being a key date. Is it just assumed that we're granted the extension? I don't quite understand that.

The Chair: The House decides whether the 30-day extension is going to be made. If it does, it would start on the date that the committee asks for the extension.

Mr. Kevin Lamoureux: When you say the House decides, does that mean it takes the form of some sort of a motion? Is there a vote or is it just something when you go in and you say our committee reported? Do we know?

The Chair: All these matters are done by vote.

Mr. Kevin Lamoureux: So the government would then have to bring in some sort of a....

I'm just thinking it might help facilitate in terms of what's happening in the committee if we understood that after we've done our job in terms of reporting whatever.... Do you know what I mean? It's not to....

The Chair: Well, you know...I don't know why we'd get into that area. We're talking about debate on an amendment, and you're going somewhere else. It may be interesting to talk about, but I don't think it has anything to do with the debate on the amendment that Mr. Dykstra is in the middle of.

We're trying to move on—

Is this on the same point?

Ms. Jinny Jogindera Sims: Yes.

The Chair: I just saw Ms. Sims, Ms. James, then Madam Groguhé.

On this same point, Ms. Sims, go ahead.

Ms. Jinny Jogindera Sims: I just want to be clear, Chair. I don't have the same experience you have, so I'm turning to your experience to give us some guidance.

If this motion were to pass here, let's say by Tuesday—

The Chair: I don't want to go there. We're talking about—

Ms. Jinny Jogindera Sims: No, I want to know what the process is—

The Chair: We're not here to have a philosophy lecture. We're here to debate the amendment.

Do you have a new point, Ms. James?

Ms. Roxanne James: Yes, I do, Mr. Chair.

The Chair: Is it a new point of order?

Ms. Roxanne James: I just want to talk to this point for just one second.

The Chair: No, we're not going to talk about that.

Madam Groguhé, go ahead.

[Translation]

Mrs. Sadia Groguhé: Mr. Chair, it is clear that Mr. Lamoureux raised a question that has disrupted things completely. This issue was raised following your suggestion that we mention a date in the government motion. So this was directly related to what you said, even if it referred to the amendment.

[English]

The Chair: Mr. Dykstra, you have the floor.

Mr. Rick Dykstra: Thank you, Chair.

I think I have established the first part of my argument on why I'm opposed to this amendment. I also find that the stated purpose of moving this is, in fact, to put a caveat, or an asterisk if you will, beside the motion to say, "You may get it through the House, but if we get this timeframe carried and the House rises on Thursday, you can't introduce the bill anyway".

I think the amendment is contrary to the motion and should have been ruled out of order, but it wasn't last week. We had a different

chair and she didn't approach the issue of whether this is contrary or not.

Chair, with the facts on the table, it's very clear from the government's perspective that having this amendment attached will not only submit the motion to a frivolous timeframe—which as I've indicated makes absolutely no sense—it will also starve the will of the committee. Because if this committee is given the chance to vote on the time extension of Mr. Shory's bill, it's clear that we need the time to be able to have it come back to this committee for further study, and obviously, bring some witnesses back to the table and then get to the clause-by-clause.

Chair, I'm going to indicate to you that the government, and myself, when we get a chance.... I'd love to call the question now, to be able to have a vote on this amendment so that we can move on to the better part of the motion, on which no member on this side of the committee has had a chance to speak—

The Chair: Give me a moment, Mr. Dykstra. I'd like to confer with the clerk. I'm going to suspend for just a minute.

● (10655)

(Pause)

● (10655)

The Chair: Okay, we're back.

Mr. Dykstra, you can't do that in committee, so your request to put the question is out of order.

Mr. Rick Dykstra: Okay, perhaps we could seek unanimous consent to vote on the amendment put forward by the opposition. I know they want this amendment to be in. The quicker we vote on it, I'm sure the happier they will be. I'm sure they don't want to be seen filibustering their own amendment.

The Chair: No, you're—

Mr. Rick Dykstra: If I can get unanimous consent, that would be great.

The Chair: Is there unanimous consent that we vote on the amendment?

An hon. member: No.

The Chair: There is a no.

You still have the floor, Mr. Dykstra.

Mr. Rick Dykstra: I think I've made my argument, Chair. This amendment makes absolutely no sense. It should have been ruled out of order because it's actually contrary to the motion to begin with. It's frivolous, and it's really a vexatious argument, in terms of saying that

The Chair: Mr. Leung, you have the floor.

Mr. Rick Dykstra: —you're going to present this. Thank you.

Mr. Chungsen Leung: Thank you, Mr. Chair. This is probably the first opportunity I've had to speak on this amendment.

What I'd like to say is that prior to entering....

Is there a conversation going on?

The Chair: You're quite right.

An hon. member: My apologies.

The Chair: Mr. Leung, you may continue, sir.

Mr. Chungsen Leung: Prior to entering politics I spent 40 years in private business. I'm just looking at how the procedural things are conducted around here. In private business we deal with things expeditiously. We deal with things with concern for the time-money element. Seeing that we have already spent a copious amount of time in discussing this bill, in discussing its 30-day extension—or whether it's not a 30-day extension—and there's a—

The Chair: Mr. Leung.

Mr. Chungsen Leung: Yes, sir.

The Chair: The matter we're debating is that this request takes place in the House on June 21, 2013.

I don't really care what you did in business. I'd like to hear what your thoughts are, either for or against the amendment.

Mr. Chungsen Leung: I was just trying to bring the relevance of how these procedural issues are wasting an inordinate amount of time, and that in the normal course of doing things expeditiously, perhaps we should then put the question to a vote.

I am opposed to this amendment because I think, given the questions that surround the discussion of this bill and the fine-tuning of it, the additional period is necessary for us to bring a bill to the House that makes more sense, that addresses the needs of Canadians. We need that additional 30 days for consultation, for hearing more expert witnesses, as required by our representative positions here in Parliament.

Also, seeing there is a procedural issue regarding whether the House will rise before that date, I absolutely feel the 30-day extension is necessary. We should put that to a question.

The Chair: Mr. Weston, you have the floor.

Mr. John Weston: Thank you, Mr. Chair.

I add to the welcome back. Thank you for focusing, as you are, on the matters at hand.

I would like to refer to two points that speak to the proposed amendment by Ms. Sitsabaiesan. First, the amendment, if passed, risks procedure overwhelming substance. Secondly, it could also jeopardize the important privileges of a private member to enable him to have his bill progress in fair and just procedures through our House.

The first thing is that this amendment, if passed, could ultimately kill the bill for procedural reasons, and that is because it proposes that the consideration of the bill in the House occur on a day after the House may indeed rise. Practically speaking, everybody in this room knows that may be the case.

Time after time over the centuries, natural justice has prevailed in suggesting that procedure should not overwhelm substance.

[Translation]

If we let the process take precedence over the content this will mean that we parliamentarians will not have the opportunity to focus on the content. The content here is citizenship, terrorism and the convergence of those two things.

It is very important that we not allow procedure...

[English]

Ms. Rathika Sitsabaiesan: I have a point of order.

The Chair: I'm sorry, Mr. Weston.

On a point of order, Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

I apologize for interrupting my colleague, Mr. Weston. However, my point of order is that we are speaking to the amendment that is before us right now, and we know, once again, that in the amendment, the motion, or in the bill that we are debating as a whole, there is no mention of terrorism. Once again, I ask that government members do respect that this bill is not about combatting terrorism and that they do not continue to refer to that.

The Chair: You're right, Ms. Sitsabaiesan.

Mr. Weston, could you stick to the amendment, please?

Mr. John Weston: That's exactly what I'm doing. I don't understand.

The Chair: No, no, you're going a little far, and as I've tried to explain, we will allow a certain amount of that, but try to stick to the amendment. It says that the request is to take place in the House on June 21st, 2013. That is what we're debating.

Mr. John Weston: But the point of that is—

The Chair: I don't want to argue with you, sir.

Mr. John Weston: —it would—

The Chair: I don't want to argue with you.

Mr. John Weston: I'm not arguing.

The Chair: Okay, then continue on with your debate.

Mr. John Weston: My debate is that if we allow this to pass, the bill could not be heard Tuesday, Wednesday, or Thursday, but only this Friday. Given that could mean the bill would never be heard, that would be a prevailing of procedure over substance, and something that natural justice and our parliamentary procedures would militate against.

That's a key point.

Secondly, Mr. Chair, we have in front of us a private member's bill, and having seen my own private member's bill, Bill C-475, pass through the previous session of Parliament and knowing how hard it is to get a bill to this stage, knowing how hard Mr. Shory has fought to get his bill to this stage, knowing how open-minded he has been in accepting amendments, and knowing how Canadians have rallied around the substance here, and knowing how, Mr. Chair, I've even spoken in the House about private members' privileges, it's difficult —

The Chair: Mr. Weston, the matter before us is whether or not this request is to take place in the House on June 21st.

Mr. John Weston: So my point is that it's really critical for him to proceed and I'd like to call the question on this matter, Mr. Chair.

The Chair: I'm going to make the same ruling that I did before, that your request is out of order.

Mr. Dykstra.

Mr. Rick Dykstra: I'm going to challenge you on that.

The Chair: Shall the ruling of the chair be sustained?

Some hon. members: Agreed.

Some hon. members: No.

(Ruling of the chair overturned)

The Chair: The ruling of the chair is overturned. We will call the question.

Ms. Jinny Jogindera Sims: On a point of order.

The Chair: Yes, Ms. Sims, of course.

Ms. Jinny Jogindera Sims: First of all, on Standing Order 67(1), I want to say that the question that has just been raised here is debatable and I want to—

Mr. Rick Dykstra: It has already been voted on, Chair. It's not a point of order.

Ms. Jinny Jogindera Sims: No, what has been voted on has been the sustaining of the chair.

The chair was not sustained, so if the government now wants to bring forward a motion, which would be contrary, because it says the number of times a member may speak in committee and the length of speeches is not subject to any limit in committee. The Chair had ruled on that following our procedures, so if the government now wants to overrule our procedures, then that motion is debatable, I believe.

The Chair: We'll suspend for a few seconds while I confer with the clerks.

• (10705) _____ (Pause) _____

• (10715)

The Chair: We're back.

Do you have additional comments to make on your point of order, Ms. Sims?

Ms. Jinny Jogindera Sims: Yes. What is debatable right now, according to page 40 of the Standing Orders of the House of Commons, is the previous question. That's what—

The Chair: Don't quit while you're ahead, Ms. Sims. I'm about to rule in favour of your point of order.

Ms. Jinny Jogindera Sims: Thank you.

The Chair: I've conferred with the clerks and they have advised me that the issue of the question has been put, which I ruled out of order. I was challenged and that ruling has been overturned.

Ms. Sims has pointed to the fact that there is a debate on the question being put because there has to be a motion. There is a motion. Mr. Dykstra has made the motion that the question be put. She is correct.

I will say, though, that in doing that, this will be it for amendments. Because of what Mr. Dykstra has just done after the

question has been put we would vote on the amendment. There would be no further amendments allowed. We would then proceed to the main motion.

Ms. Sims, I'm agreeing with you. Do you want to challenge me?

Ms. Jinny Jogindera Sims: I don't want to challenge you, but I do want some clarification. I'll wait until you are finished.

The Chair: So I am going to rule that Ms. Sims is correct based on Standing Order 67(1) that she referred to. I am also ruling that debate is allowed on the issue of the question being put.

Mr. Lamoureux, I see your hand, but you will have to wait. I just want to make sure everyone is clear on what I am saying.

After that debate takes place we would vote on the amendment. There would be no further amendments allowed to the main motion. We would then proceed to debate on the main motion.

Mr. Lamoureux, and then Ms. Sims.

Mr. Kevin Lamoureux: Thank you, Mr. Chair.

What I'd like to be able to do is—

The Chair: Sorry, if I could just clarify, there would also be no debate on the main motion.

Mr. Kevin Lamoureux: On the main motion itself?

The Chair: On the main motion.

So what Mr. Dykstra has done means that there is debate and this is it. It is showtime. We're going to have a debate on whether the question is going to be put. Then we're going to vote on the amendment. Then we're going to vote on the main motion. There will be no debate on the main motion because of what has just happened.

Mr. Lamoureux, you had the floor.

Mr. Kevin Lamoureux: Thank you, Mr. Chair—

Ms. Jinny Jogindera Sims: I have a point of order.

The Chair: Are you on a point of order, Mr. Lamoureux?

Mr. Kevin Lamoureux: No, I was wanting to be on the speakers list. If it could be noted, Mr. Chair, that I have been put on the speakers list.

The Chair: Okay, you're number one, sir.

Ms. Sims, on a point of order.

Ms. Jinny Jogindera Sims: I'd like to be on that speakers list as well.

The Chair: Is that your point of order?

Ms. Jinny Jogindera Sims: No, my point of order is that I believe that the motion Mr. Dykstra moved was that the question be put on the amendment not on the main motion.

So what we're debating here is the amendment.

The Chair: I've made my ruling, Ms. Sims. You're next on the speakers list, Ms. Sims, and then Madam Groguhé.

Ms. Jinny Jogindera Sims: Can you refer me to the reference that, first, prohibits further amendments, and second, subsumes there is no further debate on the main motion?

The Chair: That's my ruling.

Madam Groguhé, you're on the list.

Ms. Jinny Jogindera Sims: I'm asking if there is any basis for that ruling.

The Chair: I made the ruling based on the Standing Orders. I don't want to get into a debate on my ruling.

I don't have to give a....

Madam Groguhé, on a point of order?

[Translation]

Mrs. Sadia Groguhé: Mr. Chair, before we proceed, I would really like you to clarify the position you just took concerning the vote on this motion. I understood your position very clearly as to the vote on the amendment.

[English]

The Chair: What don't you understand, Madam Groguhé?

[Translation]

Mrs. Sadia Groguhé: However, regarding the motion, I did not understand, and I would like some clarifications. Mr. Chair, if you could do that, that would be very much appreciated and very important. Thank you.

[English]

The Chair: Sure. I don't think I can be any clearer. We are going to have debate on the question being put. Then there will be a vote on the amendment without further debate on the amendment. Then there would be a vote on the main motion without further debate on the main motion.

The speaking order—

Ms. Jinny Jogindera Sims: I challenge—

The Chair: There is a challenge to the chair. Will the ruling of the chair be sustained?

Some hon. members: Agreed.

Some hon. members: No.

(Ruling of the chair sustained)

The Chair: Mr. Lamoureux, you have the floor.

On a point of order, Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

Reading from O'Brien and Bosc, 2009, second edition, page 1051, the chapter on committees, it's pretty clear to me that.... Do you need me to read the citation?

The Chair: I have no idea what you're talking about until you read it.

Ms. Rathika Sitsabaiesan: I'll read the citation, Mr. Chair.

Under "Rules of Debate", it says:

Every standing, legislative and special committee observes the Standing Orders of the House so far as they may be applicable, except the Standing Orders as to the election of a Speaker....

I'm not going to read the rest of that sentence. It goes on say:

This means that, in principle, the number of times a Member may speak in committee and the length of his or her speeches is not subject to any limit. The Member can thus take the floor as often and for as long as he or she wishes, provided the Chair has duly given the Member the floor.

Mr. Chair, with respect to this citation I just read from O'Brien and Bosc—

The Chair: The problem, Ms. Sitsabaiesan, is that my ruling that the question be put was overturned, so what you're reading is quite true, but it has nothing to do....

We passed that. We're on to another stage.

Mr. Lamoureux, you have the floor.

Ms. Rathika Sitsabaiesan: Mr. Chair, I'm not done with my point of order. You did not allow me to state my point of order to its completion.

The Chair: You're quite right. I apologize, Ms. Sitsabaiesan. Go ahead.

Ms. Rathika Sitsabaiesan: Thank you.

My point of order is that the motion that Mr. Dykstra put forward that a question be put is actually out of order, Mr. Chair. The question cannot be called at this stage in committee based on our rules of procedure.

I can go to the page where it talks about the duties of a chair, that the duty of the chair is to uphold the practices and procedures in this House as well as the standing orders. Just because the government has a majority of members on this committee, the chair cannot allow the government members to say that they are above our practices and rules that we abide by.

So, Mr. Chair, I respectfully submit to you that you are the one who should be upholding our rules and not allowing the government members to bully you into making up their own rules just because there's a majority of them. They can't just make up their own rules, Mr. Chair. We have written rules and these are the rules that we follow for a reason.

Thank you, Mr. Chair.

The Chair: I've chaired a few committees and the best part is that I've been here I don't know how many hours and I've never been challenged so much. But I've been challenged and my ruling has been overturned.

So I'm not going to agree or disagree with you. I've made rulings as I see fit for and against the opposition, for and against the government, and I've made my ruling. We're now going to hear from Mr. Lamoureux on the issue of whether the question be put.

Mr. Kevin Lamoureux: Thank you, Mr. Chair.

It has been a very interesting process. I'm not too sure exactly how long I'll be speaking for, but I did want to, at the very beginning, express how it is that we've come to this point where we have the chairperson's rulings being overturned.

I think it's important for us to recognize the difference between consensus, majority—

The Chair: Mr. Lamoureux, the issue that's before us is should the question be put. You're going somewhere else.

Mr. Kevin Lamoureux: I agree with you, Mr. Chairperson.

That's what we're getting to when we talk about a consensus versus a majority in terms of looking for support for the chair. You have a way as the chair to seek guidance from a committee. Generally speaking, the chairperson will get a sense of the direction the committee would like to be able to go. Based on that direction and using the standing orders and committee proceedings, using traditions and things that have happened in the past, a chairperson will try to facilitate the business of the committee by ensuring that all members are afforded, for example, the opportunity to be able to speak; that all members are being respectfully listened to in the form of decorum; also that individual's rights are in fact being protected within the committee.

Here, it has been pointed out by Rathika, we have a rule that says that at the end of the day, members should be able to speak. It's virtually endless at the committee stage. It's a well-established rule, Mr. Chairperson. You have made the fair ruling in terms of your position as chairperson after you were challenged by the government that the question be put. But it's the consequence of these rulings that need to be talked about. We need to realize that there's a bit of frustration that has been occurring over the last period of time that has ultimately driven the government to challenge your ruling.

What was your ruling? Your ruling was to allow for debate to be able to continue. Then Mr. Dykstra, on behalf of the government, feeling frustrated, asked that the question now be put. By doing that, Mr. Chairperson, Mr. Dykstra knows that he has a majority of the members on the committee. Mr. Dykstra knows what the typical process is at a committee meeting. He understands and he appreciates the rule that Rathika read off, a rule that was read last week. It is very clear. We have a government member who is very much aware of the rules. What he has done is he has challenged—

The Chair: On a point of order, Mr. Menegakis.

Mr. Costas Menegakis: My point of order is simply the member is debating a completely different issue now. He's trying to get into—

The Chair: I'm going to give him a bit of leeway.

Mr. Kevin Lamoureux: Okay.

The Chair: Thank you.

He's right. Try to stay on topic. The issue is should the question be put.

Mr. Kevin Lamoureux: We have to be a little sensitive here in the sense that if you interrupt quite often, Mr. Chairperson, one can easily lose the train of thought. I don't think that is helpful in terms of what's happening right now.

At the end of the day, Mr. Dykstra knew full well that by moving this motion, that the motion he was moving was wrong. He knew that. He knew he could not stop debate on the motion. Knowing that, he tried to bring it to an end.

You as the chairperson had an obligation to respect what the rules are and what they state. It's very clear in terms of what the rules say. The government compromised you, Mr. Chairperson, by saying they were going to force you to abide by going their way, not with what the rules were saying. They thought they could force you as a chairperson to support a majority party position on the issue, and

that's in fact what they've done, Mr. Chair. It didn't matter. You have an obligation, as chairperson, to review our rules, and you made the right decision. You were prepared to allow the committee to go. Then, using the majority of the committee, the government challenged your ruling, knowing full well that as long as they voted as a block, it would, in fact, end the debate, even if it meant going against the rules.

Even the government House leader, Mr. Chairperson, hasn't been as bold as members of this committee in terms of overruling the chair. The government House leader, for example, will bring in a time allocation. Time allocation is in the rules. Could you imagine if the government did exactly what the committee members on the government benches did here, Mr. Chair, where the chairperson makes a ruling, such as you did, and since they don't like the ruling because it doesn't facilitate their agenda—it has nothing to do with the rules and everything to do with their agenda—they then challenge the ruling?

What would happen if we took that same principle in terms of what we just witnessed now and we applied that principle into the House of Commons? I would suggest to you, Mr. Chairperson, that we would have chaos. This is happening in a committee room, out of the view of Canadians. I don't see a litany of media observing what's taking place in the committee room. If this same behaviour was occurring in the House of Commons, it would not be tolerated. The government should be in fact withdrawing or ideally following my comments and apologizing to the committee.

Let's maybe give them a bit of slack here and say that maybe they didn't understand the consequence of what it was that Mr. Dykstra was proposing. I think they need to understand that by challenging you as the chair, Mr. Chair, what they've done is.... I have never witnessed anything of this nature in my years of being a parliamentarian, and I just think it's a dangerous direction.

Whether we want to see the committee end in five minutes, an hour, or two hours is secondary. I just don't believe it's healthy for democracy when we see behaviour of this nature taking place, where you have a majority, in essence, overriding the rules and manipulating the chair to the degree to which you have been compromised.

I believe, Mr. Chair, that you have been compromised. It would be my intention, at some point after trying to get a better understanding of what I've witnessed here this morning, to raise the issue inside the House, if, in fact, it's not resolved in a more positive way. This is indeed a matter of privilege that has a very profound impact.

Could you imagine if every committee were to take the same sort of attitude? It could virtually shut everything down. This is not healthy. It's not the way in which we should be dealing with legislation. It is not the way in which we should be behaving inside the committee.

I was here last week and there were some things that may have occurred that should not have occurred, but nothing to the same extreme as what we witnessed just now.

I'm not speaking in an attempt to try to filibuster in any fashion. I'm going to conclude my remarks on that. Suffice it to say, I do have a lot I would like to be able to say on the subject. I hope I get the opportunity to deal with that, but if we don't see a change of attitude I suspect that I won't, Mr. Chairperson. I think that would be most tragic because it would be something that I don't think any one of us should be proud of.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. Lamoureux.

Ms. Sims has the floor.

Ms. Jinny Jogindera Sims: Thank you very much, Mr. Chair.

The Chair: Can we have some order, please?

Ms. Sims.

Ms. Jinny Jogindera Sims: There are a number of points I want to make before I get into the substance.

First of all, I realize and respect the decision you made as the chair. Also, you were overruled, then we had to go back and debate the previous question. What I am still struggling with is that the rules that exist in this House, they exist for reasons. When I look at page 1056, under "Amendments", it says:

...there is no limit on the number of amendments that may be moved; however, only one amendment and one subamendment may be considered by a committee at one time.

So your ruling that there could be no further amendments, I find really confusing.

The other one is:

Debate on the main motion is suspended, and the amendment is debated until it has been decided. Debate on the main motion then resumes, whether or not it has been amended.

Those are the rules.

I know the government has a majority, and it has used its majority like a hammer in the House to set time allocations. But right here at this committee, it is using its majority to go way beyond what I believe are all the rules we have around parliamentary privileges to be able to speak. There is no time limit or number of times a person can speak to a motion in committee.

I feel, with the chair's ruling, what he has said is that the question is not only on the amendment, but the question is going to be put on the whole motion straight after the amendment without any debate. In that process, I have to agree with my colleague that my privilege

The Chair: Ms. Sims, you've raised some points that I'd like to consider further. I'm speaking about the issue of further debate. I'm going to suspend for a few moments so I can confer further with the clerks.

Ms. Jinny Jogindera Sims: Thank you very much.

The Chair: We will suspend for a few moments.

•(10735)

(Pause)

•(10740)

The Chair: Okay, you still have the floor, Ms. Sims, but I would like to make a couple of comments. You've raised an excellent point.

I have conferred further with the clerks. Everything I said as to the procedure is correct, with the exception that there will be no debate once this debate on the question be put is finished. There will be no debate on the amendment, but I am changing my position as a result of a conference with the clerks. There still would be debate on the main motion.

Ms. Jinny Jogindera Sims: And there would be further amendments if people—

The Chair: No, there would be no further amendments, but there would be debate on the main motion. As soon as this debate is finished, we would vote on the amendment. There would be no further amendments. We would then move to the main motion.

I was incorrect when I said there was no debate on the motion. There would be a debate allowed on the motion.

You still have the floor, Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you very much.

Mr. Chair, just to remind me, are we now debating the motion to put the question?

The Chair: Yes, we are.

Ms. Jinny Jogindera Sims: And on the—

The Chair: The previous question.

Ms. Jinny Jogindera Sims: The previous question on the amendment.

I am opposed to this. I believe there are members of this committee who still had things to say and have not said them. When we look at the rules that exist, there is no limit of time or of the number of times members can speak to an issue, especially when we're looking at motions such as this in committee.

We are not talking about a minor issue here. We're talking about something pretty substantial that is very important both to the opposition, and obviously, to government as well. Therefore I am opposed to the question being put at this time. As I said, we do not want to get into violating the privileges of parliamentarians, who are duly elected and then selected to come and sit on these committees so they can participate in debate to the fullest extent, whether it's on the main motion, the amendment, or the subamendment.

Also, when you're looking at it substantially, the amendment we're putting the question on is a pretty substantive amendment. What it does is it reaffirms a rule that already exists for private members' business, and that is the legislation we're looking at here. That's the only thing we're looking at here, and the seeking of an extension for that. When I take a look at that, I believe the amendment was accepted when it was moved. There was no challenge from the chair for accepting it, and the chair accepted it after full consultation and everything.

There was a previous amendment before this that was not acceptable according to the rules, and the chair ruled it out of order. This amendment was acceptable, so what we're dealing with here is a duly moved and accepted amendment. What I'm saying is that there are still points to be made.

I know we did debate the subamendment, but on the amendment itself, I have not had an opportunity to speak to it. Because we are talking about voting on the amendment that I've not had an opportunity to speak to yet, I would like to—

The Chair: I'm sorry. Sometimes my voice carries, and I apologize.

Ms. Jinny Jogindera Sims: No, it's not your fault. I think we're all working under some pretty unusual times, to say the least.

Ms. Sitsabaiesan moved her amendment. I really would like to exercise my parliamentary responsibility, duty, obligation, and right to be able to speak to this amendment before a question is put. I'm not asking for something unique, or a gift here, Mr. Chair. I'm asking for something that is actually—

The Chair: Point of order. Mr. Dykstra.

Mr. Rick Dykstra: I'm kind of unclear. Is Ms. Sims speaking to a point of order, or is she speaking to the amendment?

The Chair: I think she's speaking to the question being put. I think she's concerned that people haven't had sufficient time to debate, and therefore what she is saying is in order.

Mr. Rick Dykstra: If I'm confused about whether or not she is speaking to her point of order or whether she's speaking to the amendment, I'd like to think that she'd speak to the point of order versus touching on the amendment. We're going to vote on that shortly.

The Chair: You're right. I'm giving her a bit of leeway. The issue is, Ms. Sims, should the question be put? I appreciate that you've given some reasons why that question should be voted against. Just remember, we are not talking about the amendment; we are talking about whether the question should be put. Obviously you need to refer to the amendment to some degree, but you don't need to debate the amendment.

Ms. Jinny Jogindera Sims: I will be very careful not to actually debate the amendment itself but to raise concerns during my speaking slot, so to speak, on the particular issue of why I'm opposed to the question being put on the amendment.

Chair, as I said previously, it's very difficult to sometimes remove the process from the substance. So I do have to talk about the process. I'm not making a point of order. This is part of my concern and part of my expression of why I am opposed to this particular motion that's on the floor.

The reason I am opposed—

Mr. Rick Dykstra: That's not a point of order.

Ms. Jinny Jogindera Sims: I am not making a point of order. I am trying to speak, and I would like to be able to continue.

For me the critical part here is that a question has been put. The chair has been overruled, and that's all fact.

The Chair: Should the question be put, yes or no? That's what I want to hear. I don't want to hear this other stuff. I want to hear whether the question should be put or not put.

Ms. Jinny Jogindera Sims: Chair, it's not a simple—

Mr. Ted Opitz: I have a point of order.

The Chair: Mr. Opitz, on a point of order.

Mr. Ted Opitz: Mr. Chair, I'm unclear as to what Ms. Sims is actually doing because she's speaking, expressing, and doing this and doing that, and not making a point of order, and not answering a question.

The Chair: You're right.

Again, I repeat, Ms. Sims, the issue is, should the question be put, yes or no? I'm interested in debate on that, otherwise we're going to move on to the next speaker.

Ms. Jinny Jogindera Sims: I'm opposed to the question being put because I believe the rules are being circumvented here to bring us to this point.

Chair, I think that whenever you talk about whether a question should be put or not, it is very difficult to stay away from some of the substance. It's because of the substance that one argues whether a question should be put or not or whether substantive debate has taken place.

In my opinion, on the amendment, substantive debate has not taken place. As a matter of fact, if you look at the amendment—

Mr. Rick Dykstra: On a point of order, that is debate, because in my mind I'm already having an argument with Ms. Sims that what she is saying is untrue. So how can that not be debate?

The Chair: Carry on.

Ms. Jinny Jogindera Sims: What I'm trying to say here, Mr. Chair, once again, is that the reason I cannot support this motion to have a vote on the amendment right now is that there has been no substantive debate on the amendment. That is one of the rules that guides us when we look at a question having to be put.

The Chair: Ms. Sims, I've made a number of notes on your comments. You are repeating yourself and you can't do that, or we're going to move on.

Ms. Jinny Jogindera Sims: I will say that another reason I am opposed is that what this amendment did—and I have to mention the amendment—was to actually put into operation what the government rules already say. I would say that we need further time to discuss this and what it means. The only way we can do that is if debate is allowed to continue.

I would like to ask at this time, as part of my speech, how many people have actually spoken on the amendment, Mr. Chair?

The Chair: I don't know. Carry on with your—

Ms. Jinny Jogindera Sims: May we ask the clerk?

The Chair: You were here last week. You were the chairman—

Ms. Jinny Jogindera Sims: I would say—

The Chair: —and I assume you kept notes. I have no idea, and I'd like you to continue, or we're going to move on. You're getting into areas that have absolutely nothing to do with whether or not the question should be put. Asking me a question of who has had a debate and who hasn't had a debate....

I want you to stick to the issue before us.

Ms. Jinny Jogindera Sims: I apologize if I overstepped my line, Mr. Chair, but I was only trying to point out that there has not been more than a handful, I would say two or three speakers, on the amendment itself. So that would add to the fact that the debate has not been substantive.

The Chair: All right, we're going to move on to Madame Groguhé.

It's your turn.

[Translation]

Mrs. Sadia Groguhé: Thank you, Mr. Chair.

I would like to come back to the issue of putting the amendment to a vote. Clearly, I am against that, Mr. Chair. When we are talking about an amendment, a subamendment or a motion, it is important that enough time be given to the members of the committee to debate them and put forward their arguments on these matters.

Of course, I would also like to point out...

[English]

The Chair: On a point of order, Mr. Dykstra.

Mr. Rick Dykstra: Mr. Chair, on a point of order, Ms. Groguhé is making the exact same argument that Ms. Sims made. I don't mind if she has something new to add to it. I tried to listen intently to what Ms. Sims said. She conjectured and had me thinking we were going to have an argument, so I wasn't quite sure if she had a point of order.

Ms. Groguhé is saying the exact same things that Ms. Sims said, Mr. Chair.

Ms. Mylène Freeman: On a point of order, Mr. Chair.

Some hon. members: Oh, oh!

The Chair: Order, please.

Ms. Mylène Freeman: I would like indication from the Chair as to whether I have—

The Chair: Okay. I have Ms. Freeman first.

You know what I am about to say, and if it's on this additional point, we could go on and on.

Madame Groguhé, the rules are quite clear. You can't just carry on and start repeating arguments that have been made by other members of this committee. I just moved on from Ms. Sims, and you're carrying on from what she said.

Mr. Dykstra is perfectly correct in his point of order. You can't carry on and start repeating what other members have said, and if you do, I'm going to move on.

You have the floor, Madame Groguhé.

[Translation]

Mrs. Sadia Groguhé: Mr. Chair, our debates have been going on for a few days but despite that I think there has been considerable

confusion in our exchanges. You yourself have been the cause of some confusion, since we went from a vote on an amendment to a vote on...

[English]

The Chair: Okay, I'm going to move on.

I don't care what happened last week. I care about what's happening now. You're not talking about the question on whether or not....

Ms. Sadia Groguhé: No, no—

The Chair: Madame Groguhé, do you see what this is? This is called a gavel. When I speak, you have to wait until I've finished speaking.

You can put your hand down now. I'm simply saying that the issue before us is whether or not the question will be put, not what went on last week. Please, do not repeat what others have said. If you have new points to make, the committee would be pleased to hear them.

You have the floor, Madame Groguhé.

[Translation]

Mrs. Sadia Groguhé: Mr. Chair, I was not at all referring to the debates or statements that were made last week. I was talking about the confusion here on the issue of voting on the said amendment, and the clarifications I asked for about the vote on the amendment from Ms....

[English]

The Chair: On a point of order, Mr. Opitz.

Mr. Ted Opitz: Mr. Chair, that's not exactly accurate.

Ms. Groguhé also talked about the debates that were held previously—

The Chair: That's debate, Mr. Opitz. It's not—

Mr. Ted Opitz: No, no. My point is this. She had ample opportunity to make that point for nine hours before the—

The Chair: That's debate, Mr. Opitz. You'll have to wait until your turn, Mr. Opitz.

Madame Groguhé, you have the floor.

[Translation]

Mrs. Sadia Groguhé: Mr. Chair, since we have to talk about something else than what Ms. Sims talked about, I will come back to the vote on the amendment. There has been so much confusion. Mr. Chair, be that as it may, I also want to share with you my frustration with regard to the lack of clarifications; I asked for some, and did not get any, regarding the vote on the amendment. I think it is useful to us, if not indispensable, as parliamentarians, even if the chair...

[English]

The Chair: The issue is: should the question be put, yes or no?

[Translation]

Mrs. Sadia Groguhé: I am getting to my point, Mr. Chair.

Concerning this vote, if you want a yes or no answer, obviously I will not be in favour of this vote.

I will reiterate my request. I would like to get a clarification on a matter of procedure, Mr. Chair. My privileges as a member entitle me to ask you to be more precise, and as clear as possible, regarding a vote or a debate on a motion or an amendment.

Thank you, Mr. Chair.

[*English*]

The Chair: Thank you, Madame Groguhé.

Ms. Sitsabaiesan has the floor.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

Mr. Chair, on the subject before us of whether the question on the amendment should be put or not, I believe the question should not be put at this time. The members of this committee have not had the opportunity to actually contribute to the debate—

The Chair: That has already been said, Ms. Sitsabaiesan. Those comments have been made by Ms. Sims and by Madam Groguhé.

Ms. Rathika Sitsabaiesan: Thank you.

I feel the way that democracy is being curtailed, that we're not being allowed the opportunity to speak, is actually not parliamentary. We see this type of behaviour in the House, and now it's starting to happen more and more in committee as well, Mr. Chair.

I believe it is my duty, or my right and privilege as a member of Parliament who is elected to represent almost 140,000 people in my constituency, that I should have the ability to speak to an amendment that is before the committee which I sit on, and that every member on this committee has that same right. With the actions of this government almost effectively making it a democratic dictatorship, we don't have that ability to do what we're supposed to do.

Mr. Rick Dykstra: [*Inaudible—Editor*]

The Chair: Mr. Dykstra, Ms. Sitsabaiesan has the floor.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

I can't fathom this concept of continuing to just be arrogant. The word that keeps coming to my mind, Mr. Chair, is to bully. It is to be a big bully. They're bullying the system, rewriting the rules to suit their immediate needs at the time, and even belittling you and the position that you hold as the chair of this committee with the rights and the powers that are given to the chair through our procedures and policies, our procedures of operation. I really find it undemocratic the way that it's—

The Chair: Ms. Sitsabaiesan, these points have already been made by Mr. Lamoureux. If you have anything new to add, please do, otherwise we'll move on.

Ms. Jinny Jogindera Sims: On a point of order, Mr. Chair, I have sat at this committee for a long time and have taken part in other committees. I think that to cut off one member's right to speak and make a point because somebody else may have made it seems a little over the top. If different members have points of view and they have a right to express them, I'm hoping the chair will give them leeway. Just because I said something at the beginning should not limit what they talk about or how they say it.

The Chair: Ms. Sitsabaiesan, you have the floor.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

I'm certainly confused with the lights flashing, Mr. Chair. If bells are ringing....

The Chair: Strange things are happening in here. The lights flash, but now they're not. So you still have the floor.

Ms. Rathika Sitsabaiesan: I also want to refer to Standing Order 1, which clearly states:

In all cases not provided for hereinafter, or by other Order of the House, procedural questions shall be decided by the Speaker or Chair of Committees of the Whole, whose decisions shall be based on the usages, forms, customs and precedents of the House of Commons of Canada and on parliamentary tradition in Canada and other jurisdictions, so far as they may be applicable to the House.

With Standing Order 1, whenever there is something that is not clearly identified already in our rule books, the Speaker of the House or the chair has the authority to make that call based on common practice in our jurisdiction or similar jurisdictions, similar countries.

In this case, the point Mr. Lamoureux made earlier was that this type of behaviour is unprecedented, that the ruling of the chair be overturned in a manner that it was in a way that is contrary to our rules that are written down.

What I learned from Standing Order 1 is that, as chair, you actually have the ability to overturn the government member's choice to bully the position of the chair because the chair has the ability to look at what is done in other jurisdictions or other—let me get the right words from the Standing Order—yes, it is jurisdictions and parliamentary traditions.

Once again, it's going to the concept of practice and looking at O'Brien and Bosc on the topic of practice, it's described as follows:

Committee practice is the body of unwritten rules governing committee proceedings. It consists of procedures that have developed over time and are viewed as standard operating practice. For example, while there is no Standing Order to that effect, the normal practice is to have government Members sit to the right of a committee Chair and opposition Members sit to the left.

That's an example of where practice is what we look at when there is no written rule.

In this case, where there's no written rule, the chair can make a ruling looking at what common practice or historical practice is in our jurisdiction, or looking at similar jurisdictions. Whether that's this committee or another committee, what's practised in the House of Commons, or what's practised in a similar Westminster model of Parliament perhaps, the chair does have the leeway to do that.

With respect to whether the question be put, I will once again submit to you, Mr. Chair, that sufficient debate has not happened on the amendment itself and so the question should not be put.

The Chair: Ms. Freeman.

Ms. Mylène Freeman: Mr. Chair, I would also like to argue that we go against the motion that this question now be put.

I think that I absolutely have the right to speak about the same issues that my colleagues have spoken about. That is based on the fact that there are no rules around whether or not a member can speak about things that have already been spoken on.

The Chair: Ms. Freeman, I have made it quite—

Ms. Mylène Freeman: I am getting to it.

The Chair: I'm going to point out to you that I have this thing called a gavel, and when I speak, you stop speaking. I've already made a ruling that you cannot repeat what has already been said.

You're telling me that you're going to start to do that. I'm not going to let you do that. If you start doing that, we will move on to the next speaker.

Ms. Mylène Freeman: All right, Chair. Then what I would like to say very quickly—

The Chair: Point of order, Ms. Sims.

Ms. Jinny Jogindera Sims: Mr. Chair, MPs are elected and they have a right to speak. If you as the chair feel the meeting is so out of order, you can adjourn, but I am really objecting to the fact that MPs are being denied their right to speak at this committee.

The Chair: Ms. Sims, members have the right to speak and you know that. I'm going to read to you something on the topic of repetition which comes from O'Brien and Bosc:

Repetition is prohibited in order to safeguard the right of the House to arrive—

Ms. Rathika Sitsabaiesan: What page are you reading from so I can follow along?

The Chair: Page 622. I'll wait until you find it.

Repetition is prohibited in order to safeguard the right of the House to arrive at a decision and to make efficient use of its time. Although the principle is clear and sensible, it has not always been easy to apply and the Speaker enjoys considerable discretion in this regard.

I underline the words, “the Speaker”—in this case I am the chairman of the committee—“enjoys considerable discretion in this regard”.

You still have the floor Ms. Sims...or Ms. Freeman.

Ms. Jinny Jogindera Sims: A point of order.

The Chair: Point of order, Ms. Sims.

Ms. Jinny Jogindera Sims: I believe that what you read out applies to what repetition applies to in the House, but what happens at committee, it's relevance. If you go to the reference that I read out earlier, it's exactly about relevancy and has very little to do with repetition.

What you've quoted are rules for the House.

The Chair: Ms. Sims, I've made a ruling.

Ms. Freeman, you have the floor.

Ms. Mylène Freeman: I was actually going to speak to the same point of order, Chair. That is, I would agree with my colleague that the rule of repetition applies to the House, and that the only rules governing debate within committees are—

The Chair: Listen. You know what? Listen—

Ms. Mylène Freeman: I do have a point to make, that this committee does have the ability to make its own practices and that the only way we can—

The Chair: Ms. Freeman, I've just made a ruling, and if you don't like what I've said, then you're quite free to challenge that ruling. If you want to challenge the ruling, challenge the ruling, and we'll have a vote. Otherwise I'd like to hear your comments as to whether or not the question should be put.

Ms. Mylène Freeman: Chair, I would like to amend the motion before us so that it reads that the question be put on June 21, 2013.

The Chair: We're on a previous question. You can't do that.

Ms. Mylène Freeman: Chair, I would like to challenge you on that. My belief is that the motion before us—

The Chair: All right.

Shall the ruling of the Chairman be sustained?

Some hon. members: Agreed.

The Chair: Opposed?

Ms. Rathika Sitsabaiesan: I would like a recorded vote, please.

The Chair: Sorry, you should have said that before we had the vote.

The ruling of the Chair is—

Ms. Rathika Sitsabaiesan: Point of order, Mr. Chair.

The Chair: The ruling of the Chair is upheld.

Ms. Freeman, you have the floor.

Ms. Rathika Sitsabaiesan: Mr. Chair, on a point of order, I was actually waiting and the chair did not call a vote. A calling of the vote is, “all those in favour” and “all those opposed”. That did not happen so I requested a recorded vote before that occurred.

The Chair: You're right.

I'll withdraw what I just said.

Shall the ruling of the chair be sustained? Madam Clerk, we'll have a recorded vote.

(Ruling of the chair sustained: yeas 6; nays 5)

The Chair: Ms. Freeman, you have the floor.

Ms. Mylène Freeman: Chair, I would like to clarify where we are right now.

Are we debating whether the question be now put?

The Chair: Yes.

Ms. Mylène Freeman: Chair, I think over and over again, I have been refused the ability to speak this morning. This has been extremely frustrating for me. I believe that I have had many good reasons to bring up the points of debate that I have brought up. Unfortunately, I have been overruled several times. I think you will also see that I have not had the opportunity to speak to this question yet, and that is why I had moved that we extend the debate on it. I was not able to put forward my arguments on that or why—

Mr. Rick Dykstra: On a point of order.

Actually, you did. You had a member who had replaced you—I'm not saying that you weren't here—but there was someone who actually did speak for over three hours. So you actually had three hours of time. I'm not sure about the point Ms. Freeman is making that she didn't have time, because she actually had a lot of time.

The Chair: Ms. Freeman, you have the floor.

Ms. Mylène Freeman: Chair, on that point of order—

The Chair: I said you had the floor and you continue debating whether or not the question should be put. That's what I'm looking forward to hearing your comments on. The committee would like to hear what you have to say.

Ms. Mylène Freeman: Chair, I would like to clarify that that was a subamendment that was debated in my speaking time last Thursday

The Chair: Ms. Freeman, before I let you speak on your point of order, I want to make it quite clear. I don't know how many times I have said this, but three times and you're out. You're getting very close to the third time.

The question we're debating is not what went on. The question is, do you or do you not support whether or not the question should be put, and that's what I'd like to hear.

Point of order, Mr. Menegakis.

Mr. Costas Menegakis: No. Actually, you've clarified it. Thank you.

The Chair: Ms. Freeman, you have the floor.

Ms. Jinny Jogindera Sims: Point of order, Mr. Chair.

The Chair: On a point of order, Ms. Sims.

Ms. Jinny Jogindera Sims: Chair, thank you very much. I realize you have made the decision about the fact that the previous motion is not amendable. I would like to have the reference you used in order to make that ruling.

The Chair: Ms. Freeman, you have the floor.

Ms. Mylène Freeman: Chair, I'm wondering whether or not you will actually provide that. Could you clarify—

The Chair: We're going to move on, Ms. Freeman.

Ms. Mylène Freeman: Mr. Chairman, I have not done speaking. I'm sorry and I believe—

The Chair: Ms. Sims, you have the floor.

Ms. Jinny Jogindera Sims: Mr. Chair, what we're seeing here is member of Parliament after member of Parliament being denied the right to express their point of view. I want to say that every one of the people sitting on this side is duly elected by their constituents. They're sent here. They sit at this committee, because they're appointed to this committee, and they have certain duties and responsibilities to carry out.

I want to put on record my distress and dismay at the fact that over and over again members are being denied the right to continue to make points that would lead to their either supporting the motion to put the vote or not to put the vote on the amendment.

In order to talk about whether to put the vote on the amendment or not, one has to deal with the amendment itself as well. I think to argue differently subverts the democratic process and our ability to engage in a meaningful debate and discussion at this committee.

Mr. Rick Dykstra: It's not meaningful if you abuse it all the time.

The Chair: Ms. Sims has the floor, please.

Ms. Jinny Jogindera Sims: I would once again remind my colleague across the way that I do not interrupt when he speaks, and I would really appreciate similar treatment.

When I look at the amendment here, the amendment is brought to this committee for a reason. The reason is that we do not support what the government is trying to do through the back door that which they cannot do directly at committee.

The Chair: Ms. Sims, should the question be put, yes or no? That's what I'd like to hear.

Ms. Jinny Jogindera Sims: Mr. Chair, it's all debate on motions and amendments and subamendments. If it's just yes or no, then I don't see why we have parliamentary democracy and why we sit here

The Chair: Ms. Sims—

Ms. Jinny Jogindera Sims: In order to say why I am opposed, I have to refer to the amendment itself. I realize I'll get a chance to go back and speak to the main motion, but I'm talking about the amendment.

Not to be able to address the amendment when I'm saying why I'm opposed to the question being put, I think it's so limiting as to end debate. If the aim is not to allow any debate, then let's be open and honest and simply say "vote" and let's not have any debate, because I will exercise my right to debate and make points. In order to explain why I speak for or against a motion being put and a question being called, I have to refer to the substance of the amendment.

I will make sure, Mr. Chairman, that I do not go to the main motion. I will stick to the amendment, because that's what the question has been called on. The question is not that simple. The question cannot be considered in isolation. If you were to isolate to that degree, all our debates would be vacuous and they would either be yea or nay. Surely that's not what we want to lower democratic debate to and we do not want to shut the voices off duly elected parliamentarians.

An hon. member: Point of order.

The Chair: Mr. Menegakis, if you could bear with me for a moment, I want to confer with the clerks.

You had a point of order, Mr. Menegakis.

Mr. Costas Menegakis: With all due respect, Ms. Sims was debating your comments and not being specific as to whether or not the matter should be put, which you had ruled on. I'm wondering if we can get some order back into the meeting because she's spending the entire time, after you commented to her, on arguing your intervention, which is not what we're discussing right now.

The Chair: There's a certain amount of leeway. I don't think Ms. Sims has gone into too much repetition—some—but essentially, she is arguing that there needs to be more time spent voting on the amendment.

We'll give her a fair bit of leeway on that, as long as she doesn't get into debating the amendment on and on. I think she can refer to that. That's her thesis that is a result of the question being put. I don't mean to put words in her mouth but that's what I've interpreted her saying, that there has been insufficient time to debate the amendment.

At the same time, a lot of this has been repeated by a number of members on the committee, and we must remember that, too, that we shouldn't get into repetition, which I've referred to. I've made comments. I've been challenged a little bit on that, but that's what I'm saying.

Ms. Sims, you still have the floor.

Mr. John Weston: A point of order, Mr. Chair.

The Chair: On a point of order, Mr. Weston.

Mr. John Weston: I'll be really brief. I'm as committed as Ms. Sims to parliamentary privilege and I've stood in the House to defend that in recent weeks. However, there is a difference between saying that debate needs to be free and debate is being trivialized by these endless proceedings. In exercise of your discretion, Mr. Chair, I would just be concerned that Canadians would start to wonder if we're accomplishing anything effective here if we trivialize the debate by what's going on.

The Chair: You're getting into debate, Mr. Weston, and this is debate, and Ms. Sims is free to.... It's true I expect members of the government are being provoked as a result of comments, and that's her absolute right to do that. If she wants to say comments that are contrary to what the government may say, she has the absolute right to do that. I don't like it because I want to keep some order.

And you may continue, Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you very much.

As I was saying earlier, Mr. Chair it's very difficult to be debating on putting the question without referring to the amendment itself, though I will say that I will try to keep the substantive arguments on the main portion of the recommendation that's before us, because I am on another speakers list. I really do appreciate the leeway that you are providing right now in order for us to continue this debate.

We are here debating this for a reason. There isn't a person around this table that just wants to carry on talking for the sake of it. We are here to look at the processes that are being used. We are using the tools that are there before us, a parliamentary tool that is there before us, and that is, to be able to speak at committee to amendments and the main motions until we have exhausted ourselves. Certainly, I do know that I intend to continue to do that.

It is therefore my argument that it would be very, very difficult for a question to be put on this at this stage. I would say it would be at any stage, because of the rules that operate for committee, which is that every member has a right to speak as many times as they want and for as long as they want. Despite the existence of those rules, the chair has been put in a position to carry on with this charade. Now that we are in this debate, I will say this. The parliamentarians here have a responsibility because they did not have a chance to speak to this amendment. I would say that the majority of us have not. I will say that it becomes really critical that the question not be put, because if the question were put at this stage, it would actually take away that right from me. More than that, it actually has a substantive impact.

Mr. Rick Dykstra: A point of order.

The Chair: Before the point of order, Ms. Sims, you are getting into repetition. You've said what you're saying right now a number of times. If you continue, I'm going to move on to the next speaker.

Mr. Dykstra, on a point of order.

Mr. Rick Dykstra: That was my point of order. I've heard that point three times now from the same speaker.

The Chair: Okay, Ms. Sims, you still have the floor, but I caution you that we will move on to the next speaker if you continue to repeat.

Ms. Jinny Jogindera Sims: Thank you very much.

With that new ruling—

The Chair: It's not a new ruling, I've been making it all morning.

Madam Grogue, you have the floor—

Ms. Sitsabaiesan has the floor.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

Right now, we are debating whether we go to the....

Mr. Rick Dykstra: Point of order.

What is happening here? Does Ms. Sitsabaiesan have a point of order or is she just reading out of the book? I thought we were on points of order.

The Chair: No, we're into a debate on whether the question should be put.

Mr. Rick Dykstra: Thank you.

The Chair: Ms. Sitsabaiesan, you have the floor.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

An hon. member: She already spoke.

The Chair: She can speak again, Mr. Menegakis.

Ms. Rathika Sitsabaiesan: I can speak as many times as I wish and for as long as I wish, according to the rules of this place.

Mr. Chair, I'm certainly perplexed that we are debating right now the previous question because as far as I know, the previous question is not admissible in committee.

The Chair: Ms. Sitsabaiesan, this has already been ruled on. We're not debating on whether it's in or out of order. The question is, do you support or not support whether the question should be put?

I raised this a number of times when you were speaking before. I'm going to move on if you keep getting into other areas.

Ms. Rathika Sitsabaiesan: Mr. Chair, I'm not really voting. I'm just pointing out that I'm perplexed that we are debating something which shouldn't even be happening in committee. I am not in favour of the question.

The Chair: Thank you.

Ms. Freeman, you have the floor.

Ms. Mylène Freeman: Chair, I have not had the opportunity to debate the matter on which we are now being asked to put the question, the motion to which—

The Chair: Point of order, Mr. Dykstra.

Mr. Rick Dykstra: Ms. Freeman's made this argument already. In fact, she challenged the chair—

Ms. Mylène Freeman: On that point.

Mr. Rick Dykstra: —on this matter and it was defeated.

She challenged, her challenge was not successful, and she was asked to move on. Now she gets the floor again, and she is repeating the exact same argument.

The Chair: Point of order, Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

If we need to go back and read the blues, we can, but the challenge of the chair that Ms. Freeman made was that the chair had ruled that the amendment was out of order, and not that she had not yet had an opportunity to speak to the amendment that she is trying to debate.

The Chair: I will say, Ms. Freeman, that I'm going to allow you to continue, but you have said a number of times that you haven't had an opportunity to debate. That point has been made. I would like to hear your next point.

Ms. Mylène Freeman: Respectfully, Chair, I believe I have not actually said anything more than that because I have been cut off by various members of this committee.

As a result, I would like to explain that point. My duties as an elected member of this House required me to not be present at the moment this motion was brought forward. There was an ability for me to speak to the subamendment when I did return to the committee at one point, but I was once again required to leave because of my duties. As a result, I was never presented with the opportunity, though I sought it, to speak to this amendment.

I apologize if I am speaking to events that happened last week.

Mr. Costas Menegakis: Point of order.

The Chair: Point of order, Mr. Menegakis.

Mr. Costas Menegakis: Mr. Chair, the member had someone replace her while she was not here. She had every opportunity to speak through the person replacing her.

The Chair: I'm going to let her go on, Mr. Menegakis. You may or may not be right, but I'm going to let her continue.

