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Thursday, November 7, 2013

—
Co-Chairs

Mr. Greg Kerr

The Honourable Marie-P. Charette-Poulin

Standing Joint Committee on the Library of Parliament

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• (1205)

[*English*]

The Joint Clerk of the Committee (Mr. Chad Mariage): Honourable members of the committee,

[*Translation*]

I see a quorum.

Let me introduce myself. My name is Chad Mariage, and I will be the joint clerk of this committee on the House side. My colleague, Kevin Pittman, will be the clerk on the Senate side.

I will give him the floor so that he can preside over the election of the joint chair from the Senate.

[*English*]

The Joint Clerk of the Committee (Mr. Kevin Pittman): Good afternoon, honourable members of the committee.

Honourable senators and members of Parliament, as joint clerk of your committee, it is my duty to preside over the election of the joint chair from the Senate.

[*Translation*]

I am ready to receive the motions for the election of the joint chair from the Senate.

[*English*]

Senator Terry M. Mercer (Northend Halifax, Lib.): I nominate Senator Poulin.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP): I second that nomination

The Joint Clerk (Mr. Kevin Pittman): Are there any other nominations?

It is moved by the honourable Senator Mercer that the honourable Senator Poulin be elected joint chair of this committee.

[*Translation*]

Is it the pleasure of the committee to adopt the motion?

[*English*]

(Motion agreed to)

Voices: Hear, hear