Ms. Mylène Freeman: Thank you, Chair.

Again, as I tried to indicate the last time I was speaking but got cut off, it was not for this amendment on which the question is being put that the person was delegated to sit in my place while I went away; it was for the subamendment.

The Chair: I'd like to know your contribution to debate on whether or not the question should be put, Ms. Freeman.

Ms. Mylène Freeman: Chair, as a member of Parliament who sits on this committee, I was here throughout the time during which the committee would normally sit but I could not always be here while the committee was sitting outside its normal hours, given that I have obligations as a member of Parliament to represent my constituents in other aspects of the House's work. I could not be here at all times, and as a result, I was not able to debate this motion.

I am not talking about the subamendment. I am talking about the amendment itself, which was moved on Thursday afternoon by my colleague, Ms. Sitsabaiesan, the amendment on which the question is now being put.

Chair, I believe this is an argument unique to me, because not only was I not able to speak to it, but also I was not available during the times when the committee was being called, because those times were outside our normal committee hours—

The Chair: I will hear Ms. James on a point of order.

Ms. Roxanne James: I have to say that availability should not be an excuse on this committee. I have other obligations as a member of Parliament elected duly by the constituents of my great riding of Scarborough Centre, and when I find that something is as important as this particular bill, I will make sure that I am here.

The Chair: I agree.

You have one more chance, Ms. Freeman, and then it's three strikes and you're out.

Ms. Mylène Freeman: Chair, I believe that because we are outside of normal committee meetings, it is absolutely within my right to argue that I was able to leave and come back and, as a member of the committee, I am absolutely able to request and argue against—

The Chair: I've heard enough.

There are no more speakers. I'm going to call the vote with respect to the previous question.

All those in favour—

Ms. Rathika Sitsabaiesan: I call for a recorded vote.

The Chair: It is a recorded vote on the previous question.

Ms. Jinny Jogindera Sims: Don't we have a speakers list?

The Chair: Yes. We have concluded it and are now having a vote.

Ms. Jinny Jogindera Sims: No, I was on the speakers list again.

The Chair: No, you weren't.

Ms. Jinny Jogindera Sims: I raised my hand, and she put my name on—

The Chair: I'm sorry, you weren't on the speakers list.

We're going to vote, and we're going to have a recorded vote, and the clerk is going to call it.

Mr. Rick Dykstra: Read the question.

Ms. Jinny Jogindera Sims: This is just—

The Chair: I need some order, Ms. Sims.

I need some order.

Ms. Jinny Jogindera Sims: Chair, on a point of order—

The Chair: There is no point of order. We're in the middle of a vote.

Madam Clerk.

Ms. Jinny Jogindera Sims: It's about the—

The Chair: Madam Clerk.

It's on the motion that this question be now put.

(Motion agreed to [See *Minutes of Proceedings*])

Ms. Jinny Jogindera Sims: On a point of order—

The Chair: The question shall be put, and we are automatically into a vote on the amendment of Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: May we have a recorded vote, please?

The Chair: It is a recorded vote, Madam Clerk.

(Amendment negatived: nays 6: yeas 5 [See *Minutes of Proceedings*])

The Chair: We are now on the main motion.

On debate, we have Mr. Dykstra—

Ms. Mylène Freeman: On a point of order, Chair—

The Chair: —Mr. Weston, Mr. Menegakis, Ms. James.

An hon. member: Point of order.

The Chair: We'll continue with Ms. Sims, Ms. Sitsabaiesan, Ms. Freeman, and Mr. Lamoureux.

Was that your point of order?

Ms. Jinny Jogindera Sims: No, that's not my point of order.

Ms. Mylène Freeman: I have a point of order.

The Chair: I have all kinds of points of order, but first of all we're going to hear from Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you, Mr. Chair.

As soon as I finished speaking on the previous question, I raised my hand to get back on the list.

The Chair: I'm sorry, I didn't see it.

Mr. Opitz.

Ms. Jinny Jogindera Sims: I'm sorry, Chair. That is totally outside of form right now. When a member raises their hand, and then for the chair to say, "I just refuse to recognize you", that is not done.

The Chair: No, Ms. Sims, I didn't say that.

A voice: [*Inaudible—Editor*]

The Chair: Mr. Opitz, you have—

Ms. Jinny Jogindera Sims: Mr. Chair, I have—

The Chair: Order.

Ms. Jinny Jogindera Sims: —a point of order that I have not finished.

The Chair: And I have a gavel.

Ms. Jinny Jogindera Sims: You do have a gavel, and please use it, but really, I have a point of order that I have not finished.

The Chair: All right. You're quite right. I'd like to hear your point of order.

Ms. Jinny Jogindera Sims: Even on the previous question, there is no limit as to the number of times people can speak. I know, for example, because I indicated to the clerk—and I know you were busy—to put me back on the list. Madam Grogue did the same. Mademoiselle Sitsabaiesan did the same. We were back on the list. We indicated that.

I don't see how that list has disappeared. Therefore, I believe that the question that has just been put is out of order. I tried to raise this before the question was put, and the chair did not take my point of order. We did not exhaust the list.

The Chair: Ms. Sims, I have in my hand a piece of paper—you know what we do—with the names as to who speaks—

Ms. Jinny Jogindera Sims: Then I don't see where the names—

The Chair: Order. Please give the chair some courtesy.

Ms. Jinny Jogindera Sims: It's hard when these rulings are going on.

The Chair: I have a piece of paper, as you know, that either the clerk or the chairman adds to when people ask to speak. I looked at the list. Your name was not on the list. We had come to Ms. Freeman, who was the last speaker. There were no other speakers.

If you put up your hand, you did not get the attention of the clerk, or you did not get the attention of the chairman, so everything is in order.

Mr. Opitz, you have the floor.

Mr. Ted Opitz: Mr. Chair, I had my hand up to speak as well. I just didn't get recognized.

The Chair: I have you as number three.

Mr. Ted Opitz: Oh, okay.

The Chair: I saw—

Ms. Rathika Sitsabaiesan: Point of order, Mr. Chair.

The Chair: A point of order, Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

When we commenced the debate on the amendment that I proposed, I proposed that amendment because I had the floor while I was speaking to the main motion. My understanding of proper procedure, like what happened this morning when Mr. Menegakis had the floor, when the meeting was suspended, is that the speaker who has the floor resumes having the floor.

Mr. Chair, respectfully, I did have the floor when the debate on the main motion was suspended, so it should go back to the speaker who was duly recognized by the chair, was given the floor, and who held the floor.

The Chair: I'm just taking a moment to suspend. I want to confer with the clerk.

● (10835) _____ (Pause) _____

● (10835)

The Chair: Ms. Sitsabaiesan, on your point of order, to be consistent, you may recall that when we proceeded to debate the amendment, a new list was created. It was a list at my discretion. It was at that point that Mr. Dykstra then put forward the issue of whether the question should be put. I think we may have had some debate with Mr. Menegakis. That's my recollection.

In other words, it's at the full discretion of the chair, and I am exercising my discretion on the list that I have chosen.

Point of order, Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you very much.

I know that it's at the chair's discretion to have a whole new list to express the new reality, although it shouldn't be the new reality, of the tyranny of the majority, and the chair did that. But—

Mr. Rick Dykstra: Point of order.

The Chair: Point of order, Mr. Dykstra.

Mr. Rick Dykstra: I know, Chair, that you asked us not to dwell on things that happened in the last week when you weren't here.

That's a reference that Ms. Sims continues to make. I think it's actually unparliamentary in terms of language, and I would ask her to refrain from using that reference in future.

The Chair: You know what? This has been going on for a long time—

Ms. Jinny Jogindera Sims: I withdraw that—

The Chair: Ms. Sims, I'd like to make a comment, because this isn't the first time that remarks have been made by both sides, both the government and the opposition. I will not be able to keep order if the two sides continue to provoke each other and call each other names. Both the government and the opposition are guilty of that.

Of course, there are always exceptions, Mr. Lamoureux....

Voices: Oh, oh!

The Chair: But I'm just telling you that I simply will not allow.... We've let it go until now, but we're not going to allow any more provocation of the other side to be done.

Ms. Sims, you have the floor on a point of order.

Ms. Jinny Jogindera Sims: My point of order relates specifically to the fact that Ms. Sitsabaiesan moved an amendment that we have just voted on, so notwithstanding any list that the chair can make, I believe that the rules say that because she still had the floor, and now that the amendment has been voted on, it automatically has to go back to her, and then I know the chair has a whole new list that is fully stacked for one side.

The Chair: Don't do that.

We're going to suspend for a moment.

• (10840) _____ (Pause) _____

• (10840)

The Chair: My problem is I wasn't here last week so I'm going on the recollection of the clerk that Ms. Sitsabaiesan was speaking to the main motion. She then made an amendment and that ended her speech. Therefore, Mr. Dykstra has the floor on the main motion.

You have a point of order, Ms. Sims.

Ms. Jinny Jogindera Sims: On a point of order, I believe it only ends her spot on the speaker's list. She gives up her space if the amendment carries. The amendment was defeated. Therefore, under the rules, I believe it goes back to Ms. Sitsabaiesan.

The Chair: I've already ruled on that.

Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: I was going to make the same point and—

The Chair: I've already ruled on that.

Mr. Dykstra, you have the floor.

Mr. Rick Dykstra: Thank you, Mr. Chair.

I continue to hear debate that is not about the actual motion itself concerning the extension, which I'm going to speak to.

To clarify and for the record, we started this on June 11 at 8:45 a.m., and since that point in time only one Conservative has had the opportunity to speak at this committee. So if we are speaking about who has the ability to speak and who is being prevented from presenting their opinions and from representing their constituents, all of those arguments can be made by us over here. For each and every one of my government colleagues who sit on the Standing Committee on Citizenship and Immigration, it's exactly the same. We've had one speaker.

Mr. Chair, I know you're back in the chair this morning, but the government has bent over backwards to allow members of both the NDP and Liberal Party to have their opportunity to speak to the extension. While Ms. Sims was the chair, she allowed, for example, Ms. Grogue the opportunity to speak for more than nine and a half hours.

I'm not sure how the NDP is going to speak to the extension, when in fact they have overwhelmingly owned the majority of—not just the majority, but almost exclusively—the time to speak. When they just about ran out of time, they determined that they would introduce an amendment, which of course allowed the process to begin all over again.

Mr. Chair, we on the government side are finally having the chance to speak to the motion that we introduced. The motion itself is not about all the debate that took place here at the committee. That was agreed to. As you recall, Mr. Chair, we had a subcommittee meeting. We determined an outline. We determined a process. We determined how that process was going to follow through, and when clause-by-clause study was going to happen. All of this was agreed to by all members of this committee.

We acknowledge that the only piece that made us have to go back to the House came when we introduced our amendments, amendments that both Mr. Lamoureux and Ms. Sims and every member of the opposition on this committee requested almost each and every single day that we met as a committee. In fact, they were requested every single day: "Can we get those amendments? Can we get your amendments?" At that time, those amendments were critical to them, in terms of moving forward.

So in principle, I don't accept the argument that the request for the extension is due to the introduction of the amendments. That is not at question. In fact, when we agreed that the amendments would come forward at a particular time in the process, there was unanimous agreement as to when those amendments would come forward. I and all members of the opposition on the committee have made the point that I actually introduced them, through the clerk, before we were required to.

In so doing, we were giving the opposition the opportunity to review in a fulsome way the amendments we were presenting. We also had the opportunity to hear from our legal clerk whether those amendments fell within the scope of the bill. It was determined at that time—and we accept that determination, Mr. Chairman—that the amendments fell outside the scope of the bill. We accepted that. We didn't argue it. We tried to ensure that the decision made was one that was founded upon the correct Standing Orders, which we have in front of us. We determined that it was.

We then took the next step in this process, which was to move the motion here at committee that in the House we seek clarification, seek authority from the House of Commons to expand the scope of the bill so that we could deal with the amendments we had presented to this committee, amendments which we presented prior to actually having to submit them to the committee.

I then went into the House of Commons, as Mr. Shory did, during proceedings each and every day for over two weeks, in an attempt to introduce a motion for concurrence so that we could have that fulsome debate in the House of Commons.

I had assurances from our House leader and our whip that it would be given priority in the House of Commons and that we would be dealing with a motion for concurrence that would allow debate to take place for the expansion of Mr. Shory's bill, expansion, by the way, with his support of each and every amendment that was proposed by me.

In consultation, in discussion, in presentation, there isn't a time during this whole process that you will find one issue that Mr. Shory had with the introduction of these amendments. He is in full support. In fact, he has attended almost all of the meetings that have taken place at this committee. Every once in a while he does get subbed in, but for the most part he has sat as a listener and an observer of what was happening here at committee in terms of the filibuster that has been occurring by the New Democratic Party.

I tried, Mr. Chair, to stand up for almost two weeks during routine proceedings, after question period or at ten o'clock in the morning, depending on when routine proceedings came up, and each and every time, NDP members stood up and blocked my ability to present the motion for concurrence regarding expanding the scope of the bill.

When I hear members of the opposition position the issue of debate around how they are prevented from discussing this issue, or pushing this issue further, I look to each and every one of them, in particular the NDP. If they truly believed that the House of Commons is the place where democracy takes place and where they represent their constituents, and where they deliver messages on behalf of their party, and where they should be listened to because they deserve to be heard, then I would submit this to each one of them. Why on earth would they not let me stand in the House of Commons to present the proposal that this committee decided on democratically, upon discussion, upon review, and further to vote, that we would ask the House to give us the ability to expand the scope of the bill?

The only reason we were prevented from doing so, that I was prevented from presenting this in the House of Commons, was the

New Democratic Party knew that a private member's bill, if not submitted prior to the 60-day expiration, would have to go to the House unamended. It was not for any democratic reason, not for the reasons that would sustain a discussion in the House of Commons, but simply to kill a private member's bill, thereby killing that individual's opportunity.

Backbenchers in the House of Commons do not have an opportunity very often, Mr. Chair, to introduce a piece of legislation they would hope would carry itself through and receive royal assent at the end of the process.

We then understood, based on the opposition's unwillingness to allow our democratic right to be heard, that we would have to come back to committee to seek an extension.

I duly introduced the motion. I recall the first time we asked for the extension. Mr. Lamoureux, effectively, and as is his right as a member of the committee, agreed we were going to sit until 10:45 and he talked out the clock. Therefore, we couldn't debate the motion of the extension at that time. We would have to do so at the next meeting.

Well, Mr. Chair, you were not at that meeting. You had Ms. Sims, who is our vice-chair, take the chair and we actually had to challenge her, and win a challenge to sustain discussion on the extension. To me, I guess, it was her prerogative as chair and she had a right to do it.

I witnessed her chairmanship last week. She may have come to the corners on breaking the rules, but she did her best to try to do everything, perhaps bending them, but certainly staying within them.

That led to the opportunity of only one of the committee members on this side of the House who could actually speak to the.... In fact, it was actually only at a point when we were dealing with an amendment that we were able to speak. It was not actually to the main motion. It was the first time in almost a week that the government—this side of the committee and obviously our side of the House in the chamber—had a chance to discuss the extension.

All we are seeking in terms of this extension is not to pass the private member's bill at third reading and send it over to the Senate, not to somehow put this piece of legislation in front of the priorities that are in the House of Commons right now, whether they be priorities of government or priorities of the opposition, but simply and very quickly in the House agree to a 30-day extension for Mr. Shory's private member's bill.

Mr. Chair, there are numerous hills to die on for the opposition when it comes to immigration, and I understand that. But to determine that a private member wouldn't be allowed to have their private member's bill be heard properly, be reviewed thoroughly, be voted on democratically is unacceptable.

It's unacceptable because the request.... When you look at how simple the request is for the extension.... This motion does not come with a 2,000 word essay. It doesn't come with any type of underlying strategy to have it circumvent the process that follows us through in the House of Commons under the Westminster model of Parliament. This extension is very simply, very directly, very efficiently, very effectively drawing us to the conclusion that Mr. Shory, a member of Parliament, duly elected, has the opportunity and has the right to have his private member's bill heard. He has the right to have his private member's bill discussed. He has the right to have his private member's bill voted on.

He does not and should not be forced into a corner to stand by helplessly as he watches an opposition party determine that because they don't like the bill, they have found a procedural reason to circumvent the process.

I've heard Ms. Sims. I'll quote her. Today she said it at 12:21 that they're not here just to speak for the sake of it. Then, not two minutes later, she said that they will use the tools at their disposal.

There is a big difference in having a determination that the direction a particular piece of legislation is taking that you don't like and don't agree with, that your party won't support, that you as an individual can't vote in favour of.... I agree. I may disagree with you in terms of how I vote, but I don't disagree with the fact that you have the right to object to a piece of legislation you don't believe in.

But when you say that you will use the tools at your disposal, that is a submission, in fact, I think it's a conviction, that what you are doing is circumventing the right of a private member's bill to move forward, the right of an individual to move his legislation forward when he is fully aware and understanding of the agreement—

Ms. Rathika Sitsabaiesan: Point of order.

The Chair: On a point of order, Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Mr. Chair, my understanding is that in debate we do carry our comments through the chair. We do not directly attack members who sit opposite or other members of this committee. Right now there was a direct attack at Ms. Sims. I don't want to put words in her mouth about how she feels about being attacked with stern face and words and fingers pointing at her, but I would not feel comfortable if somebody were attacking me like that, Mr. Chair.

As a member of this committee, I want to make sure our comments are directed through the chair, as that is my understanding of the rules.

The Chair: It's a valid point.

Mr. Dykstra, you have the floor.

Mr. Rick Dykstra: I've known Ms. Sims long enough. She knows exactly what I'm speaking to. She's been involved in a lot more difficult negotiations and probably has said a lot worse things and has been quoted for things she's already said.

Through you, Chair, I am speaking in regard to the—

The Chair: A point of order, Ms. Sims.

Ms. Jinny Jogindera Sims: Mr. Chair, I respect my colleague making the comments he's making because he has the floor and he

will speak on the issue. But I really believe the interpretation of what I may have meant by what I said has to be left to me. I believe I am on the speakers list this time, and I will get a chance to speak. I will explain then what I mean when I'm talking about this legislation.

The Chair: That's not a point of order.

Mr. Dykstra, you have the floor.

Mr. Rick Dykstra: To the extension, Chairman, it's so straightforward:

Pursuant to Standing Order 97.1(1), your Committee is requesting an extension of thirty sitting days to consider Bill C-425, An Act to amend the Citizenship Act (honouring the Canadian Armed Forces) referred to the Committee on Wednesday, February 27, 2013.

On Tuesday, April 23, 2013, the Committee recommended to the House that it be granted the power during its consideration of Bill C-425 to expand the scope of the Bill. The Committee is awaiting for a decision of the House before further considering the Bill. Therefore, your Committee requests an extension of thirty sitting days.

Within the context of this extension, we are not seeking amendments, nor are we seeking to change the bill. We are not seeking a confrontation with the opposition to be able to use whatever means or tools that are at their disposal in the Westminster model of Parliament to deliver or to stop a bill from moving forward.

I do find it ironic and interesting, and I had some of this frustration last week when I noticed the opposition using the tools of our Westminster model and our committee process to drive forward their agenda, or what they felt the process should have been. At the same time, I do think we have that same right as a government, not just because we are the government, but because we as individuals should respect—should respect—the private members' process for a member to move a piece of legislation forward.

At the end of the day, all of us, each and every one of us who sits in the House of Commons, will have the chance to support or to vote against Mr. Shory's bill. To take away the member's right by refusing to allow the extension motion to come to a vote is by far the worst way to attempt to stop his piece of legislation from moving forward. If members want to speak in the House against it, if they want to bring witnesses to committee who don't support it, if they want to ask the questions necessary to prove the points that they're going to make, I accept that. When we speak specifically to the issue before us today, which is the extension of the right, the extension really is the right of a member of Parliament to move his private member's bill forward, have it heard, have it brought through committee, have it go through three readings in the House, and then obviously have it move on to the Senate.

I would submit that since last Tuesday, at 8:45 a.m., we have had the ability to talk, the ability to present our issues. As those who sit on this side of the House, we've had our one opportunity to speak to this bill. I've had the opportunity to speak on behalf of my colleagues on the issue of the extension. I would submit that we have had enough discussion on the extension and we on the government side are ready to vote. We are ready to move it back to the House. Each of the opposition members has had the opportunity to speak to this. They have each had the opportunity to speak to the motion. I'm prepared, on behalf of my colleagues, to give up their speaking time if we are prepared to have a vote on this issue today. That will show that we are not here to delay, that we are not here to filibuster, that we are actually here to move this process forward.

Having said that, each and every member of the opposition has had that chance to have their say.

I would submit, and I would respectfully request, that we call the question on this and vote.

The Chair: Well, we've been through this before.

I'm now going to refer to the text of O'Brien and Bosc, page 1057. I made a ruling earlier, but I'm going to rule it out of order.

There's a paragraph on page 1057:

Motion for the Previous Question.

The motion "That this question be now put" is known as the previous question. In the House, the previous question is a debatable motion. When the debate ends, the motion for the previous question is put to a vote. If the motion is carried, the initial motion under consideration is immediately put to a vote.

This is the sentence that I'm going to rely on for my decision, Mr. Dykstra:

In committee, motions for the previous question are inadmissible.

Accordingly, based on that paragraph, I'm ruling your motion out of order.

Mr. Rick Dykstra: Mr. Chair, I want to point out a couple of things related to the extension itself.

I went through the process of what led to this extension, to show that we have done everything possible within the rules and the guidelines of the process, to be able to have a private member's bill move forward. The reason this extension is here is simply to allow that individual the opportunity to have his say and to have his private member's bill move forward in the House of Commons. I wish we could have had unanimous support to vote on this.

Through you, Mr. Chair, I want to reinforce that the one thing I did was to give the history leading up to the request for this extension, and then I spoke specifically to the request for the extension. The third piece is why the opposition, I believe, is opposed to the extension itself.

Mr. Chair, I hope I've done my best to stick to speaking to the topic at hand. I would look further, that in the very near future, we have the ability to vote on the motion itself. I think, especially, after the nine and a half hour speech from Ms. Grogan last week, it was pretty clear that she covered just about every single angle that could be covered on behalf of the opposition.

The Chair: Are you challenging the chair?

Mr. Rick Dykstra: No, I'm not challenging the chair.

The Chair: Okay. We will then proceed.

Have you concluded your debate on the main motion?

Mr. Rick Dykstra: At this point, I have.

The Chair: Okay.

Mr. Weston, go ahead.

[*Translation*]

Mr. John Weston: Thank you very much, Mr. Chair.

[*English*]

I'd like to start by acknowledging the great privilege it is to sit in this seat on a committee as part of the House of Commons.

So much of what you do in your position and what we do as parliamentarians in the pursuit of peace, order and good government is to balance competing interests. The competing interests we see here are, ironically, the right of a member to see his bill proceed in a normal process so that it is reviewed and receives the benefit of a substantive assessment, versus procedural fairness. In this case, the procedure threatens to suffocate the substance.

What we're arguing for here, Mr. Chair—

The Chair: I'm sorry. Ignore my hand signals.

Mr. John Weston: It's okay.

I don't want to interrupt you.

The Chair: I apologize, Mr. Weston.

You have the floor.

Mr. John Weston: Okay, no problem. We've been here for many, many hours, Chair, so a few extra minutes won't make a difference.

The proposal is to just breathe life into this private member's bill. As my colleague mentioned a few minutes ago, the right of a private member to bring a bill is something that all of us in the House need to protect and encourage. We need to make sure that our legislature is strong through the creativity and the genius that private members contribute when they do something like Mr. Shory has done by bringing this bill before us. After hours and hours of debate, which we would all concede has not necessarily been relevant to the substance of this bill, it's now time for us to look at making sure we can focus on just that.

I've seen a private member's bill through from the beginning to the end, and I know how many hundreds of hours might be contributed, how many stakeholders may have invested, how an MP may have consulted broadly within his riding and among the people who are affected.

In this case we have a member who is trying to speak to the importance of Canadian citizenship, the importance of peace and security within our borders. All of these things are threatened to be suffocated by a lack of opportunity for them to be reviewed by the House of Commons. I stood in the House quite recently to fight for the rights of members to do the type of thing that Mr. Shory has done, so I find it really ironic that any members of the House, in any party, would try to suffocate the substance of a bill through a procedure.

You're a lawyer, Mr. Chair, and you know that the courts are able to stop an action for want of prosecution, but at the same time judges are governed by a doctrine to keep alive the substance of a suit if they are able to do so. In this case what we're talking about is keeping alive the substance of a private member's bill, because if the amendment isn't passed, then the private member's bill will die. For all of those who have said in this committee that the private member's bill is really the result of third parties, government or otherwise, how ironic that is, because they are the same people who are threatening to rob the private member's bill of the real hearing, the hearing that comes in the House of Commons.

Mr. Chair, it's increasingly evident as we sit here that the time has come when we move ahead, we breathe life into this bill. We do what we can, not necessarily to pass it, but to give the bill the opportunity to be passed, to give the opportunity of legislators to reject it, but at least to make sure that the bill goes from life support into its healthy state that it needs to have in order for the debate to be fulsome, clear, and democratic, just the way Canadians want us to have a debate.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. Weston.

Mr. Opitz has the floor.

Mr. Ted Opitz: Thank you, Mr. Chair.

This is a bill where my honourable friend has a right to have this on the floor. It deals with the Canadian Forces as well, and that's somewhere I have spent a great portion of my life, in serving not only in this country, but overseas, and in other places. When you have those experiences, Mr. Chair, you see first-hand the importance of a bill like this, because the Canadian Forces, as most recently seen in places like Afghanistan and places—

Ms. Mylène Freeman: A point of order, Chair.

I believe that the member is speaking to the substance of the bill itself and not to the motion that is before us.

The Chair: Okay.

Mr. Ted Opitz: Very well, Mr. Chair.

I was just leading up to explaining why this is a very important bill. We need to have those opportunities to bring it to the floor of the House so that all members of the House can examine the bill in its intimate detail and its component parts for the benefit of all Canadians, in particular, those witnesses who we had before us, like Bal Gupta, who is the chair of the Air India 182 Victims Families Association, and Maureen Basnicki, widow, and co-founder of the Canadian Coalition Against Terror. She, Mr. Gupta, and many others are victims, and they have a right to be heard. They have a right to have their testimony and points of view put before the House of Commons, as do all MPs on all sides of the House. It's the right of my honourable friend to have his private member's bill examined by all of his peers and voted on properly, and not held up by using various devices in order to keep it away from the light of day and from the light of the actual legislature, where all members of Parliament can fairly examine it, and then with their conscience, stand up and vote for or against it, Mr. Chair.

I believe that by doing so, my honourable friend's rights are curtailed in his ability to present a private member's bill that has the support of well over 83% of Canadians across the country. As well, there are those victims, Mr. Chair, who came before us to share their views on why the bill is important to them. It's why the bill is important to 83% of Canadians who collectively agree that this bill should be brought to the floor of the House of Commons, and in their view be passed by the House of Commons and brought into law. This would further protect them, Canadian families, and at the end of the day, help to stop the spread of victimization by people who would assault our way of life and our Canadian Forces, especially those who put their lives at risk every day not only in this country but in places abroad, Mr. Chair.

It's for those reasons, Mr. Chair, that I urge this committee to allow this extension, to allow this to pass, and allow this private member's bill to be brought to the floor of the House, and to allow all honourable members, who act on behalf of their constituents....

They are the same type of constituents I am now answering to. Where I once commanded troops, Mr. Chair, I now have over 113,000 constituents I answer to. I answer to them every day. They would want to see this private member's bill make it to the floor of the House of Commons to be debated there and voted on, Mr. Chair.

Thank you very much.

The Chair: Thank you.

Mr. Menegakis has the floor.

Mr. Costas Menegakis: Mr. Chair, I really welcome the opportunity to have a moment or two to speak in favour of this extension, in favour of the motion.

We are not actually speaking about the bill itself. What we are asking for is an extension of 30 days to allow for the appropriate period of time for debate on Mr. Shory's Bill C-425. He has made it abundantly clear from the outset that he would welcome all amendments. We have before us a number of amendments that require an extension of 30 days so that they can be properly debated, reviewed, and ultimately voted on.

I don't want to be repetitive with what my colleagues have already said, but as you know, Mr. Chair, there are a limited number of opportunities for a member of Parliament to put forward a private member's bill. This is one which Mr. Shory felt very strongly about and for which he openly solicited recommendations as to how he could make it better. I believe allowing just 30 days is giving the proper time and respect to Mr. Shory's bill so that he has the opportunity to put forth a piece of legislation which over 82% or 83% of Canadians agree with.

I don't want to get off the topic of discussion at the moment as we are only discussing the motion of a 30-day extension. Without delving into the substance of the bill itself, I think it is incumbent upon us as members of the citizen and immigration committee, and I appeal to all members on all sides in this committee and in this House, to allow an additional 30 days so that we can properly review, discuss, and ultimately exercise our right to vote on this piece of legislation, including its amendments. I think it is only fair. Any suggestion to the contrary would certainly, in my opinion, be putting procedure over substance, as Mr. Weston so eloquently put it. There is a lot of substance here that needs to be discussed and reviewed for its merit. Thirty days will allow that opportunity to happen.

Mr. Chair, I will conclude simply by saying that I am in full support of this extension as it respects the honourable member's wishes, the sponsor of this bill's wishes to move forward with this very important piece of legislation.

Thank you.

The Chair: Thank you, Mr. Menegakis.

Ms. James has the floor.

Ms. Roxanne James: Thank you, Mr. Chair. Welcome back to our committee.

I have to say this is the first time in a week that I've actually had the option to be put on a list to speak to the original motion, because of what we experienced last week. I appreciate having the opportunity today, finally.

I have to tell you, when I was elected on May 2, 2011, I was elected by the law-abiding Canadian taxpayers in my riding. I was not elected by those who would seek to commit acts of terrorism. I have to tell you that—

Ms. Jinny Jogindera Sims: A point of order, Chair.

The Chair: A point of order, Ms. Sims.

Ms. Jinny Jogindera Sims: It's the reference to terrorism and how it fits into what we're here to discuss right now, which is an extension, and with the contents of what's in Mr. Shory's bill. We're here on the main motion, and to start talking about terrorism I think is inappropriate and out of line.

The Chair: Well, it's on the main motion.

Ms. Jinny Jogindera Sims: There is no reference in Mr. Shory's bill to terrorism.

The Chair: You're absolutely right, Ms. Sims.

She's right, Ms. James.

Ms. Roxanne James: Thank you.

I wanted to let Ms. Sims know that when I was mentioning terrorism I was not making mention of it in reference to this bill specifically. I was trying to make the point that I'm here representing my constituents of Scarborough Centre. I want to point out that this particular bill, Bill C-425, has garnered more interest from my constituents than many of the other bills that we have done in this committee.

I actually highlighted it in my newsletter recently, and I received positive feedback on this particular bill. The resounding comments from my constituents were that they absolutely approved of this bill and they wanted it to go further. I have to let you know as well that almost a year ago our government cracked down on residency fraud —

Ms. Mylène Freeman: On a point of order, Mr. Chair, I don't understand the relevance of the point the member is making. My understanding is that we're talking about the motion for a request for a 30-day extension. My colleague Ms. James is talking about things that her government has done on public safety, things that different constituents wrote to her about, saying they liked them. I don't see the links whatsoever.

Ms. Roxanne James: Mr. Chair, may I continue, please? Again, this is the first opportunity I've had to speak, so—

The Chair: Well, you know what?

Ms. Roxanne James: —and I am speaking to the motion.

The Chair: Ms. Freeman is correct.

Ms. Roxanne James: I am speaking to the motion because I am requesting that—

The Chair: Just don't get into the bill, because the bill may or may not come at another time. The issue is the motion, which has to do with an extension of 30 sitting days.

Ms. Roxanne James: Absolutely, and that's the point I'm trying to get across. It's that I'm here to represent my constituents, and they want this bill to go through, which is why I fully support the 30-day extension.

It's absolutely imperative as a member of Parliament to have the opportunity to put through private members' bills. Fortunately, I actually had a private member's bill receive royal assent in this session. I wholeheartedly accepted recommendations from the committee that worked diligently on my bill to make it better, to improve upon it, as has my colleague, Mr. Devinder Shory.

I just want to say that he is open to these amendments. It's important that we listen to the will of this committee, the will of the member of Parliament who put forward this bill, and also the recommendation that we extend the sitting for 30 days, so that we can properly address these amendments. I think it is unjustified for any committee to go to the length that this committee has—the opposition—to delay for over a week a simple vote that would have taken less than two minutes, Mr. Chair. Therefore, I respectfully put forward my support of this motion that requests an extension of 30 sitting days.

A voice: Well done.

Ms. Roxanne James: This will definitely give the proper respect to my honourable colleague, who is sitting at this committee now. As my colleagues have mentioned, I've sat beside this particular colleague, Mr. Devinder Shory, throughout every committee meeting on Bill C-425. He was there to welcome amendments and to provide his insight.

In fact, Mr. Chair, back at the end of January, when I found out that I was given the opportunity and was asked whether I wanted to speak to this particular bill in the House, I basically jumped up and down, because I think this bill is so important to Canadians and to Canada. I think it goes a long way.... The amendments that were put forward—and again, I'm not speaking directly to the amendments—are the reason we're asking for the extension of 30 days. I think 30 days is not unreasonable. If we were seeking 365 sitting days, perhaps that might be unreasonable, but so far, the amendments that we've put forward, and this particular motion addressing the need to allow those amendments to be heard, are not unreasonable.

We've been sitting here for a week. Again, in the nine and a half hour speech from the opposition, they covered absolutely everything possible that they could read from a book and from the other things that were handed to them, and I only have a few moments to speak directly to this specific motion and the need to have the extension.

I'm sitting here and speaking on behalf of my constituents and the over 80% of Canadians from coast to coast to coast, I have to say, who support Devinder Shory's bill and wholeheartedly embrace the amendments that not only did this committee put forward, but that the member himself agreed with and embraced wholeheartedly.

On that, Mr. Chair, I have to say that as I sit here and ponder what has happened in the last week, I can only look to the opposition to put a stop to this nonsense that's been going on with this filibuster, to speak for a couple of moments to this particular motion, and then to allow it to go to a vote.

There are Canadians who are watching this right now and are seeing what is going on. There is also the expense to Canadian taxpayers by sitting here around the clock debating. It's not proving a point. They would like to see the extension granted so that this can be properly debated and voted on in a very democratic manner, as I said, representing the constituents of my riding of Scarborough Centre.

Thank you, Mr. Chair.

The Chair: Thank you.

Ms. Sims has the floor.

Ms. Jinny Jogindera Sims: Thank you very much, Mr. Chair.

I am speaking against the motion that is before us today. I believe that what is before the committee is the unamended motion as it was originally moved.

With that understanding, we've heard a lot today about private members' business. I just want to say that I have a lot of respect for my honourable colleague across the way, Mr. Shory, and for private members' business, but there is a process in place for private members' business.

As a matter of fact, when it came to first and second reading, I stood in the House and supported Mr. Shory's bill going to committee stage, where we did have amendments that we would have wanted to make to it. The reason we're here debating an extension is that the amendments brought forward by the government were ruled out of scope. It's because of that ruling we are here today.

When it comes to private members' business, Mr. Shory's bill can actually be, and will be deemed to be, reported on June 21, and he will get his day in court. There will be that debate, which will happen in the House of Commons.

Therefore, I want to be very, very clear that the opposition is doing nothing here to circumvent private members' business. As a matter of fact, it's the fact that it is a private member's bill....

Just to review, Mr. Chair, as we know, it's only backbenchers and the opposition who can bring forward private members' bills, not parliamentary secretaries, according to the parliamentary rules, and certainly not ministers, the cabinet. If the cabinet or a parliamentary secretary have significant legislation, there's a way to bring it forward. It's called government orders. They can bring forward a government bill.

I can assure them that this opposition would be more than willing to work with them on government legislation to address issues of national security and of terrorism in a very fulsome way. At no time does the opposition or anybody—

The Chair: Thank you, Ms. Sims.

Ms. James, on a point of order.

Ms. Roxanne James: Mr. Chair, I didn't have a great opportunity to speak, and when I mentioned the word "terrorism" once, I was jumped on by the opposition, saying that I was not within what we're debating.

I just heard Ms. Sims say the very same word, and I notice that no one from the NDP is raising that as a point of order.

I thought I would take the opportunity to do that for you, Mr. Chair.

The Chair: She's right.

Ms. Jinny Jogindera Sims: Thank you very much.

If the government has amendments—and they do; we've seen them—that will fundamentally change the nature of the bill, and will expand the scope...because that's where we are....

Mr. Shory's bill actually got fair hearing at this committee. We heard witnesses. We had debate. It now goes back to the House. We're here today not because Mr. Shory is being denied any...or any closure motion was moved on the discussion of his particular bill; we're here today because the amendments brought forward by the government were ruled out of scope.

I say "out of scope" for a reason, because they went beyond—

The Chair: You're starting to repeat yourself, Ms. Sims.

Ms. Jinny Jogindera Sims: —what is envisaged in a private member's bill.

We are not trying to shut down Mr. Shory's bill. As a matter of fact, his bill will go back to the House as is. It will proceed to the third reading, and it will be debated. The government and the opposition, all parties and the independents will have a say in the debate. We will of course debate that, and then a vote will take place.

At no stage, when I look at that spectrum, is Mr. Shory being denied the right to carry out his private members' business. That's the argument that was put forward—

The Chair: Ms. Sims, you're repeating yourself. We'll have to move on if you keep doing that.

Ms. Jinny Jogindera Sims: Chair, I'm just trying to reiterate in a different way what I heard, that we were trying to circumvent private members' business.

I will add that we're here today to debate the extension motion. It's very difficult to debate the extension motion—unless you want a yea or nay vote and no debate—without referencing what happened at committee, as long as we relate it back to the bill.

I'm not going to get into the content of the amendments, as you've said, because we're not here to discuss them. We're here only to take a look at an extension for Bill C-425. That's what I will focus on, an extension for Bill C-425.

I believe at this stage the extension is being sought to circumvent private members' business so that the government can carry out its own agenda.

Mr. Chair, I'm really trying to stick to the motion that is before us. The motion before us—

The Chair: Ms. Sims, that's the third time I've heard the word “circumvent”. That's called repetition.

Ms. Jinny Jogindera Sims: Yes, but to use one particular word in different sentences does not make it repetition. The word takes on different meanings.

The Chair: Well, I'm warning you.

Ms. Jinny Jogindera Sims: Yes.

I want to remind us all of what's before us: Pursuant to Standing Order 97.1(1), your Committee is requesting an extension of thirty sitting days to consider Bill C-425, An Act to amend the Citizenship Act (honouring the Canadian Armed Forces), referred to the Committee on Wednesday, February 27, 2013.

On Tuesday, April 23, 2013, the Committee recommended to the House that it be granted the power during its consideration of Bill C-425 to expand the scope of the Bill. The Committee is awaiting for a decision of the House before further considering the Bill. Therefore, your Committee requests an extension of thirty sitting days.

It's the very wording of that motion that brings me to speak about the government's request for an extension. It is not to address the content of what is already in Mr. Shory's bill. It is to go before the House to seek an expansion of scope, and that, I believe, will fundamentally change Mr. Shory's bill in a significant way.

When I read that motion out and then try to relate it to what we're here to debate, it is perfectly within my rights and privileges, I would argue, to discuss what is in the motion to explain why I am against the extension.

I believe that every member of Parliament, not the cabinet or parliamentary secretaries—excluding that group—has a right to bring forward private members' business, and a right to have it go through the systems we have in the timelines we have.

The Chair: Ms. Sims, you are definitely repeating yourself, and you are definitely repeating what others have said.

Ms. Jinny Jogindera Sims: Can I talk about the timelines, Mr. Chair?

The Chair: All right.

I'm simply saying that the talk of circumventing private members' business, members not having a right to speak.... I've heard that over and over. We don't need to hear it anymore.

If you want to talk about timelines, that may or may not be a new issue, so we'll allow you to proceed.

Ms. James has a point of order.

Ms. Roxanne James: Thank you, Mr. Chair, for bringing up that it's repetitive.

I have to tell you that I have not heard anything new, anything that I didn't hear last week, for the entire week the NDP spoke. So that is definitely being repetitive.

The Chair: I have a problem. I wasn't here. So you'll have to bear with me.

Ms. Sims, you have the floor. You can talk about timelines to a certain degree.

Ms. Jinny Jogindera Sims: I also want to remind members that I have not had a chance to speak to this motion in public. We were in camera at the time.

What I want to get back to is the fact that there is a different process for a private member's bill. When the government brings forward legislation—and this fits in, because it ties into the timelines this way, Mr. Chair. The timelines are very different. What I believe this extension is trying to achieve is to get around those timelines.

The Chair: It's another way of saying “circumventing private members' business”, which has been said quite a few times.

Ms. Jinny Jogindera Sims: I'm just trying to point out that the timelines are different.

The Chair: Ah, indeed, in a different way, you're talking about not circumventing private members'....

Ms. Jinny Jogindera Sims: Let me talk about the timelines that exist for private member's business. I believe that's how we....

Private members' business gets introduced in the House and gets very limited debate, as we all know. Then it gets to committee. After committee it goes back into the House, and there is a limit of two hours' debate. That's all the debate that occurs at that time, and the debate is very different from the debate on government business, because the debate is just that you get to speak. There is no cross-examination or cross-questioning as we go.

Because the government is bringing significant changes to this legislation, I believe it will not afford the opposition the time and the process it needs to examine the possible amendments that we have already seen. It is because—

The Chair: You have a point of order, Mr. Dykstra.

Mr. Rick Dykstra: I'm not quite sure how the last three sentences of Ms. Sims have anything to do with the extension. I just don't understand what she said at all.

Ms. Jinny Jogindera Sims: What I'm talking about here is how the timelines for government legislation and private members' business are different and how the process is different.

The Chair: I understand what she's saying, and I think she's in order.

Go ahead, Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you very much.

And because the process is so different for government business versus private members' business, I believe it behooves us as parliamentarians to defend private members' business, to defend the processes we have, and to ensure that the executive branch of the government cannot insert itself into private members' business in such a way that it escapes scrutiny.

The Chair: Ms. Sims, I do understand what you're saying. However the question that's before us is a request for an extension of 30 sitting days. So really all of what you're saying is interesting and may or may not be true. It's an interesting debate. I don't really think it has much to do with the issue of extending the sittings for this private member's bill in this committee for 30 days.

I'd rather you zero in on that, as opposed to giving us your position on the comparison between a private member's bill and a public bill in the House. You may or may not be right. That's not an issue. The issue is whether this committee should vote to extend the time for debate or other presentations in this committee by 30 sitting days.

Ms. Jinny Jogindera Sims: Once again, Mr. Chair, I find myself in a very unenviable position, I am sure, and a very unique one for the first time in my very long career in dealing with committee work and dealing with processes, whereby when it comes to discussing an extension, the reasons for the extension—the very bill and the processes it's governed by—are being ruled as being not relevant.

I would argue—and I will—that in order to speak for or against an extension, it is logical by any kind of parliamentary rules, or *Robert's Rules of Order* or any other rules that exist for conducting meetings, you should be able to reference back to the very item you are discussing, the reason for an extension, to support why an extension should or should not be granted.

The Chair: Mr. Menegakis has a point of order.

Mr. Costas Menegakis: Getting back to your point about repetitiveness, Mr. Chair, we've heard hours and hours of this, and now it's more of the same. We've heard hours and hours of it, Mr. Chair, of this meeting, this meeting that was suspended and was continued today, hours and hours of debate about this very issue, making the exact same point. The inference or the statement by Ms. Sims that she finds herself in a different situation and doesn't know why she can't speak to it is way off base.

The ruling on repetitiveness, I think, needs to be respected by all of us.

Thank you.

The Chair: I'm in an awful position because I wasn't here, and I can't confirm whether you're right or wrong, Mr. Menegakis.

At this point you are in order, but keep in mind the issue of repetitiveness. It is not allowed.

Ms. Jinny Jogindera Sims: Thank you very much.

The Chair: I'm going to trust you that you won't repeat what went on last week.

Ms. Jinny Jogindera Sims: Just to clarify, Chair, I was in camera. I know that we cannot discuss what happened in camera, so I'm not going to, but in a public meeting I have not spoken on this motion at all.

I feel that I need to be given some leeway to talk about this motion in a fulsome way, in the same way that was accorded to Mr. Dykstra and others. I am being very, very careful that I do not mention the content of the amendment, because I realize that's not what's here before us.

But the expansion of the scope is before us, because that was put right into the motion, and it is because of that reason that the opposition, the NDP, is here. We actually.... I don't want to repeat myself, but I have a lot of sympathy for Mr. Shory's bill. I have a lot of sympathy for Mr. Shory's bill. There are bits in there where it talks about—

Mr. Rick Dykstra: Mr. Chair, a point of order.

The Chair: Mr. Dykstra, on a point of order.

Mr. Rick Dykstra: Last week, on Thursday, Ms. Grogue actually spoke to the very issue about what's in the bill already. In fact, she listed out all of the reasons why they supported the bill, even though that has nothing to do with the motion on the floor. It's in the Hansard. I could give it to you, Chair.

I do have copies. I'd be prepared to give them to you, because I know you weren't here last week. I can quote from them, showing what the support is, so we don't need to hear—I don't think we do anyway, because it's actually out of order—why they support the bill. We already know.

The Chair: Well, Ms. Sims, I'm in a bit of a quandary. I'm relying on you not to repeat what was said last week, not necessarily by you, but by Madame Grogue or anyone else.

If Mr. Dykstra is able to persuade me that all of these positions were made clear last week by others, such as Madame Grogue, you're into repetition. As I've tried to make quite clear throughout this day, we're not allowing repetition.

There's a certain amount of trust that I'm placing in you to not repeat what was said last week. Otherwise, I am sure that Mr. Dykstra is suddenly going to start reading the blues to us, and that takes up more time.

Keep that in mind. I'm not saying who's right and who's wrong. I'm just saying that we've had allegations. Mr. Dykstra has the blues in front of him, and if indeed Madame Grogue made the comments that you're making now, that's repetition, and I would rather that you not get into that.

Ms. Jinny Jogindera Sims: Thank you, Mr. Chair.

What I'm hearing from what you're saying is that only one person needs to have said something and the second person can't say it, because suddenly it has become that kind of aggravating repetition. Because that—

The Chair: Well, just so I'm clear, that's exactly what I'm saying. Otherwise, everybody could say the same thing in this room and take 10 hours to do that. That's not productive. I think we're interested in hearing.... Now, if someone says something that's not correct on that issue, that's a different story, but if we're talking precisely of what was said by Madame Groguhé, that's repetition, and I'm not going to allow it.

Ms. Jinny Jogindera Sims: Well, I'm hoping you will allow relevancy, because that is part of the process as well—

Ms. Rathika Sitsabaiesan: A point of order, Mr. Chair.

The Chair: Yes, Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you.

I apologize to my colleague for interrupting her in mid-sentence.

Mr. Chair, you just mentioned that if one member of a political party has made a point, another person mentioning that point or a similar point is repetition, which I find quite.... I have to make two points based on that.

One is that when the Conservative Party members spoke, just before Madam Sims spoke, there was quite a lot of repetition with respect to the points they made, and that leeway was granted to every single one of them to repeat the same points that Mr. Dykstra made.

Mr. Costas Menegakis: It's not true.

Ms. Rathika Sitsabaiesan: Now—

The Chair: Mr. Menegakis, order, please.

Go ahead, Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: —Ms. Sims, who is the first speaker today, according to the new speakers list that you have there, Mr. Chair, is making her arguments and is already being told that she's being repetitive, when she is the first speaker to speak today.

Still on the first point, there have been accusations that she may or may not be saying things that she may or may not have said while she was in camera, which is not something we can discuss when we're in a televised public meeting. As well, Ms. Sims is being told that she is being repetitive on items that another member made in a previous part of this debate.

The second part—

The Chair: Okay. Look, Ms. Sitsabaiesan, I've made my point clear. I'm trying to give Ms. Sims as much leeway as I can, and comments are being made that she is repeating herself.

Notwithstanding those comments, I'm still giving Ms. Sims some leeway, and I'd like her to continue.

You have the floor, Ms. Sims.

Ms. Jinny Jogindera Sims: A point of order, Chair.

The Chair: On a point of order, Ms. Sims.

Ms. Jinny Jogindera Sims: With all respect to the chair, we can say that every one of my colleagues across the way—we can get the

blues for that today as well—were making similar points about the rights of a private member.

The Chair: Well, we're before you now, Ms. Sims, and I'm trying to be consistent.

I'm sure—

Ms. Jinny Jogindera Sims: That's what I'm asking for: consistency.

The Chair: —that throughout this meeting I will make all kinds of mistakes. I'm trying to avoid doing that.

I trust that members will point out to me, as they already have, if I've made mistakes, and I'll try to rectify those mistakes.

You now have the floor. We're debating the motion.

Ms. Jinny Jogindera Sims: When we looked at the legislation that Mr. Shory put before us and that we did support at second reading, there were aspects of that bill that we did support, aspects that we might have wanted to expand whereby those permanent residents who serve in the military would get credit for residence in order to accelerate citizenship.

You know, there is a lot of merit to be had in that, because we know that we want our military and other institutions to be reflective of our diversity—

The Chair: On a point of order, Mr. Dykstra.

Mr. Rick Dykstra: This is what Ms. Groguhé said during her very long speech: we are in favour of speeding up the process of obtaining Canadian citizenship to reward the dedication of permanent residents in the Canadian Armed Forces; we are also favourable that the Canadian Armed Forces reflect, in some way, the importance of the diversity of Canada, which will help in part with the bill; and unfortunately, some aspects of the bill relating to the claims of repudiation and withdrawal of applications for Canadian citizenship are a problem.

It's the exact same argument that Ms. Sims is now presenting.

It's already been made.

Ms. Jinny Jogindera Sims: You did not let me finish my argument, because I was not going to go on to that.

The Chair: Well, it's happened, Ms. Sims. He's reading from the blues.

Ms. Jinny Jogindera Sims: He has read part—

The Chair: It would be awful if he started repeating what was said last week.

Ms. Jinny Jogindera Sims: It would be, but that would be his choice.

The Chair: Indeed.

This is your final warning, and then we're going to move on. You can continue debate, Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you.

We appreciated the fact that Mr. Shory thought of those men who served in our armed forces.

An hon. member: And women.

Ms. Jinny Jogindera Sims: And women.

We also wanted to say that there are other front-line service providers—for example, RCMP, firefighters, and I would go so far as to say social workers, teachers, and other groups—that we might want to look to add to that list.

On its own, when you look at the idea of trying to increase diversity to reflect the population of Canada in all our institutions, it's not just in the military. Even when I look around the House, when I look around at different appointments, and when I look at our teaching force, the RCMP, and all of our institutions, we would want to see that diversity.

It was with that, and also with understanding the incredible job that our armed forces do for us and on our behalf, that I actually stood in the House, Mr. Chair...

I'm willing to come here and read that speech into the blues, if it's needed again—

The Chair: I'd rather you not.

Ms. Jinny Jogindera Sims: —to show you that we did support in principle Mr. Shory's bill at that stage.

However, as with any piece of legislation—this is part of the legislative process—we get the bill introduced in the House. Then it gets sent to committee.

So this bill came to committee. We heard from a wide range of witnesses. I'm not going to start reading into the record all of the witness testimony that was presented to us, though there is a little bit of a penchant to do that, because that would be unique, especially much of it, and at this stage I'm not planning to do that.

For me, I want to get back to the idea here, that we're here to deal with a private member's business. That private member had the business go through the House, and it's now right here.

It went to committee. The committee actually came to a resolution: it said that what is before us is outside of the scope, so therefore a greater power than us has to make a decision on that.

So I cannot say, and I will not have it said, that we're trying to prevent private members' business from being duly discussed and debated, because we participated in that, with goodwill and at great length, as you know.

We had a number of witnesses. I can't remember exactly how many. There were witnesses from all sides.

The Chair: Ms. Sims, this is the final warning. I have it written down here that you spent some time saying that what you're saying is not to circumvent private members' business, particularly Mr. Shory's private member's business, and you're doing just that.

If it happens again, I'm moving on.

Ms. Jinny Jogindera Sims: It is in order to allow the private members' business to be completed within the guidelines we have that we are speaking against the extension. And the extension, as you know, is here for a reason, and I have already said that, so I will not repeat it.

Once again, Mr. Chair, I am at a loss—not too many people have heard me say this—for words sometimes and at a loss for comprehension of the kind of restraints that speakers are being made to feel. But you have made your ruling, and I respect that.

The Chair: Do you have a point of order, Ms. Freeman?

Ms. Mylène Freeman: I notice it is 1:15. I am wondering if the will of this committee is to go to question period today, and I ask for your direction on that.

Thank you.

The Chair: I am informed that there will be votes at 3 o'clock, so I will suspend at 2:30. If there are votes at 3 o'clock or shortly thereafter, we will return to this committee right after the votes. If there are no votes—I am told there are, but if there are none—we'll return when we find out, shortly after 3 that there are no votes. But I am told there are votes; therefore, my intention is to suspend the meeting at 2:30.

Ms. Sims has the floor.

Ms. Jinny Jogindera Sims: Thank you very much, Chair.

As I was saying, the processes we have before us and the different tools we have before us are all there for a reason. The Westminster parliamentary convention goes way out of its way to protect private members' business, and it's because we want to protect private members' business—the bills that private members bring forward and the integrity of those—that I am not going to be voting in favour of 30 sitting days.

I will go on to say that I actually tried to look back to see whether we have any precedence for anything like this. The whole of last week has been a matter of precedent-setting and precedent-making. As I was saying earlier, I will be intrigued by—

The Chair: I wasn't here then, Ms. Sims. You were here.

I'm telling you that you're going beyond what this debate is all about, and I'm going to move on to Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

The motion before us is requesting an extension of 30 days of further study of and debate on Bill C-425. I believe that this is not necessary at this time, given that we have given this bill its requisite 60 days, and it was the government.... This is what I was saying earlier. You specifically told me that I need to speak about this when I'm debating the main motion and not the amendment or the subamendment, so thank you for reminding me of that, Mr. Chair.

Clearly, the process in this committee is that the government members generally set the schedule because they have a majority, like they do in the House of Commons. They have a majority here, and they basically control the proceedings. If they wanted more debate on this bill, they had the ability to make sure the committee studied only this bill for the last 60 sitting days. But they chose, and they decided that it didn't need more than the number.... I don't remember the exact number of hours that we've put towards this bill. But they chose that it wasn't necessary. They set the schedule.

Now, all of a sudden, because the Minister of Citizenship and Immigration has said that he wants to make some changes and see some changes happen, what we're seeing is that the government members on this bill are saying, "Whoa, hold it, we want more study now, we want more time, we want to be able to debate this." The exact quote from one of the members today is that they want "an opportunity to review it, to debate it" further. But they've had that time. They've had the opportunity. It's not necessary at this point to extend the study period another 30 days to move forward.

That's one reason, Mr. Chair. They've had the time; they've had the opportunity.

The second piece is the second half of the motion, where they're asking to expand the scope of this bill. Another reason to not continue to study—

Ms. Roxanne James: On a point of order, Mr. Chair—

The Chair: Ms. James, on a point of order.

Ms. Roxanne James: —nowhere does it say in this motion that we are seeking to expand. It was actually a statement. It actually reads, "On Tuesday, April 23", so it's in the past tense. We're not seeking to expand. It's in the past tense. It reads: On Tuesday, April 23, 2013, the Committee recommended to the House that it be granted the power during its consideration of Bill C-425 to expand the scope of the Bill.

The Chair: Yes. Don't read it. We've read it.

Ms. Roxanne James: This motion doesn't actually seek to expand the scope. The actual motion is only that there be an extension of 30 sitting days. I just wanted to clarify that. Thank you.

The Chair: Ms. James, we've heard this. Different people have read it. We don't need to hear it again.

Ms. Sitsabaiesan, I assume you're just using different words. She may or may not be correct, so try to stick to the motion.

Ms. Rathika Sitsabaiesan: Mr. Chair, do you need me to go through O'Brien and Bosc about motions of instruction?

The Chair: No, I don't want to hear that. I want you to debate the motion.

Ms. Rathika Sitsabaiesan: Oh, this is very pertinent to the motion, Mr. Chair, because expanding the scope of a motion is only done through a motion of instruction.

The Chair: No, we're not talking about expanding the motion. We're talking about extending it for 30 days.

Ms. Rathika Sitsabaiesan: My apologies.

The Chair: I don't want to hear about expanding the motion.

Ms. Rathika Sitsabaiesan: The motion we're debating, Mr. Chair, actually does ask for a.... It is a motion of instruction from the House of Commons for this committee to expand the scope of this—

The Chair: Where the heck is that? I don't see that.

Ms. Rathika Sitsabaiesan: It's in the second paragraph. The first paragraph is the 30 days, and the second paragraph is on expanding the scope.

Mr. Chair, maybe the government side members and the opposition side members have been given two different copies of the motion. The motion we were given clearly stipulates that we are debating expansion of scope, and that's part of the motion of

instruction: that we are requesting to the House of Commons to give us that motion of instruction.

The Chair: Mr. Dykstra, and then Ms. James.

Mr. Rick Dykstra: Yes, and I've read this in a few times. It actually doesn't speak to the scope. It actually speaks to the fact "that it be granted the power during its consideration...to expand the scope". The specific issue is the power to expand the scope, not the expansion of the scope itself.

Mr. John Weston: So now we can vote, yes?

The Chair: Ms. James, then Ms. Freeman, and then Mr. Weston.

Ms. Roxanne James: Thank you.

I want to thank my honourable colleague, Mr. Dykstra, for mentioning that. Again I go back to the fact that the actual text in this motion reads, "On Tuesday, April 23"—that's past tense—"the Committee recommended to the House", so we've already recommended it. We're not debating what that recommendation was. The actual motion before us is whether to extend 30 sitting days, and that's it, period. The other is just a preamble. It's already been done. It's already been said. It's not relevant to the discussion right now.

The Chair: Just give me a minute.

Looking at the motion, Ms. James, I'm actually going to support what you're saying. The issue that's been read is that the committee be granted the power during its consideration of Bill C-425 to expand the scope of the bill, and that's why we went to the House. That's why there's a concurrence motion. There's going to be a time for you to debate that—not here but in the House.

Quite frankly, the issue before us is whether the House should give the committee an additional 30 days to deal with this bill.

I'm going to rule that Ms. James and others are correct; that the statement of expanding the scope of the bill, which you want to read O'Brien on, is not in order because its effect is what we're going to be dealing with in the House, not in this committee.

Have you finished, Ms. James?

Ms. Roxanne James: Yes, thank you, Mr. Chair.

The Chair: I have Ms. Freeman.

Ms. Mylène Freeman: Mr. Chair, I understand you have ruled. That said, I have not had an opportunity to speak on this point, and so I do appreciate your giving me the opportunity at this moment. This motion would not exist were it not for the fact—

The Chair: Are you speaking on a point of order or on the debate?

Ms. Mylène Freeman: On this point of order.

The committee needs to extend in order to have the ability to expand the scope of this bill. We would not have this motion before us asking for an extension of 30 days if it were not for—

The Chair: Ms. Freeman, I have already made a ruling on this. You may not like it. You can challenge the chair, but that's the ruling I have made. I will repeat it: this business about expanding the scope of the bill is a fact and is going to be dealt with sometime, if it ever reaches it, in the concurrence matter.

Ms. Mylène Freeman: I have a new point of order, Chair.

The Chair: We're finished with that point of order.

On a new point of order, Ms. Freeman.

Ms. Mylène Freeman: Chair, several times today when I have raised my hand to speak on a point of order, you have recognized me on your list as one of the people who are to speak on a point of order. You have then made rulings before I have been able to speak and I have not been able to make my points.

My points have not been repetitive. I really believe I am bringing a different perspective when I am speaking, and you have made rulings before I was able to speak. Then, when I tried to speak, you have cut me off and told me I was no longer able to speak because you had already ruled. But I had been recognized, and I believe that I have spent this entire morning essentially being cut off after speaking one or two sentences. I am getting a little frustrated by it, frankly.

So I would ask that when you recognize me as a speaker on a point of order that you at least get to me before you then rule. Thank you.

The Chair: Ms. Freeman, you're on the list right now to debate the motion.

Ms. Mylène Freeman: Debate the motion?

The Chair: I have you on the list, unless you wish to pass.

Ms. Mylène Freeman: No, I am absolutely okay with that, but I do not know how we got to that.

Ms. Rathika Sitsabaiesan: On a point of order, did I just lose my spot because everybody decided to raise points of order?

Ms. Mylène Freeman: I don't understand how that happened.

The Chair: Ms. Freeman, I misunderstood the list that was before me. You are absolutely correct on what you've just said: you are on the list for speaking on the point of order. You happen to be on the same list to speak to the main motion. It's a coincidence, but you are.

You're free to speak on the point of order. If you have anything to add, I have made a ruling, but I'm open if someone can change my mind on this. You are free to speak. I do apologize to you. It was a misunderstanding on my part. I have four lists in front of me. You are free to speak on the point of order, as is Mr. Weston, Mr. Dykstra, Ms. Sims, and Mr. Menegakis.

Ms. Mylène Freeman: I really do appreciate that, Chair, and I apologize that I will be repeating myself somewhat, but I was screaming over here. I understand that we're all very frustrated by this process right now. I will just go over what I was trying to say.

Basically, this motion exists only because this committee needs to ask the House to expand the bill, and we cannot do that, as we have come to see, without our then passing this motion to extend by 30 sitting days. Therefore, our committee requests an extension because we need to ask that the House grant the power during consideration of Bill C-425 to expand the scope of the bill. As a result, we cannot speak about the request for an extension without speaking about the reason we have asked for an extension. That, Chair, is because we need to expand the scope, and I think as a result we are absolutely allowed to speak about expanding the scope.

What are the things that have called this committee to be in a position where we are expanding the scope? We know as members of this committee that—

The Chair: On a point of order, Mr. Dykstra.

Mr. Rick Dykstra: On a point of order, while I don't agree with anything Ms. Freeman has said on the matter of an expansion of scope, putting my feelings aside, I would let her know that this is about a 30-day extension, not about an expansion of scope.

Ms. Groguhé actually said that the expansion of this bill greatly concerned her, because it was in fact a radical change from the original bill. She said that the original bill deserved to be reviewed, corrected, and obviously have some limitations fixed with regard to its content. She said the committee started to work for several sessions to eventually develop amendments.

Even though I'm pushing aside my argument that we shouldn't be talking about scope, Ms. Groguhé has already made the exact argument that Ms. Freeman is making right now—and it's actually in Hansard.

The Chair: My problem, Mr. Dykstra, is that this is not debate on the motion—albeit I obviously got confused a few moments earlier. It's on the point of order, and I think Ms. Freeman is in order.

But try not to repeat yourself.

Ms. Mylène Freeman: Thank you, Chair.

I was getting close to concluding my point, actually.

Basically, I don't understand exactly what Mr. Dykstra was getting at there, but I have points to be made about whether the request of this committee to expand the scope of this bill is something we should be doing. I have not yet been able to bring them forward. I think I am absolutely within my rights to speak about this in the context of this motion of our committee asking for an extension. As a result, I am looking forward to getting to those points, and would very much appreciate if the chair would allow us to speak about this very substantial piece of why it is that we are currently in gridlock.

The Chair: You've concluded? Thank you.

This is just to remind members, particularly you, Mr. Dykstra, that points of order are not debatable. This is a point of order. The point of order is with respect to whether or not the issue of the scope of the bill is part of what is being requested in the motion. Have I worded that correctly?

The issue is whether or not the scope of the bill is part of this motion. It's worded in there, but the sole issue is whether or not this committee should request an extension of 30 days. That's my understanding. No one's correcting me, so I assume I'm correct.

Go ahead, Mr. Weston.

Mr. John Weston: Thank you, Mr. Chair.

It may be that we've just reached a critical stage in the discussion. Ironically, hours and hours and hours may have passed, but we've hit a stage where we can all finally understand what we're talking about. If my colleagues across the way wanted to suspend for five minutes to confirm their understanding of the epiphany that we're just talking about the extension, not about how the bill itself will be expanded, I would be totally open to that. Maybe we could bring this to a conclusion within minutes.

The Chair: Well, I've already withdrawn my ruling on it, perhaps because of the representations made by Ms. Freeman. I don't want to be accused again of not allowing people to speak on a point of order, so notwithstanding that I made a ruling on it, I am withdrawing that until I've heard all of the members of the committee who wish to speak on this.

You are on this list, sir. You are able to speak now.

If you're asking to suspend, I'm not prepared to suspend until I've heard—

Mr. John Weston: I was just saying that I would be open to agreeing to that if you need unanimous consent.

It seems that we may have the basis of an agreement, which we didn't have...absent the current understanding.

The Chair: That isn't what I understand.

Have you concluded?

Mr. John Weston: I'm done. As long as they agree, it doesn't matter if you don't.

Thanks, Mr. Chair.

The Chair: Mr. Dykstra.

Mr. Rick Dykstra: No, sir.

The Chair: Ms. Sims.

Ms. Jinny Jogindera Sims: Chair, I really want to thank you—

The Chair: On a point of order, Mr. Menegakis.

Mr. Costas Menegakis: I apologize. I am wondering if I am on the list.

The Chair: Oh, yes, you're on the list. You follow Ms. Sims.

Ms. Jinny Jogindera Sims: Chair, first of all, I want to say that I appreciate your giving us all an opportunity to speak on this point of order. Having sat there, I know how difficult it can be with things flying at you from all directions. I do appreciate your understanding on that.

When we look at what's in front of us, it's both of these paragraphs. I think the word that is telling, that links it back to the scope, is the word "therefore". If the word "therefore" were not there, you could argue differently. Being an English teacher and seeing how "therefore" is applied, I know that "therefore" actually applies to what is immediately in front of it, which is asking for an extension and waiting for the House to decide. It is not the extension; it is not that in isolation. We're only asking for an extension because the House has not dealt with the request for an expansion of the scope. To say that the two are severed, I would say, is doing injustice to the motion that is before us.

When all else breaks down, Mr. Chair, we're stuck with the language that is before us. Obviously, past procedures and actions are on the side now. It is "therefore" that links it to what precedes that paragraph. Those whole two paragraphs are preceded by the word "therefore", and therefore there is a very strong linkage there.

The Chair: Point of order.

Mr. Rick Dykstra: Are you going to make a ruling?

The Chair: Yes, as soon as everybody speaks.

Ms. Sims.

Ms. Jinny Jogindera Sims: Did you hear what my final...?

The Chair: I certainly did.

Ms. Jinny Jogindera Sims: About the word "therefore".

The Chair: I heard it.

Mr. Menegakis and then Monsieur Giguère.

Mr. Costas Menegakis: Thank you, Mr. Chair.

Mr. Chair, it's there in plain English, as far as I'm concerned. The piece of paper we all have before us says "Request for a 30 days extension" right on the top. It clearly says, "Therefore, your Committee requests an extension of thirty sitting days". We are at this point debating that very amendment, the 30-day extension. Whether the House considers a change in the scope, we're waiting to hear about that. We're asking for the 30-day extension to allow for that to happen, plus the proper debate to happen. As far as...

Ms. Jinny Jogindera Sims: Thank you.

Mr. Costas Menegakis: I'm sorry, I heard some noise from the other side. I thought it was a point of order.

An hon. member: Courtesy, please.

Ms. Jinny Jogindera Sims: I apologize, Mr. Menegakis. I would never interrupt you.

Mr. Costas Menegakis: I appreciate that.

The Chair: Mr. Menegakis has the floor.

Mr. Costas Menegakis: Mr. Chair, I'm not going to belabour the point. It's very clear to me that all we're debating right now is a 30-day extension. Anything else is just procedural mumbo-jumbo—getting into the "therefores", the "that fors", the "what fors"—to try to delay the process. We know the game that's being played here. It has been played for a week.

At this point we're debating the 30-day extension. I know the opposition is having a hard time sticking to that point. They want to talk about everything else but that. Their goal, of course, is to get to June 21.

However, let's get back to the point, Mr. Chair. I think your ruling that you had to take back, that you withdrew momentarily so you could hear everybody, was accurate. We're only debating the 30 days right now.

That's all I have to say on the matter. Thank you.

An hon. member: That is correct.

The Chair: Monsieur Giguère.

[Translation]

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): I am happy to see you back in this excellent committee.

I am very sorry that you had to cut short your trip to London. I am sure that would have been much more interesting to you than being here.

I am submitting a motion in evocation to you, in accordance with the *delegatus non potest delegare* principle — a delegate cannot delegate. You surely noticed that the first sentence in Mr. Dykstra's original motion begins with the words "Pursuant to Standing Order 97.1(1)". The word "pursuant" essentially implies that we must respect all of Standing Order 97.1(1), where it is indicated that we may ask for "a single extension of thirty sitting days to consider the bill, and giving the reasons therefor." However, in Mr. Dykstra's motion, no reasons are provided.

The committee cannot delegate to the House a power that is delegated to it through regulations, and this is why I invoked the *delegatus non potest delegare* principle, because Mr. Dykstra's motion is out of order given the way in which it is worded, since it does not provide any reasons, as required by Standing Order 97.1(1).

I can understand that on such a technical point, you may need jurisprudence and various elements to confirm this. Essentially, the *delegatus non potest delegare* principle concerns this type of situation.

This committee is entitled to ask the House for an extension of 30 sitting days. However, that request for a 30-day extension must imperatively be accompanied by a justification. It is the committee's duty. It cannot ask the House to provide reasons in its stead. The power that is delegated to us pursuant to Standing Order 97.1(1) cannot be subdelegated to the House.

Mr. Chair, with all due respect, I would like you to comment on this point of view. If my request is justified, I would like you to ask Mr. Dykstra to withdraw his motion since it is out of order. However, if my request is not well-founded, I would like a legal opinion.

Thank you.

[English]

The Chair: I will comment. I'm here as a chairman, and not as a lawyer or a judge. I'm here as the chairman of the committee and won't be giving any legal opinion.

Ms. Sitsabaiesan, I have you speaking next.

Thank you, Monsieur Giguère.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

[Translation]

Mr. Alain Giguère: Mr. Chair, I have a point of order. As chair, you are bound by a legal text. My point, basically, is that this request is out of order pursuant to Standing Order 97.1(1).

[English]

The Chair: I understand your concern. I'll take all that into consideration. Thank you.

We have Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

I thank my honourable colleague, Mr. Giguère, for pointing out the standing order that we're actually debating here.

Mr. Chairman, I want to follow up on Mr. Giguère's argument and the clarification provided through Standing Order 97.1(1). The standing order says that when a motion is requesting an extension of the 30 sitting days, it requires a reasoning, and Mr. Giguère argued that this reasoning is not provided and so the motion is out of order.

My request to you, Mr. Chair, is that it's either one of the two. You will rule that the motion is in order or that it's not in order because of the argument that Mr. Giguère made. So you can agree with his reasoning or you can go and say that the motion is in order because reasoning was given. If that's the way you proceed, Mr. Chair, then the reasoning must be the "therefore" clause, because it's a conditional statement that's being presented to us. In that sense, the intent of the committee to expand the scope is actually the reasoning for requesting the 30 days' extension. If that is the reason for the request to extend the length of study of this bill, then that is very much part of the substance of the motion and should be part of the debate that follows here on the main motion itself.

That's what I respectfully submit to you, Mr. Chair.

The Chair: Thank you.

We've had a lot of discussion on this point of order, and there've been good points made on both sides.

I'm going to suspend until after the vote.

Mr. Rick Dykstra: What if there isn't a vote?

The Chair: If there isn't a vote, we will return forthwith at 3:10. I've been told there is a vote.

So you're quite right, Mr. Dykstra. If there's a vote, we will return here and the meeting will start moments after the vote has taken place; if there is not a vote, we will return here at 3:10.

So we will suspend this meeting.

● (11020)

(Pause)

● (11115)

The Chair: We will reconvene.

I'm going to make a ruling on the point of order. I want to thank Ms. James, Ms. Freeman, Mr. Weston, Mr. Dykstra, Ms. Sims, Mr. Menegakis, Mr. Giguère, and Ms. Sitsabaiesan for their comments on this point of order.

I'm going to give you my decision on the point of order that was made. Once a decision is made by the committee, the committee cannot come back on a decision unless that is unanimously agreed by its members. I refer to the good book of Madam O'Brien and Mr. Bosc, page 582-583. On Tuesday April 23, 2013, the committee adopted a report recommending to the House that it be granted the power to expand the scope of Bill C-425. The committee already made a decision on that, so that particular matter should no longer be debated. That information in the motion is only there to outline the reason of the extension, which is required by Standing Order 97.1(1) and was referred to by Mr. Giguère in his comments.

We're not voting on that reason. The motion is asking for a 30-day extension and this is strictly what is before the committee. Mr. Giguère made reference to Standing Order 97.1(1) and pointed out that it stipulates that a reason should be included in the request.

The first two sentences of the second paragraph of the motion outline the reason for this request, so the motion is in order. Mr. Giguère's point is therefore out of order.

That is my ruling. We will proceed to the main motion.

Ms. Sitsabaiesan—

Ms. Mylène Freeman: Chair, on a point of order.

The Chair: Just a second.

You have a point of order, Ms. Freeman.

Ms. Mylène Freeman: Chair, if I understand correctly, I can go back then and challenge your original ruling, based on the fact that you had not heard all the evidence.

The Chair: I've already advised, Ms. Freeman, that I was withdrawing my original reason, and that's why I gave you and others—I apologized to you, if you recall, and I apologized to all members of the committee for jumping in.... I had mistakenly thought that was the end of the list. I am looking at two lists. I had withdrawn my former ruling based on the fact that I hadn't heard everyone because of your submissions, which I quite appreciate, and therefore the ruling I just gave is the ruling.

Go ahead, Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair, and thank you for your clarity in that ruling. I will continue to speak on the fact that we do not need to extend study time of this bill for another 30 days beyond the 60 days we've already had here in this committee.

Mr. Chair, I will outline a few themes to you right now, and then go through them with examples as to why this debate has already occurred and the debate does not need to be extended.

Mr. Dykstra, the Parliamentary Secretary to the Minister of Immigration, had said he would like to study this bill further over the next 30 days and invite further witnesses and have debate on possible amendments. I will demonstrate to you that we've had many witnesses come to this committee already, and these witnesses have already made clear arguments on—

The Chair: Just to be clear, I don't see that in the motion.

Ms. Rathika Sitsabaiesan: Yes, Mr. Chair, it's not written in the motion, but when Mr. Dykstra spoke earlier today, he said that is his will, which means the will of the government, which means the will of the committee.

The Chair: Go ahead, sorry.

Ms. Rathika Sitsabaiesan: Thank you. The topics I have identified from my experience of being here with the witnesses and looking through some of the *Hansard* reports—and I haven't had an opportunity to go through all of them, but going through some of them—are, first of all, the mention of “acts of war” in the bill itself and how we've had a plethora of witnesses speak to us about that topic; second—

The Chair: A point of order, Ms. James.

Ms. Roxanne James: We're not actually here debating acts of war or what's in the actual bill or the amendments themselves. We're just asking for the extension. That's what the conversation is supposed to be related to.

The Chair: Very correct.

Ms. Roxanne James: Thank you.

The Chair: She's correct.

Ms. Rathika Sitsabaiesan: Mr. Chair, I must respectfully submit to you that I'm making the case that we do not need to hear further from witnesses on this first topic that I've mentioned—acts of war—because we have already heard from witnesses. We do not need to extend our time of study on the bill.

The Chair: Ms. Sitsabaiesan, I'm not going to get into witnesses. Mr. Dykstra may or may not have made those comments. I'm looking at the motion that's before us. The motion that's before us simply requests an extension of 30 sitting days.

I don't want to get into witnesses or anything else, or any possible reasons as to why this would take place. There are some reasons given in the preamble. There it stands. Anything else is irrelevant.

So I don't want to get into that.

Ms. Rathika Sitsabaiesan: Did I hear you correctly, Mr. Chair, that you don't want to hear reasons as to why it should not be extended?

The Chair: No, I didn't say that. I said that I don't want to hear comments about witnesses with respect to acts of war. That is more appropriately with respect to matters that...when we debate the bill.

Ms. Rathika Sitsabaiesan: Mr. Chair, respectfully, once again, if I may, I must prove to you, or demonstrate to you, that the debate has already occurred, and hence the debate does not need to continue. In order for me to demonstrate or prove that to you, then factual evidence can only be brought forward from the debate or the discussion that has already happened.

So in order for me to prove that, I do need to provide you with testimony or with proof, evidence, that we have had this discussion already and that the discussion does not need to continue.

Seeing that there is no—

The Chair: We haven't had a debate on the bill. If you had something last week, that was on this motion.

We haven't had a debate on the bill, because the matter hasn't even come for debate. We haven't even had clause by clause, so how could we possibly have had debate on the bill?

Ms. Rathika Sitsabaiesan: We've had many witnesses appear before this committee—

The Chair: Those were witnesses; those weren't debates.

Ms. Rathika Sitsabaiesan: —speaking to the bill.

The Chair: Those were not debates; those were witnesses.

Ms. Rathika Sitsabaiesan: Yes.

The Chair: Those are not debates.

Ms. Rathika Sitsabaiesan: No.

The Chair: Witnesses appearing are not debates.

Ms. Rathika Sitsabaiesan: No.

The Chair: So we have had no debates.

Ms. Rathika Sitsabaiesan: Further—

The Chair: And we're not going to have debates until we actually get into clause by clause.

Ms. Rathika Sitsabaiesan: What I'm submitting to you, then, Mr. Chair, is that we've heard a considerable amount of witness testimony on the subject.

I actually haven't even outlined the themes to you yet. I've only mentioned the first one, that we've had testimony presented to our committee—

The Chair: A point of order, Ms. Sims.

Ms. Roxanne James: It's Ms. James.

The Chair: I'm sorry, I keep calling you....

I'm interchanging your names.

Ms. James.

Ms. Roxanne James: On a point of order, I keep hearing this member talk about witnesses before committee. Not one witness came to this committee and said anything about an extension of 30 sitting days, yes or no, either way.

I'd like to just bring it back to the topic of the actual motion itself, and hopefully we can get back on track.

Thank you, Mr. Chair.

The Chair: You know, I'm not sure where you're going, but you can continue on and we'll see how it goes.

I mean, as far as I'm concerned, the debate on private members' bills takes place in clause-by-clause. It doesn't take place before.

Witnesses come and give testimony. We have the right to ask questions and do ask questions. That may happen again. It may not happen again. Witnesses may come back, they may not come back. We don't know from this motion. That will have to be decided another time, not now.

The sole issue that's before us is whether or not an extension of 30 days should be given to this committee. That's it.

So I want to hear arguments for and against whether or not there should be an extension of the 30 sitting days. I don't want to hear about witnesses. I don't want to hear about debates.

In the case of debates, it hasn't happened, and it won't happen, not in this matter before us.

With respect to witnesses, we may or may not have heard all the witnesses. That will be for another day to determine witnesses—if this motion carries.

You may proceed.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

I do believe that the considerations we've had to date on this bill have been thorough and that we don't need further time to study this bill. The—

The Chair: You've already said that, Ms. Sitsabaiesan. I don't want to hear it any more. You have said that we've spent sufficient time. As to whether or not we need further time, there are only so many times you can say that.

Ms. Rathika Sitsabaiesan: The member himself who moved the bill had mentioned in his opening remarks that—

An hon. member: [*Inaudible—Editor*]

The Chair: Order.

Mr. Clarke, I need some order.

Go ahead, Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: The member who introduced this private member's bill mentioned that “pathways to integration” is a very important piece of the reason why he's introducing this bill. I agree that ensuring there are more pathways to integration is important, but we've heard the statistics and facts of what actually occurs, which have shown us that the proposed changes in this bill won't actually—

The Chair: Okay. You're going to have one more chance. We're arguing this back and forth. The issue is the argument as to whether or not there should be an extension of 30 sitting days. You're getting into matters that go beyond that. We'll give you another chance. Otherwise, we'll move on to the next speaker.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

It's pretty evident that we've spent much time on this bill, more than any other private member's bill gets in committee, more than the allotted time.... What they're trying to do is provide more than the allotted time for this private member's business in committee. I find it a little odd and a little unfair that the government, through the government members on this committee, seems to feel that this specific private member's bill is somehow extremely special, more special than other private members' bills or motions, and that this private member's bill—

Mr. Ted Opitz: On point of order, Mr. Chair—

The Chair: Mr. Opitz.

Mr. Ted Opitz: —repetition and relevance, sir.

Ms. Rathika Sitsabaiesan: Sir, I don't remember making this point at all, not once before—

Mr. Ted Opitz: It's more of the same, more of the same....

The Chair: We'll go on a little bit longer, but you're getting close to that third strike.

Ms. Rathika Sitsabaiesan: What.... You keep saying “third strike”—

The Chair: Third strike means that we're going to move on because you're repeating things over and over, and if you keep doing it, we're moving on. I can't be more clear, can I?

Ms. Rathika Sitsabaiesan: I was just going to say that I've played basketball for many years, and in basketball, there are many fouls.

The Chair: Well, I'm talking baseball.

Voices: Oh, oh!

Ms. Rathika Sitsabaiesan: With fouls, there are five personal fouls before someone gets thrown out. That's all I'm about to say, Mr. Chair. I've played basketball for years, but not baseball, so... [Inaudible—Editor]

The Chair: Okay. We're moving on.

Ms. Freeman, it's your turn.

Ms. Mylène Freeman: Chair, thank you very much for recognizing me. I'm just going to finish with this water. I tried to get it before you passed on to me, but I was not able to. I am going to be responding directly—

An hon. member: [Inaudible—Editor]

Some hon. members: Oh, oh!

Ms. Mylène Freeman: Chair, could I get some order?

An hon. member: Oh, order....

Ms. Mylène Freeman: It's disruptive.

Chair, I think there were three colleagues on the government side who addressed this point. As a result, I believe I will be able to address it fully without being interrupted.

I believe it was Messrs. Opitz, Weston, and Menegakis who talked about “the right of a member”—in this case, Mr. Devinder Shory, who has put forward this bill—to have this debated in the House. They spoke about this very much as a right.

This is what I am going to take issue with and talk about here at this moment, because it is absolutely in no way an actual right. They really argued that this was something.... Oh, yes: they were arguing specifically that the member had the right to have his private member's bill go to report stage. Now, just for context, I want to talk about what a private member's bill is—

The Chair: No, I don't want to hear that. I want to know whether we should or should not give an extension of 30 sitting days for Bill C-425 to continue. I don't want to hear about anything else.

Ms. Mylène Freeman: Chair, I believe that I cannot be ruled out of order on this, given that the reasoning of three of my colleagues on the government side, who said they would be voting in favour of extending for 30 days, was that they believed that our colleague, Devinder Shory, had a right to get his bill to—

An hon. member: No.

Ms. Mylène Freeman: I believe that is exactly what was said.

An hon. member: No.

Ms. Mylène Freeman: Perhaps I'm mistaking which member was arguing that, but at least several members argued that and gave it as a specific reason. If I am incorrect in that, then I would like to see it, but that is absolutely what I was hearing as a reason given by my

government colleagues prior to our having a debate as to whether we could talk about the scope of the bill.

Also, I don't think this has to do with the scope of the bill. Otherwise, they would be contradicting themselves in saying that this was part of what they believed to be a reason and then going back on that end—

The Chair: Ms. Freeman, I made a ruling after the break that the only issue that's before us is the issue of whether or not this committee can ask the House to grant an extension of 30 sitting days to review Bill C-425—nothing else. I made it quite clear in the ruling. You can talk about anything you like, but I'm going to rule it out of order because that's what I have already ruled. It's as if you didn't hear what my ruling was.

Ms. Mylène Freeman: Chair, I did absolutely hear your ruling. I am not talking about anything other than the 30-day extension.

The Chair: That isn't what I heard. You're talking about other things.

Ms. Mylène Freeman: The 30-day extension is for us to be able to fulfill a supposed right of a private member's bill to reach the House at report stage, which it absolutely has no right to do. Members have the right to have their private members' bills read for the first two hours, that is, to second reading, and to be voted on once, and they have the right to present one piece of legislation in doing so. I have plenty of information that supports that. They absolutely do not have the right basically to say that this has to get through this committee and, therefore, that this committee needs a 30-day extension.

Actually, in O'Brien and Bosc it says that a committee absolutely has the right to abandon a bill that is in the House and reported to committee and—

The Chair: Ms. Freeman, I think everybody here knows what the procedure is; we're all aware of that. What we'd like to hear from you is what your arguments are as to whether or not this extension should be given. That's all I want to hear.

We'll give you one more chance, and then we're going to move on from you, too. I've made the ruling as to what's relevant. That one point is relevant. Nothing else is relevant, and I won't allow you to get into anything else.

Ms. Mylène Freeman: Chair, with respect, given that my own personal reasons for voting against this motion have to do with the scope, I am now addressing the arguments that were set forward by my government colleagues. I think I have the right to do that, especially as they are the ones who tried to call us out of order for talking about our reasons. I am now trying to make it understood, given my extremely limited ability to speak on this issue, how I have come to a decision to vote against the motion to extend for 30 days in a way that does not contravene your ruling. Your ruling, if I am not mistaken, was that I cannot speak about expanding the scope of the bill.

The Chair: I'm not going to repeat what I've said over and over. Mr. Lamoureux, it's your turn.

Mr. Kevin Lamoureux: Thank you, Mr. Chair.

I did want to maybe approach it from a different perspective, in wanting to express why it's so important that, as we go through this debate on the motion, that we recognize what it is that the—

The Chair: On a point order, Ms. Freeman.

Ms. Mylène Freeman: No, I'm sorry, I was trying to get back on the list.

The Chair: Okay.

Sorry, Mr. Lamoureux.

Mr. Kevin Lamoureux: That's fine. As I said, we need to better understand what the government is ultimately hoping to achieve here, Mr. Chair.

From listening to some of the comments, what I'd like to do is to address some of the specifics of how allowing this extension will have a profound impact on what the bill is actually going to look like at the end of the day. That's what the government is trying to do. By allowing for the extension to be approved, the government wants to be able to significantly change the private member's bill. The question for the members of the committee then becomes whether they want to see the bill change, yes or no? If they vote in favour of the motion, then what will happen, Mr. Chair, is that we're going to see this motion ultimately pass, if a majority, and I suspect—

The Chair: Mr. Lamoureux, we already voted on this. You're going into an area that we've already voted on.

I'm going to say to you the same thing I said to Ms. Freeman. I want to hear arguments on whether we should be asking the House for the 30-day extension or whether we shouldn't.

Mr. Kevin Lamoureux: Yes, and exactly—

The Chair: Don't go into areas that we've already voted on.

Mr. Kevin Lamoureux: But, Mr. Chairperson, that's exactly what I'm talking about.

The Chair: So am I. I'm not going to allow you to get into something we've already voted on.

Mr. Kevin Lamoureux: The vote is about whether or not we should give a 30 day extension. Is that correct?

The Chair: Yes.

Mr. Kevin Lamoureux: So should I not have the right to be able to explain or argue why it is that we should not be given the extra 30 days?

The Chair: I'm looking forward to hearing that.

Mr. Kevin Lamoureux: So if the chair is patient, you'll understand why I believe we should not be allowing the vote. The primary reason is that if we allow the extension it will profoundly change Mr. Shory's bill.

Mr. Costas Menegakis: On a point of order, you already said that.

Mr. Kevin Lamoureux: Yes, I have said that, and Mr. Menegakis has got to be—

Mr. Costas Menegakis: Mr. Chair, those are the exact same words Mr. Lamoureux said not three minutes ago. He's repeating himself.

Mr. Kevin Lamoureux: On the same point of order, Mr. Chairperson, I'll point out that if one gets interrupted, it quite often destroys one's train of thought. So you can't just pause and then click on. Maybe if you have a prepared speech where you're dictating from notes and there's an interruption—

The Chair: Mr. Menegakis is talking about repetition—

Mr. Kevin Lamoureux: Yes, so am I.

The Chair: —and you're talking about something else, and I happen to agree with him. You're becoming repetitive.

Mr. Kevin Lamoureux: Well—

The Chair: I'm not going to allow repetition. I need to hear something new.

Mr. Kevin Lamoureux: Believe it or not, Mr. Chair, Mr. Menegakis can be wrong at times, and I've even known chairs to be wrong at times.

The Chair: Indeed, you can.

Mr. Kevin Lamoureux: At the end of the day, Mr. Chairperson, I do believe that it's consistent with the motion we have before us. I would like to be able to continue without interruptions, but if they want to interrupt, Mr. Chair, I'm not going to stop them from interrupting if they have valid points of order.

I think it's important for us to recognize that when we talk about this 30-day suggestion that is being brought forward by the government, we need to understand why it's not in this committee's best interest to pass this motion. If in fact we pass this motion, we will in essence be changing the intent of Mr. Shory's original bill, Mr. Chair.

The Chair: Mr. Lamoureux, we don't know that.

Mr. Kevin Lamoureux: Yes, we do know that, Mr. Chair.

The Chair: I don't know that. There have been no other amendments made. The only thing that is before us is this motion that requests that the House extend the time for debating this in the committee by 30 days.

You're talking about things that may or may not happen. I don't want to go there.

Mr. Kevin Lamoureux: Mr. Chairperson, for me to justify to my constituents how I will vote on this particular motion, I do believe that we need to recognize that we will have amendments that are going to change the scope of the legislation

The Chair: There are no amendments on the floor, Mr. Lamoureux.

Ms. Jinny Jogindera Sims: On a point of order, Chair.

The Chair: No, just a second: there are no amendments before this committee at this point.

You keep referring to amendments.

Mr. Kevin Lamoureux: Right.

The Chair: You can't do that because there's nothing before the committee. All that is before the committee right now is a motion.

Mr. Kevin Lamoureux: That's right.

The Chair: I'm trying to provide you with leeway. I hate to cut people off, just like I did Ms. Freeman and Ms. Sitsabaiesan, but if you carry on talking about amendments that may or may not happen, I'm going to move on.

Now, on a point of order, Ms. Sims.

Mr. Kevin Lamoureux: I'd like to speak on the same point of order then, after she is done.

The Chair: Well, you don't know what it is yet.

Some hon. members: Oh, oh!

Mr. Kevin Lamoureux: I'm anticipating, Mr. Chairperson, that there's a very good likelihood that I could end up supporting this point of order!

The Chair: All right.

Ms. Jinny Jogindera Sims: Chair, we are here to debate a request for an extension. We're not here to debate a request for an extension in a vacuum. It's an extension to have further time to take a look at Mr. Shory's bill.

So if it is an extension of 30 days on order to take a look at Mr. Shory's bill—because it's not just for us to have a meeting, surely—then I believe that it behooves us to relate Mr. Shory's bill to the need for an extension. And I'm not talking about amendments; I'm actually talking about the actual bill. I am getting very disturbed by the limitations that are being put on debate at this committee, but I would really urge you to take a look at that because the extension, absolutely, is for 30 days, but the extension is for something. Without arguing what that “for something” is for—to further study the bill—

The Chair: And your point of order is?

Ms. Jinny Jogindera Sims: My point of order is that I'm asking the chair to show some leeway, so we can actually debate the motion without having to—

The Chair: Mr. Lamoureux, do you want to speak on this point of order?

Mr. Kevin Lamoureux: I support what Ms. Sims is saying, but my point of order is on a different issue, so I'll let you make a ruling on this one, then I'll—

The Chair: That's not a point of order. What's your point of order?

Mr. Kevin Lamoureux: My point of order, Mr. Chairperson, is that you had indicated in your comments that it's not about amendments. What I would like to do is to indicate that, quite frankly, amendments need to be factored into the discussion because we have sent to the House of Commons an official request to change the scope. By agreeing that we're changing the scope, we are actually making amendments. With the 30-day extension issue, it impacts that process. It is not fair nor responsible for me as a legislator to be able to—

The Chair: Mr. Lamoureux, I have made a ruling, and I have told you what the reasons were, which were given in the preamble of this bill. Those are the very reasons. Those are the very reasons that M. Giguère and I had a discussion about it. I don't imagine he agrees with me, but those were the reasons.

In other words, I'd like you to speak to the motion and not get into those other things.

Go ahead, Mr. Menegakis.

Mr. Costas Menegakis: I was going to refer to your ruling. You did that. That's fine.

The Chair: You still have the floor, Mr. Lamoureux, on the motion.

Mr. Kevin Lamoureux: On a point of order, Mr. Chairperson—

The Chair: Another point of order?

Mr. Kevin Lamoureux: On another point of order, the fear that I have, Mr. Chairperson, is that you are narrowing the scope to the degree that there might only be 25 words in the English vocabulary that we could actually use without being ruled of order. That concerns me greatly.

I think you need to acknowledge that there is a need for parliamentarians to be able to articulate what we are being asked to vote on. To not allow us the opportunity to express how, and justify why, we are voting a certain way is denying us a privilege, I believe, Mr. Chair.

I would ask that you confer with the clerk's office to indicate whether or not a member of Parliament has the right to explain and justify at this stage why we want or do not want to support legislation.

The Chair: Mr. Lamoureux, I've made my ruling, and you're quite free to challenge that ruling. If you don't want to challenge that ruling, I'd like to continue with the debate.

Ms. Rathika Sitsabaiesan: I'd like to challenge the chair.

The Chair: Ms. Sitsabaiesan is challenging the ruling of the chair. The ruling of the chair is that the issue before us—

Mr. Kevin Lamoureux: Is that debatable, Mr. Chair?

The Chair: The issue that is before us is strictly that the only relevant matters before us are comments one way or the other whether the committee should ask the House to grant an extension of 30 sitting days with respect to Bill C-425.

Mr. Kevin Lamoureux: Is that debatable—

The Chair: No.

Mr. Kevin Lamoureux: —challenging the chair?

The Chair: No.

Ms. Rathika Sitsabaiesan: I'd like a recorded vote please, Mr. Chair, whenever we get to that point.

The Chair: Okay.

Shall the ruling of the chair be sustained? All those in favour?

A recorded vote, Madam Clerk.

Ms. Rathika Sitsabaiesan: I had already requested a recorded vote.

The Chair: You have indeed, Ms. Sitsabaiesan.

(Ruling of the chair sustained: yeas 6; nays 5)

The Chair: We're back to you, Mr. Lamoureux. You have the floor.

Mr. Kevin Lamoureux: I have another point of order, Mr. Chairperson.

Because I am relatively new at this, my question for you is what opportunities do I have as a member of Parliament if I feel that my rights to express or justify voting one way or another are not being properly addressed?

The Chair: I have no idea what you're talking about. I'm simply saying that I want a debate on this issue. It may be that I'm not properly understanding your point of order, but you have every right to give reasons why you're for or against this committee asking the House to make that decision.

I will say that your comments have to be in order and they have to be relevant, and they cannot be repeated.

Mr. Kevin Lamoureux: Okay, good.

Thank you, Mr. Chair.

I'll continue on. I want to pick up on your—

The Chair: Before that, we seem to have some people wanting to talk about this some more.

Mr. Opitz.

Mr. Ted Opitz: On the same point of order, the honourable member said last week when he was occupying your chair that he's been a parliamentarian for 20 years and understands the process better than most. So to say that he's new at this isn't exactly accurate.

It could be, Mr. Chair, that he's just latching onto concepts and running with those, which I find redundant and just—

The Chair: Well, that's not a point of order.

Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you, Mr. Chair.

Some hon. members: Oh, oh!

The Chair: Order, please.

Ms. Sims is speaking.

Ms. Jinny Jogindera Sims: I do appreciate that you're in a very difficult position. But I want you to know that, as parliamentarians, we're also in a very, very difficult position.

The question I have relating—and it relates to the point of order—is what avenues do I have if I feel that my parliamentary privilege to speak on an issue in a fulsome manner and to raise relevant issues is being limited through rulings? What options do I have?

The Chair: Just so I'm clear, Ms. Sims, are you—

Mr. Ted Opitz: [*Inaudible—Editor*]

The Chair: We need order, Mr. Opitz.

Just so I'm clear, are you rising on a question of privilege, or—

Ms. Jinny Jogindera Sims: On a question of privilege.

The Chair: You know what, perhaps I should confer with the clerks.

It seems to me that what is before us now is a point of order, and the question of privilege could follow the point of order.

So I have—

Ms. Jinny Jogindera Sims: As long as I have a place on—

The Chair: Oh, indeed.

I have Ms. Freeman on the point of order.

Ms. Mylène Freeman: Is that the point of order that was raised by Mr. Lamoureux?

Is that where we are?

The Chair: Yes.

Ms. Mylène Freeman: Okay.

Mr. Chair, I was just going to raise my voice in support of my colleague saying that he felt his ability to debate his reasons for not supporting the motion before us has been limited, and that it has been limited to a degree that is very, very limited.

My understanding at this point is that we are only allowed to talk about the 30 days. I'm not actually sure what that means. We're not allowed to provide reasons why we don't want something to be 30 days, or we don't have the ability to motivate—

The Chair: We had a ruling on it.

Ms. Mylène Freeman: I know, but at this point—

The Chair: How many times do you want to deal with this? We just had a ruling on it.

Monsieur Giguère.

Oh, I'm sorry, I didn't see your name. Ms. Sitsabaiesan is before Monsieur Giguère. I apologize.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

Mr. Lamoureux's point is that he is not being given the latitude that a Speaker would give to a member in the House or that a chair would traditionally give to a member in committee when he or she is arriving at their point.

I do agree with Mr. Lamoureux that we're here to debate the motion before us on a 30-day extension, but if you, as chair, are saying that I can only say that I agree or disagree with the 30-day extension, then I'm having an empty debate, and I'm not able to—

The Chair: No, Ms. Sitsabaiesan, I didn't say that, and if that was the impression that was given....

What I did say was that I'm interested in debate on that issue, debate that someone is either in favour or opposed to it. I didn't say "yes or no". I said I was restricting it to that, because that's what the motion says.

We've already had a ruling that the sole issue before this committee is whether or not we can ask the House to authorize us to proceed for another 30 days with respect to this bill.

Ms. Rathika Sitsabaiesan: Right.

The Chair: I have never said “yes or no”. I have said the debate must be on that, on giving arguments as to why it shouldn't be allowed or whether it should be allowed.

That's what I said.

Ms. Rathika Sitsabaiesan: My apologies if I put words in your mouth, Mr. Chair.

The debate right now is about whether the 30 days should be extended on this bill. This is a bill that's severely flawed. It creates instances of statelessness. It creates four tiers of citizenship. It takes away people's citizenship.

All these things are the reasons why I will not be supporting this motion. I should be able to speak about the reasons why I will not be supporting this motion in front of us.

The Chair: And I've said you can.

Ms. Rathika Sitsabaiesan: However, when I had the floor, Mr. Chair, the floor was taken away from me because I was trying to—

The Chair: The floor was taken away from you, Ms. Sitsabaiesan, because you were getting into areas that had absolutely nothing to do with that question.

Ms. Rathika Sitsabaiesan: I just mentioned three, Mr. Chair, and you said, yes, I had the ability to speak on those. Now you're saying no.

Earlier you said no, now you're saying yes, so I'm a little confused.

The Chair: You started to...

I'll give you an example. You started to talk about the issue of debate on the bill. That has nothing to do with this. That has absolutely nothing to do with this.

I'm going to move to Monsieur—

Ms. Rathika Sitsabaiesan: Absolutely it does. It does, Mr. Chair. We're seeing—

The Chair: Well, we've already had a ruling that the issue is very narrow. The ruling has been made. How many times do we have to do that? We're only going to do it once.

Ms. Rathika Sitsabaiesan: But Mr. Lamoureux raised a point of order, and—

The Chair: Monsieur Giguère is next.

[Translation]

Mr. Alain Giguère: Thank you, Mr. Chair.

Julius Ceasar said: “Veni, vidi, vici”, which means “I came, I saw, I conquered”. Unfortunately, parliamentary procedure cannot be compared to statements made by Julius Ceasar, even if he was a very colourful figure.

In your response to my motion for evocation, you indicated that the justifications were to be found in the second paragraph, third line, which says “to expand the scope of the bill”. That is clearly stated, and I am going to accept your submission. I find it a bit weak, but I accept the general principle that with the statement “to expand the scope of the bill”, the requirements of Standing Order 97.1(1) stating that reasons must be provided have been met.

The words “to expand the scope of the bill” are indeed to be found in the text of the motion submitted by Mr. Dykstra. Since you have stated that these words are in the motion, we have the right to discuss expanding the scope of the bill. And so we have the right to talk about the points that amend the original bill.

This motion does refer to the 30 additional sitting days. You have just indicated that we are not to debate the 30 additional days, but with all due respect, Mr. Chair, we are not only talking about the 30 additional days. We are discussing the original motion submitted by Mr. Rick Dykstra, member of the Conservative government and vice-chair of this committee. So with all due respect to your original position, we are not only talking about the 30 additional days, but about the motion, in its entirety.

[English]

The Chair: Monsieur Giguère, I've listened to you, and you're getting into an area that we've already decided.

With respect to expanding the scope of the bill, I will point out to you that's why we're going to the House. We're going to the House to ask permission to expand the scope of the bill; that's where the debate is going to take place. Presumably there will be a concurrence motion, and you will have your opportunity to debate that matter there, not here, because we're not there yet. We're at the issue of whether or not this committee should ask the House to allow for the extension of 30 sitting days, and I'm getting tired saying this.

That's just a response to you. I haven't made a ruling yet, because we're now going to proceed to Ms. Freeman again.

[Translation]

Mr. Alain Giguère: Excuse me, Mr. Chair...

[English]

Mr. Costas Menegakis: I have a point of order.

I heard you say that we're proceeding to Ms. Freeman. Mr. Giguère, I don't think, is Ms. Freeman.

The Chair: He's free to interject. Maybe he is saying he wasn't finished. I don't know what he's going to say.

[Translation]

Mr. Alain Giguère: I have not finished, not at all. I am taking your comments into account, but you cannot claim one thing and its opposite. You have to clearly indicate to us how we are to proceed.

In any case, from what I see, there is a request for a vote.

[English]

Ms. Mylène Freeman: Chair, I believe there are bells, and that we're being called to the House to vote.

The Chair: We'll have to delay this discussion until after the vote.

Ms. Rathika Sitsabaiesan: What about Jinny's point of privilege?

The Chair: Therefore I will suspend.

• (11200)

_____ (Pause) _____

• (11245)

The Chair: We are going to reconvene.

Mr. Giguère has the floor on a point of order that was raised by Mr. Lamoureux, I believe.

Mr. Kevin Lamoureux: Yes.

The Chair: It had to do with how broadly one can talk about the issues.

I believe I have said that you are restricted to debating and giving reasons why you support or are against this motion that is asking the committee for an extension of 30 sitting days, or the opposite. I guess the point of order is on the issue of latitude.

My initial ruling was in favour of a narrow latitude and my recollection of your point of order—and please correct me, because this is what we're in the midst of—was that I as the chairman am being too narrow.

Is that your understanding of the point of order, Mr. Lamoureux.

Mr. Kevin Lamoureux: Yes, that's fair comment, Mr. Chairman.

In fact, in your preamble, you had made reference to my giving reasons why I am against giving the 30 days. I'm very happy to explain why it is I'm against that.

The issue then became whether or not I relevant in my reasoning, and that is what my concern was.

The Chair: You're questioning that I'm too narrow and it should be broader?

Mr. Kevin Lamoureux: Yes. I should be able to provide the reasons as to why I want to—

The Chair: I've always said you can provide reasons. I just want to be clear what the point of order is. The point of order is that you feel I'm being too narrow—

Mr. Kevin Lamoureux: Too restrictive.

The Chair: Too restrictive.

Mr. Kevin Lamoureux: With all due respect of course.

The Chair: Of course, Mr. Lamoureux.

Mr. Giguère, continue on with your reasoning.

[Translation]

Mr. Alain Giguère: I will pick up where we left off.

Mr. Chair, you indicated how we are to proceed in quite a clear manner. You don't want repetitive statements. You do not want us either to go back to issues concerning which you have made a decision. We may sometimes be disappointed by the content of your decisions, but we must abide by them.

In this case—and here I am only referring to a descriptive motion—we are debating the original motion submitted by Mr. Dykstra. So we are not discussing part of a motion, but the entire motion.

If I may, I would specify that my position is supported, from the point of view of practice, by the Zola case. Allow me to describe it briefly.

I am referring to an author whose name was Émile Zola. During the 1890s...

[English]

The Chair: Mr. Giguère, this isn't a court of law. I've heard of a guy called Zola, but we're not going to get into legal arguments. We're going to get into whether or not the Standing Orders and the positions that have been taken by Madam O'Brien and Mr. Bosc have been complied with.

I don't want to hear legal arguments here.

Mr. Jack Harris: He's a figure from French literature. He's a literary person.

The Chair: I do recognize that. I don't want to get into French literature either, Mr. Harris.

[Translation]

Mr. Alain Giguère: I wasn't talking about French literature, but about an essential and well-known legal case, that is to say the case of Émile Zola versus the French Republic. It was about the restriction...

[English]

The Chair: I don't want to go into France. I don't want to hear any legal cases. I want you to direct your comments to the point of order that was raised by Mr. Lamoureux, or we're going to move on.

[Translation]

Mr. Alain Giguère: You want the discussions to be as short as possible, Mr. Chair, and I accept your viewpoint.

Earlier, you shared your position on...

[English]

The Chair: I want you to be relevant, sir.

[Translation]

Mr. Alain Giguère: Forgive me, Mr. Chair, but since you gave me the floor, I have the right to describe what I referred to.

[English]

Mr. Rick Dykstra: Speaking on a point of order is more than what you want.

[Translation]

Mr. Alain Giguère: You can't interrupt me every three words.

[English]

Mr. Rick Dykstra: A point of order.

The Chair: Mr. Dykstra.

Mr. Rick Dykstra: While Alain may not agree with your rulings or with how you're conducting the meeting here, that is no reason to abuse the chair by raising his voice and coming directly at you. It's unacceptable, and I ask that he refrain from doing that.

The Chair: Monsieur Giguère.

[Translation]

Mr. Alain Giguère: So we are going to pick up the thread of the debate.

You made a decision that I am forced to accept. You indicated that my motion was out of order. You clearly pointed out that in Mr. Dykstra's motion it says that this is "to expand the scope of the bill". You stated that that sentence met the requirements of Standing Order 97.1(1). That is the basis for your decision, and I understood it clearly. However, the fact that you said that implies that we have the right to debate the expansion of the scope of the bill.

You cannot claim one thing and its opposite at the same time. That is the very philosophical basis of the law and of parliamentary law. You must thus accept Mr. Lamoureux's motion to the extent that you are allowing us to broaden the debate. You yourself maintained and recognized that.

[English]

The Chair: Monsieur Giguère, I've already made a comment on this. My comment was that the issue of the scope of the bill will be dealt with in the House whenever we get to a concurrence motion—whenever that may happen—and not here. You're going to have an opportunity in the House to debate whether or not it's good to expand the scope of the bill, not here.

All we're talking about right now.... I don't know how many times I'm going to say this, but I'm getting a little tired of saying it. The issue that is before this committee is whether or not we should be asking the House for permission to extend the time for debating this bill in this committee by 30 sitting days. That's all that's before us—not the scope of the bill. That will take place at another time in the House. You'll have a lot of time to deal with that.

I'm going to proceed to Mr. Menegakis.

Mr. Alain Giguère: Mr. Chair, just a clarification?

The Chair: I've made my ruling. What can't you understand?

Mr. Alain Giguère: At the same time you indicate that's the position, you put a restriction on the possibility for us to speak to the totality of Mr. Dykstra's motion, or is it just the question of *les 30 jours*?

The Chair: This is the last time I'm going to say it. I'm going to say that this is not the time or the place to debate whether or not the scope of the bill should be expanded. That will take place in the House of Commons, not in this committee. That's the time when we can do it. I won't allow any debate on whether or not the scope of the bill is going to be debated in this particular committee.

Mr. Menegakis, you have the floor.

Mr. Costas Menegakis: Thank you, Mr. Chair.

Mr. Chair, I've already spoken to the actual amendment, I believe. As I said before, and I'm going to say it one last time—

Ms. Jinny Jogindera Sims: Sorry, Mr. Chair, a point of order.

The Chair: Ms. Sims.

Ms. Jinny Jogindera Sims: I believe, Mr. Chair, that when I raised a point of privilege earlier, you said you would have to deal with a point of order, and that as soon as you had dealt with it, you would come back to my point of privilege.

The Chair: I am going to come back to you.

Ms. Jinny Jogindera Sims: Are we still on the point of order?

The Chair: We are indeed.

Ms. Jinny Jogindera Sims: Okay.

The Chair: We'll come back to you. I would never forget you—never.

An hon. member: Never again.

Ms. Jinny Jogindera Sims: Thank you.

The Chair: Mr. Menegakis, you have the floor on the point of order.

Mr. Costas Menegakis: Mr. Chair, the only thing I'm going to say is that—

The Chair: Just a minute.

Ms. Sitsabaiesan, do you have a point of order?

Ms. Rathika Sitsabaiesan: Yes, Mr. Chair.

The Chair: Another point of order? Well, we're going to deal with this point of order.

Ms. Rathika Sitsabaiesan: It's on what has been raised being out of order.

The Chair: He hasn't said anything yet.

Ms. Rathika Sitsabaiesan: Yes, he has.

The Chair: What did he say?

Ms. Rathika Sitsabaiesan: He's speaking of the amendment that we've now already voted.... And the government members have decided that the amendment—

The Chair: Well, let's try it again, Mr. Menegakis.

Ms. Rathika Sitsabaiesan: He's speaking of the amendment that doesn't exist anymore.

The Chair: Go ahead.

Mr. Costas Menegakis: Mr. Chair, we have people on this committee who can see the future.

An hon. member: Who can read minds—

Mr. Costas Menegakis: Mr. Chair, I think your—

The Chair: You know what? I'm just hoping that we all won't provoke each other and that we'll all have sensible debates and won't accuse people of anything.

Mr. Menegakis, you may proceed.

Mr. Costas Menegakis: Mr. Chair, I support your assessment that we are here to discuss 30 sitting days, period, as it clearly says in the amendment.

That's all I wanted to say.

The Chair: Okay, Ms. Sims.

We're on the point of order, Ms. Sims.

Oh, I apologize, Ms. Sitsabaiesan. I'm always forgetting you, and I apologize.

Ms. Rathika Sitsabaiesan: Thank you. You seem to be forgetting me frequently.

The Chair: I'll try not to do that again.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

In your comments to some of the previous speakers, you mentioned that speaking to the scope of the bill and to the actual bill will be happening in the House of Commons, when the bill goes back to the House. However, Mr. Chair, I do need to point out....

Should I continue?

The Chair: Yes, I'm hearing every word you're saying.

Ms. Rathika Sitsabaiesan: My apologies. I saw you reaching for the mike, so I thought you were going to cut me off.

The Chair: That's just by habit.

Ms. Rathika Sitsabaiesan: What was I saying? Right. When this bill goes back to the House we'll be able to debate the substance of the bill as well as its scope.

However, Mr. Chair, when this bill goes back to the House, most likely I will not get a chance to speak on it. It wasn't introduced as a government bill, but as a private member's bill, and there are only two hours of debate. How many is that? About three people per party can speak, and I won't have that opportunity—

The Chair: You'll have to speak to the person to the right of Mr. Harris.

Ms. Rathika Sitsabaiesan: That's me. I'm sitting to the right of Mr. Harris.

The Chair: No, I mean to the left of Mr. Harris. How could I make that mistake? I can't decide what your House leader or whip does with respect to speaking in the House. I have no control over that. All I know is that there will be a debate in the House to deal with all the matters you're raising.

I have Ms. Sims.

Ms. Rathika Sitsabaiesan: However, Mr. Chair, the substantive debate should be taking place in committee. Committees are creatures of the House that are created—

The Chair: Okay, Ms. Sitsabaiesan, I'm moving on. I've said I don't know how many times. I've lost track of the number of times I've said it. There's one issue I want to hear about and that is with respect to this extension of 30 sitting days—

Ms. Rathika Sitsabaiesan: My apologies—

The Chair: —and you're getting into other things. You're talking about debating in the House.

Ms. Sims.

Ms. Rathika Sitsabaiesan: I have a point of order.

The Chair: We haven't reached your point of privilege yet. We're saving that until later.

Ms. Jinny Jogindera Sims: Okay. We're still on the point of order.

The Chair: We're still on Mr. Lamoureux's point of order, yes.

Ms. Jinny Jogindera Sims: Chair, with all due respect, I would request that the chair reconsider putting such tight restrictions, because I believe they limit our ability to be able to speak and to motivate us as to why we do or do not support an extension.

In order to argue whether you support or do not support a 30-day extension, unless you refer back to what you're extending, you end up in a vacuous argument, which is what I believe we're being forced

into. I want to carry out my parliamentary responsibilities by putting forward coherent arguments for why I do not support the limitation you have set.

The Chair: Thank you.

Mr. Harris, welcome to the....

Has Mr. Harris signed in here?

The Clerk of the Committee (Ms. Julie Lalande Prud'homme): Yes.

The Chair: Hello, Mr. Harris.

Mr. Jack Harris: Thank you, Chair. I notice you came back to join the committee.

The Chair: Yes, it's a pleasure.

Mr. Jack Harris: You couldn't wait. You took the first opportunity to get back.

The Chair: Yes.

Mr. Jack Harris: I realize I haven't heard all the points of order here, but am I correct that you're suggesting that the only thing one can talk about is whether or not it should be 30 sitting days or 40 or 50 or 60?

If the issue is the last sentence of the motion and not the entire motion, surely you can't just say yes or no. You can't just say you agree with an extension or you don't agree with an extension. You have to say the argument in one direction or the other of agreeing with an extension must include the reason why you think the committee should request or not request this extension. That has to be a part of the debate over whether or not...and even if you did restrict it to the last sentence, the debate about whether or not that should be accepted has to be about why it should be requested or why it should not be requested or why you would be against it.

So I can't conceive that you've suggested that you can only say yes or no. There has to be the rationale for one supporting or not supporting that motion. Have I got that wrong, or are you saying you can only talk about those six or eight words?

The Chair: No, I did clarify with Mr. Lamoureux that I've put a very narrow position on what can be debated.

Mr. Harris, in terms of the items that are in the motion—on expanding the scope of the bill and on the House further considering the bill—we've already made a ruling on that. We've already made a ruling.

Mr. Jack Harris: So you voted separately on those sentences, is that it?

Have you voted on those sentences?

The Chair: We've already made a ruling that those issues will not be part of this debate as to whether or not this motion should carry.

Those matters will be dealt with when the matter goes, if it ever does, to the House.

Mr. Jack Harris: But anything that would come under the question of whether or not the committee should request this extension or not....

The role of the committee, what the committee is doing, the role of committees generally, the role of private members—all of these things certainly come under the question of whether or not an extension of 30 days should be granted. That can certainly be debated.

The Chair: Well, we've already made a ruling, Mr. Harris, in this committee. It's finished. The decision was that the more appropriate forum to debate those items will be in the House.

Mr. Jack Harris: I don't mean those items. The issue is whether or not there ought to be an extension or not, and whether the committee should request the extension.

The Chair: Oh, if...absolutely. I've made that quite clear all along. I have been waiting for arguments for and against. I've made it quite clear to Mr. Lamoureux.

Maybe there's a misunderstanding, but I've been waiting for arguments—

Mr. Jack Harris: As to why the committee should—

The Chair: —as to why it should be for or against. We've already decided that two of the arguments aren't applicable, the issue of the scope of the bill and the issue of a decision of the House; that will be dealt with in the House of Commons, not here.

So I'm waiting. If there are any other arguments that members have, I'd be pleased to listen to them.

Mr. Jack Harris: I'd certainly like to have an opportunity at some point to try out some of the arguments, because I think—

The Chair: Well, we're on a point of order right now, Mr. Harris

Mr. Jack Harris: I understand that.

The Chair: —and I'm going to now rule on it.

Mr. Lamoureux, I'm going to confirm what I ruled before, that the issue that's before this committee is dealing with the issue of whether or not this committee can ask the House to give permission to this committee for an extension of 30 days to deal with Bill C-425.

To repeat what has already been ruled, the issue of expanding the scope of the bill and the issue of the decision of the House before considering the bill go beyond that view.

We now have a point of privilege from Ms. Sims.

Ms. Jinny Jogindera Sims: I'd like to challenge the chair on the confirmation that the chair just made. And I would like a recorded vote.

The Chair: Thank you, Ms. Sims.

Shall the ruling of the chair be sustained?

[Ruling of the chair sustained: yeas 6; nays 5]

The Chair: Madam Sims, you now have an issue of privilege, which you had started on and which I had asked you to forego until after we dealt with the point of order.

You now have a point of order on the matter of privilege.

Ms. Jinny Jogindera Sims: Thank you very much.

I realize, Chair, that it's only the Speaker who can rule on a point of privilege. However, I do realize that I have full rights to present my case here before the committee, and then for the committee to make that determination.

Therefore, it is with that understanding, and fully cognizant of the fact that it is beyond your reach to make a ruling on privilege, that I am proceeding with this.

Specifically, I got elected in 2011. I have participated in committees, not only this one but another one as well. And what I'm finding here is that the practices at play, and the rulings of the chair, really do interfere with—

The Chair: I'm sorry to interrupt you, but you've just said something, and I'd like to make it clear what my position is.

It's true what you've said, that the Speaker decides these matters. But the chairman of a committee has the right, and indeed the obligation, to determine whether or not the matter raised in fact does touch on privilege.

So I have to make a ruling—

Ms. Jinny Jogindera Sims: Yes.

The Chair: I have to make a ruling before the Speaker does.

Ms. Jinny Jogindera Sims: Okay.

The Chair: Which is contrary to what you said.

Ms. Jinny Jogindera Sims: My understanding was that the only person, just from reading in here, who could make a decision on whether a privilege had been breached was the Speaker. Also, in order to get it to the House I would need a majority vote from this committee, and then a decision would be made in the House. The actual privilege decision is made in the House. But you are in the chair and you have just explained something to me. Thank you.

Can I proceed now with explaining why I feel that my privileges have been violated?

The Chair: Yes. Go ahead.

Ms. Jinny Jogindera Sims: As an elected member, both in the House and at committee, I have a duty and a responsibility to represent constituents, as well as, under the guidelines in this book, a right to certain kinds of processes.

I feel that your rulings on the limitation of my ability to debate an issue and to therefore put forward coherent arguments on the need for an extension really interfere with my privilege to be able to speak and to put forward my case on a motion that is before the committee.

Before this life I have been in many formal meetings headed by chairs and all kinds of things, and I know the things that can happen there. But in all the time I've been in Parliament, Mr. Chair, this is the first time I've had such a narrow interpretation put on, first, the subamendments and then the amendment. We were told when we were at the amendment stage to just deal with the amendment because when we got to the main motion we would get to speak to the main motion. Now, instead of the full wording, because it's the full wording that was moved—and I'm not going to read the wording to you again because I have read it to you before. The two paragraphs that are the original motion as moved by the parliamentary secretary, my colleague across the way, are what is before us here at the committee.

When it talks about an extension of 30 sitting days, it's the only motion here. None of the wording preceding that sentence is here. Also, if we were just seeking a motion to extend for 30 days, without any reason to, then I would say that would be considered arbitrary and capricious and just being a troublemaker, so to speak.

The Chair: Ms. Sims, are you returning to the point of order?

Ms. Jinny Jogindera Sims: No. I am actually speaking to why I feel my privileges are being restricted.

The Chair: Okay.

Ms. Jinny Jogindera Sims: I want to stress that again. In order to explain that, I have to go back to the motion that is before us, because the motion is not one sentence; the motion is both paragraphs. We're not dealing with a subamendment or an amendment that was moved afterwards. When Mr. Dykstra moved this, he moved both paragraphs; he spoke to both paragraphs and here we are dealing with both paragraphs. For me, as a parliamentarian, to be told that I do not have the right or I am not going to be permitted to talk to the whole motion as it sits here does, I believe, very severely limit my parliamentary privilege.

It's one of those things we guard very dearly, Mr. Chair. As you know, both in the House and here, there are very few things that are open to the opposition members of Parliament. One of those is their right to speak on motions that are there. When the motion is presented, I believe we—as elected officials, once we have the floor, in an orderly manner and following the rules of the committee—have a right to speak on those motions. It's because of that that I feel my rights are being trampled upon, and it's because right in this whole motion—and I think you have to agree the whole motion is in front of us, not a part of it that one person can select, to say, oh, this is the only part. It actually talks about an extension of 30 sitting days to consider Bill C-425. Then it goes on to say what the bill is. It further goes on to say that it be granted the power to expand the scope.

We're not seeking an extension just so that we can sit here and meet ad nauseam. The extension the government is seeking is to get that expansion. So unless I can talk to that—and this is where parliamentary privilege comes in, because if I cannot talk to the motion that is on the floor, then my rights are being limited in one way or another.

I believe that as an elected official, who has very few rights under this majority government, one of the few privileges I do have as a parliamentarian is to be able to speak according to the rules. And

according to the rules here, when it's my turn to speak, I can speak. You know, relevancy comes in, absolutely. I can speak on motions. But now, suddenly, I'm hearing I can only speak on one little sentence in a motion with many sentences. That, really, is where I believe my privilege as a parliamentarian is being restricted and is being violated.

I take my elected office very, very seriously, both when I'm in my riding and when I am here in the House. I think you know that I'm not shy about speaking on different issues; it doesn't have to be just in my critic area. I exercise that right on behalf of my constituents regularly, and will continue to do so.

I am continuing to make this a point of privilege at this time because I feel that it's not only my rights as a member of Parliament but the rights of the people who elected me and sent me here—their rights are being restricted as well.

When I look at the rules that exist around privilege...once it's raised, I do realize that I get to make my case, and then the committee gets a chance to deliberate as well, and to eventually vote. I also realize, as I'm raising all these points of privilege, that I need to get a majority of parliamentarians, many of whom I have heard defend parliamentary privilege and the privilege of backbench MPs and all of us who get elected.... I'm hoping they will support me in this and give me an opportunity to make my arguments before the Speaker in a fulsome way.

None of us should take a breach of parliamentary privilege lightly. It is to be taken very seriously by every one of us. To fully explore it, I would need to see that going to the House, and when it's in the House I will gladly put forward my case as to why it needs to go where it is.

As I was saying previously—and I'm going to try to make some new points on this—elections come and go, but our parliamentary democracy and the rules we abide by are here. One of the things that it behooves every one of us who sits on this committee to do is...yes, we can try to stretch the rules, which we do, but at the same time, one of the areas we have to see as sacrosanct is when a member is feeling their ability to express their point of view is being narrowed to the point where...I would question whether we need to have a debate, because this kind of interpretation violates my privilege. You could have an amendment moved and then it's yes or no.

It was very hard to sit through the subamendment and then the amendment and then be told I would get an opportunity to speak on the main motion, but now I'm on the main motion and I'm hearing ruled over and over again that I can only speak on one sentence, and that's the last sentence of the motion. That, to me, does not seem to be the right way for us to be carrying out our parliamentary duties and practices.

It is with that in mind....

Chair, am I—

The Chair: I'm just trying to determine if more votes are coming, that's all.

You can proceed.

Ms. Jinny Jogindera Sims: Okay. Can I just get a sip of water?

The Chair: You may know more than I do. Maybe I should ask you.

Ms. Jinny Jogindera Sims: Never, Chair. I would never assume to know more than you do.

The Chair: We don't know.

You still have the floor.

Ms. Jinny Jogindera Sims: Thank you very much.

Votes will come and go. What we're seeing here is a reflection of what I've seen happen in the House over and over again—about parliamentary privilege and the right of MPs to represent their constituents, and their ability to speak on a variety of issues being limited through time allocation.

In this committee we're seeing a restriction of my privilege to be able to speak, not through time allocation, in this case, but by redefining which part of the motion is on the floor. That, I would say, is way outside the limits of what can happen at a committee. The motion has not been amended, and the chair did rule he was not going to accept any other amendments, which surprised me, but the chair has ruled, so the motion that has to be debated, the extension, has to be the whole motion moved by Mr. Dykstra. At no time has he amended it; you have said you won't take further amendments to delete everything but the last sentence.

Therefore, I would argue, Mr. Chair, that my privileges as a parliamentarian have been violated.

The Chair: Thank you.

An hon. member: [*Inaudible—Editor*]

The Chair: No, I'm sorry. A point of privilege is not debatable.

An hon. member: A point of order.

The Chair: A point of order? We don't even have a point of order. We're in the middle of a point of privilege. You can raise a point of order after we've dealt with the point of privilege.

Mr. Jack Harris: Sir, I've been around a long time, and when points of privilege are raised, the chair hears from various parties as to the value of the point of personal privilege, and I—

The Chair: It's not debatable, Mr. Harris. I'm sorry.

Ms. Jinny Jogindera Sims: Chair—

Mr. Jack Harris: People can offer their comments on whether—

The Chair: It's not debatable. That's the third time I've said it.

Ms. Jinny Jogindera Sims: Chair, my understanding is—

The Chair: It's not debatable. You've concluded your remarks. I'm now going to make a ruling on whether there is a point of privilege.

Ms. Jinny Jogindera Sims: The chair is moving on to the ruling. I went through this book we are given for bedtime reading, and it is very clear that the chair does not rule on privilege. The member makes his case to the committee and the committee members get to speak—

The Chair: I'm going to make a ruling. I pointed it out to you at the very outset that it's my duty and my obligation to determine —

whether the matter raised does in fact touch on a question of privilege. You're right—

Ms. Jinny Jogindera Sims: Chair, it's very difficult for you to rule when you are part of the privilege.

The Chair: You know, I find I'm debating this with you. It's not a matter of debate. I've waited very patiently for you to finish your comments. You've finished your comments and now I'm going to make my comments.

You referred to O'Brien and Bosc, page 143, for example, which states that a matter of privilege must be raised at the first occasion. You have done that. You have raised it at the first occasion.

There's a definition of “privilege” at page 145, which says the situation:

...infringed upon any Member's ability to perform his or her parliamentary functions or appears to be a contempt against the dignity of Parliament.

That's the definition. I therefore have to listen to and comment on what you have said. In my opinion, I have given a lot of latitude to all members.

Ms. Jinny Jogindera Sims: Chair, with due respect—

The Chair: I'm in the middle of commenting. You've had your time, and now it's my turn to make some comments.

The chairman of the committee has given a lot of latitude to all members, government and opposition members, related to this issue that is now before us. I've given a lot of latitude.

It's been quite clear that you can talk on this topic as many times as you wish, and indeed you are talking on this topic as many times as you can, as long as it fits in with the rulings that have been made and upheld by this committee—in other words, the issues of relevancy and not having duplication.

Therefore, I'm taking the position that it is not a point of privilege, and now we will carry on with committee business.

Ms. Jinny Jogindera Sims: Chair, with due respect, may I just draw your attention to page 1050 in *House of Commons Procedure and Practice*?

The Chair: Page 1050.

Mr. Rick Dykstra: Is this a new point of order that Ms. Sims is making, or is she now taking into question the ruling you just made?

Ms. Jinny Jogindera Sims: It's “Questions of Privilege in Committee”.

The Chair: I've already made a ruling.

Ms. Rathika Sitsabaiesan: I have a point of order then, Mr. Chair.

The Chair: I've already made a ruling. I don't want to keep going on this. You are free to do what you like. You can go to the Speaker; you can do whatever you like.

Go ahead, Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

Two instances in O'Brien and Bosc clearly stipulate that, and I quote from chapter 20 in the committees section, "Questions of Privilege in Committee":

The Chair of a committee does not have the power to rule on—

Mr. Rick Dykstra: A point of order.

The Chair: We're going to carry on with the committee business.

I've made a ruling on this issue, and we're not going to continue debating it, whether the chairman is right or whether the chairman is wrong.

I'm not going to listen to any more people reading from this holy book. We've finished with that. I've made the ruling—

Ms. Rathika Sitsabaiesan: You don't have the authority—

The Chair: We're now going to proceed with the debate on the main—

Ms. Rathika Sitsabaiesan: Respectfully, Mr. Chair, you don't have the authority to make a ruling here.

The Chair: Please, Ms. Sitsabaiesan—

Ms. Rathika Sitsabaiesan: According to the rule book here—

The Chair: Please, Ms. Sitsabaiesan, I've made the ruling and I'm not going to listen to any more.

Ms. Rathika Sitsabaiesan: I challenge the chair on that ruling because the chair does not have the authority to make a ruling. According to the rules, the chair does not have the authority to make a ruling.

Mr. Jack Harris: Sir, I'd like to suggest that this matter be reported to the House because—

Mr. Rick Dykstra: A point of order.

You just made a ruling, Chair, and twice now the opposition members have started talking again after you've specifically stated that they need to speak to either a new point of order or they need to move back to the motion that's on the table.

I also heard a challenge of the chair. We haven't voted on that. That's actually not debatable. I'd be happy if we had the vote or I'd be happy if we moved on, but I'm not going to sit here and listen to anyone in the opposition who's going to speak to the exact same point of order that you've just three times said you've already made a decision on.

The Chair: Mr. Lamoureux, this all started with you, sir, the point of order, and you still have the floor on the main motion.

Mr. Kevin Lamoureux: Thank you, Mr. Chair.

In talking to the motion, I would like to be very clear. I do appreciate a number of the comments you have made, Mr. Chair. One of them is that it's very important in my comments to speak strictly to the reason or to provide reasons as to why I am against the motion that would give the 30-day extension. That's in fact what I want to do. I want to explain why it is that I find—

The Chair: Excuse me, Mr. Lamoureux.

A point of order, Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

You were correct, and Mr. Dykstra was correct in his point that you had made what you called a ruling. I did challenge the chair. My understanding is that that is not debatable. The question should be put as to whether the ruling of the chair is sustained or not. That vote did not take place, Mr. Chair.

The Chair: Are you challenging the ruling, Ms. Sitsabaiesan?

Ms. Rathika Sitsabaiesan: The one I had already challenged that we didn't vote on.

The Chair: You're challenging the ruling I made with respect to privilege—

Ms. Rathika Sitsabaiesan: With respect to privilege.

The Chair: —and that is in order.

Ms. Rathika Sitsabaiesan: I'd like a recorded vote, please.

The Chair: Okay. Shall the ruling of the chairman be sustained?

[Ruling of the chair sustained: yeas 6; nays 5]

The Chair: The chair's ruling is sustained.

Mr. Lamoureux, you have the floor.

Mr. Jack Harris: A point of order, Mr. Chair.

It's our belief—it's my belief certainly—that the ruling is not only on the motion itself but on the point of privilege and the question of whether it's debatable. These are beyond the scope of the rules, the Standing Orders, and procedures.

I believe this ought to be reported to the House for the House's decision, for the Speaker to make a ruling on this. I would like to move that these rulings be reported to the House so that they can be addressed.

Mr. Rick Dykstra: Call the question.

The Chair: There's no question to be called. The issue has been challenged on both those rulings. Both of them have been challenged and the rulings of the chair have been sustained.

Mr. Jack Harris: The committee can't take the rules on their back, Mr. Chair. You can't just—

The Chair: All I'm telling you, Mr. Harris—

Mr. Jack Harris: You can't just, by unanimous consent, change the rules of the House and the procedure.

The Chair: Mr. Harris, the debate is over. The rulings were made. The chair's rulings were challenged. The committee has sustained the chair's rulings.

Mr. Lamoureux.

Mr. Kevin Lamoureux: Thank you, Mr. Chair.

I've been attempting to do this for the last couple of hours. I'm not exactly sure where I left off. I don't necessarily speak from notes, so I'm going to try to be as short and as consistent as one can be in trying to address the specifics.

As you have pointed out in many of your comments, Mr. Chair, to be clear as a member of the committee, I do have the ability to give reasons as to why I am against giving the 30 days in my case. That's something on which you've been very clear about, that I do have the ability to do that.

What I'd like to be able to do is simply that—follow your direction and give my reasons as to why I am against giving this bill a 30-day extension. It goes right to the heart of the matter. We have a private member's bill, and under a private member's bill there's a certain process that must be followed. We will find in the Standing Orders a set process, which is actually quite different and very unique. Within the rules, it does allow for a 30-day request, or the committee can come back to the House looking for an extension for a private member's bill. To that extent, the motion that we are debating today is in fact, as it has been, ruled in order.

My concern is that at some point I will be expected to vote on the motion. When it comes to actually voting on the motion, I want to be very clear, by providing good, solid reasons, as to why it is that I cannot support the motion. It goes to the fact that private members have very limited opportunities to bring forward legislation. A smaller percentage of private members bills actually make it as far as this particular bill has done, in terms of getting into committee stage. The bill itself, as we have it today, deals with important issues. I must admit that I'm somewhat frustrated, in the sense that I was hoping we would have been in the clause-by-clause stage by now. But if we do not support this motion, I think it important that we be very clear on the point that the bill does not die. If the majority of committee members vote against the motion, we are not killing Mr. Shory's bill. The bill will go back to the House with no amendments. At least, that's the way it has been explained to me.

In good conscience, that is one of the reasons why I believe it's important that we vote against this motion. I think it's a very good reason. If you take a look at the original bill that we talked about in second reading, and you contrast that to the presentations, and more specifically when we actually broke from the committee, there were some significant changes being suggested.

If we acknowledge or allow for this extension to pass—in other words, if a majority of the committee members vote in favour of this motion—Mr. Shory's bill will be granted an extension and potentially it will change. It's very important that we're clear on that point, because at the end of the day, once all is said and done, when a private member's bill gets to this stage, it's more than just one individual's bill.

We have had a thorough debate on second reading. A number of members have expressed concern, some expressed support, and a number of members want to see the bill move forward in a somewhat similar fashion. If we don't respect that, we could see substantial changes that would not receive the support that I'm confident the bill would have received had we allowed it to go to third reading or report stage—in other words, not give it the extension.

If we collectively, or unanimously, ideally, do not support this motion, the bill will go back to the House and then there will be a vote in the House. I suspect that Mr. Shory's bill will pass. Who knows who will ultimately support it at report stage?

If we vote in favour of the motion, it means it will continue to be held into the fall, at which point we have no idea what will happen to the bill. We know that some within the government benches have full intentions of changing it quite significantly. The impact of those changes will cause a number of people to vote against this legislation, which was supposed to be a private member's bill.

I say that because I think we should all be concerned about what is happening when we put our yeas or nays on this extension of 30 days.

My recommendation to committee members is that we recognize this as a private member's bill, as an initiative, and that we allow it to go through the normal process. I would be interested in hearing from the government, or some of the members who are going to be voting in favour of the motion, whether or not this type of request for an extension has been applied for in the past and the rationale that may have been there.

For example, given that it is a private member's bill, one would like to think that you might have more of a consensus, maybe even unanimity, amongst committee members that yes, we want to see the extension occur. That's why I think it would be wonderful to see more members from the opposite side sharing with us their understanding of the actual intent by supporting this motion.

Once it's all said and done, it would be great if all members of the committee had a sense that there was some form of cooperation, because it is different. It's not a government bill. It is a private member's bill. We recognize the difference inside the chamber. Inside the chamber, you will find that in private members' bills there are often members of the same political party who will vote in different ways. We recognize that. I think for the most part that is perceived as a positive thing.

In regard to this motion for the extension of the 30 days, I would like to see that same sort of treatment. It is a private member's bill on which members should feel free to vote as they like without having to feel that there's a consequence if they have to abide by the party line.

I'm not convinced that we have heard the arguments or the rationale or the motivation or the reasons for why we should be having a positive vote outcome.

This is other than the fact, and the only justification I've heard, that by voting yes, it will enable us to get an extension so that we could have more amendments brought to it.

To prevent it from going on the normal path that every other private member's bill, from what I understand, since these rules have been instituted.... I do not believe, nor have I been advised or told by anyone—which is why I would look across the table and I would challenge members to provide us information—that any private member's bill prior to this one has had a request for a 30-day or any sort of extension in committee.

Has there been? If that is not the case, then I would caution members as to why and what we're doing before we start with a vote saying, yes, I'm voting in favour of this 30 days.

I would think that this would be an ill-informed way to place a vote, because we are changing the way in which we are treating a private member's bill. I think that's to the detriment of the process.

So my challenge to members, Mr. Chair, is that before we allow this issue to ultimately come to a vote, members reflect on that.

I don't know if it's maybe even more appropriate for us to consider suspending for a bit so that members would in fact have the opportunity, if they are not prepared to share their thoughts with committee members, to talk about the ramifications of what is actually being requested.

Let there be no doubt: if this 30-day extension is given, we are denying this bill, not necessarily.... I don't always want to refer to Mr. Shory, because this private member's bill goes beyond an individual. It's the property of the House. There are many members, many members of the forces, and many individuals following the debate on this.

Mr. Chair, before we jump to giving this private member's bill treatment that no other private member's bill has ever received in the past and giving it an extension, I want people to understand why. What is the motivating factor?

Today the motivating factor for this extension request is wrong, I believe. That is why I would highly recommend, using that reasoning, that members not support voting in favour of this, and that is why I have made the determination that it's not in our best interest to do so.

I'll hold my comments at that, Mr. Chair, in anticipation that there might be others who will be commenting on this. I'll reserve the opportunity to add a few more words before we conclude.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. Lamoureux.

Ms. Sitsabaesan.

Ms. Rathika Sitsabaesan: I'll strike myself off the list for now.

Thank you.

The Chair: Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you very much, Chair.

We're here today to debate the motion before us, which is in two paragraphs, that actually requests an extension of 30 days. It requests an extension for Bill C-425, An Act to amend the Citizenship Act (honouring the Canadian Armed Forces).

It is here before us, and we have to ask ourselves why it is here for an extension. The committee has heard witnesses. The committee has had an opportunity to move amendments, albeit they were ruled out of scope. The committee has done all of those things.

The natural process at that stage is that the bill goes to the House of Commons, which is where it will be deemed to have been reported on June 21. We are opposed to this extension because this undoes or tries to redirect private members' business through a different process.

We believe that this bill has had all the witnesses as agreed to by all the parties. We listened to them and we had our opportunities to question them. If I remember correctly, the minister came in as well, and we had that opportunity.

As far as the committee business part of it is concerned, the committee has addressed this bill through its natural rinse cycle. It's

gone through that rinse cycle, so now it will be reported in the House, as you said earlier.

What this motion does is try to get enough time to achieve an expansion of scope. That, I believe, is contrary to what governs and surrounds private members' bills. As you know, when private members' bills are introduced, there are certain limitations on them. People with far greater minds than mine rule on amendments, whoever they come from, whether they come from the opposition or from government, as to their admissibility. As you know, the amendments that were brought forward were inadmissible, so I'm not going to talk about the amendments.

The Chair: There have never been any amendments brought forward. There's never been any debate.

Ms. Jinny Jogindera Sims: No debate, but they were not admitted.

The Chair: There's never been any clause-by-clause debate, as you indicated. There have been no amendments made because that time hasn't happened.

Ms. Jinny Jogindera Sims: Chair—

The Chair: I'm not restricting you from continuing to discuss it, although you are repeating yourself to a certain degree. I just wanted to point out to you that there has never been clause-by-clause debate on this matter, and certainly, to my knowledge, no one has submitted any amendments.

Ms. Jinny Jogindera Sims: As you said, Chair, the clause-by-clause could not take place because the amendments that were brought forward by government were ruled out of order. Because they were ruled out of order, at that stage the committee could have addressed—

The Chair: Ms. Sims, that's not true. There have never been any amendments brought to this committee. There's never been any ruling by the chairman on any amendments. You're free to say things, but you have to be accurate in what you're saying. You're suggesting that I made some rulings on some amendments that never happened. There were no amendments.

Ms. Jinny Jogindera Sims: Chair, I'm just trying to revisit what we did at committee. At committee we heard all the witnesses. Then we, both sides, had amendments we shared with each other.

The Chair: On a point of order, Ms. Freeman.

Ms. Mylène Freeman: On a point of order, Chair. I'm sorry, I don't want to annoy, but I actually really am confused.

At some point, my recollection—and please do contradict me if it was otherwise—is that while we were hearing witnesses, we were given amendments by the government side that would be brought forward.

The Chair: That's quite true, Ms. Freeman, but the amendments were never formally made by members of the government. They were never formally made. There was never any debate on the amendments and there was never any ruling on those amendments. You're quite right, the parliamentary secretary did distribute proposed amendments, but they were never formally introduced.

Ms. Mylène Freeman: Okay.

The Chair: Ms. Sims.

Ms. Jinny Jogindera Sims: Chair, that leads me into the point I was trying to make. If the chair saw no amendments and there were no amendments, then why would we be going back to the House to seek an expansion of scope? Somebody ruled, and I do remember seeing those amendments, but the amendments were not in order, and I heard that from the chair. At that stage, there was a request made to the House to seek an expansion to the scope of the bill.

The Chair: You know....

Mr. Rick Dykstra: I can give you help if you like.

The Chair: I need a lot of help.

But I will say that my recollection of what happened was that there was an agreement by all parties that amendments proposed by the government—some amendments, but it didn't exclude them from making other amendments—and amendments by members of the opposition, if they saw fit, could be submitted to the legislative clerk, who isn't here but probably will come eventually. Copies of those amendments were distributed unofficially. They were never moved. The amendments of the opposition were never moved in this committee.

Ms. Jinny Jogindera Sims: They could not be moved.

The Chair: They were never moved in this committee. The proposed amendments of the government were never moved. That's why I say there have never been any formal amendments introduced on the floor of this committee, and there certainly was never any debate.

Ms. Jinny Jogindera Sims: Getting back to the point I was making, Chair, both the opposition and the government had amendments, which we submitted to the clerk, and before they could be debated or moved they were ruled out of order.

The Chair: That's not true. There was never any formal.... You know, I've said this. How many times do I have to say this? There were never any formal amendments made by anyone. Proposed amendments were distributed—I'm going on a recollection, and someone can correct me—but there were amendments made certainly by the government and I think by the opposition. Those were distributed to the clerk for the purposes of determining if the clerk would be advising the chairman as to whether those amendments would be in order or out of order.

That was the extent of it. To propose amendments, there has to be a motion made on the floor. That never took place.

Ms. Jinny Jogindera Sims: Before the amendments were moved —

The Chair: No, the amendments were never moved.

Ms. Jinny Jogindera Sims: Okay, before—

The Chair: It's not before. They were never moved.

Ms. Jinny Jogindera Sims: There was somebody sitting at the front who said the amendments that were circulated went beyond the scope. That's why the committee ended up in a discussion about taking that to the House—

The Chair: Okay, I'm going to....

Ms. Jinny Jogindera Sims: —because otherwise why are we here?

The Chair: Ms. Sims, you can continue on with your debate on the main motion.

Ms. Jinny Jogindera Sims: I would be interested in—

The Chair: I'm going to say it one more time and then I'm not going to say it any more. If you start talking about it, I'm going to move on.

There were never any amendments to Bill C-425 formally made to this committee—never.

That's my position. If you keep talking about it, I'm going to move on.

Ms. Jinny Jogindera Sims: I just want a clarification before I carry on. I'm not going to pursue it beyond seeking that clarification. What I'm hearing is that at no time at committee did anybody say that the amendments that were being circulated were outside of the scope. Is that what I just heard?

The Chair: Ms. Sims.

Ms. Jinny Jogindera Sims: If that's it, I'll carry on.

The Chair: Ms. Sims, for—I don't know—the sixth time, no amendments were ever made to this committee—never. That's it.

Let's move on to the next topic, or we're going to move on to the next speaker.

Ms. Jinny Jogindera Sims: No, no, I will carry on talking, because I have a lot to say on this, and I will be asking for the blues of the committee as to exactly what happened around that time.

Let me say....

The Chair: I was just advised that you can look them up on the website.

Ms. Jinny Jogindera Sims: No, no, we are looking them up—

The Chair: You can do that.

Ms. Jinny Jogindera Sims: I can't do that and speak at the same time.

The Chair: Sure, you can do that.

Ms. Jinny Jogindera Sims: Yes.

The Chair: If I'm wrong, I'm sure you'll tell me.

Ms. Jinny Jogindera Sims: Thank you.

The Chair: But at this point, I'm right.

Ms. Jinny Jogindera Sims: Thank you.

Something happened at the committee—and it was a majority vote—to move a motion that we seek an expansion of scope for the bill. That does not mean that the committee could not have carried on dealing with Mr. Shory's bill. In respect of the private member's bill, that could have gone through all the cycles. If there were no amendments, there would have been no need for clause-by-clause. We could have just carried on, and all this would have been over a long time ago.

But the fact is, we are here, and the government, through this committee, is trying to commandeer—get—an extension to the House so they can change the scope of the bill. That's the reason we are here.

If the government is trying to change the scope, it means that the amendments they brought forward informally, and then somebody from the front desk looked at them, that being where it may.... So what we're here today—

The Chair: Don't talk about amendments anymore.

Ms. Jinny Jogindera Sims: Okay. What we're here for today, then, is to take a look at whether there should be an extension to allow for an expansion of scope. That's what concerns me greatly—

Mr. John Weston: A point of order.

The Chair: A point of order, Mr. Weston.

Mr. John Weston: I'm just a simple constitutional lawyer, but I heard earlier that we were going to avoid repetition, and I've been hearing this again and again.

Ms. Jinny Jogindera Sims: I've not been allowed to finish my sentence—

The Chair: No, no, we have a point of order, Ms. Sims.

Mr. John Weston: I'm serious. If there's something new to be said, I want to hear it and I want to be part of it, but right now it seems we're spinning our wheels and it's all a deliberate attempt to waste time. Taxpayers don't like that, and I don't like it either, and I don't think we should be doing this.

I think, Mr. Chair, there's an abuse going on of the very rule that you set out at the beginning of this meeting. So I'd ask you to just review whether we are really covering new ground. If not, can we get to our conclusion and move on?

The Chair: I love it when everybody picks on the chairman.

You can continue, but he's right to a certain degree: you are getting into repetition.

Ms. Jinny Jogindera Sims: When you look at Bill C-425 and the request for an extension, the request for an extension is here for one reason only, and that is to get an expansion of the scope.

I need to say those words again, Mr. Chair, so I can then get into why I believe that is an abuse of the parliamentary process when it comes to private members' bills. What is being sought here is an extraordinary timing allocation for a private member's bill that's had every opportunity, with many, many days of the committee not sitting, waiting for the House to decide, and what the government could not achieve in the House through getting their concurrent motion on the table, what they're trying to do is do it through this committee. I believe that this is really trying to steer around what a private member's bill is.

This government had every chance to bring forward different amendments and then go through clause-by-clause. We would have been finished it all, and Mr. Shory could have gone home happy for the summer holiday, saying, "My bill has either passed or failed, but I did my very best." There were parts of the bill that we did agree with, so everything would have been fine. But that's not where we are at, because what's being done here is an attempt to go outside all of those parameters and to try to change what can happen in a private member's bill. That gets to the crux of why we are adamantly opposed to the extension of 30 sitting days, and we will continue to be opposed no matter how long we are sitting here, Mr. Chair.

Can you put me back on the speakers list, please?

The Chair: Thank you.

Monsieur Giguère is next.

[Translation]

Mr. Alain Giguère: Mr. Chair, there will be three parts to my statement. The first concerns the text of the motion you have before you. My second point will be about the philosophy of law, and thirdly, I will conclude with an analogy.

Standing Order 97.1(1) lists five distinct elements regarding dealing with a bill. These are possibilities, not absolute obligations. This regulatory text does not state that it must necessarily be 30 days. There are other possibilities, and I am going to discuss all of them, with your permission.

In the first possibility, we must report on the amendments in the 60 days following the reference. Parliamentarians sitting in committee may decide to debate a bill and submit amendments to it, and then send it back to the House in the 60 days that follow. That is where we were heading with Bill C-425 before Mr. Dykstra's motion and the amendments to the bill submitted by the department were introduced. At first, Bill C-425 was heading toward that first eventuality, i.e. that we report the bill to the House, with amendments, in the 60-day period following its reference to committee.

The second possibility evoked in Standing Order 97.1(1) provides that we report without amendment in the 60 days following the bill's reference to the committee. In this case this means that Bill C-425 would have been such a good bill that it would have garnered unanimous consent around the table, and all of the parliamentarians would have approved it without any amendment and referred it to the House; the House of course maintains its right to debate it.

Those are the two most frequent procedures used in dealing with a bill.

[English]

The Chair: Monsieur Giguère, I believe that everybody here understands Standing Order 97.1(1). I do, and I'll bet you everybody here does. You're going through it, and I guess you're entitled to that, but I'm telling you that you're going over an area that everybody understands. We all know the procedure.

We all know the procedure with respect to this report and the different options the committee has. I suppose I'm obliged to let you do this until you start repeating yourself, and you haven't done that yet, but I just want to make it clear to you that what you're doing is telling us something that we already know.

You can proceed. I just draw that to your attention.

[Translation]

Mr. Alain Giguère: Thank you, but I am going to continue anyway in order to inform everyone, since there are people entering and leaving the room.

The third possibility is to not consider the bill. If all of the members of the committee had been against Bill C-425, the committee would have had the right to not continue its study, on that basis.

The fourth possibility, which is the topic of the current debate, is to ask for a single extension of 30 sitting days, and provide the reasons for that. That is what is currently being proposed. The request has been justified because of a considerable expansion in the scope of the bill. The scope of Bill C-425 has been considerably broadened, and that is why we are being asked for an extension of 30 sitting days.

The fifth possibility is subsidiary. I hope everyone understands the legal definition of “subsidiary”. It is something that is included by default. If nothing is done in the 60 days following referral to the committee, by default, it may be considered that the bill has been reported without amendment.

Mr. Chair, the problem is that on this side, we are against the 30-day extension period. Bill C-425 may have been unanimously approved, but that is not the case for its amendments. What is being proposed is practically a new bill and a new legal context. During those 30 additional days, in my opinion, it would have been preferable to submit a new bill. The government chose to not submit a new bill, but rather to resort to what one might call a “mammoth” procedure...

[English]

The Chair: Mr. Giguère, I believe you're getting into the same area that Ms. Sims did. You're getting into amendments, the amendments that you're alleging will change the scope of the bill, amendments that have never been made. I don't think it's appropriate. I'm giving you a lot of leeway here—

[Translation]

Mr. Alain Giguère: Very well.

[English]

The Chair: —but, quite frankly, I don't think it's appropriate to assume that amendments have been made. They may never be made. Maybe they will, but we don't know at this stage. It's true we have all seen amendments, but they haven't been formally presented to the committee, and here you are getting into amendments. It's true you're not talking about specific amendments, but you are talking about amendments that you allege will change the scope of the bill. We know such amendments have never been made.

My comments to you are the same as they were to Ms. Sims. I don't think it's in order to talk about something that hasn't happened, to get into a hypothetical situation. It is appropriate to talk about facts. I'd be pleased if you would tell us the facts as to why you are opposed or not opposed to this motion.

[Translation]

Mr. Alain Giguère: Mr. Chair, I want to point out that I am opposed to broadening the scope of the bill, which objective is clearly stated in Mr. Dykstra's motion. I am opposed to it because Bill C-425 had a very clearly established legal framework on which we could work quite easily.

We are being asked for an extension on the basis of something that is unknown to us, and we do not like that uncertainty. We are refusing to do that.

[English]

Mr. Rick Dykstra: On a point of order, Mr. Chair.

The Chair: Just one minute. I'll give you a chance, Mr. Dykstra.

My understanding is that this committee voted on that topic of scope last week, and here you are talking about it again. Therefore, I don't want to go back to that. I don't think you were there either, but my understanding is that the topic of—

[Translation]

Mr. Alain Giguère: That is indeed the case.

[English]

The Chair: —this issue was debated last week.

Mr. Dykstra, on a point of order.

Mr. Rick Dykstra: Just on the same point of order, this is a repeat of an argument that Ms. Groguhé made last week, and I quote from her speech. She said that by allowing a standing committee to expand the scope of a bill without specific instructions, we open a door extremely sensitive in the current context, with the very obvious trend that we do not lose sight of a majority government using private members' business to promote its own agenda; private members' business can be used as a way for the government to circumvent rules.

It's the exact same argument that Alain is making right now. It's repetitive and he should move on.

The Chair: Monsieur Giguère, on Tuesday, April 23, 2013, the committee recommended to the House that it be given the power during its consideration of Bill C-425 to expand the scope of the bill. The committee is awaiting the decision of the House before further considering the bill. So all of what you say, quite frankly, is not relevant.

[Translation]

Mr. Alain Giguère: Are you the best judge to decide what is politically relevant and what is not? I think that you are here, rather, to determine if procedures are acceptable or not. Perhaps you can enlighten me on that point of law.

[English]

The Chair: Monsieur Giguère, we have already disposed of the issue of the scope of the bill. We voted on it, it's been decided, and now you're raising it again. I'm not going to allow you to go there. I'm quite prepared to listen to you raise arguments. Again, we're going back to the motion on this business of extending the time for the committee to review this bill by 30 sitting days. That's what I want to hear. You're getting into other matters that have either been decided or aren't relevant.

You may continue, sir.

[Translation]

Mr. Alain Giguère: In that case, I am going to focus on this 30-day extension from the perspective of the legal philosophy put forward by O'Brien and Bosc. That is the old debate of seeking balance between two very old concepts. They can be summarized by the opposition of the expressions of *Vox populi, vox Dei* and *Medice, cura te ipsum*, that is to say that we must seek balance. In their document, O'Brien and Bosc sought that balance.

What I am saying, basically, and I am going to attempt to demonstrate this with the legal philosophy...

[English]

The Chair: Excuse me, sir. It may have been the translation, but I would like you to repeat what you said. You said that there should be a balance between the two; then the translation did not make clear to me what you said.

Could you clarify what the balance is?

[Translation]

Mr. Alain Giguère: Fine, I am going to go back to that and discuss that matter in greater detail.

The first concept is that of *Vox populi, vox Dei*—the voice of the people is the voice of God. The second concept is *Medice, cura te ipsum*, that is to say, physician, heal thyself. In fact, we cannot blame someone else for what we have done to ourselves. We cannot restrain...

[English]

The Chair: We have a point of order.

Mr. Costas Menegakis: I'm trying to determine the relevance of this. This is like legal mumbo jumbo. What is the relevance of it? We're discussing a specific motion, Mr. Chair, and I don't know that this is relevant.

That's my point of order: it's not relevant.

The Chair: I don't know what to say, Mr. Giguère. I respect you concerning many of your arguments, but I can't follow what you're saying as being relevant to the motion that is before the committee.

To be fair to you, it may be that I'm not understanding appropriately the translation from French. You're going to have to spell it out to me, because I don't believe that what you're saying is relevant, but it may be just that perhaps I haven't understood you.

[Translation]

Mr. Alain Giguère: I am going to answer the questions put by Mr. Menegakis and Mr. Opitz and also provide you with some clarifications, Mr. Chair.

I am saying that there is a lack of balance between the right to be heard and the right to limit the right to speak. I think that this lack of balance, concerning...

[English]

Mr. Costas Menegakis: I have a point of order again.

I believe you ruled on that, Mr. Chair. Everybody has a right to speak, but this is again not speaking to the amendment. Mr. Giguère is going off on a tangent, with all due respect.

The Chair: I will consult with the clerk for a moment.

I'm trying to interpret what you're saying, Monsieur Giguère. I think I'm interpreting it as your alleging that I as the chairman am not giving you the right to speak on what you want to speak on. I think that's what you're saying, and if it is—if this interpretation is correct—then we're getting back to something that we've already ruled on.

I can't make my position clearer than I did with Mr. Lamoureux. There are certain things that you can talk about and there are certain things that you can't talk about. I don't want to get into that. The chair has even been challenged on a number of those things.

You have the right to speak, but on the other hand the topics must be relevant. The issues can't be repeated. I've said this over and over.

That's my interpretation of what you have said; therefore, you are getting into an area that I've already ruled on.

[Translation]

Mr. Alain Giguère: I think that there is some confusion here. There are two important points which must be considered. The gist of my statement was that Mr. Dykstra's motion causes an imbalance between two elements that underpin the philosophical bases of the book drafted by O'Brien and Bosc. I answered the objections of two of my colleagues by saying that their objections were aimed at limiting my right to speak. Indeed, they are attempting to restrict my right to speak. I answered them that basically, I was referring to a...

[English]

The Chair: That's not true. I'm not limiting your right to speak. I'm simply saying that matters that are not relevant or are repetitious cannot be proceeded with. I am not restricting anyone's right to speak. But don't go to areas for repetition. Don't go to areas that we have already ruled are out of order.

You have the right to speak. I'm not limiting your right to speak. I have simply said that you can't repeat these matters, and there are certain other matters that we've already made decisions on.

[Translation]

Mr. Alain Giguère: Something must have gotten mixed up in the translation, Mr. Chair.

[English]

The Chair: That could be.

[Translation]

Mr. Alain Giguère: Something must have gotten mixed up in the translation because you're blaming me for something I didn't say.

I said that my freedom of speech was being limited, but I didn't say you were the one doing it. I was talking about the objections of my two colleagues. I did not point the finger at you. Do you see that I was not challenging your decision?

[English]

The Chair: I will concede that there may be a problem in translation.

I'll do my best to try to understand what your position is, sir. I'm sorry. That's as long as you understand what my position is, and I think you do.

Go ahead.

[Translation]

Mr. Alain Giguère: I am not trying to be repetitive. I am not trying to challenge your ruling.

But I would certainly be surprised if someone in this room were to tell me that the philosophy of law underlying the balance that I believe Mr. Dykstra's motion seeks to disturb has already been discussed. That is at the heart of what I'm getting at.

I want to talk about the fact that this motion has upset the balance between two fundamental elements of our parliamentary law. As for the two fundamental elements, I already clearly stated what they were, but I will repeat them for you. I am referring to the dichotomy between the right of the people and the scope of these changes.

[English]

The Chair: I think I do understand what you're saying.

You said that parliamentary balance has been breached by decisions that have been made by me, on the approval of the majority of the committee.

[Translation]

Mr. Alain Giguère: No.

[English]

The Chair: I just broke down what you said.

[Translation]

Mr. Alain Giguère: No.

[English]

The Chair: On a point of order, Mr. Opitz.

Mr. Ted Opitz: Mr. Chair, I'm feeling a disturbance and a force, too, but that has no relevance to the main motion. I'm willing to listen to Mr. Giguère talk about anything he wants, once we dispense with the motion. I would urge him to stay on point.

Sir, you have given more than ample warning, quite frankly. I'm thinking that perhaps we should move on.

Thank you, sir.

The Chair: Mr. Giguère.

[Translation]

Mr. Alain Giguère: That is a clear attempt to take away a parliamentarian's freedom of speech by claiming that I said things I did not. Frankly, Mr. Chair, what I have been saying this whole time is that, when it comes down to it, this motion seeks to—

[English]

The Chair: Could I just ask...? I want to consult with the clerks for a moment. I'd like to hear what you're saying, but please give me a moment to consult with the clerks.

I'll suspend for a couple of minutes.

• (11415)

(Pause)

• (11425)

The Chair: We will reconvene.

Monsieur Giguère.

[Translation]

Mr. Alain Giguère: You were giving me an explanation, Mr. Chair.

[English]

The Chair: I'm allowing you to continue.

[Translation]

Mr. Alain Giguère: Very good, Mr. Chair.

To prevent any further debate on my approach, I am going to take the liberty of highlighting that, in *House of Commons Procedure and Practice*, O'Brien and Bosc draw a clear distinction between what constitutes parliamentary privilege and what does not. It appears on pages 60 and 96. In short, that is what my analysis is based on. If anyone is still wondering about the philosophical choice behind my approach, I would point them to O'Brien and Bosc, who laid it out very clearly.

[English]

The Chair: Page?

[Translation]

Mr. Alain Giguère: It appears on pages 60 and 96.

Right from the beginning, if we're talking about the philosophy of law, page 3 clearly states that Canada is a parliamentary democracy. We have a history of parliamentary life. It is upheld by a long tradition. With that in mind, I will occasionally provide arguments and make points to support my view.

That speaks to the very heart of why I object to this 30-day hoist motion. I think it's wrong. It think it gives rise to a permanent imbalance as far as our choices and options go. I will tell you what that imbalance is all about, from a philosophy of law standpoint.

Previously, I don't think anyone on this committee made any arguments about the philosophy of law underpinning this debate. If anyone can say that I am repeating myself, please tell me now. According to the information I was given, I don't think this approach has been used.

Obviously, this could become time-consuming. The argument I am going to make is largely supported by O'Brien and Bosc. This was supposed to be the subject of my cousin's Ph.D. thesis. I will try to keep it under 10 or 15 hours. We're talking about the philosophical debate discussed in an 800-page long Ph.D. thesis. That's not always easy.

You should understand that the devil is in the details when it comes to the philosophy of law. And the details abound. With that image in mind. I would point out that O'Brien and Bosc's publication looks more like a bible than a procedural authority. And for that reason, this could be a long debate. But so long as an attack on parliamentary life is at issue, in other words, the philosophy of law, this matter certainly warrants debate.

Although I may not have convinced all of my colleagues of the relevance of having this debate, I hope that I have at least convinced them of the newness of this approach before the entire committee.

Yes, there is a dichotomy. As the saying goes, vox populi, vox Dei. The people's voice is the voice of God. In the Middle Ages, that basically meant the people had to be listened to because they were the ultimate authority. Theirs was akin to the voice of God. That expression means that when the people speak, they must be given fundamental, lasting and painstaking respect. The expression changed over time, with "pro Dei", or for God, being used. It is done for God.

Therefore, my commitment to the people is an act of God, an act of faith. The most beautiful expression of that concept, my favourite one, is found in Abraham Lincoln's Gettysburg Address. He described democracy in less than 100 words, the most important of those being "the government of the people, by the people, for the people".

I respectfully submit that, in no way, does Mr. Dykstra's motion reflect any of those elements. In fact, I would even say it negates them. That is why I'm telling you there is a violation. This fundamental principle has been attacked.

We are here for the people, the people we represent. We want the people to have clear legislation. O'Brien and Bosc even highlight that fundamental principle on page 3 of their publication. They say we are the people, the representatives of the people. The words "by the people" imply that the people must see their voices reflected in these laws and be comfortable with them. In that respect as well, a serious violation has certainly occurred.

I am not saying Mr. Dykstra did so intentionally. Indeed, the philosophy of our law holds that we assume people are acting in good faith, and that is the view I take with everyone. But I believe this motion gives rise to a violation. Can it be fixed? Yes. *House of Commons Procedure and Practice* clearly states that it can.

The Latin expression *medice, cura te ipsum* means "doctor, heal thyself". It is possible for things to go amiss, as they say, resulting in a major mistake. People make mistakes, it happens. The procedures of our law provide for that eventuality. If, however, we consider the philosophical perspective and try to find the right balance—which is hard to do—the procedures cannot be used for flawed intentions. The administration of justice must not give rise to the demise of justice.

The late Justice Steinberg taught me that in a law class. The administration of justice and its procedures must not lead to its demise. I unfortunately get the sense that the motion on the 30 additional days does not in any way adhere to the philosophical rules of our parliamentary law. It is not viable. It goes against all of our procedures.

Did you want to say something, Mr. Chair?

[English]

The Chair: I would. I'm giving you a fair bit of leeway on this. Your topic may be interesting, but I'm not so sure it's relevant. I'm going to ask you to wind up, because, quite frankly, I'm not convinced that what you're saying is relevant to the motion. I have given you all kinds of leeway. You've talked about some very interesting things that you've derived from O'Brien and Bosc, and that's fine, but I'm going to ask you to wind up.

[Translation]

Mr. Alain Giguère: A point of order, if I may Mr. Chair, about what you just said.

You made it very clear that we must not repeat what's already been said or raise matters you have already ruled on. You said, yourself, that I am not being repetitive, that I am not challenging your rulings and that I am referring to O'Brien and Bosc. And yet, you don't see how my remarks are relevant.

You are misleading me. I would ask that you clarify your comment because everything I am saying pertains to Mr. Dykstra's motion and the words of O'Brien and Bosc in *House of Commons Procedure and Practice*. I gave you the page numbers. Obviously, summarizing 150 pages from *House of Commons Procedure and Practice* in 10 minutes can't be done. It's akin to asking someone to summarize a 600-page Ph.D. thesis in 10 minutes. With all due respect, Mr. Chair, I have the right to speak and I will hold on to that right as long as I follow your basic instructions, which I am doing.

[English]

The Chair: Monsieur Giguère, I've listened to you very carefully, and what you're saying, in my submission, is not relevant to the matter before this committee.

I've given you a lot of leeway, but my patience is wearing thin. I'd ask you to wind up.

[Translation]

Mr. Alain Giguère: Mr. Chair, you didn't give me an answer regarding the instructions you gave me. You gave me clear instructions—

[English]

The Chair: I have answered your question. I'm saying that what you are submitting may be interesting, but it's not relevant. I don't know how much clearer I can be.

[Translation]

Mr. Alain Giguère: I tried to re-examine my comments in their entirety in light of Mr. Dykstra's motion, which basically seeks a postponement. He is asking for a 30-day extension, which he explains, and you accepted his reasons. With all due respect, I am telling this committee that this motion represents a violation. There are other solutions that would be acceptable to everyone.

Does someone have a point of order?

[English]

Mr. Rick Dykstra: A point of order, Mr. Chair.

Mr. Giguère has already actually gone through those, even though I pointed out that the five arguments that he has already presented have already been made by other members of his party here at committee.

Other than that point, he has actually already made the argument of what five other ways we could have dealt with this issue. He is just about to start describing those five other ways again. I would submit that he's repeating his argument again.

The Chair: Ms. Sims, you have the floor.

[Translation]

Mr. Alain Giguère: Ms. Sims asked for the floor.

[English]

Ms. Jinny Jogindera Sims: Thank you very much, Mr. Chair.

On a point of order before I resume speaking to this, I believe that my colleague in this case was following the rules made by you. He was making new points that none of us had made before.

I would ask the chair to reconsider and allow him to continue speaking.

The Chair: I will take a few moments to consult with the clerks.

The difficulty is, Ms. Sims—

Ms. Rathika Sitsabaiesan: Mr. Chair, my apologies, if you are about to make a ruling...I was already on the list to speak on that same point of order.

The Chair: Okay.

Ms. Rathika Sitsabaiesan: You forgot about me again.

The Chair: I know. I don't know what's happening to me. How could I do that?

Ms. Rathika Sitsabaiesan: I don't know what I need to do to make sure that you remember me before you move on.

The Chair: I'll never forget you, ever.

Ms. Rathika Sitsabaiesan: Mr. Chair, Monsieur Giguère was making his point. I asked you to use basketball, but you've been using baseball and the "three strikes and you're out" model. This time there wasn't those three strikes; it was just, "Well, Monsieur Giguère, you're being repetitive because one of the members said that you're starting to repeat yourself." You didn't give him the opportunity to state whether he was starting a new point or repeating something he had already mentioned.

I do believe that the floor was arbitrarily taken away from the speaker at the time—Monsieur Giguère. I believe, Mr. Chair, that you should return the floor back to Monsieur Giguère.

The Chair: Anyone else?

I did interject at least three times. You're right, I didn't say strike one, two, and three, but I did interject three times.

Ms. Sims, I have moved to you as a new speaker after Monsieur Giguère, and because I have done that, your point of order is not in order.

I see Monsieur Giguère is still on the list even after you.

That's not true?

The Clerk: No, Ms. Groguhé.

The Chair: But she's not here.

Ms. Jinny Jogindera Sims: She'll be back.

The Chair: She'll be back.

Rightly or wrongly, I have said that you're the new speaker, so that ends it with Monsieur Giguère.

He's free to speak again if he wishes.

I'm not going to go through all this. I have interjected three times.

Ms. Sims, you have the floor.

[Translation]

Mr. Alain Giguère: Mr. Chair, we have a serious problem here. A parliamentarian has the right to speak for as long as he or she likes. In the same breath, you said that my comments were interesting. You may not find them as relevant as you'd like, but show me where in the blues someone else made the point I am making. And that point is the dichotomy that O'Brien and Bosc explain from pages 60 to 96 of their reference work.

The fact that you don't like my point of view doesn't give you the authority to take away my freedom of speech. What I'm saying is relevant. O'Brien and Bosc are, after all, relevant.

[English]

The Chair: Monsieur Giguère, the problem is that I've already ruled that Ms. Sims's point of order is out of order because I have moved to her.

I am not going to get into you debating.... Quite frankly, my rationale in each of the three times—at least three times—that I interjected was that I did not believe your comments were relevant to this debate.

Ms. Sims, you have the floor.

Mr. Rick Dykstra: A point of order, Mr. Chair.

The Chair: Mr. Dykstra.

Mr. Rick Dykstra: On this argument Mr. Giguère is making that a parliamentarian has the right to be heard, I just want to point out that I would also argue that the rest of the parliamentarians who are here have the right to hear that parliamentarian speak about the issue and topic at hand.

Thank you.

The Chair: Ms. Sims, you have the floor.

Ms. Jinny Jogindera Sims: Thank you very much.

[Translation]

Mr. Alain Giguère: Mr. Chair, I challenge your ruling. What you just did is unacceptable.

[English]

The Chair: You wish to challenge the chair?

Mr. Alain Giguère: Yes.

The Chair: Okay.

Shall the ruling—

Ms. Rathika Sitsabaesan: A recorded vote, please.

The Chair: Of course.

The question is, shall the ruling of the chair be sustained?

(Ruling of the chair sustained: yeas 6; nays 5)

The Chair: Ms. Sims, you have the floor.

Ms. Jinny Jogindera Sims: Thank you very much, Chair.

Before I start speaking, I have to....

[Translation]

Mr. Alain Giguère: I would like to be put back on the list of speakers, please.

[English]

Excuse me.

Ms. Jinny Jogindera Sims: I just have to say, before I actually get to making my substantive argument, that I do have to express my concern around duly elected members of Parliament who are sitting at this committee not being able to express their arguments—

The Chair: Stick to the motion before us, please, Ms. Sims.

Ms. Jinny Jogindera Sims: To express their arguments—

The Chair: We've passed that. We're on to debating the motion. I'd like to hear your comments on the motion.

Ms. Jinny Jogindera Sims: You will, Chair, but surely the chair is not saying that I can't make any other comment.

The Chair: You're commenting on something that we just dealt with and has nothing to do with the motion.

Ms. Jinny Jogindera Sims: Well, what we're here today to debate is the extension of Bill C-425 so that the government can get an expanded scope in the House. This could have been achieved in a variety of ways, and one of them was through—

Mr. Rick Dykstra: A point of order, Mr. Chair.

The Chair: On a point of order, Mr. Dykstra.

Mr. Rick Dykstra: I don't know why, but there seems to be this sticking to the other ways this could have been dealt with. Well, the way this was dealt with is in the motion before us. If there's a comment about the motion itself, I completely understand. I don't have to hear it, but I will hear it.

To now repeat the exact same arguments that Mr. Giguère has made for the last 20 minutes isn't conducive to the rules of order of our committee or of any committee. We should be hearing a new argument or something different, other than what the five issues may have been that this could have been brought forward under.

Ms. Jinny Jogindera Sims: Unless Mr. Dykstra knows what I was going to say.... I had no intention of revisiting the five, because I do not know...I don't have the book in front of me. I was going to

speak to the perspective that this request, this motion, is waiting its turn in the House to come up as a concurrent motion. That is related to the time for the extension, and that is the proper way. To seek this extension gives this piece of legislation we're dealing with, the private member's bill, a whole new life that private members' bills are usually not prone to.

As a result, when I look at this...the process that exists in the House is that when you have a concurrent motion, you get to debate that for three hours. The government has different ways to bring concurrent motions there, and it has not done so, so far. As a result, they're now seeking an extension so they can move their motion in the House. I'm opposed to that for a number of reasons, the first being that it will go beyond the purview of a private member's bill by expanding the scope.

The Chair: You have a point of order, Ms. James?

Ms. Roxanne James: I feel as if I'm in the movie *Groundhog Day*, because I have heard this again and again. Even before this week, Mr. Chair, when you returned, we heard this last week again and again. I'd like you to make sure that anything that is brought forward is new to this discussion.

The Chair: I haven't heard it, and I'd like to hear more.

Ms. Jinny Jogindera Sims: Thank you very much.

When I take a look at what has not happened in the House—and I've only missed the House sessions while I've been sitting here—I'm sure we would have been called back if the concurrent motion had come up in the House. We would all have rushed in there to take part in that debate for three hours, but that has not happened.

Now we have a government, through a private member's bill, looking at getting an extension so that they have a longer time to try to find a spot on the parliamentary agenda to argue the expansion of the scope of the bill before us.

Once again, let me reassure everybody that the NDP has no interest in getting in the way of serious public safety, but we are very concerned about the processes we have and how a private member's bill can be subsumed or inserted into so that the scope can be expanded.

I pulled up some quotes. This is from Hansard of June 12, 2001, at 10:45, while debating a supply day motion to make votable all items of private members' business. At that time—I'm going to quote the serious comments that were made. I know you're dying to hit that, about a member's right to speak on issues, and it is because we have that right to debate issues—

The Chair: Ms. Sims—

Ms. Jinny Jogindera Sims: —that we are here—

The Chair: Ms. Sims—

Ms. Jinny Jogindera Sims: —and to debate—

The Chair: Ms. Sims, I'd like to interject.

I've heard this before. I've heard this issue discussed today.

Ms. Jinny Jogindera Sims: I'm glad.

The Chair: Therefore, it's repetition. I'm going to read a section that came out of the book, with respect to my interjecting, with respect to my being concerned, with respect to....

Oh, I'm sorry, Ms. Sitsabaiesan. It's at the top of page 1049.

Ms. Jinny Jogindera Sims: Would you give me a moment, please, Chair?

The Chair: Sure.

An hon. member: No.

Ms. Jinny Jogindera Sims: You're not in the chair, unfortunately or fortunately.

An hon. member: [*Inaudible—Editor*]

Ms. Jinny Jogindera Sims: I'd take the chair any time.

What page? Was it 1049?

The Chair: Yes. I believe—I not only believe, I'm certain—that what you're talking about now has been mentioned several times throughout this day.

I'm going to read the section because that's exactly what I'm doing—I'm interjecting. I'm going to give you a chance to move on or we'll move to another speaker, because you are getting into an area of repetition:

In addition, the Chair may, at his or her discretion, interrupt a member whose observations and questions are repetitive or are unrelated to the matter before the committee. If the member in question persists in making repetitive or off-topic comments, the Chair can give the floor to another member.

With respect, I believe you are getting into areas discussed many times before by you and by your colleagues, so I would like you to move on to another issue.

Ms. Jinny Jogindera Sims: Okay, getting back to the scope issue

The Chair: We've dealt with the scope issue too. We even had a ruling that we're not going to talk about the scope issue.

Ms. Jinny Jogindera Sims: I'm getting to the extension of 30 sitting days.

Ms. Mylène Freeman: I have a point of order.

Could we get an update on where we are with the speakers list? If we're going to be cutting speakers off, it would be helpful to the members of the committee to know what the list—

The Chair: It's not a point of order.

Go ahead, Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you very much.

Chair, as I do have the floor and I realize my colleague did not, is it possible to share the speakers list with everybody, so if people want to get on it, they can?

The Chair: No. You're peeking over my shoulder.

Are you—

Ms. Jinny Jogindera Sims: No, I haven't finished.

Therefore, in talking about the request for an extension of 30 sitting days here.... We are not talking about 30 calendar days; we are talking about 30 sitting days. So the timeline would not be into July or August. The days would start counting and it would actually go into September, and probably right into October, because of how late we start in September.

I think in the meantime, when you look at it, we will have already heard from our witnesses and a great deal of time would have gone by. Once again, I feel we will be doing a disservice to Mr. Shory's bill because we will be leaving too huge a time between clause-by-clause, as you have aptly said. We bypass that simply because of the timelines. So just because the timelines have played out, that is no reason to try to set the clock differently. That's what I'm arguing here.

For me, it does a disservice to a private member's bill when you can have that huge a distance between different components of dealing with the bill. It also loses some of the currency during that time. I would say that depending on what happens during those 30 days, that could also fundamentally change how we are going to be proceeding with this, because there is no guarantee that within the extension of 30 days you could actually get the concurrent motion dealt with in the House. There is no guarantee, and because there is no guarantee, I feel we're going through this exercise for very little reason.

To me, that is a compelling argument when you're talking for or against an extension, because at the end of the day, the private member's business gets reported back on the 60th day—within 60 days. The 60 days will be up. This gives only an extension for 30 days. It doesn't give any other direction for the committee to deal with this any differently. All it says is 30 days so that the government can get the expansion in the scope. But if within those 30 days the government cannot get an expansion, then unfortunately we are at the bill having been reported. That's exactly where we are today.

I feel that the committee has really important work to do. I know we were in the middle of a study on temporary foreign workers. I know that we have a great deal of interest in pursuing a study on citizenship and the huge wait lists that exist. We also want to talk about PNPs and many other issues. So when I think of the time of the committee being tied up to do a private member's bill that is already running out of time...I would say that those are new arguments being put forward as to why an extension at this stage is not the right thing to do.

I know some of my colleagues are getting a little bit frustrated and are shaking their heads, but I think it is a legitimate point to be made that the committee's business is far more than this private member's bill. As a matter of fact, we were in the middle of hearing witnesses. Witnesses were waiting the day this all started—

Mr. Rick Dykstra: A point of order.

The Chair: Before you do that....

Ms. Sims, you've been doing very well. You've actually been raising new points, at least in my opinion.

Ms. Jinny Jogindera Sims: I plan to continue to do that, Mr. Chair.

The Chair: I'm sure you will. However, you're now starting to repeat your old points, so try to be cautious about that.

Ms. Jinny Jogindera Sims: I'll try not to.

The Chair: On a point of order, Mr. Dykstra.

Mr. Rick Dykstra: You just stated my point of order.

The Chair: Ms. Sims, you may proceed.

Congratulations. We finally have new points, but please try not to repeat them, because we've heard them.

Ms. Jinny Jogindera Sims: Thank you very much, Mr. Chair.

The Chair: I look forward to hearing your new points.

Ms. Jinny Jogindera Sims: I realize that it's been a long day, or a long week, whichever way you want to see it.

The Chair: It may be longer.

Ms. Jinny Jogindera Sims: It may be longer, and that's okay. We're all paid a fairly good salary to do the job of parliamentarian, and I'm certainly committed to staying here in order to carry on and do that.

As I was saying, the committee does have wide-ranging business that it could be addressing during this time, and I do not believe we can allow a private member's bill to subsume the work of the committee in totality, which is basically what this would do. Actually, we had an agreement with the government to carry on with the study on temporary resident visas, which I know I've already mentioned, but I will go on to say that was for the very reason that we as a committee were not convened for a number of meetings and there was nothing for us to do, because everybody was waiting for this concurrence motion to take place.

That's why we kept waiting, but because the concurrence motion never actually got moved in the House, we were actually able to study. If we would allow this bill to go through its natural timelines, then I think we could actually get on with some pretty serious work that lies ahead of us, and allow the private member's bill to go to the House to be debated and to be voted upon, which is what private members would want. They would want their bill to be in the House, in the limelight of the world in the House of Commons, televised—everybody gets to hear their debate from both the opposition and from the government. Then we carry on.

I believe that this particular bill has gone through the cycle with the committee and is getting very close to missing those timelines. Of course, we do sit until Friday—I believe it's Friday at the end of the day—and if we are here until then, we are certainly prepared to carry on to argue that the committee should really be able to do the work of the committee now and move on to some other issues.

Thank you, Mr. Chair.

The Chair: Thank you.

I have a comment to Mr. Leung and Mr. Lamoureux. There's a practice in the House of Commons: gentlemen wear their jackets. I know a lot of committees don't do that, and you can leave your jackets off, but I'm putting you on notice, both of you, that I won't recognize you unless you have your jackets on.

Mr. Kevin Lamoureux: I have just a quick point, then, Mr. Chairperson.

The Chair: Madame Groguhé is the next speaker.

[Translation]

Mrs. Sadia Groguhé: Mr. Chair, am I next on the list?

[English]

The Chair: You have a point of order, Mr. Lamoureux.

Mr. Kevin Lamoureux: Mr. Chairperson, you know, this evening I was actually sitting here in my place with my jacket on. I just took my jacket off because Mr. Dykstra hasn't had his jacket on, and he has been engaged on numerous occasions in the committee.

The Chair: You're right, he's—

Mr. Rick Dykstra: Did you do this to your brothers when your parents were asking whose fault it was, just throw them under the bus?

The Chair: Mr. Lamoureux, you're quite right, and I won't recognize Mr. Dykstra unless he has his jacket on as well.

Mr. Kevin Lamoureux: Thank you, Mr. Chairperson.

Now, go home and get your jacket, Rick.

The Chair: Madame Groguhé.

[Translation]

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Thank you, Mr. Chair.

I, too, want to wade into the debate on Mr. Dykstra's motion, which seeks an extension of 30 sitting days to consider the bill. Tied to that 30-day extension is the possible expansion of the bill's scope.

I want to start by sharing the additions the minister is planning to make to the bill's scope, as regards the offences set out in the National Defence Act.

[English]

The Chair: You have a point of order, Ms. James.

Ms. Roxanne James: Thank you, Mr. Chair, and as you can see, I'm wearing my jacket, so I think I have the floor now.

I just wanted to say that we're not talking about the actual amendments in the debate right now. We're talking about the 30-day extension only, so if you're going to start reading amendments or talk about what may or may not have been proposed in committee, I think that's already been ruled out of order.

The Chair: Madame Groguhé.

[Translation]

Mrs. Sadia Groguhé: Mr. Chair, in response to that point of order, I'd like to ask you a question.

In light of what Ms. James just said, are we talking about limiting this motion to the 30-day extension? Could you clarify that please?

[English]

The Chair: Madame Groguhé, we've had this out. Several members of the committee have raised the issue of amendments, and I have pointed out to the committee that in my observation amendments have never been formally made. It's inappropriate for members to debate something that hasn't happened, and may indeed never happen.

I'm going to repeat this for your benefit.

[Translation]

Mrs. Sadia Groguhé: Please. Thank you.

[English]

The Chair: The recollection I have is that members of the government and members of the opposition distributed proposed amendments, unofficially, to everyone on the committee. Indirectly, the legislative clerk at the time did make some comments about some of the amendments, but those amendments were never formally made. They were amendments that were simply distributed. Because they were never formally made, Ms. James is right. You are entering into debate on something that has never happened, and indeed may never happen. So quite frankly, I really think you are out of order in debating matters that haven't happened.

We do have a speakers list on this point of order. We'll see what the other members have to say, but at this point that's my position.

Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair, and I respect that you didn't forget me this time. Thank you.

With respect to the dimension of amendments that were proposed in committee, I actually did pull the Hansard.

As you have explained to us, Mr. Dykstra had moved the motion to take the bill back to the House before going through clause-by-clause. He had mentioned that's what he wanted. It was revealed to all of us that those proposed amendments, which were passed around but weren't moved, would be beyond the scope, so he moved a similar motion to send it to the House.

But after hearing the comments made by Ms. Sims and Monsieur Lamoureux, Mr. Dykstra actually responded. He suggested that he knew the amendments were outside the scope and could not be adopted in committee and that only going back to the House to expand the scope would allow the amendments to be possible at all at committee.

I will quote from the Hansard, just like Mr. Dykstra was doing earlier.

An hon. member: [Inaudible—Editor]

Ms. Rathika Sitsabaiesan: I'm sorry, can we continue?

The Chair: You're doing fine.

Ms. Rathika Sitsabaiesan: Thank you.

Just as Mr. Dykstra was reading out of Hansard earlier, I'd like to read a couple of passages quoting Mr. Dykstra. It says:

Jinny, your point around statelessness is something that witnesses have pointed out. It's a concern that ministry officials have pointed out as to why they support the amendments—

The Chair: Can you help me as to where that is?

Ms. Rathika Sitsabaiesan: It's in Hansard. I have excerpts. It is from the blues on April 23.

The Clerk: What time was it?

Ms. Rathika Sitsabaiesan: I don't have the exact time-stamp. That was when we were discussing this in committee.

Ms. Jinny Jogindera Sims: I can give the committee reference, if it helps.

It was on Tuesday, April 23, 2013, and I believe she is reading from page—

Ms. Rathika Sitsabaiesan: I don't have the page. I just have excerpts from the electronic version.

Do you want to see it? Would that help you, Julie? This is how it looks.

The Chair: We'll suspend for a couple of minutes.

• (11510)

(Pause)

• (11515)

The Chair: Thank you, Ms. Sitsabaiesan. I have the quote that you wish to refer to.

Ms. Rathika Sitsabaiesan: Fabulous. Thank you, Mr. Chair.

The quote reads:

Jinny, your point around statelessness is something that witnesses have pointed out. It's a concern that ministry officials have pointed out as to why they support the amendments that have been put forward. I think all of us around this table heard very clearly from the United Nations' representative that indeed we need to set this bill up so that it does not put individuals in a position of statelessness. That's what the amendments do. Unfortunately, we need to go back into the House of Commons to get those amendments into the bill itself. But I appreciate your comments on that, because that is where we're driving to in working through this.

As to your final piece about the bill needing work, that's why the amendments are here and that's why we're going to go back to the House of Commons, Mr. Chairman, and that's why we'll come back here, once we've been through the House of Commons, to get this bill passed with the amendments necessary to strengthen the bill itself and the legislation it carries with it.

So clearly, on April 23 the parliamentary secretary to the Minister of Citizenship and Immigration, the lead from the government side, the Conservative side, spoke of amendments publicly and said that we even had heard comments from witnesses about these amendments. Earlier I thought maybe I was losing my mind, because these amendments had never been spoken of, had never been seen, were just kind of shown, but truly, these amendments were spoken of and were presented to witnesses, and witnesses had an opportunity to see them and comment on them.

So, Mr. Chair, for us to now say that we cannot make reference to any amendments because they weren't officially moved...that's because Mr. Dykstra, the parliamentary secretary to the Minister of Immigration, clearly stated here that that's because we now know that the amendments will be beyond the scope of what this committee can do, so we need to go to the House to get permission.

So clearly these amendments were presented—I'm not going to say moved because they weren't moved. They were presented to the committee and to the witnesses, and the witnesses were questioned on them.

Mr. Chair, I don't believe that Madame Groguhé is out of order to mention them.

The Chair: Well, I'm going to agree with what you said, that the amendments have never been moved. That's the position that I as chairman have taken all the way along. They have never been moved.

It's a very strange thing. We've discussed proposed amendments. The ministry officials and I think Minister Kenney came, and I honestly can't remember who, one of them, either a ministry official or Mr. Kenney, or maybe all of them, said we needed some amendments. No formal amendments were described, but there was a discussion that certain amendments should be made. They were listed off. I don't know where they were, but I will—

Ms. Rathika Sitsabaiesan: Yes, Minister Kenney actually listed them off as well.

The Chair: But the reason I am making the ruling that I am, Ms. Sitsabaiesan, is there is no doubt in my mind—so far, I still haven't heard anything that specific amendments were actually moved. We can't debate amendments when they haven't been moved, and they have never been moved. Proposed amendments have been suggested by the officials and others. You have just admitted that, but they've never been moved.

If someone can find something in the blues that shows me where they were moved, then I'll reconsider my position, but I'm not going to allow a debate on something that hasn't happened. There's no question there was a whole number of amendments.

Again, I'm repeating myself I don't know how many times, but no one seems to listen to me here.

Mr. David Wilks (Kootenay—Columbia, CPC): We listen, Mr. Chair.

The Chair: There were a number of amendments by the government and a number of amendments by the opposition that were distributed. We had no idea whether those amendments would be proceeded with or not. They were suggested amendments and they were distributed in advance. I recall specifically that the government amendments were distributed in advance so that the opposition could see them. Similarly, the opposition members reciprocated and distributed their amendments. But I am standing by what I said because the amendments were never formally moved, none of them, and therefore it's inappropriate to debate something that hasn't happened. I'm going to stick by that, and if you're going to continue on, I'm going to move on.

That's my ruling.

Ms. Rathika Sitsabaiesan: I just have a point. I know there were other speakers on the list, and once again we've continued the practice that—

The Chair: Where are we?

On another point of order, we still have Ms. Freeman, and then that's it.

Ms. Rathika Sitsabaiesan: Actually, it was on the same point of order.

The Chair: On this point of order, yes.

Have you finished, Ms. Sitsabaiesan?

Ms. Rathika Sitsabaiesan: I will say that....

Sure, I'll finish for now.

The Chair: Ms. Freeman.

Ms. Mylène Freeman: Chair, based on what I'm going to say, it's not necessarily a question of whether the amendments were moved or not, but whether or not the committee operated under the assumption that they would be moved.

Actually, based on the testimony from March 21, when Minister of Citizenship and Immigration Jason Kenny came, there were two places in his brief in which he identified issues with the bill that he had serious concerns with, and he strongly urged this committee—

The Chair: Ms. Freeman, I've admitted that.

Ms. Mylène Freeman: Yes. Now, I do have a point; I'm getting to my point.

The Chair: I told you that. You're repeating what I've said.

Ms. Mylène Freeman: No, I'm—

The Chair: I simply said that if there are no facts presented to this committee now, when formal motions have been made to amend the proceedings, then I'm not going to allow committee members to discuss something that never happened.

Ms. Mylène Freeman: All right, Chair. Then I cannot prove that a formal motion was made at this time.

The Chair: Thank you.

Ms. Sitsabaiesan, you're back on the floor.

Ms. Rathika Sitsabaiesan: Thank you.

Mr. Chair, I am looking once again at O'Brien and Bosc on page 1047, under "Practice", and at Standing Order 1, which is that when there are not clear rules stipulated we follow common practice in this place, whether it's in this committee or other committees or in the House. You, as chair, allowed debate to occur—not debate, but discussion, I will call it—on amendments that weren't officially moved at that time; allowed for witnesses—

The Chair: I'm sorry. You're putting words in my mouth.

Quite frankly, I have ruled on this in the past. The sole reason.... It's inappropriate to say that members haven't been present, but quite frankly, some members didn't hear that ruling, and we therefore went through this whole exercise because of that. It was out of courtesy.

I've already ruled that I will not allow debate on amendments that have never been made—end of story.

If you're going to continue, I'm going to move on.

Ms. Rathika Sitsabaiesan: No, respectfully, Mr. Chair, you have made a ruling, a while back, but this is new evidence that I have presented to you, and with new evidence—

The Chair: Are you saying that I made a ruling that we could debate amendments?

Ms. Rathika Sitsabaiesan: I'm sorry...?

The Chair: Are you telling me that I made a ruling that we could debate amendments?

Ms. Rathika Sitsabaiesan: No.

The Chair: What are you saying?

Ms. Rathika Sitsabaiesan: I'm saying that you made a ruling.... I'm saying the same thing you just said. You said that you had made a ruling that the topic of amendments was off the table because they were not moved.

The Chair: Yes, I did that. I have allowed what we're doing now out of courtesy to Madame Groguhé.

Ms. Rathika Sitsabaiesan: Yes, that's the ruling you made a while back—

The Chair: That's right.

Ms. Rathika Sitsabaiesan: —and right now, when this came up again, I introduced new evidence, which makes the point that I am making not the same point, because there's new evidence.

The Chair: Quite the contrary. I've dealt with the new evidence that you've put forward and have said that those aren't amendments. Those are references to proposed amendments by unknown witnesses.

Ms. Rathika Sitsabaiesan: Right, but Mr. Chair, your practice was to allow for the discussion to take place in this very committee on those proposed amendments—

The Chair: That was.... All right.

Ms. Rathika Sitsabaiesan: —so I'm asking that you be consistent with your practice.

The Chair: This is the end. We're moving on.

Ms. Freeman has a new point of order.

Ms. Mylène Freeman: Thank you.

I would like to argue that the amendments were part of the way this committee studied this particular bill and that as a result we are allowed to consider them, even though they were not formally moved.

This is a separate point. I would like to read into the record, from the same day, March 21, from our Minister of Immigration Jason Kenny—

The Chair: I've already ruled on that.

Ms. Mylène Freeman: This is a second point of order.

The Chair: I've already ruled, and we're going to proceed to the next speaker.

Actually, the next speaker—we interrupted her—is Madame Groguhé.

You may continue with your debate on the main motion, Madame Groguhé.

[*Translation*]

Mrs. Sadia Groguhé: Mr. Chair, before I go on, I wanted to say something about the 30-day extension. It should be noted that the

proposed motion could be split in two. There is indeed a cause and effect relationship between the 30-day extension and the possibility of expanding the scope of the said bill.

We can therefore consider the motion in its entirety because it does not in any way challenge your ruling as regards the discussion of the 30-day extension. That extension is being sought to allow for the possible expansion of the bill's scope. If those 30 days were not proposed or granted, it would clearly be impossible to expand the scope of Bill C-425.

Mr. Chair, aside from the fact that we are against the—

[*English*]

Ms. Rathika Sitsabaiesan: A point of order, Mr. Chair.

The Chair: Madame Groguhé, before we get into that, I have been very nice to you. I have ruled on this several times. I allowed it to come again. If you're substituting in or out—and I address this to all members of the committee—you need to be briefed as to rulings I have already made. If you come in and start talking on something I have already ruled on, I'm going to cut you off.

Madame Groguhé, you are now getting—in fact, you are disregarding what I just said. We are not going to talk about amendments or about the scope of the bill. We're going to talk about whether this committee will have an extension of 30 sitting days.

[*Translation*]

Mrs. Sadia Groguhé: Mr. Chair, I am not—

[*English*]

The Chair: Ms. Sitsabaiesan, a point of order.

Ms. Rathika Sitsabaiesan: Did you forget me and my point of order again?

Mr. Chair, I was going to raise that it's getting really loud in here. I couldn't hear the translation of what my colleague was saying. Could you get some order in this room when we continue so that I can actually hear the translation?

The Chair: All right. We're looking for some order.

Madame Groguhé, go ahead.

[*Translation*]

Mrs. Sadia Groguhé: Mr. Chair—

[*English*]

Ms. Jinny Jogindera Sims: A point of order, Mr. Chair.

The Chair: A point of order.

Ms. Jinny Jogindera Sims: I know there's a lot of movement, and people have the right to come and go and sit where they please, but I'm finding it difficult to know who is here on the committee and who is here observing.

The Chair: I know and the clerk knows.

You're perfectly free to challenge if someone hasn't been properly substituted in. If you wish to do that, we will advise you, but everybody who is here is properly substituted in.

Madame Groguhé, you have the floor.

[Translation]

Mrs. Sadia Groguhé: Mr. Chair, I wasn't trying to challenge what you made clear about the discussion on this motion. In my comments on the 30-day extension, I have no intention of mentioning the amendments or referring to them. I am simply trying to establish the link to the request for a 30-day extension. It is clear to me that a causal link exists and is at the heart of the motion, which seeks a 30-day extension to provide for the possibility of expanding the scope of the bill. I have no intention of discussing matters that pertain to the amendments as far as expanding the bill's scope goes. That isn't my intention.

That said, we are against the idea of extending the period set aside to consider this bill by 30 days, because that extension would set a precedent in this matter. Why try to rework the schedule to allow for—I repeat and stress—the possibility of expanding the bill's scope?

The 30-day extension has nothing to do with Mr. Shory's initial bill. The actual reason behind the extension is to make it possible to override the bill using other considerations that would, as a result, amend—forgive me for using the word you don't like—the bill. If those considerations are at play, the real question is why not simply use a more direct approach and put forward a separate bill containing everything the government would like. That would put an end to our debate.

It is clear to us that the extension is being used as a procedural tactic to make us reconsider a bill we have already discussed in committee and heard witnesses speak to. As regards Bill C-425—

[English]

Mr. Rick Dykstra: I have a point of order.

The Chair: Thank you, Madame Groguhé.

[Translation]

Mrs. Sadia Groguhé: I can talk about the bill, after all.

[English]

The Chair: We have a point of order.

Mr. Dykstra.

Mr. Rick Dykstra: Mr. Chairman, I have Ms. Groguhé's speech from last week, the nine hours she spent delivering it. I can read and quote almost verbatim the same things she's repeating now. I am completely—

[Translation]

Mrs. Sadia Groguhé: No, absolutely not.

[English]

Mr. Rick Dykstra: Yes, I have them right here. These are things you talked about.

I would appreciate, if she has something new to bring to the table or something different to bring to the table, hearing it. But a nine-hour speech covering off almost...well, *a* to *z*, soup to nuts, call it whatever you want, I'm not going to listen to again. And I will continue to interject with points of order. All of these comments that she's made are, for the record, in Hansard. They have been made already.

I'll start reading them instead of having to listen to her say them again.

The Chair: We'll have Mr. Menegakis, and then Ms. Sitsabaiesan.

Mr. Costas Menegakis: I'd like to speak on that point of order, Mr. Chair.

It's a huge disrespect to me and other parliamentarians here around the table for someone who spoke for the better part of eight hours plus at this committee to now come back and repeat the stuff we heard for eight hours continuously just last week. It's the same process, the same meeting right now, which the opposition has been filibustering since last Tuesday morning at 8:45. To bring those remarks back in now, as if there were something new to offer that could not have been said in eight hours, quite frankly, I think it might be insulting even to the member herself, who feels she now has discovered something that in eight hours in a row in the previous week she couldn't communicate.

Certainly, there's nothing new there. We've heard all of this stuff before.

Mr. Rick Dykstra: I have—

The Chair: No, you'll have to wait. I have a speaking order, and you are on the list.

Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you, Mr. Chair.

I don't find that Madame Groguhé is repeating herself verbatim.

[Translation]

Mrs. Sadia Groguhé: I did not repeat the same thing.

[English]

Ms. Rathika Sitsabaiesan: Looking at what she has in front of her....

Should I wait for the room to achieve some order? Sorry I don't understand; I don't think his mike was on; I couldn't hear what he was saying.

Mr. Rick Dykstra: I guess it's pretty much mutual.

The Chair: Continue, Ms. Sitsabaiesan.

Ms. Rathika Sitsabaiesan: Thank you.

Looking at Ms. Groguhé when she was speaking, I remember when she was speaking for a very long time, because she had a lot to say. She had pre-written typed-up notes, and she was reading our her pre-written notes. Mr. Dykstra is accusing her of repeating what she had repeated last week verbatim, and if so, I would like him to actually read and see if it is actually verbatim. I don't believe what she is saying here today is verbatim.

The Chair: Ms. Sitsabaiesan, my problem—and this is directed to you, Madame Groguhé—is that I wasn't present last week. Quite frankly, I don't want to hear Mr. Dykstra go on and read pages and pages. I don't want to hear nine hours of debate. I don't want to do that.

Madame Groguhé is next, then Mr. Dykstra and Ms. Sims.

Have you finished, Ms. Sitsabaiesan?

Ms. Rathika Sitsabaiesan: I have now.

The Chair: Madam Groguhé, you are next on the list.

[Translation]

Mrs. Sadia Groguhé: Yes, Mr. Chair.

[English]

The Chair: I would like you to tell the committee to endeavour not to repeat what you said last week, because I really don't want Mr. Dykstra to read pages and pages of what you said.

[Translation]

Mrs. Sadia Groguhé: Forgive me, Mr. Chair, but that is nonsense. This is clearly an all-out attack on what I just said, which has no connection to what I said in your absence. I don't know who is being disrespectful to members of the committee, but it certainly isn't me.

Up to this point, I have always been open-minded enough to listen to what others have to say, to let them speak and to have their floor time. I don't like being scolded and criticized in that manner by my government colleagues. I think that's an important point.

Mr. Chair, when you scolded me regarding the 30-day extension, I wasn't making any reference whatsoever to the document or what I may have said previously. I don't even have the document here, for that matter. All I was doing was clearly explaining my decision not to support this motion.

[English]

The Chair: Madame Groguhé, my position would be that you don't have to repeat it word for word, that even if you get into the generalities, that's repetition.

[Translation]

Mrs. Sadia Groguhé: No.

[English]

The Chair: That's repetition.

Mr. Dykstra, I'm in the middle of a conversation here.

Madame Groguhé, we're going to proceed, but if Mr. Dykstra thinks you're repeating, not necessarily word for word, but the topics, we're all in for it because he's going to start reading pages. I don't want that to happen. So you're quite free to continue with your debate on the main motion—

[Translation]

Mrs. Sadia Groguhé: No, I don't have any pages.

[English]

The Chair: —but I want you to try not to repeat what you may have already said, or what anybody else may have already said.

You have the floor.

[Translation]

Mrs. Sadia Groguhé: Mr. Chair, this is truly an all-out attack against our ability to speak. I repeat, I wasn't going into the details of what I had said previously in any way.

Let us, however, turn back to the 30-day extension. Inevitably, I won't be supporting this motion because the extension isn't

necessarily tied to the content of Bill C-425. It is quite clearly tied to a procedural notion. It is a procedural tactic that has nothing to do with the discussion we should be having here, in this committee.

That said, I want to get to the bottom of this 30-day extension, given that the scope of the bill is going to be amended. In light of that, I don't think we are able to proceed or to truly base our discussion on anything real or concrete, as far as this bill goes.

Before the House makes its decision on this bill, the process that would see the committee adopt a motion seeking a 30-day extension could lead us to fast-track the processes and procedures that govern the discussion of a private member's bill. At the same time, this bill could be referred sine qua non, and we would have to vote on this motion. At that point, we would once again be forced to limit our speaking time and debate. What we would prefer is for this bill to be used when it is necessary, in a manner that builds on what we have discussed so far. For that reason, we insist that this request take place in the House on June 21, 2013, no later.

Turning back to the matter in hand—

[English]

The Chair: No, we've been through that. We voted on that. We're now onto the main motion. We're not talking about June 21.

[Translation]

Mrs. Sadia Groguhé: No.

[English]

The Chair: We're not talking about those dates.

[Translation]

Mrs. Sadia Groguhé: I'm not going back to that.

[English]

The Chair: They've come and gone.

[Translation]

Mrs. Sadia Groguhé: I was simply referring to it.

[English]

The Chair: We're talking about them—

[Translation]

Mrs. Sadia Groguhé: I can refer to it.

[English]

The Chair: Madame Groguhé—

[Translation]

Mrs. Sadia Groguhé: Yes, Mr. Chair.

[English]

The Chair: —see, this is a gavel.

[Translation]

Mrs. Sadia Groguhé: Yes, and I see it and have seen it all morning.

[English]

The Chair: This is a gavel. Madame Groguhé, we have done that in the amendment and subamendment. We're now on to the main motion. I don't want to hear anything about June 21.

[Translation]

Mrs. Sadia Groguhé: Mr. Chair, I don't think using your gavel to interrupt us every time we open our mouths to speak is a way to—

[English]

The Chair: I have the right to interrupt you if I believe—

[Translation]

Mrs. Sadia Groguhé: You can, but all I was doing was—

[English]

The Chair: You see? I just read something. Did you hear that? I read something that I have the right to interrupt you if I think that you're being irrelevant, or if—

[Translation]

Mrs. Sadia Groguhé: Yes, yes.

[English]

The Chair: Madame Groguhé, please give the chair some courtesy. I just read a section out of O'Brien and Bosc that said I have the right to interrupt speakers if I think that the speaker is repeating him or herself, or if they're talking about something that's completely irrelevant. I have just done that.

So when I speak, I'm telling you that we've already dealt with the amendment and subamendment.

[Translation]

Mrs. Sadia Groguhé: Yes, absolutely.

[English]

The Chair: If you continue on, I'm moving on to the next speaker.

You may continue. That's the last warning.

Ms. Jinny Jogindera Sims: A point of order.

Chair, just on your ruling right now—and this is a new point or order—absolutely, we finished with the amendment and the subamendment. But the date June 21 has another significance. That is when the 60 days run out; that's why we're seeking an extension. I don't think it's appropriate to rule out mentioning June 21. If you're talking about an extension, you're talking about an extension from June 21 onward. We're not talking about when it should be reported in the House, etc.

The Chair: Carry on, Madame Groguhé.

[Translation]

Mrs. Sadia Groguhé: Mr. Chair, I won't get into anything other than the matter in hand, and that is the 30-day extension. Without trying to debate it further, I was merely referring to the request that is to take place on June 21. In all cases, this 30-day extension is objectionable. We will not support it. It sets a precedent.

The idea is to rework the schedule. But why do that other than to ensure that the bill doesn't die, as our government colleagues mentioned this morning? If the reason is to keep Bill C-425 alive—that is indeed the piece of legislation we're talking about, and I hope

I'll be able to discuss it a bit, since the extension concerns the debate on that bill—we're in a very unusual situation. The 30-day request restricts us, blatantly limits our debate and very patently hurts our reflection on Bill C-425.

It goes without saying, Mr. Chair—

[English]

The Chair: Do you have a point of order, Mr. Dykstra?

Mr. Rick Dykstra: Yes, Ms. Groguhé continues to repeat and repeat the arguments she made, almost word for word. Here's what she said last week.

Of course, Madam Chair, the expansion of this bill greatly concerned us because in fact it will cause a radical change to the original bill. As we have already mentioned, this original bill deserves to be reviewed, corrected, and [we could] obviously fix some limitations with regard to its content. We started to work for several committee sessions in order to eventually develop amendments.

It's exactly the same argument she's making now. I don't know whether she has the same speech, but she's certainly making the same points that she made last week. Every five minutes, or three or two or one, I'm going to jump in now, because for eight and a half hours to nine and a half hours she made this speech. I congratulate her for the amount of time she spent in giving that speech, because it's not an easy thing to do to speak that long, and she did a great job. No two ways about it. But the fact is, she's already made her argument, and I don't think it's fair to everyone sitting here to have to listen to that argument once more.

The Chair: There you see, Madame Groguhé, you've done it. He's starting to read the blues.

[Translation]

Mrs. Sadia Groguhé: May I continue?

[English]

The Chair: So one more chance and then we're going to move on. You can't repeat what you've said before, or indeed what anyone else has said before. You can't repeat it.

You have the floor, but there are no more warnings.

[Translation]

Mrs. Sadia Groguhé: Fine, Mr. Chair. Obviously, you are the supreme authority over this committee meeting.

That said, we are still talking about a 30-day extension, and we can't exactly invent new words to satisfy a government that doesn't want to hear certain things. That's not possible.

Regardless, any member on this committee who opens their mouth to speak to this motion will have to use the same words. We would have to invent new ones to express our thoughts and criticisms regarding the 30-day extension to consider Bill C-425. I don't see how—

[English]

The Chair: Mr. Dykstra has a point of order.

Mr. Rick Dykstra: I heard that same argument before from the member. I know exactly how she feels about the bill. In fact, I can get you another 30 or so pages of exactly how she feels about the bill.

The Chair: No, don't do that.

Mr. Rick Dykstra: The thesis upon which she built this argument is one she is repeating right now. So if there is something new, I wouldn't be happy to hear it, but I'd be forced to hear, and I will listen to it. But I am not going to listen to an argument repeated time and time and time again. It's unfair to her and it's unfair to the members of this committee.

The Chair: This is from page 622 of O'Brien and Bosc. I read it this morning, but here we go again:

Repetition is prohibited in order to safeguard the right of the House to arrive at a decision and to make efficient use of its time. Although the principle is clear and sensible, it has not always been easy to apply and the Speaker enjoys considerable discretion—

—and I emphasize those words this morning, that indeed the chair has considerable discretion—in this regard.

I'm moving on to Ms. Freeman.

Ms. Mylène Freeman: Thank you, Chair.

I want to talk about the fact that it is unreasonable for us to be... I assume that we are back to the original motion moved by Mr. Dykstra. I'm looking for confirmation based on the fact that it has been very confusing.

I was looking for confirmation, Chair—

The Chair: Mr. Dykstra made the motion.

Ms. Mylène Freeman: —that we were back on that motion, that there were no standing points of order.

The Chair: I hope so. I hope we're back on the motion.

Ms. Mylène Freeman: Chair, I would like to argue that it is unreasonable for us to be asking for 30 days. We know that this House will be adjourning soon. The date currently before us is Friday, June 21.

I, as many of the Quebec MPs, hope it will be the 21st, given that we have Saint-Jean events to get to on the weekend, which is a really important thing for us to be doing. We are glad for the guarantee that we can leave the House on that day. Hopefully, we can get through all of this and all be home for the holiday.

That being said—

Mr. Rick Dykstra: Point of order.

I want to emphasize that while Ms. Freeman may be going on a holiday, I'm going home to work in the riding. I suspect most of the people around the table are too.

Ms. Mylène Freeman: Mr. Chair, I believe Mr. Dykstra misunderstood my word "holiday" as "vacation". What I mean by "holiday" is that it is a day off in Quebec, just as Canada Day is a national holiday.

The Chair: Okay, ladies and gentlemen....

Ms. Mylène Freeman: Chair, I'm sorry, but I was making a point.

The Chair: Well, I'm about to speak, so you'll have to wait.

I did interrupt. I think we're all getting a little testy here. I think I'll suspend until tomorrow morning at 9:45.

The meeting is suspended.

• (11550) _____ (Pause) _____

• (12945)

The Chair: We will reconvene the meeting. I see Ms. Sims approaching the table.

You may begin, Ms. Sims.

Before you do, I should identify what we're doing, in case some of you don't know. This is the Standing Committee on Citizenship and Immigration. We are continuing with meeting 84, which is a study of a motion to go to the House to allow the committee to continue studying Mr. Shory's Bill C-425 for a further 30 days.

Ms. Sims, Ms. Freeman, I'm sorry, but Madame Groguhé has a point of order.

Proceed.

[Translation]

Mrs. Sadia Groguhé: Thank you, Mr. Chair.

As we reconvene our meeting, I wanted to ask if you would allow us all a moment of reflection and contemplation, as is customary in the House. If we all had a moment to compose ourselves, we could carry on with our discussion in a calm and collected manner.

Basically, I am asking for the committee's consent, and your permission, of course, Mr. Chair, to pause for a moment to collect our thoughts and reflect on our suggestions, attitudes and such.

[English]

Ms. Roxanne James: I'd like to disagree with that because we have spent more than a week in this committee. We've had numerous suspensions and adjournments. We've had many minutes to reflect on how this committee is going, and I'd like to get back to work this morning.

Thank you, Mr. Chair.

The Chair: You want to reflect for a minute? What do you want to reflect upon?

Mrs. Sadia Groguhé: I think....

[Translation]

I think it's very important, Mr. Chair.

An article in the *Ottawa Sun* highlighted the fact that you were using your gavel, Mr. Chair, to stop me from speaking. I think it's quite clear that we need a moment to reflect and pull ourselves together. A request like this isn't at all out of place given that Mr. Weston was the one who brought it up, and I think he was absolutely right.

Mr. Chair, I agree with him. Sometimes, it's necessary to pause for a moment to give cooler heads a chance to prevail, as I just mentioned, to ensure the proceedings can continue in an orderly and respectful manner.

[English]

The Chair: Mr. Lamoureux, be brief.

Mr. Kevin Lamoureux: I will attempt to be brief, Mr. Chair.

The Chair: At this point I don't think it's a valid point of order, but maybe you can persuade me to the contrary.

Mr. Kevin Lamoureux: I think that one could ultimately say it's based on tradition, a very short tradition of last week. We had a different chair and it was suggested by Mr. Weston that we have this moment of silence. Much as it surprised you, Mr. Chair, it somewhat surprised me. I'm not too sure whether or not it's warranted.

I'm inclined to agree with Ms. James. If in fact there are opportunities for people to come prior to committee to do some meditations and so forth, prior to committee getting under way, I would recommend that they do that.

Based on the fact that we're still on the same issue we were on last week, and the Conservatives proposed it last week, in the sense of fairness, one should probably allow for the New Democrats to provide it this week. I can assure you that I will not be doing it on behalf of the Liberals. We have a good sense in terms of where we want to go on this issue, and we will do just that.

It's up to you as chair, but in the sense of being fair to both sides, I would suggest that you would allow it this one time.

The Chair: I've never heard of such a thing, and that may have gone on last week, but there's a new sheriff in town and I don't think it's a point of order.

Ms. Sims, you have the floor.

Ms. Jinny Jogindera Sims: Thank you very—

The Chair: I'm sorry. There's more debate going on.

I apologize, Mr. Weston. You have the floor.

I have made a ruling, but I could be persuaded to change my mind.

Mr. John Weston: When I made my proposal last week, I had consulted with no one. I had proposed it knowing that we were about to embark on the use of very expensive resources: time, money, and people.

We have to remember what we came here for rather than perhaps become lost among the trees. I suggested perhaps a moment of reflection might help us to remember that, and remember what forest we were trying to occupy. I would support the suggestion, and I don't think it's a very big inconvenience, but it might just cause us to achieve more in the hours or days that follow.

The Chair: I always encourage the parties to agree on matters, if they can. In other words, I always encourage ways of settling or resolving things. If that's what the purpose of it is—although last night the meeting was adjourned at a quarter to eight, or ten to eight, I can't remember, and there was time then. Purposely, we didn't start until a quarter to ten. There was time then. There's been time to resolve....

I appreciate what you're saying, Mr. Weston, Mr. Lamoureux, and Madame Grogue, but I don't think it's a valid point of order. I think we've spent a lot of time on this motion and the amendments thereto. I hope the parties can come to some resolution. I'm here to try to

keep order and peace and follow the rules, the Standing Orders. I will continue to do that. I'm certainly not going to discourage members from talking about things at perhaps other times.

Madam Sims, you have the floor.

Ms. Roxanne James: A point of order.

Ms. Jinny Jogindera Sims: Thank you, Mr. Speaker.

The Chair: A point of order, Ms. James.

Or is it on the same point of order?

Ms. Roxanne James: No, it's a different point of order. Yesterday you made a point of acknowledging three members of this committee who were not wearing jackets—Mr. Lamoureux, Mr. Dykstra, and Mr. Leung. I'm looking across and I see you've just acknowledged Ms. Sims and she is wearing a jersey knit shirt and no jacket, and I just would like clarification whether there's a double standard in this committee, or whether women are allowed to just wear shirts...[Inaudible—Editor].

The Chair: I've actually looked this up in the rules and I will point it out to you, if you require it. It is a rule in the House of Commons that gentlemen are required to wear jackets, and if they don't wear jackets, they will not be recognized by the chair. There is no similar rule for women. So, Ms. James, that's something that you can work on, that women do not have the same rule as gentlemen. The ladies should be dressed appropriately. There is a definition of what gentlemen should be required to wear but there's no corollary requirement for women.

Therefore, I'm not going to make a ruling about that. Obviously, women should be appropriately dressed when they appear in the House of Commons. They're representing Canada. When women are in the House, in a committee, whether it's a standing, legislative, or whatever committee, they should be appropriately dressed as well, but there is no similar rule that I can enforce that exists.

So I would strongly recommend, if you feel strongly about that, that you pursue it with the appropriate authorities, to require similar rules for women.

Ms. Sims, you have the floor.

Ms. Jinny Jogindera Sims: Thank you very much, Mr. Chair.

Just to that point, before I proceed with my speaking, I'm very familiar with the rules. As a matter of fact, when I was newly elected I checked into all of those. Just to make a point, I always make sure I'm appropriately dressed for the occasion.

The Chair: Just for the record, in my opinion, you are appropriately dressed.

Ms. Jinny Jogindera Sims: Thank you so much.

Some hon. members: Oh, oh!

Ms. Jinny Jogindera Sims: I will also make this comment. It's not a point of order or anything. While I was in the chair, I did agree to a nine-minute silence, which was basically what was asked for.

The Chair: Let's move on, Ms. Sims.

Ms. Jinny Jogindera Sims: I'm not saying it should become our practice.

The Chair: Let's move on to debating the motion.

Ms. Jinny Jogindera Sims: Here we are today debating a motion that sits before us. I'm not going to read it out to everybody. I want to thank the clerk for giving us a clean copy, because all of us have a tendency to doodle and write on them. We had motions before us with amendments and subamendments, and here we are, having dealt with the subamendments and the amendments, back to the main motion. The main motion actually asks the House for a 30-day extension in order to facilitate a request for an expansion of the scope of the bill.

Mr. Chair, pursuant to your rulings yesterday, I'm very aware I cannot talk about what that expanded scope would look like, but I can certainly talk about the fact that that's what the request is about, and that's what I'm here to do today. As far as we are concerned—and I certainly am concerned—Bill C-425 has gone through the process. The process was actually truncated—and this is a new point that I am making here—by government action. That truncation occurred when the meetings were adjourned and a motion was moved to get an expansion of the scope from the House. That's exactly what happened.

We then wasted many, many committee meeting hours and days when we did not meet because we were waiting for the House to deal with the issue of the expansion of the scope. The House still has not dealt with that, and that's why we are here now seeking a 30-day extension. I think that's where I have to emphasize the fact that this member's bill has had due diligence and will run out its timelines in committee on June 21, because of the 60-day rule that exists in the House.

What we have here now is a way to extend that June 21 date by adding another 30 working days. This request has to go before the House and has to get before the House before or on June 21 at the latest.

The Chair: Mr. Menegakis has a point of order.

Mr. Costas Menegakis: Mr. Chair, this is a broken record: we've heard exactly the same words over and over and over again. We don't need an explanation as to when it expires and when it doesn't expire a hundred times. We've heard it once, we've heard it twice. This is getting pretty close to a hundred times, I might add. It's really repetitive.

The Chair: You're right, Mr. Menegakis. I'm trying to give her some leeway because I assume she's leading to something else, but you're right.

At this point you are being repetitive, Ms. Sims, so could you get to your point please?

Madame Groguhé has a point of order.

[Translation]

Mrs. Sadia Groguhé: Another point of order.

Ms. Sims is talking about what appears in the motion that seeks the 30-day extension. If the extension were agreed upon, where would those 30 days take us to on the parliamentary calendar? Can the clerk tell us?

[English]

The Chair: Give me a moment, please.

I'm going to suspend for a minute while I confer with the clerk.

• (13000)

_____ (Pause) _____

• (13005)

The Chair: We will continue.

Madame Groguhé, after consulting with the clerk, if the House were to rise on June 21, it would indeed, and if the House granted the order to extend the time, there would be 30 days. If the House granted an order of extension today and the House adjourned today, there would be 33 days.

It all depends, first, on whether the House grants an order and, second, on when the House grants that order. What is being said about June 21 is right to a degree, but who knows what's going to happen. If the House were to rise today, and an order were granted today, it would be 33 days.

Does that answer your question?

[Translation]

Mrs. Sadia Groguhé: Yes, absolutely. Thank you.

[English]

The Chair: Mr. Lamoureux, on the same point or another point?

Mr. Kevin Lamoureux: On the same point, Mr. Chair, just again for clarification.

You say that if the House grants the order, but what happens if we as a committee do not pass it today or tomorrow, or it just doesn't pass before June 21 then?

The Chair: I'm going to try, Mr. Lamoureux, and if the clerks correct me, I'll let them explain.

If nothing happens until June 21.... You know what? I don't want to mislead the members of the committee, so I'm going to let the clerk explain what the perception is.

As I understand it, if it's not reported back on June 21, the bill is deemed to be reported back without amendments.

Madam Clerk, perhaps you could explain, so I don't confuse the issue.

[Translation]

The Clerk: When a private member's bill goes to committee, the committee has 60 sitting days to study it. The committee is allowed to make a one-time request of 30 additional days to study the bill further. If the House grants the extension request, the 30 days are added to the initial 60. In order to obtain those 30 extra days, the committee must make the request to the House, which makes the decision to grant them or not.

In this case, the 60 days end on June 21. So if the House breaks for the summer before June 21, any days remaining from that 60-day period will be postponed to the fall. If the committee has not requested an extension by June 21, the bill will be deemed referred as it currently stands, meaning in its original form, since no amendments have yet been made.

[English]

Mr. Kevin Lamoureux: If I understand correctly, Mr. Chair, if we, for example, were to adjourn today or tomorrow, that would mean that we still have the opportunity—it might be for only one or two days—to give the extension in the fall.

The Chair: That's my understanding.

Is everyone clear about that?

Ms. Sims.

Ms. Jinny Jogindera Sims: Unless the House should adjourn and deem that we have sat until Friday, in which case then I think the 30 days are done. I'm just saying.

The Chair: I'm not going to philosophize on that. I don't want to go there.

Ms. Jinny Jogindera Sims: I just wanted to be clear that there are other things going on.

The Chair: I don't want to go there. Listen, there are people who are more knowledgeable about the rules of this place than I, and I don't want to start “what if”, “what if”. I don't want to do that.

Ms. Jinny Jogindera Sims: Thank you, Chair.

The Chair: I believe the questions that were asked by Madame Grogue and Mr. Lamoureux were reasonable questions and, hopefully, we've answered those questions.

You still have the floor.

Ms. Jinny Jogindera Sims: Thank you very much.

The Chair: Try not to repeat.

Ms. Jinny Jogindera Sims: I will, but as you said, Mr. Chair, we did adjourn last night, and we've come back. I think it's always good to refresh our grey brain cells a little bit.

The Chair: Actually it's not. I don't want to repeat, Madam Sims.

Ms. Jinny Jogindera Sims: What I do want to address, and I think this is a new point, are some of the arguments I heard from my colleagues across the way. A point was raised by Mr. Menegakis specifically, that Mr. Shory's bill had taken an incredible amount of work—in his riding and in consulting his colleagues, and also in the commitments he made at the committee stage in coming to hear all the witnesses.

Mr. Chair, I would argue that these are new points, because I need to have an opportunity as part of the debate, to respond to what you hear from the other side. It's in response to that issue that was raised that I want to argue.... First, I actually agree with Mr. Menegakis that private members' business is really important in the House and has to be protected. Private members, both government backbenchers and the opposition, wait because we know that this doesn't apply to parliamentary secretaries or to the cabinet, the executive branch.

So private members wait a long time. Some of us are 280th in line, or something like that. I think I'm one of those. I know that for my private member's bill, it's going to be a very long time before my turn comes. And I will be waiting very patiently for that because being a team player, I know what happens when you have so many members —

Mr. Rick Dykstra: Point of order.

I don't know what this has to do with the extension, Mr. Chair. I have heard lots about how much Ms. Sims allegedly cares about private members' bills, and if she would like to write a book, create a study, give a speech on the steps of Parliament, she's free to do that, but I'd really like to stick to the agenda here.

I know we're getting towards the point where the opposition actually has nothing left to say that they haven't already said, but I would like to think that we're not going to hear stories about emotional attachment to the private members' process.

Thank you.

The Chair: Ms. Sims, I've been very lenient. The points Mr. Dykstra is making are accurate.

We're going to give you a chance to move back to the motion. I made a ruling yesterday that it's a very narrow issue, dealing strictly with whether or not the 30-day extension of sitting days should be granted. I'd like you to stick to that.

I'm going to move on if you decide to continue with your line of questioning, because I think Mr. Dykstra has made a valid point of order.

Ms. Jinny Jogindera Sims: Point of order, Chair.

Chair, I sat here yesterday after your ruling, and I listened to my colleagues across the way talking about the importance of private members' bills and why they felt this extension was so important. Unless I get an opportunity to respond to that and engage in that debate, I will struggle to understand how, yesterday, it was okay for the government side to talk about all of that, and now today I cannot respond.

I'll await your direction.

The Chair: Mr. Menegakis.

Mr. Dykstra, please. Order.

Mr. Menegakis.

Mr. Costas Menegakis: With all due respect, Mr. Chair, that's not entirely fair. What the government members did yesterday was to strictly and very quickly respond to that very point being made by the members of the opposition for, I guess, going on five days in a row now.

We're just responding to something they have been talking about for five days. To come back and reiterate stuff they've said over and over again speaks to repetitiveness, and that's what we're into here.

The Chair: Ms. Sims, now I'm saying it for the second time. I agree with Mr. Dykstra and Mr. Menegakis on their point of order, and I'd like you to stick to the topic. If you don't, I will be moving on.

Ms. Jinny Jogindera Sims: Thank you very much.

As we look at the important role of private members' business—and I'm going to relate it back to the extension of 30 days—what is being sought here actually goes beyond the 60 days that are already allocated.

The committee had every opportunity to have those discussions, to participate, and to address any amendments in the clause-by-clause discussions. We had all of that opportunity over the last number of weeks. The committee chose not to do that, because at that time the government did not bring it back here for clause by clause, nor did they show any interest in proceeding with clause by clause, and that is a new—

An hon. member: Point of order.

The Chair: I am going to move on.

Ms. Freeman.

Ms. Mylène Freeman: I'll pass, Chair, thank you.

The Chair: Ms. Sitsabaiesan.

An hon. member: She's not here.

The Chair: Monsieur Giguère is also not here.

Mr. Lamoureux.

Mr. Kevin Lamoureux: Thank you, Mr. Chair.

I do have a few thoughts that I just want to pick up on. It won't take me long to go through them.

Again, this goes to the reasons why it is that we shouldn't necessarily be supporting this motion. Ms. Sims made reference to it very briefly yesterday, and I want to take just a few moments to expand upon it.

You can somewhat sense, Mr. Chairperson, the important work that we do here as a committee. Last week, in fact, we were supposed to be working on a different study, a study that I have been advocating for a good period of time now. In fact—

The Chair: We've gone through this, Mr. Lamoureux. You're repeating what we've already discussed.

Mr. Kevin Lamoureux: With all due respect—

The Chair: This issue was discussed a number of times yesterday, let alone last week, this issue of talking about the study we were on and the additional work we were doing. I don't want to hear it again.

Ms. Jinny Jogindera Sims: Point of order, Mr. Chair.

The Chair: Madam Sims.

Ms. Jinny Jogindera Sims: The particular issue of the study that started was not discussed at any other time except by me yesterday. I only alluded to it very briefly.

The other opposition party has not had a chance to comment on that at all, so it is related, because it's about the usage of time. It's

about the time that could have been used for the private member's bill. Instead, now we have a study that's in limbo, and here we are.

Mr. Rick Dykstra: She's doing it again, using points of order just to give speeches.

Ms. Jinny Jogindera Sims: Well, I'm just making my point—

The Chair: That's not a point of order, Mr. Dykstra.

Mr. Lamoureux, you have the floor.

Mr. Rick Dykstra: Those are not points of order and you know it.

The Chair: Mr. Dykstra....

Mr. Kevin Lamoureux: Thank you, Mr. Chairperson.

As I was saying, my intent is not to be long but rather just to make a point. The point is an important perspective from me. The NDP cannot claim to represent my interests or the Liberal Party's interests, nor can the government side, so I think it's important that I be allowed to get on the record some of the frustration—

The Chair: Mr. Lamoureux, you're referring to it. I don't want to hear the same debate, whether it's made by the government, or whether it's made by the official opposition, or whether it's made by the Liberal Party.

I don't want to hear the debate again and again, no matter who makes it. I'm telling you that the issue was debated a number of times in this House, in this committee, yesterday. It may have been done last week. I don't know. I have no problem with your referring to it, but I assume it's going to lead to something else.

Mr. Kevin Lamoureux: Mr. Chairperson, it provides me the opportunity to express a perspective on what I think is an important issue, which is the time the committee spends and making sure it's as productive as possible.

Prior to the motion being brought forward by Mr. Dykstra, we had two witnesses before the committee, two witnesses I had actually invited, one from the Philippines and another from Chandigarh, and we were dealing with a very important issue. Ultimately, I was hoping to actually have those witnesses present to the committee prior to our getting on to the debate.

If this motion were to pass, Mr. Chairperson, there would be a greatly enhanced opportunity for the committee to address what we're dealing with now for yet another 30 days, whereas we do have other agenda items that I believe have a great deal of merit. This is not to take away from the importance of Mr. Shory's bill but, rather, to emphasize how important it is for the committee to be dealing with other issues. This particular issue that we've just started dealing with is something—

Mr. Rick Dykstra: A point of order, Mr. Chair.

The Chair: A point of order, Mr. Dykstra.

Mr. Rick Dykstra: If Mr. Lamoureux would like to study or move on to another subject, I'd be happy to do so. Call the vote now. I'm hearing nothing from the opposition any more to convince me that I should be changing my mind. Let's vote.

The Chair: That's not a point of order.

Mr. Lamoureux, I gave Ms. Sims a fair bit of latitude and I'll give you some. Quite frankly, though, you're doing what I asked you not to do. We'll see how things go, but if you continue to do this I'm going to move on.

Mr. Kevin Lamoureux: I can appreciate that, Mr. Chairperson. As I say, it's not my intention to consume time here; I'm simply trying to make a point. I've been very careful with the length of time I've been speaking, and so forth, and I understand the sensitivity around Mr. Shory's private member's bill, but this is not to say anything other than to make sure that the committee is clear about where I'm coming from in regard to this particular aspect. It's something that I learned of yesterday. I thought it was a valid point that Ms. Sims had brought forward, and I want to emphasize this, from my perspective as a member of the Liberal Party here at committee.

To conclude, we need to recognize that a wide variety of issues need to be addressed by this committee. I would appeal to committee members to recognize that when they decide to vote, however they may ultimately vote.

I would like to see a commitment, from Mr. Dykstra in particular, that this issue of the visiting visa, something I have been advocating for virtually since I have been on the committee, will in fact be dealt with this year. If he's not prepared to give that sort of commitment, Mr. Chair, I think he's—

Mr. Rick Dykstra: This can't go on.

The Chair: Mr. Dykstra, you have to stop interrupting speakers.

Mr. Lamoureux has the floor and I'd like all members to give him the courtesy of hearing him speak.

Ms. Jinny Jogindera Sims: A point of order, Mr. Chair.

The Chair: Yes, Ms. Sims.

Ms. Jinny Jogindera Sims: I want to thank you, but also to raise a concern about the process here. It seems that we have the parliamentary secretary unilaterally counselling this committee—

The Chair: That's not a point of order.

Mr. Lamoureux, you have the floor.

Ms. Jinny Jogindera Sims: Mr. Chair—

The Chair: We're not going there.

Mr. Lamoureux, you have the floor and you indicated that you were concluding your remarks.

Mr. Kevin Lamoureux: Yes, Mr. Chairperson, I am.

I heard Mr. Dykstra across the way indicate or imply that this committee will not in fact—

The Chair: I'm going to move on, Mr. Lamoureux, because you're getting into something that has absolutely nothing to do with this motion.

I'm going to proceed.

Madame Grogue, you have the floor.

[Translation]

Mrs. Sadia Grogue: Thank you, Mr. Chair.

I can see that passions are once again flaring, and I think the moment of silence would have done some good, but that's okay. I'll go right to the motion before us.

Since we have to stick to the 30-day extension, I want to say something about the course that private member's bills follow and the reporting requirement:

When a private member's bill is agreed to at second reading, it is referred to a committee for study. Proceedings in a committee considering a private member's bill are subject to the same rules and practices that apply to all public bills.

Pursuant to Standing Order 97.1, the committee is required to either—

[English]

Mr. Rick Dykstra: I have a point of order, Mr. Chairman.

The Chair: I'll get to you, Mr. Dykstra.

We went through this yesterday with Mr. Giguère, and I finally stopped him. We're all aware of what Standing Order 97.1(1) says. If that's where you're going—if you're going to explain to us the different alternatives—we did it yesterday.

On a point of order, I will hear Mr. Dykstra.

Mr. Rick Dykstra: It's the same thing. I have Ms. Grogue's speech from last week. I'll start quoting the exact language she's using now. She has already repeated it.

The Chair: To be fair to Madame Grogue, it seemed that this is where she was going, and I wanted to stop her if that is where she was going.

You have your hand up, and I see it, but I'm speaking. When I speak, you don't do anything.

I'll recognize you now. Do you have a point of order, or do you want to continue?

Is it a point of order?

[Translation]

Mrs. Sadia Grogue: Yes, absolutely.

Mr. Chair, the parliamentary secretary said I am repeating what I said last week. But those aren't the same things I am talking about today.

Since you interrupted me to point out that Mr. Giguère had discussed it, I will carry on without referring to Standing Order 97.1.

[English]

The Chair: Thank you.

[Translation]

Mrs. Sadia Grogue: But, with regard to the 30-day extension, it is imperative that we be given some clarification on why it is warranted. We need a clear and specific explanation of the reasons behind the extension. I'm being told that my comments are repetitive, but the fact remains that we were never clearly provided with the official reasons for the extension request.

It was pointed out that Bill C-425 remained very limited, but no statement was made—

[English]

The Chair: Madame Groguhé, I'm not going to read it, because it has been read, I don't know how many times. I will just refer you to the second paragraph of the motion, which gives the reasons.

We've been through this. We were through this a number of times yesterday, and you're starting to be repetitive. It's quite clear why this application is being made. It's in the second paragraph; those are the reasons.

We've been through this; you're getting into repetition. I'm going to move on, if you continue to repeat. I don't want to hear Mr. Dykstra reading me pages of the blues. I don't want that to happen, and you don't either.

With due respect, I will move on if you continue to repeat.

[Translation]

Mrs. Sadia Groguhé: Mr. Chair, you mentioned the second paragraph of the motion, which isn't at all addressed as far as this extension goes. There is an indication that the 30 additional days are needed to put forward amendments, but the government has not provided an explanation as to why the extension is warranted. That is what I was referring to.

[English]

The Chair: I've told you that they have. It's in the second paragraph. This is clearly repetition, Madam Groguhé. We discussed all of this yesterday and I expect, if I let Mr. Dykstra go on, it would be clear that it was discussed last week.

You're getting into repetition. Reasons have been given; indeed, they've been given in the very motion.

[Translation]

Mrs. Sadia Groguhé: Mr. Chair, we talked about the extension, which, as the clerk explained would begin now or on June 21. Is it possible to get the exact date that this extension would take us to if the House did break for the summer on Friday June 21?

[English]

The Chair: All right. The clerk advises me, Madam Groguhé, that if it's business as usual, it would be November 1. In other words, it's if things unfold the way they should—but we all know that things sometimes don't unfold the way they should.

[Translation]

Mrs. Sadia Groguhé: That's true.

[English]

The Chair: Do you know what I'm talking about, that things could change.

[Translation]

Mrs. Sadia Groguhé: Yes, indeed, Mr. Chair. That's quite clear. We have a specific date for those 30 additional days.

But as we mentioned, Mr. Chair, not everything is clear. Things are still rather murky. The NDP will not support the 30-day extension. Without having debated the bill in question, we are now talking about a motion that involves an extension, one that will not produce any of the results we feel it should. The 30 additional days requested will merely draw out the process without producing any

meaningful results as far as Bill C-425's content is concerned. When this bill was agreed to at second reading and referred to the committee, we undertook our study without anticipating an extension of that study. We did not need the 30-day extension. For that reason, we will not be supporting the extension.

The fact remains that, in our view, this motion suggests that the government is trying to keep this bill alive. The arguments to support the extension do not add up and are not acceptable, in light of what we know from all the meetings allotted to this study. On June 21, we will no doubt hit the 60 sitting day deadline initially set out. We don't want the government to corner us into approving a 30-day extension. We sincerely hope that the government will change its mind and withdraw its motion. It is our position that more time is not necessary. And since there are certain things I cannot say, words that have been as good as banned in this committee, I won't mention them.

Still on the matter of the extension, I must say that we are quite obviously of the view that it should not happen. In every case, the limits of this bill—

[English]

The Chair: Point of order, Mr. Opitz.

Mr. Ted Opitz: Mr. Chair, there's virtually nothing new that's being said, and the honourable member is going around in circles. That side, quite frankly, is bereft of anything new to say, and I would urge calling the question, because I don't know where they're going to go, speaker after speaker.

The Chair: Are you calling the question?

Mr. Ted Opitz: Yes, I'd like to.

Ms. Jinny Jogindera Sims: What we heard was a point of order.

The Chair: Could I have a moment to confer?

Mr. Opitz has called the question. It's out of order for a number of reasons; you can't do it here. Second, you can't do it on a point of order.

Ms. Sims has a point of order.

But you're free, as has been done, to challenge the chair.

Ms. Jinny Jogindera Sims: I appreciate the ruling you have made, Chair, and that was the point I was trying to make.

The Chair: Okay.

Madame Groguhé, fresh notes from behind. That's improper. I apologize; I shouldn't have said that, but it was so tempting. I apologize.

Mr. Opitz is correct. You have been going over areas that we have gone over before. I'll give you some leeway, but just keep in mind that this'll be the third warning, and you know what happens in the third warning; it's a strikeout. I'll let you continue.

[Translation]

Mrs. Sadia Groguhé: It's really not—

[English]

Ms. Jinny Jogindera Sims: I have a point of order before my colleague starts. I don't know if it's a point of order or clarification, Mr. Chair, but you will tell me.

I know that yesterday we sat for a very long time, and our regular meeting times, as you know, are two hours, but we're into an endless meeting, and because of that, I would really urge you to give us some guidance as to whether comfort breaks are going to be built in during the day. I'm not asking for lunch breaks, but when you have a meeting that goes on for more than three hours, and for up to nine, I think it would be very reasonable for members to have a comfort break. I'm not talking about each person having to sneak out and run back to their chair; I'm talking about a proper comfort break, and I would urge the chair to consider that.

The Chair: I'll consider it.

Madam Groguhé, you have the floor.

[Translation]

Mrs. Sadia Groguhé: Mr. Chair, I'm going to touch up my notes, so I will turn the floor over to my colleague.

[English]

The Chair: Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you very much.

It is my pleasure to speak on this motion again about an extension of 30 sitting days. If I am right, if everything plays out according to the rules of the House and we don't adjourn till June 21, it will actually give us an extension to November 1.

This means—and these are new points, Mr. Chair—that it will stop this committee from dealing with any other business and that we will devote our time to private members' business well into next year. I'm not talking about a couple of meetings, but about coming back in September and working through October, right into and including November 1.

I have to vehemently speak against an extension of 30 days. I believe that the committee has had more than ample time. But who is to judge “ample”? That's a subjective word. But the committee has had a chance to use the 60 days, and they're working days, if I remember correctly, sitting days. They've had an opportunity to use those 60 days.

If we grant this extension, or if we pass this extension and it goes to the House and the House grants us the extension, that will interfere with the ongoing, imperative work of this committee. I'm not talking about work that we have already done. I'm not even talking about old studies. I'm talking about imperative work that constituents and interest groups out in the larger community want to see addressed. I hear about citizenship wait lists that could be dealt with during that time. That's why I would argue that it is appropriate for me to speak to this at this time.

Immigration has gone through transformational changes in the last little while. This is related to why I believe this extension would interfere with the work of this committee, which is to address some of the impacts that those transformational changes are having on our “not so nation-building” immigration policies.

I have to say that I am trying to be very careful to introduce new points and I am looking at—

The Chair: Ms. Sims, you just can't go on and then every once in a while mention an extension of 30 sitting days.

Mr. Jinny Jogindera Sims: I'm relating it—

The Chair: Ms. Sims, you just can't go on and mention in the motion “extension of 30 sitting days” and convince me that this makes what you're talking about relevant. It does not. You can't go on and on and then all of a sudden refer to that phrase. That does not make it relevant. That does not stop repetition.

I point that out to you because you seem to have been doing that a number of times.

Ms. Jinny Jogindera Sims: Thank you, Chair.

Mr. Jack Harris: I have a point or order, Chair.

The Chair: Mr. Harris.

Mr. Jack Harris: I think the whole issue of relevance has to do with the relevance of the extension. The reason the extension shouldn't be considered or asked for surely is relevant. What I'm hearing the member talk about is why she doesn't think it's a good idea to have the extension. If that's not relevant to the issue of the extension, I don't know what it.

An hon. member: Hear, hear!

Mr. Jack Harris: With all due respect, I don't think you can say that arguing whether there ought or ought not to be an extension is not relevant to the issue of whether or not it should be requested.

An hon. member: Exactly.

The Chair: Mr. Menegakis.

Mr. Costas Menegakis: Thank you, Mr. Chair.

It's not only irrelevant; it is repetitive. There are no new reasons coming from Ms. Sims. They've exhausted all the reasons. For a week they've been speaking. They had one stint last week where they spoke eight hours and 40 minutes straight. Every argument has been exhausted. Now they're coming up with ideas and saying it's relevant to talk about, as if it's fresh and new and has never been discussed before. With all due respect to Mr. Harris, he hasn't been here from day one, so he hasn't had an opportunity to listen to this over and over. Perhaps he can read the blues.

The Chair: Thank you.

Ms. Sims, I did listen to what Mr. Harris said, and I mentioned the issue of relevance and the issue of repetition. I did that as a caution to Ms. Sims.

I suppose Ms. Sims is getting into the topic of how the extension—I think this was Mr. Harris' point, at least I believe it was, and he'll correct me if it wasn't—could affect the other business of the committee and that, therefore, she's free to talk about that.

That may be a new point. We have discussed it to some degree, but some of the issues that you're getting into are new and probably are, therefore, relevant.

My purpose for interjecting, Ms. Sims and Mr. Harris, was just to caution that that issue may be relevant—how the motion may affect other business of the committee—but I just don't want you to get into repetitive matters.

But I do rule that if that's where you're going, it is relevant.

Ms. Jinny Jogindera Sims: Thank you very much, Chair.

Now to proceed, what I want to discuss here and state for the record is that this extension will not exist in isolation because it will have a direct impact on the work of the committee. As I was saying earlier, private members' business has the 60 allocated days, so this will actually interfere with the ongoing work of the committee. That, specifically, Mr. Chair, relates to the issue of relevance here: it becomes very relevant.

As you know, a committee is one of the very few places in the House where we actually get to debate issues in a fulsome way, where we get to have witnesses come forward. We even manage to persuade each other to change our views on some issues, based on the testimony or debate that we hear.

The impact of the changes that have occurred in the area of immigration is beginning to be felt in the greater community. We're hearing more and more concerns about how imperative it is that we discuss some of these issues, so that is why—

The Chair: Point of order, Mr. Dykstra.

Mr. Rick Dykstra: I have no idea how conjecturing about what the committee may or may not study in the future, or the past for that matter, has anything to do with the issue at hand.

The Chair: Well, Mr. Dykstra, I believe that it is relevant to talk about whether or not.... And I'm not saying it does or it doesn't. I think it is relevant that the committee discuss whether or not this motion, if it were passed, could affect the future business of the committee, or even the current business of the committee.

We have discussed it to a certain degree, which is why I interrupted Ms. Sims in the past. There is a study that's under way. I think we've had a meeting with the staff on it. But Ms. Sims is saying that it may affect other business. In my opinion that's probably relevant, as long as she doesn't go on and on.

I think it's relevant and you may proceed.

Ms. Jinny Jogindera Sims: Mr. Chair, I really have to state once again that I know that my colleagues across the way have a majority, and I know that even to get a study done, we need to have consensus. I've also heard my colleague across the way announce over and over again that a study that we just started, and had but one session on, is over.

He has the right to say that, but I want to stress that I take my elected responsibilities very seriously. I take my role on this committee and as vice-chair very seriously. I look at the myriad of issues that constituents and people across Canada are raising with me. I get endless number of letters raising concerns, as I'm sure every other MP does. I'm not unique.

Yesterday, we had a prime example with the doctors and the front-line caregivers who are raising concerns about the—

The Chair: A point of order?

Yes, Ms. James.

Ms. Roxanne James: What does that have to do with a 30-day extension?

The Chair: Well, I've already said—

Ms. Roxanne James: It's some issue that's not related to this particular bill.

The Chair: Ms. James, I've said this several times. As I understand it, Ms. Sims is making submissions that this motion may or may not affect future business of the committee that may be imminent, that may not be imminent.

I've ruled that as long as she doesn't repeat herself, she's free to continue on in that line of debate....

Yes, Ms. James? Is that on a new point?

Ms. Roxanne James: She's referring to something that we already debated and we already went through committee on. She's going back in time.

The Chair: I'm going to allow her to proceed. I've warned her about repetition, and I'm sure she knows all about that.

Ms. Jinny Jogindera Sims: Chair, I want to once again say that I'm not talking about revisiting. I know we've had discussions at this committee before. What I'm talking about are the unknown, or unintended, consequences of pieces of legislation that none of us can predict ahead of time but find out after the legislation gets implemented. That's what we were hearing about yesterday.

Actually, this morning when I went into my office and looked at my desk, a number of correspondences related to that, saying, please, we would like you to raise concerns around the impact of the legislation.

I think that's legitimate work of this committee. I would really like an opportunity to do that.

That is one example. The other one I think is where even the minister is in agreement; he has sort of said that he is concerned about the huge wait-lists for citizenship. As a matter of fact, last week, in order to facilitate some of that, I know it was a test that the government approved; they now said a rewrite can be done.

Once again, it's another item that this committee could be discussing. During this time, the extension of 30 days, we could be discussing to see how we can further improve and lessen the negative impacts of legislation, as well as look at some new ideas for studies.

On the temporary resident visa one, the TRV one, which we just started, I don't think there is an MP in the House who doesn't hear concerns about weddings, funerals, christenings, or tourists.

The Chair: A point of order, Mr. Dykstra.

Mr. Rick Dykstra: This is the third time Ms. Sims has indicated... and here I'm falling within the bounds of your ruling of what she's allowed and not allowed to say.

Ms. Jinny Jogindera Sims: I won't mention TRVs again.

Mr. Rick Dykstra: She has now spoken to the temporary resident visa study three times in her remarks.

The Chair: He's right.

Ms. Jinny Jogindera Sims: I will say that I was using that as an example. But I have now made that point.

It's getting to the point that—

The Chair: I've really been very generous with you.

Ms. Jinny Jogindera Sims: I know.

The Chair: I'm going to move on if you keep repeating.

Ms. Jinny Jogindera Sims: Yes.

What I'm talking about is that those 30 days could also be used to discuss another program that we know needs overhauling. We've all had concerns expressed about it. That is the PNP.

That program works really well in some provinces, and we could learn a lot from that. If we had those 30 days not being taken away from this committee, we could use that time well. We could actually use it to address issues that would make a difference for many, many Canadians.

So Chair, I could sit here and give you a litany of issues. I'm sure I may think of others, and I'm sure I will come back to that point later, when other ideas do occur to me.

At this point, however, what I want to say is that when we debate a motion...and that is what we're here to do, to debate the whole motion that is before us. We've already had all kinds of limitations ruled by the chair. The chair has done that. But I really do appreciate and would urge the chair to continue to give some leeway.

If we don't actually discuss the impact of the extension, as well as the reasons for an extension, I believe we will not have a fulsome debate and it will be a very stilted debate. Therefore, I want to get to what the reasons are for the extension.

One reason, it says in here, is to expand the scope, but I want to go beyond that and question that—

The Chair: We've been through that.

I'm going to move on.

Mr. Christopherson.

Mr. David Christopherson (Hamilton Centre, NDP): Thank you, Chair.

It's a pleasure to be here at your committee. I think it's the first opportunity—

The Chair: It's a pleasure to see you, Mr. Christopherson. Our history goes back a long way. We've always been on opposite sides of the fence, but I've always admired you.

Mr. David Christopherson: Thank you, Chair.

The Chair: We'll see how today progresses.

Mr. David Christopherson: Thank you, Chair. I was thinking about it the other day. It's been like 23 years, I think—

The Chair: Try not to remind me.

Mr. David Christopherson: —in this place and the other place that we were in together.

Anyway, I do appreciate the opportunity. As I say, it's the first time I've been at a committee that you've chaired and it's an honour to be here.

I've listened to some of the rulings and heard some of the rulings. I have to admit they've left me a little perplexed. However, I'll just proceed as I normally would. If, for some reason, I'm straying in terms of how you've configured this committee, I know you'll let me know, but since I'm not sure of exactly what...

Do you want the floor, Mr. Dykstra?

Mr. Rick Dykstra: No, I just wanted to offer up that I would help you when you stray. I'll make sure I make a point of order to get you back on topic.

We go back a long way too, Mr. Chair, so there's no worry there.

The Chair: Mr. Christopherson has the floor and I'd like to hear what he has to say.

Mr. David Christopherson: Thank you, Chair, I appreciate that.

I'm sorry if I interrupted Mr. Dykstra's train of thought.

The Chair: Don't encourage him, Mr. Christopherson.

Mr. David Christopherson: I wouldn't do that, Mr. Chair.

The Chair: Just proceed, please.

Mr. David Christopherson: Thank you very much, Chair.

The issue before the committee, as I understand it—and it's my first time here on this issue, and the first time, I think, on this committee at all, actually—is the request for a 30-day extension. The purpose of the extension is to allow an expansion of the scope of the bill. That's my understanding of what's before us.

Mr. Rick Dykstra: A point of order.

The Chair: A point of order, Mr. Dykstra.

Mr. Rick Dykstra: It's great to have Mr. Christopherson here. He's a good guy and he and I go back a long way, too, but I think he probably knows why we're here and we certainly don't need to hear it again. He's filling in for someone, and I understand that. If he's prepared to enter some new arguments, he's presenting for the first time—

Mr. David Christopherson: Well, they're new to me.

Mr. Rick Dykstra: —to committee here....

Now he's interrupting me as he claims I do to him, but I'll keep going.

If he would like to offer anything new on this side of the House—

Mr. Jack Harris: On a point of order, Chair.

Mr. Rick Dykstra: —we're happy to hear it, but we don't need to hear reiterated what we already know we're here for.

The Chair: On the same point of order, Mr. Harris.

Mr. Jack Harris: I understand Mr. Dykstra's interest in prolonging debate and interjecting from time to time, but it's rather premature. All I heard Mr. Christopherson say was that he understood that the purpose of the extension was to seek to expand the scope of the bill. So he's making a reference to why the extension is being sought.

I know there's a certain amount going on, with trying to narrow anything anybody might say to very specific words, but surely Mr. Dykstra should have some patience and allow Mr. Christopherson to let the committee know what he wants to say before he jumps in with a point of order. I'd be happy to debate a point of order when one arises.

The Chair: Thank you, sir.

Mr. Christopherson, I will be patient. If you're going in the same direction that Mr. Dykstra has suggested, we have gone over that. You can continue. I will be patient and I know you'll get to your point soon.

Mr. David Christopherson: Thank you, Chair, I appreciate that.

Yes, I would acknowledge the history of Mr. Dykstra, especially in the context of Canada, as we're practically neighbours—Hamilton and St. Catharines.

I think I was just attempting to warm up to the subject to make sure I was clear. I understand this may have been said before, but not by me, and that's the purpose of committee: you have a right to come in and say your bit. That's why we're elected.

The Chair: Actually, you don't, Mr. Christopherson. I have made a ruling throughout and I'm not going to repeat it. It's your obligation to be informed about my rulings. If points have been made and speeches have been made in debate by other members, you can't do it again.

Mr. David Christopherson: If I may say, Chair, with the greatest of respect, by that theory, one member of any caucus, on any bill, could walk into a committee room and make all the arguments that his or her caucus wanted to make, and then what would be the point of anyone else being there because they had never heard such a ruling?

The Chair: That's my ruling.

Mr. David Christopherson: Well, I understand that, and I'm suggesting to you that you're denying me my rights.

The Chair: Well, you can suggest that and you can challenge me, but I've already ruled on that and I'm not going to do it again.

Mr. David Christopherson: I understand that you've been here for a long time at this committee, but I have just arrived and I still have some rights.

The Chair: Proceed. Proceed. Proceed. Proceed.

Mr. David Christopherson: Even if you're going to deny them, there's a procedure to do that, too.

The Chair: I'm going to move on, Mr. Christopherson.

Ms. Jinny Jogindera Sims: I will challenge the chair.

The Chair: I'm going to move on, Mr. Christopherson.

Mr. David Christopherson: I haven't repeated anything. I haven't finished doing the introduction.

The Chair: All you're doing is arguing with the chair and I'm not going to let you do that. I'm going to move on, if all you want to do is argue with me.

Mr. David Christopherson: No, sir, I wish to speak, but you're telling me what I can't say before I've even said it.

Ms. Jinny Jogindera Sims: I would like to challenge the chair.

The Chair: There's a challenge to the chair.

Shall the ruling of the chair be sustained?

Ms. Mylène Freeman: I'm asking for a recorded vote.

The Chair: There's been a request for a recorded vote, Madam Clerk.

Mr. David Christopherson: I'm sorry, Chair, on a point of—

The Chair: No, we're in the vote here, Mr. Christopherson.

Mr. David Christopherson: I want to know what the vote is.

The Chair: You don't know what a challenge—

Mr. David Christopherson: I am asking you specifically what vote you're putting to the committee. I have that right, sir.

The Chair: The question is, shall the ruling of the chair be sustained?

Mr. David Christopherson: Which ruling is that?

The Chair: Mr. Christopherson—

Mr. David Christopherson: Sir.

The Chair: —please be silent so we may continue with the vote.

Ms. Jinny Jogindera Sims: Chair, I made an error because the chair had not made a ruling, and I challenged the chair, so I withdraw that.

The Chair: We're having a vote on the ruling I made, and that's that. We're going to proceed with the vote, Madam Clerk.

(Ruling of the chair sustained: yeas 6; nays 5)

The Chair: You have the floor, Mr. Christopherson.

Mr. David Christopherson: Where are we, Chair? I heard we're going to move on. I'm not sure whether I have the floor or not.

The Chair: I'm anxiously waiting to hear what you have to say.

Mr. David Christopherson: I didn't know if what I was going to say was precluded before I even said it, based on the ruling.

The Chair: If you have nothing to say, we'll move on.

Mr. David Christopherson: No, that's fine. I have something to say. Thank you very much. I appreciate that.

I want to talk about the 30 days, private members' business, and all the things that are relevant to this. I want to talk about how unacceptable it is that the executive is affecting private members' business, and that's exactly what this is.

I'm told that we've had the minister sitting here, not in an advisory capacity, but rather as a player on the government side. That's not appropriate, in terms of what private members' business is about.

The Chair: This has been discussed.

Mr. David Christopherson: It hasn't been discussed by me, Chair.

The Chair: You have a point of order, Ms. Freeman?

Ms. Mylène Freeman: Chair, on a point of order, I don't believe it's true that we've discussed the fact that the minister was sitting here—or certainly I cannot recall it. If members can find that in Hansard, then I'd be happy to believe it. Until I see it, I won't.

The Chair: Mr. Christopherson, I know you're substituting for someone here. I understand that. We had considerable discussions last week and yesterday on this issue. That puts you at a disadvantage.

I've said over and over that it's the obligation of your colleagues to brief you on what has and hasn't been discussed. Maybe they haven't, but if you repeat the debate that has already gone on, I'm going to move on.

You have indicated that you don't like that reason. That's been challenged and the ruling stands, so I will give you a further opportunity to make your submissions.

Mr. David Christopherson: Fine, I will continue.

We've had the minister sitting there as a player on the government side at a committee where ministers aren't allowed to sit per se. He was here participating, but not as a formal member.

We have a structure that is designed to ensure that the rest of us who aren't on the executive council have an opportunity to have meaningful input into these bills.

One of my major concerns is this crossover between the rights of individual members, through private members' bills—

The Chair: I have a point of order from Mr. Opitz.

Mr. Ted Opitz: Could we get clarification from the clerk on the admissibility of ministers sitting as members of a committee?

Mr. David Christopherson: That's great. Well done.

The Chair: Excuse me?

Mr. Ted Opitz: Can we get clarification on a minister....

The Chair: I don't understand.

Mr. Ted Opitz: A minister can be signed in to sit on a committee, right?

The Chair: Yes.

Mr. Ted Opitz: We just need clarification on that point, that's all. Thank you.

The Chair: You have a point of order, Mr. Dykstra.

Mr. Rick Dykstra: Ms. Freeman indicated that the comments Mr. Christopherson is making have never been made before. They have been. I'm not sure if she was being subbed at the time.

Ms. Mylène Freeman: Chair, I'd like to hear them because I don't remember them. Could you refresh my memory?

Mr. Rick Dykstra: I will, because then we won't have to hear them again, right?

Mr. Costas Menegakis: Just give her the page number.

The Chair: You know what? Mr. Dykstra, you can do a little bit, but I'm not going to let you read pages and pages.

Mr. Rick Dykstra: No problem. Mr. Harris, who actually is your colleague sitting right beside you, could have mentioned to you that he said, "private members' bills that are presented in good faith by private members, which are dealt with in a committee within a timeframe as set out in the rules of the House, and then have somebody"—referring to the minister—"hijack the bill and turn it into something else."

Ms. Mylène Freeman: Chair, I have not heard a reference to actually—

The Chair: I'm sorry, we're in a point of order, Ms. Freeman. Just be patient. You'll have another point of order. I'll recognize you, but right now Mr. Dykstra is speaking.

Mr. Rick Dykstra: Ms. Grogue said, "This study, Madam Chair, was marred by the desire of the government to significantly change the content and scope of the bill, all orchestrated by the Minister of Citizenship, Immigration and Multiculturalism. He came and dictated amendments in committee, which were subsequently deposited entirely by his parliamentary secretary".

Mr. Christopherson's argument is that this hasn't been brought up before. It has actually been brought up by the individual who sits right next door to Ms. Freeman, so I think I've pretty much clarified that this argument has been made already.

The Chair: On the same point of order, Ms. Freeman.

Ms. Mylène Freeman: Thank you for recognizing me on the same point of order. I'm sorry I interrupted earlier.

I believe this is not actually the point my colleague, Mr. Christopherson, was making. My colleague, Mr. Christopherson, was talking about the minister actually sitting on the committee as a member, which happened, I believe, on Wednesday or early morning on Thursday last week. That is what we were talking about.

I didn't hear the parliamentary secretary actually refer to that. If he can find us talking about that prior to this moment, then that would be great, but I haven't heard it.

Mr. Costas Menegakis: That's not true.

Mr. Rick Dykstra: Can I finish my last quote?

The Chair: Mr. Dykstra, I was under the impression you were finished.

Mr. Rick Dykstra: I had one more.

The Chair: That was why I recognized Ms. Freeman.

Mr. Rick Dykstra: I had one more to read to Ms. Freeman's point.

The Chair: All right.

Mr. Rick Dykstra: This is from Ms. Grogue again. She said, "This study, Madam Chair, was marred by the desire of the government to significantly change the content and scope of the bill, all orchestrated by the Minister of Citizenship, Immigration and Multiculturalism, who came to dictate amendments in committee".

She said it twice actually.

What's your ruling, sir?

The Chair: Have you finished?

Mr. Rick Dykstra: Yes.

The Chair: Okay, you're on.

Ms. Mylène Freeman: Chair, I appreciate Mr. Dykstra's attempt. I believe that last comment was referring.... When I tried to speak about this in one of my last speaking times yesterday I was cut off because, in fact, we had spoken about it. That was when the minister actually came to testify to committee and was reading out what it was he wanted us to do and testifying that he was then going to work with the parliamentary secretary to write amendments.

I think that's what my colleague, Ms. Grogue, was talking about in that citation. We're not actually talking about the events that transpired last week where the minister was physically present on the government side rather than being here as a witness talking about what it was he wanted from the amendments and how he would be working to essentially do that.

He also did that in the media, so these are different elements of what has happened. We're talking about a different occurrence that happened in a completely different time period because the minister's coming to testify happened in—I can't even remember. It was the 21st of March, so that was quite a while ago. So these are not at all the same elements, and if Mr. Dykstra can find it then we'd be happy to respect it.

The Chair: Ms. Sims, on the same point of order.

Ms. Jinny Jogindera Sims: Mr. Chair, I'm appealing to you in your experience and wisdom as a chair. You have occupied this position for a considerable length of time. I would say that if you were to look back in history, you would see this being the first sign that a motion was being limited to the extent it is, and the debate is being limited so that now even when somebody talks about the minister when they were at committee is construed to have been.... Now we've talked about the extension of the—

The Chair: I've made a ruling and it's been challenged, Ms. Sims, and now we're going back to that again.

We're going to move on to Mr. Menegakis.

You had a point of order.

Mr. Costas Menegakis: I was going to speak on the same point of order, but if you're done with it, then I'll—

The Chair: No, her comments.... I had made a ruling in the past. In fact, indeed it was challenged and sustained.

Do you have the same point of order?

Mr. Costas Menegakis: I don't have a new point of order.

The Chair: All right, we have Mr. Dykstra.

We have Mr. Christopherson.

On the same point of order, Mr. Christopherson.

Mr. David Christopherson: I'm not on a point of order.

The Chair: Then we'll return to the debate. As you can see this is....

God bless you, Mr. Christopherson. We have some controversy going here, and I am concerned about repetition. I'm going to give you some leeway. I've tried to give everyone leeway, but there comes a point when my patience is strained.

You may proceed on the understanding that I will move on if you start to repeat. I respect the fact that you may not have heard what has been discussed in the past, but that's my ruling. I can't help that you need to be briefed on that. I will permit you to continue with your debate on this motion.

Mr. David Christopherson: Thank you very much. I appreciate that.

While you have the ministers being involved, you're skewing the whole process of private members' business. That's the whole idea.

I understand and accept that ministers can legally sit on committees—the rules will allow that—but I can't think of a time when it's happened. Normally what happens, particularly in smaller legislatures across the country, is that it's almost impossible to have structured committees and reach quorum if they don't involve ministers.

There are exceptions to that concept, even here within our own confederation—

The Chair: On a point of order, Mr. Opitz.

Mr. Ted Opitz: Relevance, Mr. Chair.

What does this have to do with the 30-day extension?

The Chair: I'm waiting. I'm sure he'll get to his point.

Mr. David Christopherson: It has to do with the fact that the 30-day extension is tied to the government wanting to expand the scope. The proof of that is the fact that the ministers were here. I'm explaining that those ministers were there and how wrong that was, and it's one of the reason we're opposing this.

To continue, I was pointing out that in the Canadian context, this is—

The Chair: On a point of order, Mr. Opitz.

Mr. Ted Opitz: If the member is going to argue or debate, at least his facts should be correct. If he's already acknowledged—

The Chair: That's debate, Mr. Opitz. You'll have your chance.

Mr. Christopherson.

Mr. David Christopherson: Thank you, Chair. I appreciate that.

I'm sorry if the members find me a little long-winded, but—

Mr. Ted Opitz: Just a bit.

Mr. John Weston: On a point of order, we have never said that.

The Chair: Mr. Christopherson.

Mr. David Christopherson: Thank you, Chair.

I realize that sometimes I can take a little while to get to the point, but the fact is that I do have that right.

On the point, I was talking about the minister, and I was talking about the fact that it's unusual. To put it in context, I was recognizing that there are exceptions.

You and I have both had an opportunity to travel this beautiful country as MPs and MPPs. We know that things are done differently in different parts of the country—let alone within the Commonwealth—even though we all share the same basic parliamentary structure. My point is that having ministers come in on private members' bills is—abuse is a bit of a strong word, but it's certainly not the intention of what private members' business is about. That's why it's called a private member's bill. It's not called any member's or all members'; it's called a private member's—

The Chair: Mr. Christopherson, I have listened to you, and I hope you will return to the fact that you're either going to support the motion or oppose the motion as to whether an extension of 30 sitting days will be granted by the House of Commons.

My concern is that you are critical of the minister coming to the committee and giving—I'm paraphrasing what you said—the impression that he really wants the government to fully support this private member's bill. That may or may not be correct. However, I don't think it has anything to do with this motion. You've said it does, but I don't think it does.

Mr. David Christopherson: With respect, do you decide my opinion, Chair?

The Chair: I have the right to tell you whether it's relevant or not, and I don't think it's relevant.

Mr. David Christopherson: But there's great scope at committee for members to make their case. That's why we have the rules—

The Chair: I have the right to tell you whether it is relevant or not relevant.

I've read this a number of times. You may not have been present because you're substituting for someone. This is from the good book of Madam O'Brien, on page 620.

When enforcing the rules against irrelevance and repetition, the Speaker can call a Member to order and, if necessary, warn the Member that he or she risks being directed to discontinue his or her speech. Such warnings are usually sufficient. However, should the Member persist, the Speaker can proceed to recognize another Member....

You have been so warned.

Mr. David Christopherson: All righty, then; that's interesting. All I can do is continue and bear in mind, with the greatest respect, what you have had to say, Chair.

I am assuming, however, that this is not a case of the tyranny of the majority denying me a basic, fundamental right, which is to come to a committee and speak on behalf of the people I represent in Hamilton Centre. If I begin to repeat my arguments, by all means you can bring me into line, sir. I don't believe I've done that yet. In fact I've had trouble even getting going, because of all the interruptions.

Getting back on track, and to address and speak directly to the concern you've raised, Chair, so that my relevancy is clear to you, I was saying that on the immediate matter in front of us, which is the 30-day extension, I, like my colleagues, am opposed.

One of the reasons is that I believe this is an inappropriate use of private members' business procedures. I am making the case that having ministers—and I'm led to believe by my colleagues that the chief government whip, no less, was here.... I'm making the case that this is one reason. I have many that I hope to touch on, but that's one reason that I am opposed to this.

I can't think of anything more relevant than to give the reasons I am opposed.

The Chair: Mr. Christopherson, I have talked about repetition with you. I'm going to read another quote and then I'm going to move on to another speaker. It's on page 622 of Ms. O'Brien's book:

Repetition is prohibited in order to safeguard the right of the House to arrive at a decision and to make efficient use of its time. Although the principle is clear and sensible, it has not always been easy to apply and the Speaker enjoys considerable discretion in this regard.

I'm moving on to Ms. Freeman.

Mr. David Christopherson: Can I be on the list again, please?

Ms. Mylène Freeman: Thank you, Chair. It's nice to be here again this morning.

On the matter of asking the House to extend our ability to work on this bill for 30 more days in the committee, I believe that is actually quite extreme. As my colleague Ms. Grogan earlier asked, and as was pointed out to us, if things go well, that brings us to November 1. That's quite a long time to talk about a private member's bill. That is something that is not expected of private members' business.

I put forward a motion in my private member's business capacity and I was not expecting that this extent of time would be spent on something I was doing. Normally we only get the two hours of debate and then it goes to committee and then comes back for two more hours of debate.

This is actually quite extensive, and it goes back, I think obviously—and I won't spend any time on this, but will just mention it—to the problem, which is that we're expanding what this bill is doing. This is why it is beyond what a private member's bill would normally be doing, and this is what is clear in this 30-day extension.

As my colleague Ms. Groguhé earlier found out for us, this brings us to November 1 at the best, if we follow our regular business. I assume therefore, Chair...

Actually, let me get clarification on that. Is this the case, if we pass it on June 21, or is it 30 days on top of the 21st or before that?

The Chair: We've made this quite clear. I'm not going to get into this.

You can proceed. If you didn't understand it the first time or the second time, we made it quite clear. I'm not going to keep interjecting and commenting on all of that. You should know this by now.

Proceed with your debate, or we'll move on.

Ms. Mylène Freeman: I actually only understood that—

The Chair: Proceed with your debate or we'll move on.

Ms. Mylène Freeman: Chair, I would like to make the argument that 30 days is excessive. That's far more than any private member would expect. There are plenty of other ways you can make a point with a private member's bill beyond extending the amount of time, given that our time is usually limited. That's why this is just so excessive because normally it's limited time.

Normally the way that private members make a point of their bills is through the media, through keeping the issue going with interlocutors in civil society; not through asking for an extension—

The Chair: Ms. Freeman, the 30 days is in the standing orders. This isn't something made up. It's in the standing orders.

Ms. Mylène Freeman: I was not arguing that it's not in the standing orders. At no point did I argue that this was not something that existed.

Chair, I don't want to repeat anything, but we have definitely gone back to Standing Order 97.1(1) several times.

Mr. Costas Menegakis: I have a point of order.

The Chair: On a point of order, Mr. Menegakis.

Mr. Costas Menegakis: Mr. Chair, all Ms. Freeman has done so far is repeat—

The Chair: I'm sorry; I didn't hear you.

Mr. Costas Menegakis: I said, in fact, all Ms. Freeman is doing is repeating—twice.

I've listened very carefully to what she's been saying, and twice she referred to Ms. Groguhé and what Ms. Groguhé was saying. She has nothing new to add to this discussion. Nothing. In not one word, from the time she took the mic over there on this turn, has she mentioned anything new. In fact, she mentioned the word "excessive" three or four times. She keeps repeating it over and over.

There is a standing order, which you've read to us on a number of occasions, that speaks to repetitiveness. That's all we're hearing from Ms. Freeman.

The Chair: On the same point, Mr. Weston.

[Translation]

Mr. John Weston: Mr. Chair, we keep hearing the same complaint: there is too much repetition during this meeting. I think it would be very helpful to us, Mr. Chair, if you would let us know the boundaries here. What are the boundaries around these repetitive comments? That will help us understand what we're doing here.

[English]

The Chair: On the same point, Ms. Freeman.

[Translation]

Ms. Mylène Freeman: I'd like to speak on the same point of order, Mr. Chair. I am very fed up with hearing the members on the government side repeat the word "repetition" and claim that we are repeating ourselves. That's all they keep saying. It certainly is eating up a lot of time.

Is the bell ringing?

[English]

The Chair: I don't know. Lights flash in here from time to time. Now they've stopped, so we'll continue.

[Translation]

Ms. Mylène Freeman: They are constantly repeating themselves. When I refer to something a colleague said, I always make myself very clear. I specify that I am not going to go in a certain direction, given that my colleague already covered it. I make a great deal of effort not to repeat what's been said.

This is nevertheless excessive. They keep repeating the same point of order. It's starting to—

[English]

The Chair: Thank you.

On the same point, Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you very much, Chair.

Once again, I want to acknowledge that, despite the rulings, I really appreciate the Chair's allowing members to articulate their rationale for or against the extension. I certainly hope Ms. Freeman will be given that latitude because in order to get to a point, you do have to give a little of why you're getting there. That is part of the reason for debate because if that reason did not exist, every time a motion got moved, the only thing we could say is yea or nay, and we'd vote on it and we'd be out of here.

That's not what parliamentary debate is about, and that's not what this committee is about. It gives parliamentarians the right to talk on an issue, not once, not twice, but an endless number of times, as long as they are relevant.

Thank you, Chair.

The Chair: Mr. Menegakis, on the same point.

Mr. Costas Menegakis: Absolutely, Mr. Chair.

This is not the debate that started at 9:45 this morning.

This, in fact, is a debate that started at 9:45 last Tuesday morning. There's repetitiveness and repetitiveness, so I'm going back to my point of order that we'd like to hear something new. Otherwise, they're just using a procedural tactic. They want procedure to win over substance and it makes no sense.

The Chair: Thank you, Mr. Menegakis.

In my opinion, Ms. Freeman, there is a considerable amount of repetition in what you're saying. However, I've tried to be lenient with all members on both sides, and I will allow you to continue. But if in my opinion you continue to be repetitive, we will move on.

You may agree or disagree that I provide leniency. You may disagree or agree that there is repetition, but in my opinion there is repetition, and I will move on.

You still have the floor.

[Translation]

Ms. Mylène Freeman: Thank you, Mr. Chair.

You interrupted me because, in your view, I was saying that the standing order did not include this measure. But that's not at all what I was saying. I was saying that it wasn't necessary to resort to using it. For that reason, I am going to vote against the motion.

That's what I wanted to say. That's a totally different point. When members introduce private member's bills, we don't expect this measure to be used. The point I am trying to make is that this isn't a measure that should be used.

[English]

It's not a right of a private member to have this 30 days. That's why this is so excessive, because as a private member when I bring forward a piece of legislation, I don't expect it to go past second reading. I expect to be making my case there and trying to convince other members—

The Chair: Thank you, Ms. Freeman.

Mr. Harris, you have the floor.

Mr. Jack Harris: Thank you, Chair.

I don't have the same experience with you and other members of the committee as Mr. Christopherson offered, although I was here in the 33rd Parliament, when there was a majority government of, I think, 211 members in the majority, and a small minority on both sides of the opposition. We did have—

The Chair: Mr. Harris, I always respect what you have to say as well. I don't always agree, but you may proceed with the debate.

Mr. Jack Harris: Thank you.

It is relevant, Mr. Speaker, and I'll tell you why. We did have a situation then where there was a great deal of cooperation with members on both sides of the House in dealing with legislation.

But this motion before us now is actually quite extraordinary. When we're dealing with a committee, the need for an extension results basically from the fact that time is running out in terms of the committee being able to deal with amendments to legislation. It's part of the standing orders. So we're asking for an extraordinary

measure to be taken. We're seeking to ask the House to do something that goes above and beyond the standard way in which committees deal with things. There has to be an extraordinary reason to do that. We're going outside of what would be expected.

The rationale to do that in this circumstance would result in setting up legislation that hasn't gone through the normal process of the House. Perhaps I can ask the clerk for clarification on that, with your permission, sir.

If we have a situation where new amendments are brought to the committee that involve principles that were not a part of the original bill that went through second reading, am I right in saying there will have been no second reading debate on those principles, or if it's a ministerial or government bill, it wouldn't have gone through the normal procedures of the House, where instead of just having a two-hour debate on second reading, there would be ample room for a full second reading debate?

Is that one of the consequences?

The Chair: Mr. Harris, that's a hypothetical question, and I don't like answering hypothetical questions.

Mr. Jack Harris: I'm not asking you, sir.

The Chair: Second, it has absolutely nothing to do with this motion.

Mr. Jack Harris: I'm not asking you to answer, sir. I'm asking for clarification from the clerk.

The Chair: I have just answered it.

Mr. Jack Harris: I don't understand.

The Chair: That's my answer.

I'm saying your question has nothing to do with this motion. It's a hypothetical question. It has nothing to do with this motion—end of story.

Mr. Jack Harris: If you think it's hypothetical, sir, I would have to refer you to the fact that, if it wasn't introducing new principles, then it wouldn't be out of the scope in the first place.

The Chair: I've made my position, Mr. Harris. It's as simple as that.

Mr. Jack Harris: I won't ask it as a hypothetical question, Mr. Chair. Perhaps I can ask it as an actual question.

The Chair: On a point of order, Mr. Dykstra.

Mr. Rick Dykstra: When did committee become a structure upon which the only thing the opposition does is ask questions of the chair? That is not presenting arguments as to why the government should not be supporting the 30-day extension, which is the motion that is sitting here. If there's a clarification specifically related to the extension or to the motion, that's fine. But if these are just hypothetical questions about how committee works, how it's structured, and what the rights of an individual are, those are not arguments.

I would say that we are getting precariously close to the opposition having nothing left in terms of presenting arguments that have not been made already. If it is the case that we have an opposition that is simply now asking the clerk, through you, for clarification on nebulous issues, that means we should be having a vote, Mr. Chair.

I suspect that very shortly you'll be able to say there are no arguments coming from the opposition, and call the question.

The Chair: Mr. Dykstra, members can ask questions of clarification. That's perfectly in order. But I have made a ruling with Mr. Harris that his question is hypothetical and is irrelevant to this motion.

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

I won't challenge—

The Chair: On a point of order, Ms. Freeman.

Ms. Mylène Freeman: I'm sorry, Mr. Chair. I wanted to speak on the same point of order.

In this particular case I was going to agree with you, so I won't challenge the fact that you skipped over me again. We need to stop doing that. It is disappointing. I feel I do have something to say sometimes when we have points of order. I feel as though I'm being ignored on this committee when I'm skipped over that often.

The Chair: Okay.

Mr. Harris.

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

I'm not going to speak to Mr. Dykstra's point of order but to one of his comments, which is why this committee is arguing whether there should be a 30-day extension. That is the debate that would take place in the House if this motion passes. We're arguing here about whether the committee should be requesting the extension in the first place. That's what we're arguing about.

Mr. Dykstra is not the chair. I hate to have to remind him.

Mr. Rick Dykstra: You're talking right to me.

Mr. Jack Harris: I know he's anxious to try to dominate the committee and tell the chair what to do.

The Chair: Mr. Dykstra, I know it's tempting, but please let Mr. Harris speak.

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

The question before us is whether or not this committee should be asking for an extension of 30 sitting days. My point in seeking clarification was to, I believe, underscore the problem that this committee has before it, when we're dealing with a significant change that undermines the ability of Parliament to actually debate legislation at second reading. That, in my view, is the crux of the matter.

When you have a piece of legislation that's already gone through first reading in the House of Commons, then second reading in the House of Commons, and is here before this committee, and the bill is sought to be so substantially changed that it's actually out of order, then we're talking about new principles that must have support of the

House at second reading. That hasn't happened. If this request goes forward, this committee would be seeking to make sure it didn't happen.

The Chair: Mr. Harris, I'm going to tell you something that I know you already know. Certainly all members know it because it's been quoted here, Standing Order 97.1(1). One of the things that the committee can do with respect to proceeding on a report is request "a single extension of thirty sitting days to consider the bill, and giving the reasons therefor."

That has been done. It's been brought by a member of the government; I think it was Mr. Dykstra. Mr. Dykstra has every right to do that. I get the impression that you're saying he doesn't have the right to do that. He certainly does have the right to do that. What I'm interested in hearing from you and others is whether that's a good idea or not. I really prefer that your submissions be restricted to that and that you not comment on whether it was a good thing or a bad thing, because he has the right to do it. It's in the standing orders.

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

I don't believe I suggested for a moment that Mr. Dykstra's motion was out of order.

The Chair: All right, Mr. Harris, you're obviously opposed to the motion. You've made that quite clear. I'd like to hear reasons why you're opposed to it.

Mr. Jack Harris: With respect, I thought that was exactly what I was doing. We have the right to say what we don't like and why we don't like it and why we're opposed to it. But one of the reasons I oppose it is that the result of seeking this extension would be to provide an opportunity for legislation to come through and be passed by this committee, the principles of which have never been passed by the House at second reading. This whole exercise has the effect of changing the nature of the legislation from a private member's bill to a government bill. It does this by subterfuge, without going through second reading in the House. That's the broader point.

I know versions of this argument may have been made before—

The Chair: Mr. Harris, that point may be valid, but I believe it would be more relevant if it was made whenever this debate takes place in the House, when there is some point of concurrence. That's what the whole issue is going to be with respect to the House. What you're submitting may or may not be a valid point, but I submit to you as chairman that it should be made in the House, not here in this committee.

What we want to hear in this committee is whether the committee is right or wrong in asking for this extension. Your point goes beyond that. Members could make those comments in the House, if and when it gets there.

Mr. Jack Harris: I'm sure they will, sir.

The Chair: But I don't think the point should be made here. I've made that ruling.

Mr. Jack Harris: To my understanding, you're asking us to tell you and the committee why we don't want this request to be made. Some of those reasons why we don't want this request to be made, certainly, are the same kinds of reasons as to why we wouldn't want the House to approve the request. The same arguments can be made in the House for different purposes. But I hear what you're saying, and I'll try to abide by the ruling. Still, I don't see how I can avoid saying why it is I don't think the request should be made, without, in the course of that, indicating the problem with this course of action.

We have, as part of the procedures of this House, developed this whole idea of having a strong role for the private members. The private members' process is there to allow that role to develop and to facilitate private members getting business through the House. We have two hours of debate at second reading to allow a private member to get House time to get a bill through to the committee. When the government does a bill, the government has to put the bill before the House, and if they want to have a shorter debate, they have to do time allocation. We're seeing dozens and dozens of them in the last number of weeks. If the government has a bill it wants to get through, that's what it has to do.

But what we have here is a change from that procedure, which is a shortened procedure designed to allow private members to have their say. It's now being taken over as a government measure, bypassing the second reading debate, which could go on as long as this committee has been meeting, but it would be in the House and it would be under government rules. By making this request to this House, this committee is abdicating its responsibility to protect the procedure that allows private members to have control over the future of their legislation. So this committee is making this request—

The Chair: Mr. Harris, this is a difficult area in terms of whether this argument should be made here or in another place. The second paragraph of the motion says:

On Tuesday, April 23, 2013, the Committee recommended to the House that it be granted the power during its consideration of Bill C-425 to expand the scope of the Bill.

That decision has been made. I'm interested in what you have to say about that, but I believe the decision has been made. You're getting into an area where the committee has already made a decision. I'm listening to what you're saying and some of the points I agree with, but you're getting into an area that is repetitive because the decision has already been made.

Mr. Jack Harris: I hear what you're saying. It's that the committee has already decided to ask for the thing, so that recommendation has already gone to the House. Now we're awaiting the decision of the House. Well, I guess—

The Chair: Well, that debate is going to be.... Is it two hours? You've said two, but I think it's three hours. Is it three?

The clerk has reminded me that it's three hours for the concurrence.

That's in the House now. That's what we're waiting for. That's what I'm pointing out to you. The submissions you're making should be made at that time, I believe, not here. We're past that. We're into another area.

Mr. Jack Harris: So we're waiting for the concurrence debate in the House on Bill C-425?

The Chair: Indeed.

Mr. Jack Harris: Well, I appreciate what you're saying now, sir, and on that point, I guess what I'm wondering now is that if this motion has been on the go for so long, surely that debate could have taken place. Because any member at any time—

The Chair: Mr. Harris, you know that a committee has no control over what the House does or doesn't do. We can't explain.... Neither the opposition nor the government members can explain why it's taking so long for this to take place. I don't even want to get into that debate, because the opposition could say it's the government's fault, and the government could say it's the opposition's fault. I don't want to go there.

I'm just responding to your comments and saying that you're getting into an area that we're past, because it should be in the House. I will repeat that I'm more interested in the very restrictive issue as to whether or not this extension of 30 days...as to whether the committee should be asking for that.

Mr. Jack Harris: Well, I don't think the committee should be asking for that, sir. I think what should have been happening, done by members of the committee who were anxious to have this matter brought forward.... The rules of the House allow any member to get up at any time and seek a concurrence debate. The business of the House shuts down for that debate to take place. Because that's what we do when we seek a concurrence debate—

Mr. Rick Dykstra: I have a point of order, Mr. Chair.

The Chair: Mr. Harris, we have a point of order.

Mr. Dykstra.

Mr. Rick Dykstra: Yes. I made the point yesterday that the NDP prevented me from introducing a concurrence motion. If he's suggesting that it is a way to get out of the dilemma we are in now, I would be happy to go to the House and do that. Is he telling me that we'll be allowed to move concurrence? Is he saying that the NDP will let us?

The Chair: I think you're both out of order.

Mr. Harris, proceed with your debate.

Mr. Jack Harris: Thank you, sir.

I don't think we should be facilitating this process. By requesting an extension of 30 days, we would be facilitating a process that has the effect of shutting down the second reading debate on an important matter of principle that ought to be argued by the government—

The Chair: Mr. Harris, you're getting into repetition.

Mr. Jack Harris: That's the purpose of this request, and it's the reason why, on a fundamental level, I'm opposed to this. I may have other arguments later on.

The Chair: We're going to move on to Ms. Sims.

Thank you, Mr. Harris.

Ms. Jinny Jogindera Sims: Thank you, Chair.

On a point of order, we have now been sitting for three hours, and I'm asking if maybe it is time for us to take a comfort break of five minutes.

Ms. Roxanne James: I have a point of order, Mr. Chair.

The Chair: No. We're on a point of order. Unless it's the same point...?

Ms. Roxanne James: It is the same point. We've done this again and again. Every member of this committee knows that if they need to get up and use the facilities, they're more than welcome to do so. We don't need to do mass bathroom breaks. We'd like to continue with debate while she's—

The Chair: The chairman is interested in having a suspension for five minutes.

Voices: Oh, oh!

Ms. Jinny Jogindera Sims: Thank you.

● (13145)

(Pause)

● (13205)

The Chair: We're going to reconvene the meeting.

Ms. Sims has advised me that she has a point of order.

Ms. Jinny Jogindera Sims: Thank you, Chair.

I'm going to respectfully request that you suspend the meeting from 2:15 p.m. until after the votes—I believe the votes are taking place straight after QP—so that we can carry out our parliamentary duties in the House.

The Chair: That's not a point of order.

You are up for debate on the main motion, Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you very much.

It is my pleasure to speak on this amendment...not on the amendment. Sorry, Chair, we've been here so long it's sometimes difficult to remember. But we're here dealing with the main motion, which asks for an extension of 30 sitting days in order to give the government time to get a concurrence motion in the House, which would give them an expanded scope.

I am opposed to the extension for a number of reasons, the very first being that there is a reason why there are a number of days allocated for private members' business, which, simply to remind us all, is 60 days. The committee will have had 60 days on June 21. Therefore, the request for an extension at this time would give extraordinary treatment to one private member's bill and would not be fair to all the other private members. As I have said previously, this is not a comment on the actual bill, because there are elements in this bill.... I will not get into too much detail here, but to get to the point as to why the 30 days.... There are elements of this bill we do support.

We're actually looking forward to an opportunity to vote on this bill in the House, because this committee, due to a decision made by a government majority, has not done clause-by-clause. Therefore, the bill will actually be up for a vote unless this extension is given, as is, without any amendments. We are quite prepared to go into the House.

This extension would actually give extraordinary privilege to one particular private member's bill. I believe we, as the opposition—and I can't speak for the other opposition party or for the independent—

are certainly ready and willing to go to the House, because the bill has been reported there, debate the bill, and go through the three-hour.... Is it a two-hour debate or three-hour debate in the House?

A voice: Three hours.

Ms. Jinny Jogindera Sims: I don't want to get that wrong, Mr. Chair. I think it's a two-hour debate when it goes back into the House.

We will take part in that debate, and based on what we hear, we're then prepared to vote on the legislation that Mr. Shory has put forward. There is no way in that process we would try to prolong or put any obstacles in the way, because you are absolutely right, every private member has the right to bring forward legislation, have it go through the process, and have it voted on in the House.

You know, we're looking forward to that and we will participate in that in a fulsome way, both in the debate at third reading, as well as in the voting procedure that takes place.

I can tell you, we're not planning to sit on our hands during that debate, because we believe that private members' business needs to be treated as seriously in the debate process as we do with any government legislation, because that is the only legislative tool that is open to members who are not members of the cabinet and who are not parliamentary secretaries.

Because we feel that the government, the majority, has had an opportunity to address amendments and deal with all those things right here at committee and has not used that time, I do not think it's right to reward bad behaviour with extended timelines. That's one of the things I try to work on with my kids—not only my own kids, but the students I have taught over the last 30-plus years.

One of the key elements for me is that if you do not use the time you have, then to come forward and ask for an extension is a little bizarre, to say the least. It would be like a student saying to me that he didn't do his homework last night because he went out to play, so maybe he should get some more time. I would have to have a serious conversation—

The Chair: Mr. Dykstra.

Mr. Rick Dykstra: I know exactly where Ms. Sims is going with this argument because she's made it about four times now. She thinks the government had lots of time to attempt to move this bill forward, but didn't use the time wisely and therefore the extension should not be granted. I don't need to hear the argument again. I understand her perspective. Of course I don't agree with it, but she's making exactly the same argument that she made the previous time she spoke. I would like to hear something new, if possible. I don't think it is, but I would love to hear something new.

The Chair: Do you have the same point of order, Mr. Christopherson?

Mr. David Christopherson: Yes, on this point, Chair, I hear my colleague Mr. Dykstra, but I still have trouble understanding how something could be ruled out of order before it's even said. I would at least urge all members and the chair to allow the member to say what she has to say. Then if people have comments, fine, but to start being clairvoyant about what someone's going to say and then rule them out of order in the future is a bit much, even for some of rules that are happening around here, Chair.

The Chair: Mr. Dykstra's right, we have heard this argument in the past. It isn't new because you are repeating yourself. Again, I'm giving you leeway, but hopefully you'll move on to another point because you have made this point before. If you continue with it, we will move on.

Ms. Jinny Jogindera Sims: With all due respect, Chair, if I could.... In my previous turn I talked about the business that could be done during this time, during the extension that was sought. Now what I'm trying to say is that the time that wasn't used accordingly should not be rewarded. I believe it's a new point I have not made before. I would beg your indulgence in allowing me to finish that point.

The Chair: I did say I would give you leeway.

Ms. Jinny Jogindera Sims: Thank you, Chair.

As I was saying, time is allocated for a reason, and if you do not use that time, then I think to seek an extension is both disrespectful of the committee and the processes we have. On the other hand, if the government had used every one of those days since we passed this motion on April 23, then I believe the opposition might have been a little more understanding and been more willing to cooperate to give an extension because then we could see what we were dealing with and where we were going to go with it. But when the time has not been used it makes it very difficult for me to justify why I would support an extension. That is one of the first new points I wanted to make.

Another point I wanted to make is that this extension will leave us sitting in limbo as we have since April 23. When I think about it—April, May, June—that's three months in limbo, and now we're talking about September, October, November, which is more time in limbo. There is no guarantee that the government could get a concurrence motion on the paper during those 30 days and get it moved. Once again, I feel we are gambling here and asking for an extension to create an even greater vacuum, not just for the three months that have gone by, but for the months ahead.

The Chair: Although to be fair to the government, Ms. Sims, part of the reason there was a delay is that one of the members of the House rose on a point of order with respect to the application of this to the House. It was some time before the Speaker ruled on that. I can't remember whether it was a point of order. It may have been a point of privilege.

Mr. Rick Dykstra: Yes. Ms. Grogue read that into the record, actually, during her speech.

The Chair: There was a point of at least a week, I think. I know I'm crossing the line. I don't mean to get into a debate, but just to comment on who's at fault on the concurrence issue—it may be the government, it may be the opposition—part of the delay, clearly, was

that the House was stymied because of the Speaker not ruling on that point of privilege.

Ms. Jinny Jogindera Sims: Thank you, Chair, for reminding me of the rulings that we were waiting for the chair to make. The chair did make the ruling, and since then the government has had an opportunity to move a concurrence motion. I think it isn't only the government that has concurrence motions. Independents and opposition parties also have concurrence motions. I believe there is an order through which we proceed. I think what was happening over there in the House was happening according to the rules that are allowed there. What I'm really talking about when I talk about the request for an extension is the impact that has on the workings of this committee. That is really relevant when we talk about the seeking of an extension.

Mr. Chair, there is no guarantee that giving an extension of 30 days would actually get that concurrence motion moved in the House.

The Chair: On a point of order, Ms. James.

Ms. Roxanne James: I've heard that argument about whether we can get it through or not 100 times in the last week—maybe not 100 times, maybe 99, but I've heard it multiple times.

Ms. Jinny Jogindera Sims: Thank you, Chair.

The Chair: Well, I haven't done anything. I haven't said anything.

I'm at a disadvantage not having been here last week. You were in the chair—

Mr. Rick Dykstra: No, that's not a disadvantage.

Voices: Oh, oh!

Ms. Jinny Jogindera Sims: I did not make the concurrence argument while I was in the chair.

The Chair: I'm relying on you. You know whether there's been repetition on that point. Ms. James is not going to make something up. If there's repetition, please do not proceed with repetition.

Ms. Jinny Jogindera Sims: Chair, just to clarify that I did not—

The Chair: On a point order, Mr. Nicholls.

Mr. Jamie Nicholls (Vaudreuil-Soulanges, NDP): If Ms. James is so interested in the number of times the question has been asked, could we perhaps—

The Chair: No, no.

Mr. Jamie Nicholls: —suspend and ask the analyst to verify how many times she's asked that question.

The Chair: Mr. Nicholls, I don't want to hear any more.

Ms. Sims, you have the floor.

Ms. Jinny Jogindera Sims: Thank you very much, Chair.

I just want to clarify and put it on the record that when I was in that chair I did not speak. The first opportunity I had to speak was when you came back. I did speak while we were in camera, but I realize that remains in camera. I can really say that I'm making this concurrence motion discussion for the first time here.

For me, I'm not even talking about the concurrence motion. What I'm really talking about is the impact the extension will have on the workings of the committee. You have to look at that from different angles. I covered some of the content that will be impacted earlier and now I'm looking at the process and how that will actually impact the workings of this committee. When I take a look at all of those things, then I realize that it is not right.

I would actually be negligent in my duties as a parliamentarian to even look at voting in favour of this, because I'd be supporting more, I would say, quiet time for the committee. Everybody who knows me knows that I'm not in favour of too much quiet time. We're sent here by our constituents to do our work, and I certainly want to do that.

With that, Mr. Chair, I'm going to put myself back on the list so that I can come back and make other new points. At this moment hunger calls, and I'm going to grab a sandwich.

The Chair: Mr. Christopherson, you have the floor.

Mr. David Christopherson: Thank you very much, Chair. I appreciate that.

With your indulgence, Chair, just so I'm clear, my understanding is that much of the reason for limiting debate here is that there will be debate in the House.

Yet it's my understanding that Standing Order 97.1

(3) **SAYS:** (a) Upon presentation of a report requesting an extension of thirty sitting days to consider a bill referred to in section (1) of this Standing Order, a motion to concur in the report shall be deemed moved, the question deemed put, and a recorded division deemed demanded and deferred to the next Wednesday, immediately before the time provided for Private Members' Business.

Mr. Rick Dykstra: [*Inaudible—Editor*]...vote?

Mr. David Christopherson: Sorry?

Mr. Rick Dykstra: I'm sorry, Mr. Chair. There was a suggestion there might be voting, so I was just getting really excited.

The Chair: Mr. Dykstra, Mr. Christopherson is speaking.

Mr. Rick Dykstra: Yes. I'm sorry.

Mr. David Christopherson: Thank you, Chair.

I'll continue:

(b) If proceedings on any motion to concur in a report of a committee requesting an extension of thirty sitting days to consider a bill have not been concluded by the sixtieth sitting day following the date of the referral of the bill to the committee, the said bill shall remain before the committee until proceedings on the motion to concur in the report have been concluded, provided that:

(i) should the motion to concur in the report be adopted, the committee shall have an extension until the ninetieth sitting day following the date of the referral of the bill to the committee; or

(ii) should the motion to concur in the report be negated, the bill shall be deemed to have been reported without amendment.

It's my understanding, Chair, that if that happens, there is no debate on the amendment, if it goes to the House that way.

Mr. Jack Harris: There's no debate on this motion.

Mr. David Christopherson: There's no debate on this motion if it goes to the House. So I'm having some trouble understanding the ruling.

The Chair: Mr. Christopherson, this is not an amendment. This is a motion. I don't know what you're talking about. With due respect, it may be that I haven't understood what you're saying, but this is a motion. This is not an amendment.

Mr. Harris.

Mr. Jack Harris: To that point, Chair, my understanding is that what Mr. Christopherson is saying is that if this motion were to pass this committee, there would actually be no debate on it in the House of Commons. There would be a vote, but no debate.

I guess the point is that your limiting debate in this committee, because the matter would be debated in the House when this motion goes to the House, is negated by the standing order itself, which says that there's a "deemed" discussion and debate and questions being put, and then it's deferred.

There's a recorded vote. There's a vote yes or no, but there's actually no debate on this motion in the House of Commons.

The Chair: So what's your point?

Mr. Jack Harris: I guess the point is that they're raising the concern that many of the objections from our colleagues here, and some of your rulings, are that this is going to be debated when this motion goes to the House.

The Chair: No, sir. All of my comments had to do with the issue that you'll have an opportunity during the concurrence motion, if and when that ever happens.

Mr. Jack Harris: On this motion—

The Chair: Mr. Harris, all the matters I raised with respect to some of the items, which a number of members, including you, have raised, such as the scope of the bill and that sort of business, would be raised during the concurrence motion.

Those were the points I made. You misunderstood what I said.

Mr. Jack Harris: But there is no concurrence debate on this motion, sir.

The Chair: There is no concurrence on this debate, but we know that there's a concurrence motion that could be called in the House with respect to the matter of April 23.

Proceed, Mr. Christopherson.

Mr. David Christopherson: Thanks.

No, I think what confused it was that I had used the word "amendment" when I meant to say "motion". This is just to make it clear.

I understand your ruling, but even you have said—

The Chair: I have no control over what goes on in the House. I do have some say as to what goes on in this committee. We have an opportunity to debate this motion in this place, in this committee, and I'm looking forward to hearing your debate.

Mr. David Christopherson: Good. Me too.

Moving on, then, to my points, we have been talking about the 30 days. I have said that I'm opposed. I got out most of one reason before I was shut down. That reason, of course, spoke to the involvement of the ministers in private members' business.

I must say that at this point, Chair, I can't let this go any further without commenting on some of these rulings. I understand, for those who have been sitting here for some time—I've done it myself—that it's not—

Mr. Rick Dykstra: I have a point of order.

You know, I'd love it, truly, if Mr. Christopherson.... He's well-intentioned. He's a good speaker. He's a bright man. If he does have new information to bring to the table on this issue, I wouldn't mind hearing it.

But if he's just going to reiterate what his personal feelings are toward your interpretation of decisions that you've made during these committee hearings, there's a time and a place for that, and it isn't now.

The Chair: You know, he's right, Mr. Christopherson. I've made rulings that some members of the House have liked. I have been challenged from both sides, by both the government and the opposition, and there's an opportunity to do that. Some of the rulings I've made have been challenged. Some have not.

You're talking about past history on rulings that I've made. I'm not interested in that. Well, I am interested because those rulings stand, but I am interested in hearing your comments with respect to this motion. I'm not interested in hearing what you think of my rulings.

Mr. David Christopherson: Fair enough, but you are interested in my opinion on the motion.

The Chair: I'm looking forward to hearing your comments on the motion.

Mr. David Christopherson: Good.

The Chair: I'm not interested in hearing your comments on my rulings.

Mr. David Christopherson: No, I understood that. You were very clear. I was just re-emphasizing that you are interested in allowing me to state my personal opinion and view on the motion.

The Chair: I am.

Mr. David Christopherson: Very good. That's all I wanted to establish.

I had been wrapping up by saying that one of my problems was the interference with the private member's bill process by ministers, and I was then going on to explain why I thought that was an important point. I was talking about it in the context of the Canadian Confederation and the way that we do committee work.

It's really troublesome that a mechanism that is in the House, that was created to allow non-executive council members—meaning non-cabinet ministers—an opportunity to actually generate laws.... It's a sacred right for many, particularly if you've been around for a while and you haven't had a chance to be in government and initiate government bills. It means an awful lot. It's also an opportunity to bring local matters to Parliament.

The Chair: Mr. Christopherson.

Mr. David Christopherson: Yes.

The Chair: I don't know what I'm going to do with you. I've already made a ruling on this.

Mr. David Christopherson: You just said you wanted to hear my opinion and I'm giving it.

The Chair: I did. I said I was looking forward to hearing your debate on the motion, but you're going into an area that I have ruled on, in the past to you directly, as being out of order. That ruling has been made.

So if you have other points, I'd love to hear them. If you don't, we'll move on.

Mr. David Christopherson: Well, I'm a little confused. You wanted me to stay away from comments on your ruling, and I get—

The Chair: But you're not, sir. You're not. You are returning to the areas that I have ruled out of order.

Mr. David Christopherson: Very well. I'm responding to you, sir. I may not be doing it as quickly as you'd like, but I am responding in the best way I can, and I am clarifying—

The Chair: Mr. Christopherson, as you know, it's not appropriate for committee members to get into a debate with the chairman of the committee. You may disagree or agree with me. I have made a ruling on what you're talking about now. I have made a ruling against what you're talking about now. If you have new matters, I and other members of the committee would be pleased to hear them.

Mr. David Christopherson: I am trying to do that, sir.

I realize that it may not be in a fashion that people like, but I don't think there's anything out of order in merely trying to clarify my respect for your initial ruling that I not, while I have the floor now, continue to comment on your rulings. I am underscoring that I have respected that. I was moving on to your other request wherein you said you wanted to hear my opinion. I'm trying to do that, but I'm being boxed in by these rulings that decide what I can and cannot say.

So I'm left with returning over and over to the main reason that we're all here, which is to give my opinion on behalf of the constituents I represent. That's what you asked me to do. I did, and the first point I start to make, you're telling me that it's out of order because somebody else made that point some time ago. I am just having some difficulty finding out where I can debate.

Or is that the purpose, Chair? Is it meant to be—

The Chair: I'm going to move on, Mr. Christopherson. I don't want to do this any more. If you have some more points—

Mr. David Christopherson: Okay. I'd like to be back on the list, please.

The Chair: I'm going to move on.

Mr. Nicholls.

Mr. David Christopherson: Then I'll be put back on the list, Mr. Chair.

The Chair: Mr. Nicholls has the floor.

Mr. Jamie Nicholls: Mr. Chair, I respectfully ask for your leeway. This is my first time sitting on this committee.

The Chair: Welcome to the committee.

Mr. Jamie Nicholls: Thank you.

The Chair: I'm sure you're finding it interesting.

Mr. Jamie Nicholls: From my take on things, Mr. Chair, we have before us a procedural motion that's asking for an extension of 30 days to a private member's bill.

From my time here, the two years that I've spent here, when we're debating procedural motions and bills in the House, such as time allocation or time extension, government members often take to the floor and don't speak about the procedural motion at hand at all. They refer to the bill that will be debated in the future after the time allocation has been imposed, but the Speaker of the House tends not to limit the comments of members during those types of procedural debates simply to the procedure at hand.

I'm hoping that's not the case here, Mr. Chair, because I do want to speak not only about the procedure but also about the scope of the bill. I know from what I've heard in the past half hour that I've been here that these kinds of interventions are not welcome on the floor.

I respectfully ask for a little bit, just a little bit of leeway. I know that your duty as chair is to be impartial and non-partisan and to allow members to—

Mr. Rick Dykstra: I have a point of order.

Every time a new member from the NDP comes to the table they repeat this message. If there is anything new that Mr. Nicholls would like to add to the argument, I'm prepared to hear it, but this has been repeated by each and every new member who comes to the committee.

The Chair: Mr. Nicholls, welcome to the committee, and you may proceed.

Mr. Jamie Nicholls: Thank you. I'm sorry, Mr. Chair, I had no way of knowing—

The Chair: I'm sorry; I should recognize Mr. Harris who wished to speak on the point of order.

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

I guess, Mr. Chair, you've dealt with it, but Mr. Dykstra was acting as though.... Whether he was prepared to listen or not, he seemed like he was acting like the chair. I think you've dealt with it by ignoring—

The Chair: I've dealt with that, Mr. Harris. Mr. Nicholls has the floor.

Mr. Jamie Nicholls: Thank you, Mr. Chair.

I'm sorry that I didn't have any way of knowing that this argument has been made before. I didn't review the Hansard of this committee. Perhaps I should have, as Mr. Menegakis suggests.

But I have looked over historical Hansards before and I've seen rulings from the chair. I don't want to speak to those.

Mr. Costas Menegakis: I have a point of order, Mr. Chair.

Mr. Chair, you've made a ruling about repetitiveness. The member is new to the committee and he's coming here and saying he hasn't had a chance to read. He's being repetitive. It's as simple as that.

You've made a ruling that does not allow any new member of the NDP—

The Chair: Mr. Menegakis, this is his first time. I welcomed him to the committee. I'm going to give him a certain amount of leeway before we have a chat about things.

Mr. Jamie Nicholls: Thank you, Mr. Chair.

The Chair: I mean that. You know you can't—

Mr. Jamie Nicholls: I do.

The Chair: Mr. Nicholls, one thing you have to learn is that when I speak, you can't speak.

I'm simply saying I'm allowing you a whole lot of discretion. Normally, if it was another member speaking, I'd be moving on because you are, one, irrelevant and, two, repetitive. I'm allowing you to continue on, but don't take advantage of me.

Mr. Jamie Nicholls: Thank you, Mr. Chair.

I've been wanting to speak to this for some time—actually before I was an elected member. I've been wanting to speak to this since 2004. The reason is simple. I hope this information will come as new information and will not be interpreted as obstruction in any way. I'm expressing my feelings as a member.

The fact is, Mr. Chair, that my daughter, who is eight years old, is a dual national. She's a Canadian citizen but she's also a Turkish citizen. The reason for that is that we couldn't get her immigration processed due to procedural rules.

The Chair: Mr. Nicholls, your leeway is over. You're getting into debating the bill, and I'm not going to allow you to do that.

I have given you, overwhelmingly, an awful lot of discretion. I've exercised discretion by allowing you to speak perhaps on issues that are irrelevant and repetitive. But clearly you're now starting to talk about the bill, and this isn't the appropriate time to do that. The issue before us is whether the motion should carry on requesting an extension of 30 sitting days from the House.

I'm not saying that your issue isn't important. It may be more appropriate, sir, if we ever get back to it, to debate it in the House or in this committee. That has to do with the issue of the bill itself, and it is completely irrelevant to what we're talking about now.

Mr. Jamie Nicholls: With all due respect, Mr. Chair, it's the word “if” that disturbs me; “if” we get back to debate of the bill.

The Chair: I'm going to move on.

Mr. Christopherson, you have the floor.

Mr. Jamie Nicholls: Can I put my name back on the list?

The Chair: Yes.

Mr. Nicholls' name is going back on the list.

Mr. David Christopherson: Thank you, Mr. Chair.

Well, you don't want me to talk about one of the main reasons I'm opposed to this, which is that the ministers were present and the whole process around private members' business. It really is hard to take, given that it's one of my main reasons. I think it's an incredibly legitimate one. If I could think of creative ways of arguing it, I suppose, that would be an exercise. It's a shame that I have to figure out some obscure reason, when the main reasons are very clear. In no other case have I been denied the right to speak because somebody else made a similar point at a previous meeting. The best I can do is continue to exercise my rights and live with the consequences.

The fact is that this whole process is mired right now because we feel so strongly about what is happening with the bill. Speaking directly to the extension, it's the extension that allows the government to have the intervention. This is hugely problematic.

Quite frankly, the only way we backbenchers, regardless of what side of the House we're on, can express these kinds of things is at committee. That's why we have committees.

I need to emphasize that this is not the right process. If the government wants a government bill with government components, then bring in a government bill. That's our point. Using a private member's bill to achieve.... It's bad enough that the government would start to play a role, when the bill is very clear and it doesn't need to be changed in any way. But to actually get involved in the mechanics of it, and to be here at committee embroiled in committee procedures, is not acceptable. It's not right. It's not the way we do business around here.

Notwithstanding the fact that the majority have managed to—

The Chair: Mr. Christopherson, we have a point of order from Ms. James.

Ms. Roxanne James: We've heard the same argument, with their claims that the government hijacked this bill and sat at the committee. In fact, I heard it multiple times throughout the past week when you were not here, Mr. Chair. But certainly we've heard it since you've been here, yesterday and today. We're going through the same cycle of arguments once again.

The Chair: Ms. James is 100% right, Mr. Christopherson. I will give you an opportunity to continue. But if you keep repeating this....

Ms. James is 100% correct in her point of order with respect to repetition. We have gone over and over this. If you have a new point, I'd be pleased to hear it. If you don't, we're going to move on.

Mr. David Christopherson: Thank you, Chair.

Well, I am not going to voluntarily extinguish my rights. You say repeat an argument; I haven't even finished the argument once.

I would like to exercise—

The Chair: I've heard your argument. I've heard it.

Mr. David Christopherson: I'm not done, though. I have more to elaborate on, Mr. Chair.

The Chair: I don't want to hear it anymore.

Mr. David Christopherson: You may not want to, but I have rights.

The Chair: No, you—

Mr. David Christopherson: Just because the majority says I don't have rights, it doesn't change the fact that I do.

The Chair: We're moving on.

Ms. Sims, you have the floor.

Mr. Rick Dykstra: It has nothing to do with majority.

Mr. David Christopherson: Yes, you overruled the chair.

The Chair: Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you very much, Chair.

It's my privilege again to speak on this motion, which the government has brought before the committee, the government side, using its majority. What it has asked for is an extension of 30 sitting days.

Some hon. members: Oh, oh!

Ms. Jinny Jogindera Sims: You know, Chair, it's very difficult when there's a running commentary on what I am saying, as I'm speaking.

The Chair: You're actually right.

Ms. Sims is speaking, and we should give her the courtesy of listening to what she has to say. The opposition is courteous, generally speaking, when members of the government speak, so I ask members of the government to allow Ms. Sims to speak.

Ms. Jinny Jogindera Sims: In this world we're living in right now, Mr. Speaker, the debate has been narrowed so that, for me, I feel it's like walking on a tightrope across a snakepit. That's exactly how it feels. I do feel as a parliamentarian that my rights to express myself are being limited. I will try to once again assert, but with new points, why I think this extension of 30 sitting days is a bad idea and why we are opposed to it.

When I do that, in order to explain why I'm opposed to it, I realize I can't discuss what the intended expansion of the scope is, because the motion doesn't stipulate that, but I'm hoping the chair will grant me some leeway to talk about the actual bill itself, and what's in the bill, and how that is why I am opposed to the extension.

When you're looking at reasons for an extension—

The Chair: Go ahead, Mr. Dykstra.

Mr. Rick Dykstra: Ms. Sims is making it clear that she's now going to.... She's actually acknowledging that she's not going to speak on the motion before us. She's going to speak on the bill itself.

That's actually what you said. You said you were going to speak to the bill, and speaking to the bill—

Ms. Jinny Jogindera Sims: I will have to reference the bill.

Mr. Rick Dykstra: No. You said you were going to speak to the bill.

Ms. Jinny Jogindera Sims: I will reference the bill, Mr. Dykstra.

Mr. Rick Dykstra: Through you, Chair, I would like to hear a new argument as to why we should not pass this motion.

The Chair: I'm sure Ms. Sims is going to give us one.

Ms. Jinny Jogindera Sims: When I look at making arguments for seeking an extension of 30 sitting days, what I can refer to has been limited in an extraordinary way, I would say. But in order to put forward my arguments, I would argue, Mr. Chair, that I do have to refer to the contents of Bill C-425.

The Chair: I don't think so. I don't want to hear any debate on Bill C-425.

Ms. Jinny Jogindera Sims: I did not.... Chair, could you let me finish my thought?

At no time do I mean to debate what's in Bill C-425, but I do believe, when you look at the motion, that in order for me to speak for or against an extension, if I do not reference in some way what's in Bill C-425—the key elements in it—but not debate it, then it is very difficult for me to say why I'm opposed to this.

The Chair: Okay. Try me. I quite frankly can't believe you can do that, but we'll start, and if we feel it's getting into Bill C-425, I will tell you.

Ms. Jinny Jogindera Sims: In reference to the extension of 30 sitting days, the reason that the NDP and I, as the critic for immigration, citizenship, and multiculturalism, am opposed to this so vehemently has a lot to do with the processes for the bill before us.

I'm not talking about the future. I have to refer back to some of the things that have already occurred. I have not referenced these before. I know colleagues across the way keep referring to when I've spoken before, but I want to remind my colleagues that there are rules that govern what happens and what we can say in committee. They keep referencing a time when I spoke in camera, which I believe is very different from what you say in public. Even at that time, I did not make this argument. I know what I said.

Mr. Rick Dykstra: Okay. Say it again.

Ms. Jinny Jogindera Sims: I know what I said, but I'm not going to repeat it, because it was in camera.

Here we are. I am vehemently opposed to this extension of the timeline. I am opposed to it both as critic for my party and as a member of Parliament for one of the most diverse ridings in the country. It has a lot to do with the process that we have seen play out with Bill C-425. It has now been three months since we finished with all the witnesses.

We heard testimony, and I'm not going to get into reading the testimony, although I would like to do so, from both government witnesses and from witnesses put forward by the opposition parties. That's a very extensive time.

The Chair: Ms. Sims, I made extensive notes on your first representations. We don't need Mr. Dykstra to refer to the blues, because what you're saying I have written down. You are repeating what you said earlier today. I'm not going to allow it. You started talking about 60 days being the number of days for private members' bills. That's what you just referred to. You started talking about extra

treatment for private members, and so on and so forth. I don't want to hear that again. That was you, not another member.

Ms. Jinny Jogindera Sims: With due respect, I do not believe I referenced the witnesses we heard from. Hearing witnesses is part of the process. I was just trying to reference the fact that we've had ample time with witnesses. I was not trying to make the point about the 60 days all over again. I'm having to walk on a tightrope across a snakepit. You have to do a bit of a balancing act. I'm trying to do that balancing act by referring to—

The Chair: I hope you're not referring to this committee as a snakepit.

Ms. Jinny Jogindera Sims: Absolutely not. It's a situation where the motion has been narrowed in debate in a way that I have not seen since I've been in the House. I think, Chair, you would have to agree with that.

The Chair: We have a point of order.

Mr. Menegakis.

Mr. Costas Menegakis: I take major exception to that. This debate has not been narrowed in any way. The only ruling you have made, Mr. Chair, is one on repetitiveness and relevance. Repeating over and over doesn't narrow the scope. We started this process last Tuesday. It's now this Tuesday. We've had a week. Ms. Sims has taken the microphone and spoken at least—I'm going to go out on a limb—20 times on this very motion before us. We are discussing the extension, not the bill. She keeps wanting to delve into other things that have already been talked about extensively. It is a question of repetitiveness.

I don't see how she can continue doing that, and implying that somehow her parliamentary responsibilities have been narrowed in some way. I don't think they've been narrowed in any way, shape, or form. I want Canadians who are watching this to know that this debate has been going on for a full week. For four of those days, I remind honourable members, Ms. Sims was actually in the chair listening and keeping order in the committee. To suggest or to imply that somehow the debate has been narrowed is grossly unfair and somewhat disingenuous.

The Chair: Mr. Weston, do you have comments on the same point?

Mr. John Weston: Yes, Mr. Chair.

I would like to narrow that point somewhat. I'm going to refer you to two portions before I ask for a specific order on your part. The first is from the standing orders. You're familiar with it; you quoted it yourself. It's 11(2) and it says, "the Chair of Committees of the Whole, after having called the attention of the House—

The Chair: Excuse me, Mr. Weston, would you pause for a moment?

Ms. Jinny Jogindera Sims: What page are you on?

Mr. John Weston: It's page seven.

May I proceed, Mr. Chair?

The Chair: Yes.

Ms. Jinny Jogindera Sims: Could you give me a moment? I'm not as fast as you. I'm sorry, I borrowed your book. I'm willing to share.

Mr. John Weston: I'm speaking from the top of the page.

The Speaker or the Chair of Committees of the Whole, after having called the attention of the House, or of the Committee, to the conduct of a Member who persists in irrelevance, or repetition, may direct the Member to discontinue his or her speech....Then it goes on to talk about the consequence.

...if then the Member still continues to speak, the Speaker shall name the Member or, if in Committee of the Whole, the Chair shall report the Member to the House.

In a similar vein, Mr. Chair, referring to *House of Commons Procedure and Practice*, I'm looking at page 620. We hear something that has been said in various ways throughout the past week, as Mr. Menegakis said, commencing last Wednesday, it says:

The rules of relevance and repetition are intertwined and mutually reinforcing. The requirement that speeches remain relevant to the question before the House flows from the latter's right to reach decisions without undue obstruction and to exclude from debate any discussion not conducive to that end. The rule against repetition helps to ensure the expeditious conduct of debate by prohibiting the repetition of arguments already made.

Mr. Chair, this is the key point.

To neglect either rule would seriously impair the ability of the House to manage its time efficiently.

Mr. Chair, I'm going to ask you to contemplate the various things you've said and to narrow this down to a place where we can ask a new speaker to proceed if that speaker is saying something relevant and if it's a person who has already spoken, to assume that person has already expressed his or her comments. Otherwise, we're in a never-ending story that offends these rules against repetition and irrelevance.

The Chair: If I could ask the indulgence of the committee for a minute.

I will get to you, Mr. Harris.

I'm not making a ruling, Ms. Sims, but some more words have jumped out that you just read and that is:

In practice, the Speaker allows some latitude—if the rules are applied too rigidly, they have the potential for severely curtailing debate....

These are the words that jump out: "If they are neglected". In other words, it may get to the point where I'm allowing too much leeway.

...if they are neglected, the resultant loss of debating time may prevent other Members from participating in debate.

I appreciate your giving me those words. It seems to me possible that I can give too much leeway. In my opinion, and members can challenge me on that, I have been giving a lot of leeway to members to speak, even though I believe there's been repetition and irrelevance. I appreciate your drawing those words to my attention, and I will keep those in mind.

Mr. Harris.

Mr. Jack Harris: Thank you, Chair.

The Chair: Sorry, you had...

Mr. John Weston: My specific request, Mr. Chair, was to consider preventing someone from speaking who has already spoken

on the assumption that the person, with the latitude you're giving, will have already expressed his or her comments.

The Chair: I understand that part.

Mr. Harris.

Mr. Jack Harris: Thank you, Chair.

I appreciate Mr. Weston reading out the standing orders, but it seems to me that the Standing Order 11(2) as to the role that you've been playing is exactly what you've been doing. You've asked people to discontinue. For example, Mr. Christopherson, when he was asked to discontinue, he discontinued. It's only if he persists in speaking and speaking, after you say no, that you can name him. I don't know why he referred that to you, other than to try to suggest you should do something more than what you've already been doing.

The Chair: We're back to Ms. Sims.

Ms. Sims, I've tried to be very lenient with you—

Mr. Jack Harris: I have a point of order, Mr. Chair.

The Chair: Another point of order?

An hon. member: He wasn't done, really.

Mr. Jack Harris: I was—

The Chair: I know. I don't want to hear any more. I'm going to allow Ms. Sims to continue, which is what this is all about.

Mr. Jack Harris: Is it the right of the chair to say you don't want to hear any more?

The Chair: I'm saying that I don't agree with the point of order. I'm allowing Ms. Sims to proceed—unless you don't want me to do that.

Mr. David Christopherson: We're good, sir.

The Chair: You may continue, Ms. Sims, but please listen to what I've been saying.

Ms. Jinny Jogindera Sims: Mr. Chair, as I've told you before, I have a great deal of respect for your experience and the very difficult task you have ahead of you, having sat in that chair for a few days, trying to conduct this meeting. I also have a great deal of respect for the fact that you are not trying to narrow it down to the point where a debate is not possible. I really appreciate that.

By the way, Chair, I don't have any intention of debating the bill here. This is not the right place to be debating it, because this committee has finished with the bill, as far as it could go. The government still has three more days until the 21st to start those discussions about the bill itself, to bring forward amendments, do clause-by-clause, and get on with it. But that's not what we're here to debate. We're here to debate an extension of 30 days, so when I give my arguments on why I'm opposed to the extension, I will have to....

Some hon. members: Oh, oh!

Ms. Jinny Jogindera Sims: Excuse me, Chair, I am just....

The Chair: I need order.

You know, I can hear Ms. Sims, but I am having trouble concentrating on hearing Ms. Sims. I'd like members to respect that.

Proceed.

Ms. Jinny Jogindera Sims: Thank you, Chair.

I have that type of hearing. I even hear things I don't want to at times. It's incredibly good, so I always remind people of that, because I don't want them to be surprised by that.

I appreciate when people pay attention because I really try to give that courtesy when my colleagues are talking, and from both sides of the House, both sides of the table, I should say.

The Chair: Please proceed.

Ms. Jinny Jogindera Sims: Thank you very much.

When I'm talking about the extension and my reasons opposed to it, I have to reference Bill C-425. I've already covered in detail the timelines allowed for the bill, but I specifically want to talk about one component of that process, and I will link it directly to why I speak against this extension, Mr. Chair, if you give me an opportunity.

We heard witness after witness—and I've made a commitment to you that I'm going to read all that testimony into the record—say that the bill had some flaws that needed to be addressed. This is why it comes to committee, because committee is an opportunity for both the government and the opposition to get a chance to change, amend, give ideas to each other, co-opt each other's ideas. We do all of those things. That's what the committee stage is about, and you know what? We've had that opportunity, and the government still has another regularly scheduled meeting—I believe it's scheduled for Thursday from 8:45 a.m. to 10:45 a.m.—to complete the process with that bill, do the clause-by-clause, and allow a vote to be taken. We would welcome that.

When I look at this bill and the seeking of the extension for it, notwithstanding that there are elements in the bill that the opposition had no objection to in principle, though there was some wording and technical changes we would have suggested, we still are of the opinion that the government has had the opportunity to use the time allocated for PMB—that is for private members' business—and it is because of that we are going to be opposing this.

I want to thank the Chair for your consideration.

I will get myself back on the speakers list because I have some new points to be made, but I don't want to keep the floor from other members who want to speak. I heard that in the bit you read out. At no time do I want the government side to feel that they are not free to get on this list.

Please speak and take part in the debate. I welcome that.

The Chair: Thank you, Ms. Sims.

Mr. Nicholls, you have the floor.

Mr. Jamie Nicholls: Mr. Tilson, I'd like to raise a question of privilege.

Considering the work of Mr. Daniel Proussalidis of the QMI Agency, I'm sure this information hasn't been provided to the committee. Mr. Proussalidis wrote a piece on June 17 and submitted it at 4:57 p.m. to the public. The piece of Daniel Proussalidis casts the work of this committee in a negative light—and the chair as well.

As you know, Chair, the integrity of this committee is very important. The work of all the committees of the House should be cast in a fair light by the media, as they are the ones who directly impart ideas of the committee to the public, and the public learns of our work from media sources. Now, in the view that this integrity is important, Mr. Proussalidis has stated such things as the committee's work is “frustrating” you, Mr. Chair; that you have “snapped” at committee members; and that you have “cut off” debate.

Ms. Roxanne James: I have a point of order.

Mr. Jamie Nicholls: You can't raise a point of order on a question of privilege, Ms. James.

He has cast you, the chair, as being frustrated. He has said that you have snapped at certain members of this committee, and that you have cut off debate.

I would respectfully say, from my experience here at the committee today, that you have been measured and patient with members. You have not become frustrated with us, you have not snapped—or what I would interpret as having snapped—and you are attempting to work within the rules of committee as outlined by the *House of Commons Procedure and Practice*.

Therefore, I respectfully submit to you that, in this committee, we censure the work of Mr. Proussalidis as casting the work of this committee in a negative light and giving the wrong impression to Canadians about the democratic process, which you are protecting through your chairmanship of this committee and doing in quite a dignified manner, Mr. Chair.

I respectfully ask for your ruling on this question of privilege.

The Chair: Thank you.

We will suspend for a couple of minutes.

● (13305) _____ (Pause) _____

● (13305)

The Chair: I will call the meeting back to order.

This matter of privilege is.... We had a matter of privilege earlier, Mr. Nicholls. The point of privilege is debatable; however, any ruling that I make is not debatable. Is there any debate on this point of privilege that has been raised?

Mr. Menegakis, and then Ms. Sims.

Mr. Costas Menegakis: Yes, Mr. Chair.

Mr. Nicholls is referring to a member of the media, who is by all accounts probably observing what's happening here. This is his assessment. I don't consider it a violation of my privileges. Any member of the media has the right to comment on how they see or observe things.

I fail to see how this is a violation of a member's privilege. The media report every single day. Sometimes we like what they write, and sometimes we don't like what they write, but there is certainly freedom of speech in this country and they have the right to express themselves in any way they see fit. We can't sanction in this committee what a member of the media can or cannot write. I can't believe that Mr. Nicholls would bring this up to this committee as a point of personal privilege.

Thank you.

The Chair: Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you.

I absolutely am proud of the things we enjoy in this country. We enjoy the freedom of speech and the right to express ourselves. We do have our fifth estate, which is also guaranteed some rights. As my colleague across the way said, different perspectives are given on our proceedings here, whether it's today, yesterday, or any other day. If I were to describe the proceedings here compared to the description given by one of my colleagues across the way, I think that even we would have two different perspectives.

To me, when it comes to privilege, that privilege has to be when my rights as an individual member of Parliament, or the rights of another member of Parliament, have been violated. I spoke at great length to that yesterday, so I'm not going to do that today. I just wanted to make that comment here.

The Chair: Mr. Harris.

Mr. Jack Harris: Thank you, Chair.

I appreciate your ruling that a matter of privilege is debatable, or at least you'll hear from other people on the point. To have a proper discussion on it, though, we've had a couple of quotes from the article. Is it possible to have a copy of the article distributed to the committee?

The Chair: It is, but the problem is it's only in one language. Anything we distribute to the committee has to be bilingual.

Ms. Jinny Jogindera Sims: Can we seek unanimous consent?

The Chair: Yes, I guess you can.

Is there unanimous consent to distribute the article even though it's only in English?

Some hon. members: No.

The Chair: There's no consent.

A voice: It's possible for me to get a copy.

Mr. Jack Harris: Then perhaps the—

The Chair: You can ask your friend right next to you.

Ms. Jinny Jogindera Sims: It's in his BlackBerry.

Mr. Jack Harris: Perhaps the answer, then—

The Chair: Excuse me, Mr. Harris, I'm sorry.

Mr. Jack Harris: I'm sorry, yes. You asked for unanimous consent. I guess it wasn't given. But in order to have the matter before the committee properly, then perhaps it would require a suspension of the committee so we can have a translated copy made available.

The Chair: No, I'm not going to suspend.

Mr. Harris, and I'm prepared to reconsider what I'm about to say, I agree with Mr. Menegakis, and I think Ms. Sims. It's freedom of speech. People can write and say whatever they wish as long as it's not slanderous. I haven't heard anything that's slanderous. That's his opinion.

But I don't intend to hold up this meeting simply because of an article in some paper.

Mr. Jack Harris: I think the issue is whether or not the committee can properly consider the question of privilege. What I'm suggesting is the committee can't even consider it. You can't hear anyone's comments on it, and I'm not prepared to make a comment on it until the article has been tabled before the committee. That's the concern I have. It's not a question of whether or not we should hold up the committee because somebody wrote an article. The question is whether or not this committee is in a position to deal with the question of privilege. I don't think we are, unless we have a copy of the article tabled for discussion.

The Chair: It has been read to me and I understand what the author of the article said because of what Mr. Nicholls has read to the committee. I understand what he said.

Mr. Jack Harris: I think he's—

The Chair: I don't need the article to understand what he has said, and I believe everyone else in this committee should understand what has been said because of what Mr. Nicholls has read. If you want to have Mr. Nicholls read the article again, that's fine, but I'm not going to hold up the proceedings on this motion until a newspaper article is translated into French. I have no intention of doing that.

Mr. Jack Harris: I think he made a couple of quotes from the article, I don't think he read the whole article, sir.

Mr. Costas Menegakis: [*Inaudible—Editor*]

Ms. Jinny Jogindera Sims: That is cause for debate.

The Chair: Are you on the list, Mr. Menegakis?

Ms. Sims.

Ms. Jinny Jogindera Sims: Before debating the privilege motion, I'm really glad today that we're actually debating it because that is part of the process. Whether I agree or disagree with that is not up to me. The chair will make some kind of a determination and the speaker will decide. But out of respect for the person who has moved a privilege motion, for me, as a committee member, to be able to participate in a debate, which I am entitled to, I would like to see a copy. I'm willing to forgo the bilingual translation in order to be able to read it. Some people just don't need to hear things, they need to actually read things as well, and I don't have it in front of me, Chair.

The Chair: Mr. Menegakis.

Mr. Costas Menegakis: Mr. Chair, we know the motion that we have been discussing and debating here for over the better part of a week now. To bring a question of privilege to the committee about something a member of the media has written, I have already stated it is absolutely within their right. The media has a right to interpret and to report in any way, shape, or form their assessment of a situation. It is certainly not the prerogative or the privilege or the right of a parliamentary committee, or any committee, to sanction the words that the media write or speak. To introduce that now as somehow being relevant to the point before us, the extension of 30 days that we're asking for in this motion, is totally irrelevant. It is not relevant to the discussion. It's another tactic, if you will, and, I might add, a very weak tactic. It's not based on any fundamental principles of the freedom of speech that we have in our country. To now say let's start translating newspaper articles or reported articles in the media so that we can discuss them is totally out of the scope of this motion and what we're discussing here at this committee.

The Chair: Mr. Nicholls.

Mr. Jamie Nicholls: I want to continue on that point.

Mr. Chair, Mr. Proussalidis' article is out there. The public has read it. I agree that he has the right to write whatever he wants. People can buy his newspaper. The work of this committee, though, has an important obligation. It has an obligation to the House of Commons and an obligation to the Canadian people. Through my question of privilege in asking for censure, not censor, of Mr. Proussalidis' article it sends a message to the public that we as members of this House don't agree with the cynicism that is being fed to the Canadian people.

Given the fact that this committee's work is being cast in a negative light, we could send a message by saying we don't agree with that. We have confidence in the chair. We believe that the chair is measured. He's not frustrated by the process because that's his role as chair, to uphold the integrity of this committee. He has not snapped at members. He has ruled justly. He has not cut off people from debate. He has followed procedure.

By sending a message, by addressing this article, which in my belief is feeding the cynicism of the Canadian electorate, we send a message that we can also react to the way we are being portrayed, which is affecting our privilege as members. The more cynical the Canadian people become about our political process whether it be our work in the House of Commons, the work in the Senate, the other place, the work we do in committees, the more the cynicism of the Canadian electorate is fed, the less confidence they have in this process.

Mr. Ted Opitz: I have a point of order.

Mr. Jamie Nicholls: There's no point of order on a question of privilege, Mr. Opitz.

The Chair: Go ahead.

Mr. Jamie Nicholls: By feeding the cynicism of the Canadian electorate, they lose trust in the public institutions that represent them such as the work that we're doing here at committee. So when we go back to our ridings—if we go back to our ridings, considering that this could go on for quite a long time especially with the time extension—when we go back to our constituents and we talk to them, if more and more of them are telling us, “What you guys are

doing is going around in circles, you're cutting off debate”, that does affect your privilege in the long run.

Those people whom you represent, those constituents, no longer will give their confidence to you as your representative if they believe that you're frustrated by the process, that you're snapping at other members, that you're cutting off debate. If they believe those things, such as how Mr. Proussalidis has cast the chair of this committee, then they start to lose confidence in the process, and that does affect your privilege in a serious way.

Therefore, we have the chance through the chair's ruling to show that we don't necessarily agree with the light that we've been cast in through media sources. Mr. Proussalidis has all rights to write whatever he wants. That's the freedom of the press. I support freedom of the press. I would not want him to stop his work.

But as a committee in our work we have the right to protect our privilege and the privilege of all members in this House and to set a precedent by saying that perhaps we respectfully disagree with the way that Mr. Proussalidis is casting us, that it is not an accurate depiction. It doesn't mean we are going to try to remove his articles from a newspaper. It just means we're sending a message that we respectfully disagree with his portrayal of the work of this committee.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. Nicholls.

Mr. Opitz.

Mr. Ted Opitz: Mr. Chair, I'm a little disturbed by the member's comments. I had mentioned the other day that in my military time I commanded troops, and now I have 113,000 or so constituents that I answer to each and every day. If we are in the media, that is the media's prerogative to write about us. Often things are good and often things are bad, and we've just got to deal with that. As public figures and politicians, and leaders in our community, we are subject to and open to critique, and that is the right of the electorate. That is the right of the media to publicly look in on us and see what we are doing.

That side can't talk about transparency and not practise it. If they don't like what somebody's saying about them, they can't try to shield it because their feelings are hurt or because this particular journalist has written something that casts them in a negative light. Well, he's been here for the same length of time I've been here, and I think I've become quite accustomed to that at this point. I would recommend to my honourable friend that he should too because the media, constituents, the public all have a right to know what we are doing in this committee, and this committee is public. The only ones holding us up here with circular arguments are on the other side, Mr. Chair. It's not this side. In fact, if you look at the statistics of the amount of speaking time on this committee, it is far outweighed by those on the other side, the NDP members and a Liberal member.

We are seeking reasonable accommodation, reasonable compromise. My friend, Mr. Shory, is having his ability to put his private member's bill through compromised. What else is being compromised is the safety of the Canadian public. This bill defends, first of all, my former comrades in the Canadian Forces, and anybody who perpetrates an act of violence against them in any way could have their citizenship stripped. Any terrorist who perpetrates an act against Canada, against its citizens, against our sovereignty, against our freedom, against our way of life, against the way we choose to conduct ourselves and our democracy, could have their citizenship stripped if they happen to be a Canadian citizen or a dual citizen, and in full accordance with the UN charter on making sure that people do not end up stateless.

Canada abides by those rules. Additionally, it allows those permanent residents who are in the Canadian Forces serving there, or those who will serve in the Canadian Forces because they have particular skills that the Canadian Forces need, to achieve citizenship one year faster. I think that is a very reasonable accommodation for those willing to put themselves in harm's way on behalf of Canada and their fellow Canadians.

Mr. Chair, I'm offended that the member opposite is worried that he's not going to look good in the media because of the fact that they continue to filibuster, block important legislation, block an important private member's bill, and block a member from being able to have his voice and the voice of his constituents heard in this place.

The Chair: I think you're going beyond the issues before us.

Mr. Menegakis.

Mr. Costas Menegakis: Thank you, Mr. Chair.

It is inconceivable. In fact, it really raises a serious question as to the intent of this question of privilege brought forth by Mr. Nicholls. Mr. Nicholls, in my opinion, has the audacity to bring before this committee a question of privilege on something that a member of the media has written.

Mr. Prousalidis, like all members of the media, like all media outlets, has the absolute right, as part of the responsibilities of his job, to comment on the news and to give his opinion on matters. He has the absolute right to question, sometimes to speculate, depending on how they feel. At no time do we have any right to question what the media says or does not say. This is not a question of privilege.

The Chair: We're getting into repetition, Mr. Menegakis.

Mr. Harris.

Mr. Jack Harris: Thank you, Chair.

I found it rather startling to hear Mr. Opitz say that in relation to the fact that a member brought a question of privilege, really what was said about the chair and the committee was that the member is worried about himself looking good in the media. That's a very far stretch.

For someone to raise the question, to bring it to the committee as to whether or not there has been a question of privilege, that's an absolute right of members of the House. It's not about him looking good. It's about whether or not the committee or the committee chair is receiving the respect they deserve. Whether you agree with the question of privilege or not is a totally different matter. To then go on

to suggest that this legislation that's being delayed is going to ensure that anybody who does violence to a member of the Canadian Forces is going to lose their citizenship, that's outrageous. It's not even true. That's not part of any bill that's before the House.

The Chair: Thank you, Mr. Harris.

Mr. Jack Harris: We heard Mr. Opitz talk about the bill, why this is before the House, and people are delaying—

The Chair: I have the right to cut this off, but I'm allowing members to go on. We're getting into debating other things.

Ms. Sims.

Ms. Jinny Jogindera Sims: Chair, I just want to say that it has been interesting for me that as we debate a question of privilege raised by one member, which is debatable at this committee, members from the government side have brought in actual contents of the bill and have been given quite a bit of liberty to make comments that go way beyond the motion that we are debating.

So I'm hoping that the chair will bear with me in a similar way because it's not bad—

The Chair: I know you're wrong. I just cut off Mr. Harris for going beyond.

Ms. James, you have the final say.

Ms. Jinny Jogindera Sims: Chair, if I may—

The Chair: Well, you know....

Ms. Jinny Jogindera Sims: Put me back on the list, then, please.

The Chair: No, there's no more list. You can finish what you're saying as long as you don't get into where you're going.

Ms. Jinny Jogindera Sims: What I want to say is that I absolutely believe we have a fifth estate. There is a reason for that. I believe in freedom of speech. I respect that. I believe in open and transparent government. I will always support and respect those.

Notwithstanding all of that, we have a question of privilege that's been raised by a member. What we're here to do now is to debate that. I think people have already gathered how I may feel about that question of privilege, but in order to be fair to the member, I need to see what he is raising. I don't have that, and I don't have a hard copy of that.

We're here to discuss an extension, but now we're looking at a question of privilege, and the privilege actually refers to some comments. I don't know where my colleague intends to go with this privilege and what the chair is going to say about it, but in the meantime, I have to express what we're here to do. What we're here to do is ensure discussion on the recommendation that asks for an extension so that it gives the government an opportunity to go to the House to seek an expanded scope to change the content of a bill that a private member has put forward.

The Chair: Thank you, Ms. Sims.

Ms. James, you have the final say.

Ms. Roxanne James: Thank you, Mr. Chair.

Actually I'm glad you said that because this is just another attempt to delay the initial vote. I'm asking procedural—

The Chair: Ms. James, please proceed. It's a question of privilege.

Ms. Roxanne James: I'm asking you to rule on that question of privilege and get back to the original motion.

Thank you.

The Chair: Thank you, Mr. Nicholls, for drawing it to my attention.

We've had one question of privilege before, and I'm going to read the definition of privilege to you. This is out of the good book, page 145. If the situation "infringed upon any Member's ability to perform his or her parliamentary functions or appears to be a contempt against the dignity of Parliament."

That was the crunch of your submission, that you feel this article is a contempt against the dignity of, in this case, the committee. I guess one could look at that point of view, and on the other hand, we can look at all the arguments that were raised, particularly by Mr. Menegakis, which talk about the issue of freedom of the press. In fact, several members on both sides referred to it. Over the years I've certainly been criticized; I'm criticized in this committee, for heaven's sake. I've had members on both sides question rulings. I've been challenged by both sides on the rulings I've made. That's the way the system goes: you do your best and I do my best, and if I'm wrong, the committee will tell me I'm wrong. I've listened to the quote you've given from an article in the *Ottawa Sun*, and I'm taking the position that the freedom of the press is superior—I may not be using the right word—or has higher priority than your fear that there has been a contempt against the dignity of this committee.

I thank you for drawing it to our attention. I will therefore rule that this is not a question of privilege.

Thank you very much, sir, for drawing it to our attention. This has been an interesting debate. You, sir, are on the list to speak to the main motion.

Ms. Jinny Jogindera Sims: Chair, on a point of order.

The Chair: Point of order.

Ms. Jinny Jogindera Sims: I hate to do this. Maybe it's sitting here and drinking too much cold water, but I would really appreciate a five-minute comfort break, just five minutes, no more.

The Chair: Go ahead, Ms. James.

Ms. Roxanne James: Once again, Mr. Chair, we don't need a mass exodus to the bathroom. In fact there are only two stalls in the women's bathroom, so if all of the ladies who are in here, including the clerks and all the analysts, went to the bathroom, we actually could not get that particular business done within five minutes.

I'm reminding the member opposite that she's free to leave her chair, walk through the door that's just a few feet away, go around the corner to the bathroom, and she could be back here in three minutes.

The Chair: We don't take breaks for lunches. We don't take breaks for dinners. We're hard-working here.

Ms. Jinny Jogindera Sims: Point of order, Chair.

The Chair: Another point of order?

Ms. Jinny Jogindera Sims: Yes.

Chair, I am quite comfortable not taking a break for lunch, not taking a break for a cup of tea or a cup of coffee, but I think when it actually comes to taking a comfort break—and let me be clear, to go to the washroom—I don't want to miss the debate in this room.

The Chair: Well, I recommend you get a substitute, Ms. Sims. If you're that desperate, you get a substitute.

We have Mr. Harris who can take the floor.

Ms. Jinny Jogindera Sims: Do I have the floor?

The Chair: You had the floor, but you told me you were leaving.

Ms. Jinny Jogindera Sims: I'm not leaving. I believe Mr. Nicholls has the floor.

The Chair: You have the floor. I have Mr. Nicholls after you.

Ms. Jinny Jogindera Sims: Thank you, Chair. As I really do have to go to the washroom, that's where I will be going. I just wanted to let you know.

The Chair: All right. Thank you for telling us.

Go ahead, Mr. Nicholls.

Mr. Jamie Nicholls: Mr. Chair, I want to thank you for your ruling on the question of privilege.

Mr. Chair, I'm going to be fairly brief. We're here to talk about the 30-day extension, but it appears that we're not allowed to talk about the reason for the extension. Is it correct that's been the ruling that has been given in the past?

The Chair: Quite the contrary. I said if you have reasons that are relevant to the motion, you can speak on those.

Mr. Jamie Nicholls: I do actually have reasons that are relevant to the reasons for the extension. However, my fear is that I will be ruled out of order as soon as I start to talk about the reasons for the extension. I'm worried, because I brought up the point before and was not allowed to actually get to what I was speaking about, which was my daughter's home country of Turkey, where the prime minister has dubbed peaceful protestors as terrorists. To expand the scope of this bill to terrorists, when the definitions of terrorist around the world are quite different, will pose a problem. Repressive regimes—and I'm not calling Turkey a repressive regime—often put this label on people. In the case of Turkey, where the prime minister called peaceful protestors terrorists, this poses a problem directly for dual nationals who are of Canadian and Turkish origin. If they are labelled terrorists in their nation, it will pose a problem.

The Chair: Mr. Nicholls, we went through this the first time you spoke. I can't allow you to deal with this.

Mr. Jamie Nicholls: The reason for the extension, Mr. Chair, is to expand the scope to the word “terrorist”. I’m submitting to the committee, and I’ll do this briefly, that if you’re judged a terrorist in another country and you’re convicted as a terrorist there, that possibly.... I don’t agree with the expansion just because the definition of terrorism globally is not the same as the one that we have in Canada, which I have full confidence in. For convicted terrorists in Canada I have confidence in the justice process. But, expanding the scope and using the word “terrorist”, the word means different things to different people around the world. In some countries, a peaceful protestor can be called a terrorist.

The Chair: Mr. Nicholls, allow me to interject for a moment. If you don’t have the notice of motion before you, I’ll read it. It’s been read a number of times. On Tuesday, April 23, 2013, the Committee recommended to the House that it be granted the power during its consideration of Bill C-425 to expand the scope of the Bill. The Committee is awaiting for a decision of the House before further considering the Bill.

We had this out with Mr. Harris. That was the time to debate the issue that I’ve allowed you to have time on. I ruled you out of order the first time and I’m ruling you out of order this time. This is not the time to get into this. It may be a very relevant issue, but not for this motion. It’s more appropriate that you would do it in the House or, if this committee ever gets back to dealing with Bill C-425, then at that time. The only thing that is before us now is whether the committee should be asking the House for an extension of 30 days

Mr. Jamie Nicholls: Mr. Chair—

The Chair: I’m sorry, sir, I can’t allow you to proceed on your issue. I understand.

Mr. Jamie Nicholls: I’ve already put forward the point, Mr. Chair.

The Chair: I can see you’re very emotional about this, and I understand that it’s a personal issue, but it’s simply not relevant to this, sir.

Mr. Jamie Nicholls: I was trying to address the reason for my opposition to the extension. I think I’ve made the point in the brief comments that I’ve made. So, I thank you for the time that you’ve given me, Mr. Chair.

The Chair: Thank you, Mr. Nicholls.

Mr. Harris, you have the floor.

Mr. Jack Harris: Chair, I appreciate the opportunity to debate this matter a little further. I don’t know exactly whether this specific topic has been raised before, although the fact that a topic has been raised before doesn’t necessarily mean it’s repetitive. Maybe some people have different arguments or are more persuasive.

One of the reasons I am opposed to this extension being requested is that it puts the committee in a position to be actually facilitating a process that would deprive the consideration of the proposed changes to the Department of Justice for vetting under the requirements of compliance with the Charter of Rights. When government presents legislation to the House, there’s a requirement under law that the bill be presented to the Department of Justice for an opinion as to whether or not there’s compliance with the Charter of Rights. There’s been quite a bit of debate about that within the past year. In fact there’s a case before the Federal Court of Canada as to whether or not that process has been conducted properly. It’s been a matter of public debate in legal circles and the point about whether

or not the justice department is doing a proper job or being given the wrong instructions has been raised in Parliament on a number of occasions. However—

The Chair: Mr. Harris, if I can interject for a moment, you may or may not have a correct point. It may be a valid point for a court of law. It may be a valid point for debate in the House. It may, indeed, be a valid point if this committee ever gets around to debating the provisions of Bill C-425. But getting into issues of the charter with respect to this motion—

Mr. Jack Harris: I’m not debating the charter, sir.

The Chair: Well, I heard the word “charter”. I heard you say it.

Mr. Jack Harris: Well, you may have heard the word “charter”, but I’m not debating the charter. Perhaps if you’d let me finish, you could hear what I’m talking about.

What I’m saying is that the whole consideration of whether or not the legislation is complying with the charter, the committee, by seeking this extension, is actually bypassing that process. That’s the point I’m trying to make. The process is—

The Chair: I don’t think that has anything to do with this motion.

Mr. Jack Harris: It does.

You asked us whether we supported the motion or not and the reasons. One reason is that I don’t think this committee should be seeking this extension because the consequence of the extension would be to give rise to legislation going through this committee that should have gone through the Department of Justice as a government bill. That’s required by law. The Department of Justice has to pass as to whether or not it’s complying with the charter. That’s a process that is required by law for government legislation. By going through this procedure, seeking this extension, which is granted automatically, facilitates that process. I don’t think this committee should be party to that procedure.

Whether you agree with that argument or not—

The Chair: I don’t. Oh no, you’re not going to get me into whether I agree or disagree with your argument, Mr. Harris.

Mr. Jack Harris: —that shouldn’t interfere with your decision as to whether it’s relevant.

The Chair: Mr. Harris, we’re not going to get into whether I agree or disagree with your argument.

Mr. Jack Harris: It shouldn’t interfere with whether it’s relevant.

The Chair: It does not. My job is to make sure that the topics being debated are relevant to this motion. I don’t think it is. I know you’re going to disagree with me, but I don’t think it is.

Essentially, as I understand it, you’re saying this matter should have gone to the Department of Justice. For all I know, it did. I don’t know whether it did or not. It never appeared in—

Mr. Jack Harris: No, that’s not what I’m saying.

The Chair: All right. Well, maybe I should listen to you more. Go ahead, sir.

Mr. Jack Harris: Thank you, Chair.

What I'm saying is that if the government brings forth legislation that is government legislation, there's a requirement by law that the Department of Justice has to give an opinion as to whether or not it meets the charter requirements. That's not the case for private members' business.

By taking this route, and by the committee's seeking an extension to allow this to happen, we're actually facilitating a bypass of that legal requirement for something that ought to have been a government bill, which is being bypassed —

The Chair: We've heard this argument before, Mr. Harris. Do you have a new point?

Mr. Jack Harris: Well, the point—

The Chair: We've heard it.

Mr. Jack Harris: I don't think you've heard that part of it.

The Chair: Yes, we have. We've heard it.

Mr. Jack Harris: I don't think you've heard—

The Chair: We heard it last week.

Mr. Jack Harris: —about the Department of Justice.

The Chair: We heard all this last week.

Mr. Jack Harris: I don't think so. I don't think that's the case.

We may have heard the case about it being a government bill versus a private member's bill, but one of the consequences of that is that the Charter of Rights.... This is legislation, by the way, that has been criticized on the basis of the Charter of Rights and Freedoms, and we don't have an opinion from the Department of Justice on it because we're seeking to bypass that obligation of law that sits with government bills. That's what is happening here, sir.

The Chair: You know, Mr. Harris, you're right. It has been raised in this committee before. The issue has been raised in this committee but not on this particular motion, so you're quite right. You may proceed.

Mr. Jack Harris: Thank you, sir.

The issue has to do with the legislation. If it was brought by the government, the legislation is required to go through the Department of Justice and an opinion must be sought and given that the legislation is complying with the charter. So, seeking to have this extension to facilitate the amendment of this legislation bypassing that process is something this committee ought not to be doing.

The Charter of Rights is there for a reason. We're dealing with legislation that involves the taking away of citizenship of Canadians or preventing citizenship from taking place, and citizenship is something people value very highly, as we heard from Mr. Nicholls concerning his own personal circumstances. It's a very high issue of concern in the law and in people's rights.

This is unprecedented legislation in this country and, as has been pointed out, we don't know of the countries to which we compare ourselves doing this. By achieving this or attempting to bypass this process by.... Well, it's part of the increasing in scope, obviously, but the point is that the new legislation that's being requested to be made available would not have been given that official consideration by

the Department of Justice lawyers, and we suggest that it would be a very good reason why this committee ought not to request this extension, because it ought not to do anything to facilitate that process.

Sir, I'd leave that with you and have myself put back on the speakers list for the next round.

The Chair: Thank you, sir.

Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you very much, Chair.

I really appreciated my colleague's raising one of the major concerns that I have felt all along, and that is regarding what is in the bill, its applications, and its implications not only for this committee, but for work that is done in other areas as well.

Getting back to the extension that we are here to seek today, an extension, if I could be so bold as to mention, which has been portrayed by many as a protection of private members' business. I would argue it's because I believe in protecting private member's business, that I am actually going to be speaking against it.

The Chair: I heard this argument earlier in the day from you, Ms. Sims, this morning, in fact.

Ms. Jinny Jogindera Sims: Okay, I will move on to a different argument, Mr. Chair.

The Chair: Thank you.

Ms. Jinny Jogindera Sims: Getting on to why I'm opposed to this, and without entering into the scope that is sought, one thing I'm left to say is that there is a reason given in this motion for the extension that is very explicit. It's to seek an expansion of the scope, but unless we can get some clarification of what that expansion of scope is, it's very difficult for me as a parliamentarian to give an extension, because that's like giving an extension on a blank sheet of paper.

The Chair: We've already voted on that.

Ms. Jinny Jogindera Sims: On what?

The Chair: On asking for an explanation of the scope.

Ms. Jinny Jogindera Sims: I must be having one of those senior moments I get occasionally nowadays, Chair. It must be something to do with age, because I could not recollect our having raised what is meant by the scope here.

I have heard the chair rule over and over again that we know the reason the extension is being sought, and the reason is to get an expanded scope.

I would impress on you, Chair, that the question I ask, justifiably, is what does that mean? This is why I will raise the issue that taking part in a parliamentary debate means that you debate with the government side as well as other members of the opposition. But the government side has been so quiet all morning—sorry, I'm not supposed to mention who is quiet and who is not.

The Chair: I don't find them to be quiet.

Voices: Oh, oh!

Ms. Jinny Jogindera Sims: Okay, I will move away from that line then. I was really hoping today that I would hear more from the government side and that they could expand on what they mean by scope. I would still invite them to participate and to please clarify that for us, although it is every member's right to choose whether to speak or not to speak, because that's a right that's given to us in the orders.

The Chair: Ms. Sims, it's very interesting. We've already dealt with this whole issue of scope. I don't want to go there anymore.

Ms. Jinny Jogindera Sims: Thank you very much, Mr. Chair.

When I look at the request here, it is a request to the House seeking an extension of 30 sitting days. If my understanding is right, this request has to be delivered to the House after this committee has passed it and before the House adjourns, if it adjourns on June 21.

Mr. Chair, it's very difficult to make your point unless you can make reference to what it is you're trying to do.

Thank you.

The Chair: Probably my going to the button annoys you, and I don't mean to annoy you, but we have dealt with all of that, too.

Ms. Jinny Jogindera Sims: I have a slightly different opinion, but I respect the chair; therefore, I will move on. Basically, what I'm hearing is that I can't question the scope of the bill.

I just want some clarity around here. I can't get into talking about what is actually in the motion, which is about Bill C-425. The only thing I can talk to is an extension in a vacuum. I would say that the chair has put me in a very difficult position in which I'm having to say, once again, that I feel I'm being asked to make vacuous arguments when I want to make substantive ones.

The Chair: Ms. Sims, just to remind you, the scope and the way it could be broadened is in the report of this committee, which was tabled in the House on April 23. I'm not restricting you; that has already been dealt with. I went through all of this with Mr. Harris.

Ms. Jinny Jogindera Sims: On a point of clarification, and I'm not trying to be awkward or irritate the chair in any way—

The Chair: I understand.

I'm sorry, Mr. Weston, do you have a point of order?

[Translation]

Mr. John Weston: Yes. Thank you, Mr. Chair.

I apologize for missing the past hour. However, two hours ago, I asked if you would establish a rule prohibiting someone who had already spoken during the meeting from speaking again. I'm not sure when you're going to make a decision on that.

[English]

The Chair: I'm doing my best, Mr. Weston.

You can continue, Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you very much.

The Chair: Keep in mind what I've said. Don't make remarks such as that I'm putting you in a vacuum. We have dealt with the issue of scope, which is why I made my comments to you. That has already been decided; we decided way back on April 23.

Ms. Jinny Jogindera Sims: I'm going to ask whether I could get a copy of what was decided on April 23.

The Chair: It's in the report. I don't have it here. It's on the website.

Ms. Jinny Jogindera Sims: Okay, I'll make sure that I get it from the website.

Oh, good, there's a copy; I will get a chance to read it.

I may come back—I have that right anyway—to make further points based on what I read in there, but right now I will get back to the calling for an extension.

I'm going to oppose it, and we will be here for a long time opposing it. As you know, this is not action we're taking lightly. We feel that a piece of private members' business is—was—here at committee stage, and after having ample opportunity, we did not manage to address it. That's just the way the cookie crumbles, sometimes. I do not feel at this time any compunction to support giving the government an extension so that they can—

The Chair: Thank you, Ms. Sims.

Mr. Harris, you have the floor.

Ms. Jinny Jogindera Sims: Chair, could you put me back on the list, please?

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

I wish to expand on my rationale as to why this committee ought not to ask for this extension. It's the duty of all parliamentarians, I believe, to give the Charter of Rights and Freedoms the broadest possible consideration and support. Countries rarely have the kinds of protection from laws that violate these fundamental rights and freedoms that are set out in the charter. It is something that is above legislation; in fact, it prevents legislation from derogating from those rights and freedoms. We have processes in place with respect to that. We as parliamentarians are sworn to uphold the law, and part of that law—

The Chair: Mr. Harris, I don't see how this is even remotely close to this motion. I really don't.

Mr. Jack Harris: If I may explain.

The Chair: It's a very interesting point, but I don't think it's appropriate to raise it for this particular matter, which is a motion, for the umpteenth time, simply on whether the committee should be asking for an extension of 30 days.

You are talking about a charter issue. You did that when you were last on the list and you're doing it again. It may be a valid argument, or it may not be a valid argument, but I don't think it's relevant at this particular juncture.

Mr. Jack Harris: If I may, with respect, sir, I would attempt to persuade you. First of all, part of the argument is an attempt to persuade our colleagues here that this is a bad move.

The Chair: It may be, sir, but it has nothing to do with the motion. It may be a valid argument as to whether or not Bill C-425 should be voted yea or nay, but it has nothing to do with the motion.

Mr. Jack Harris: It does in this way, sir, because it's not about whether or not the bill itself violates the charter. The issue is that it bypasses the process whereby significant legislation has to be vetted by the Department of Justice if it's brought as a government bill.

The Chair: I know, and you made that point in your last round. I heard that.

Mr. Jack Harris: That's why it's important.

The Chair: How many times are you going to say that?

Mr. Costas Menegakis: On a point of order, Mr. Chair.

The Chair: On a point of order, Mr. Menegakis.

Mr. Costas Menegakis: Mr. Chair, when the microphone of the chair is on and the chair is speaking, I don't think there should be any interruptions by members.

The Chair: Mr. Harris, I'm trying to be fair to you and I'm trying to listen to what your argument is. You're not persuading me, but we'll give you more of a chance.

I'm interested as to how relevant this is to the motion. I don't think it is, but I'm open to hearing you say why it is relevant.

Mr. Jack Harris: First of all, this is not an argument about whether or not Bill C-425 is or is not contrary to the charter. It has to do with the process whereby legislation that is introduced by the government is required to go to the Department of Justice for a decision. They're not permitted to bring legislation to the House of Commons if they have a ruling from the Department of Justice or an opinion that this is contrary to the charter.

That matter is under debate. It is subject of debate right now, but that's a different question.

But in this case—

The Chair: For all I know, Mr. Harris, that may be the reason, or one of the reasons, another reason, it's not in the motion, but there may be other reasons why the government wants more time.

Mr. Jack Harris: I hear that and it may be, but I'm saying that this committee ought not to seek to bypass that protection of the charter, and that members of Parliament, all of us on this committee, are in a position here to prevent that from happening by refusing to follow this motion.

The Chair: Sir, I still stick to my guns on this. This is a matter with respect to debate on the bill, not with respect to the motion. I don't recall anyone ever asking whether or not the Department of Justice had been advised on that issue. I don't recall that. If it has, I don't recall it, but it doesn't matter whether I recall it or not. I am sticking to the position and you haven't been able to persuade me that this argument, which you have spent some time on and I've allowed you to go on with to a certain degree, is relevant to the motion. I'm going to stick to that.

If you have another point to raise I'd be pleased to hear it.

Mr. Jack Harris: The point is the logic of what I'm saying is related to the decision of this committee to seek this extension. The logic is that this extension is not debatable in the House and it's

going to go to a vote immediately. Nobody can debate these points, but the effect of it is to advance this legislation without having the protection that's there if it was government legislation.

The Chair: If it was relevant to the motion and I'm stopping you, you're right. But I'm saying it's not relevant to the motion.

I'm going to proceed to Ms. Sims. You have the floor.

Mr. Jack Harris: I ask that my name be put back on the list.

The Chair: Mr. Harris is back on the list.

Mr. Kevin Lamoureux: Mr. Chair, I have a point of order, if I may.

The Chair: On a point of order, Mr. Lamoureux.

Mr. Kevin Lamoureux: Mr. Chair, we have listened at great length to a lot of the proceedings earlier today, and question period begins in about 15 minutes. Yesterday you determined that we would suspend at 2:30 p.m. The issue that I'd like to raise is whether there might be some benefit to suspending for question period, given its importance to the legislative agenda.

SI would ask if there would be a willingness for you to canvass members and see if we can have a suspension for question period.

The Chair: We'll hear Ms. James and then Ms. Sims.

Ms. Roxanne James: On that point, I think that we should continue working through. The majority of the members on this side have sat through over a week of debate. I'm afraid that if we leave for QP, the NDP or the opposition might come up with a new point and we might miss it. I'm prepared to sit right through. If I have to go right to the very last sitting day, I'm prepared to do it.

The Chair: Ms. Sims, did you want to add something?

Ms. Jinny Jogindera Sims: Yes, I do. There are going to be votes at 3 p.m.

The Chair: Mr. Christopherson.

Mr. David Christopherson: On the point of adjourning, I find it shocking—

Ms. Jinny Jogindera Sims: It's suspension we're talking about.

Mr. David Christopherson: Yes, on suspending for question period, I can't believe that we aren't adjourning right at 2:15 p.m. Question period is arguably the main focal point, like it or not, of the day. To have this committee running at the same time doesn't make any sense. We don't normally do that. It's a question of right. The government wants to ram something through and the price to be paid is our rights.

We are asking that we suspend during question period, which is to be followed by votes. The government is putting on brass knuckles and doing everything they can to deny us our rights, because they want to ram this through. Having a suspension to attend question period, where we hold the government accountable, seems to me to be pretty darned important.

Mr. Ted Opitz: I have a point of order. It's on relevance to the bill.

The Chair: We're on a point of order.

Madam James and then Mr. Harris.

Ms. Roxanne James: Once again, any member who wants to leave this committee is free to go and attend QP.

The Chair: I'm sorry, Ms. James—

Ms. Roxanne James: Should I hold my thought?

The Chair: Well, yes, it's my mistake.

Mr. Opitz is ahead of you, and I apologize to him.

Mr. Ted Opitz: That's okay, Mr. Chair.

I agree with my honourable friend. If the member feels like getting up and going to QP, he's free to do that. This committee has important work to do, and we elect to stay here and work on this important issue.

The Chair: Ms. James.

Ms. Roxanne James: As I was saying, any member of this committee is free to vacate this committee, go to QP, and watch the whole of it. As I said before, I'm prepared to sit right through until we are able to vote on a simple motion that should have taken less than two minutes, but here we are a week later. After several suspensions and adjournments, after calling a chair in England to commence a new committee, and after all the other business that has gone on, I'm prepared to sit right through. This bill is that important.

The Chair: I have a list.

Mr. Nicholls and then Mr. Harris.

Mr. Jamie Nicholls: I have a similar point of order.

The Chair: All of these are similar.

Mr. Jack Harris: I would urge you to use your own judgment on this as chair of the committee. We hear the government members deciding to abuse the rights of members of this committee by having it meet during question period. There's an expectation that members of every caucus attend question period. Anybody who has been following it from outside, people who are watching on TV, know that caucus members are expected to attend. The whips expect caucus members to attend question period.

If the government whip has told the members opposite that they don't have to be at question period today, that's fine; they're exercising their individual rights. But I think you as chair—

The Chair: Mr. Harris, I've heard enough because we're getting all these issues.

I'm going to read Standing Order 115(5):

Notwithstanding Standing Orders 108(1)(a) and 113(5), the Chair of a standing, special, legislative or joint committee shall suspend the meeting when the bells are sounded to call in the Members to a recorded division, unless there is unanimous consent of the members of the committee to continue to sit.

There is no other requirement that we suspend, or adjourn, or anything else. I had the practice yesterday of adjourning at 2:30 because I was led to believe there were going to be votes. I'm led to believe there are going to be votes today after question period ends. There will be no bells for that. It is my intention to suspend the meeting at 1:30 so that members can get not to hear question period but to vote.

What did I say? I'm sorry. It is my intention to suspend at 2:30, but not for the purposes of being part of question period. I understand your arguments and the other arguments for and against. That's what we did yesterday and that's what I'd like to do today.

As it turned out, there were no votes yesterday. We suspended anyway. I'm assuming there are votes today and therefore I will be suspending at 2:30.

Ms. Sims has the floor.

Ms. Jinny Jogindera Sims: Are we still on the point of order?

The Chair: We're on the main motion.

Ms. Jinny Jogindera Sims: Thank you. Give me a minute to get my thoughts together.

The Chair: We'll go to Mr. Christopherson and you can come back another time.

Mr. Christopherson.

Mr. David Christopherson: On the point of order?

The Chair: No, we've done that.

Mr. David Christopherson: I thought I was on a list for a point of order.

The Chair: No, you're on the list to speak to the main motion.

Mr. David Christopherson: What happened to the point of order, Chair?

The Chair: I ruled that we're going to suspend at 2:30.

Mr. David Christopherson: I was seeking to put on the floor that the principle of respecting certain things happening—

The Chair: I understand that, but we've done that.

Point of order, Mr. Opitz.

Mr. Ted Opitz: We're spending far too much time debating this. Using your own judgment, Mr. Chair, the chamber's just up the road here. I would say 2:50 would be sufficient.

The Chair: No, I said 2:30.

Mr. Christopherson, you have the floor.

Mr. David Christopherson: I would move that the chair see the clock at 2:30.

The Chair: The motion is in order because I said 2:30 and it is not debatable.

The motion is that we see the clock at 2:30.

It's a recorded vote and the clerk is going to take over the vote.

(Motion negatived: nays 6; yeas 4)

The Chair: The motion fails.

Mr. Christopherson, you have the floor to debate the main motion.

Mr. David Christopherson: Thank you very much. I appreciate that, Chair.

What I want to move to after my first point—I don't think I completed it, but I see that I'm not going to get much further in making that point, so I will move along.

The next thing I'd like to discuss as an important reason that I am opposed to this motion is that there would have been ample time to deal with this bill, clause by clause, had this committee been engaged in that bill, but right off the bat, my understanding is that we had this motion come in where the government is seeking to expand the scope of the bill. Again, it's a private member's bill. The motion is to allow enough time for the executive council to get their hooks into it.

By virtue of moving this motion right off the bat, there was really no.... One can't find any evidence that the government was ever serious about dealing with this as a bill and talking about its merits, and going through it clause by clause, which we still could do right now if the committee wanted to actually do the work of a committee. Instead, we're caught up in this power play—

The Chair: Mr. Christopherson, we've been through this argument many times.

Mr. Calandra.

Mr. Paul Calandra (Oak Ridges—Markham, CPC): Mr. Chair, I was reviewing the transcripts and it sounds like we've heard this argument many, many times, so I'm wondering if we could move forward.

Mr. David Christopherson: Not by me.

The Chair: It may not have been by you, sir, but it's been by a number of people. The ruling has been that if we've heard it by a number of individuals, then that's called repetition.

Mr. David Christopherson: How far back do you go?

The Chair: Last Tuesday.

Mr. David Christopherson: Last Tuesday.

This is only the first time I've experienced—

Ms. Jinny Jogindera Sims: On a point of order, Mr. Chair, with all due respect, when members come to this committee, they bring with them their riding experience as well as their parliamentary experience, as well as their right to be able to speak. We often substitute. Just because one person has said something, I would argue that should not preclude another member of Parliament from expressing that point of view differently.

The Chair: Well, I've said this a number of times. When there's substitution, it's up to the person who is substituting and the other members, whatever party it is, to inform those members what has been discussed.

To give him credit, Mr. Christopherson may not have heard this argument before, but that's not the fault of the chair. I've pointed out I don't know how many times that there's an obligation by Mr.

Christopherson's colleagues to inform him what areas have been covered. That area has been covered a number of times and I'm not going to allow him to start repeating what has been discussed, even yesterday, again.

Thank you.

A point of order, Mr. Harris.

Mr. Jack Harris: Sir, on a point of order, I think it needs to be put on the record that there may be five reasons, for example, why someone opposes a particular motion or aspect, but that doesn't mean that fifteen people could not be persuasive in different ways.

The object of debate is to persuade others of your point of view and to convince them of your arguments and to hear those arguments. There could be a list of five reasons, but there may be a lot of arguments within those reasons, and there may be more persuasive ways of saying it.

To say that the matter has been raised before doesn't mean that the argument or the discussion is repetitive. Individual members have a particular way of expressing themselves, and one may be more persuasive than another. I think that needs to be part of the record.

The Chair: I don't know how many times I've read from O'Brien and Bosc that I have considerable discretion to rule on whether or not there's been repetition. I'm saying there's been repetition with respect to the position that Mr. Christopherson is taking.

Mr. Calandra, do you have a point or order?

Mr. Paul Calandra: Chair, there's been repetition, so could we move on?

I think you've been quite clear on this.

The Chair: Mr. Christopherson, did you have another point to speak to?

Mr. David Christopherson: Well, I wanted to point out again that this is a serious matter, Chair. Nobody is denied the right to say something in the House because their colleague said exactly the same thing two days ago. It's outrageous. It has never happened. No Speaker is going to say, "No, you can't say that because that MP over there already said it." That's ridiculous.

The Chair: I have made a ruling, Mr. Christopherson. It has been challenged, I think, and my ruling has been sustained.

Mr. David Christopherson: Yes, it has been sustained and it's the tyranny of the majority.

The Chair: Point of order—

Mr. David Christopherson: You're extinguishing my rights by virtue of the government majority backing your ruling, even though your ruling is undemocratic.

The Chair: Point of order, Mr. Wilks.

Mr. David Wilks: Mr. Chair, I'd like to remind Mr. Christopherson that we're not in the House of Commons. We're in committee.

The Chair: Ms. James, is it on the same point?

Ms. Roxanne James: I am just going to say what really is outrageous is the fact—

Some hon. members: Oh, oh!

The Chair: Order. Order, Mr. Calandra.

Ms. Roxanne James: What really is outrageous is that another 10 minutes have gone by. In light of the fact we again have delayed this debate, I request the chair reconsider his suspension at 2:30 and push it back another 10 minutes so that we can actually get back to the heart of the issue, which is a motion that should have been passed a week ago, or at least voted on.

Thank you.

The Chair: Yes, Ms. Sims.

Ms. Jinny Jogindera Sims: Chair, it is one thing for you to rule somebody out, and then move on to the next speaker, which you've done quite a number of times.

When somebody sitting on the committee is trying, through a point of order, to get the chair to change the time that the chair has said he will be suspending, I find that a bit over the top.

The Chair: All right. For the fourth or fifth time, for the benefit of Ms. Sims and for the benefit of Mr. Christopherson, O'Brien and Bosc, page 620:

When enforcing the rules against irrelevance and repetition, the Speaker can call a Member to order and, if necessary, warn the Member that he or she risks being directed to discontinue his or her speech. Such warnings are usually sufficient. However, should the Member persist, the Speaker can proceed to recognize another Member....

Therefore, I am moving to Mr. Nicholls.

[Translation]

Mr. Jamie Nicholls: Before I get to my point of order, Mr. Chair, I believe Ms. James asked the chair if he would extend the meeting by 10 minutes, and I didn't hear his answer. I'm talking about Ms. James's point of order.

[English]

The Chair: I'm sorry, Mr. Nicholls, my position of 2:30 stands.

[Translation]

Mr. Jamie Nicholls: Thank you, Mr. Chair.

Further to Ms. Sims' comments—I am not sure if it was two rounds ago—the chair said we could refer to the proceedings of April 23, 2013 for the definition of the expression “expand the scope” as regards a private member's bill.

I'd like to know whether other details were provided or whether it came from Mr. Dykstra, when he said, and I quote:

I believe it's imperative to ensure that every single amendment the government has moved plays a role in this piece of legislation, which I think is timely, which I think is correct.

[English]

The Chair: Point of order, Mr. Calandra.

Mr. Paul Calandra: Again, it sounds like repetition to me, Mr. Chair. I've reviewed a lot of the testimony that has come before.

Is Hansard working? Mr. Chair, can I just confirm that Hansard for this committee is working, or am I the only one who was able to read Hansard before I came here?

Is it working? It is working. Okay, I was just checking. So everybody has had the opportunity to review the transcript before coming here and repeating the same things over and over.

The Chair: Mr. Nicholls, you may proceed.

[Translation]

Mr. Jamie Nicholls: Thank you, Mr. Chair.

I just wanted to check whether it was indeed the passage that reads as follows:

I believe it's imperative to ensure that every single amendment the government has moved plays a role in this piece of legislation, which I think is timely, which I think is correct. It needs to ensure that every single one of our amendments is included in it.

I cannot stress strongly enough that no words or actions can be ill-defined, and the bill cannot be either. As such, Mr. Chair, I would like to move the following motion: that the committee recommend to the House that it be granted the power during its consideration of Bill C-425, An act to amend the Citizenship Act, honouring the Canadian Armed Forces, to expand the scope of the bill such that the provisions of the bill be not limited to the Canadian Armed Forces.

Could you please confirm that is where the definition of the expression “expand the scope” came from, or does it appear elsewhere in the evidence of the April 23rd proceedings?

[English]

The Chair: I believe it is, but please bear with us for a minute.

[Translation]

Mr. Jamie Nicholls: Thank you.

[English]

The Chair: I'll suspend for a couple of minutes to try to answer your question.

● (13420)

(Pause)

● (13420)

The Chair: We need some clarification, Mr. Nicholls.

I believe what you read was from Hansard, a quote from Mr. Dykstra, third paragraph starting “I cannot stress correctly enough”. Then I think you proceeded to read the next two or three paragraphs. Is that what you read to us?

[Translation]

Mr. Jamie Nicholls: Yes, I think so. It's in French, unfortunately.

[English]

The Chair: Yes, and your question is whether that is what we're referring to.

[Translation]

Mr. Jamie Nicholls: Is that the source of the debate on the definition of “expand the scope of the bill”? I'd like to know, so that I don't repeat any of my colleague's previous arguments.

[English]

The Chair: I'll try to explain it to you, sir, if you'll bear with me.

This was a motion that was made on April 23 by Mr. Dykstra, as you've said:

That the Committee recommend to the House that it be granted the power during its consideration of Bill C-425...to expand the scope of the Bill such that the provisions of the bill be not limited to the Canadian Armed Forces.

That was a motion that was carried in the committee. There was a report made, which I presented to the House as chairman of the committee. That was tabled in the House. It was the eighth report.

Now we have a motion asking for an extension of 30 sitting days. That motion—I've gone over it a number of times, and you may or may not have been present, but I've gone over it a number of times—is completely different from what happened on April 23. When we talk about what happened on April 23, what you read is correct, but those proceedings are completely different from what is going on now.

You still have the floor, sir, for about three minutes.

[Translation]

Mr. Jamie Nicholls: Thank you for making that clear, Mr. Chair.

In my view, what Mr. Dykstra said that day still applies today. I completely agree with what he said. Our words and actions cannot be ill-defined. We must choose our words and actions carefully, particularly given that the reasons cited for the extension are questionable, as I see them.

[English]

The Chair: Where am I? Mr. Harris is not here.

We're back to Ms. Sims.

Ms. Jinny Jogindera Sims: Oh, that is so delightful.

The Chair: Good old, dependable Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you.

The Chair: I shouldn't have said old...good old Ms. Sims.

Ms. Jinny Jogindera Sims: Age is all in the head, you know. I've discovered that.

The Chair: I can say that, because I'm older than you are.

Ms. Jinny Jogindera Sims: One thing I've discovered, Mr. Chair, is that as I age it has all become very, very relative. When I was 19, 30 was ancient; when I was 21, 40 was in another world; and now that I'm 30, you know, 60 and 70 seem like teenage years. That's simply the way it works.

Getting back to this, I really want to thank my colleague for finding in Hansard what happened on April 23. Mr. Chair, what happened on April 23 and today are inextricably tied and, I believe, very difficult for us to sever. How can you sever the reason for the expansion from the need for an extension? The extension would not be required—

Ms. Roxanne James: A point of order, Mr. Chair.

The Chair: A point of order, Ms. James.

Ms. Roxanne James: I have heard this argument....

Ms. Jinny Jogindera Sims: I've never used that word before.

Voices: Oh, oh!

Ms. Roxanne James: Argument? You're right, I had not used the word "argument" before.

I've heard this argument, though, from the opposition again and again and again. It's repetition. I ask the chair to direct the member to speak directly to the motion with a new point.

Thank you, Mr. Chair.

The Chair: Well, I think Ms. James is correct. We've pointed out in the past, Ms. Sims, that the preamble to the second paragraph, which talks about the reasons that the House be granted the power to expand the scope of the bill, and then something else about awaiting the decision of the House for further consideration of the bill, those are the reasons. That argument has been made a number of times, even since I've been here, since yesterday, all day yesterday. It's been made a number of times.

Ms. James is right. It's true you're phrasing it in a different way. You've used a big word.

Mr. Ted Opitz: She is a teacher.

The Chair: Well, I always respect academics. I will say that the argument has been made a number of times, and you'll have to move on to another issue.

Mr. Jamie Nicholls: On a point of order, Mr. Chair, it is 2:30.

The Chair: Actually, what I'm going to do is suspend.

(Meeting adjourned [See *Minutes of Proceedings*])

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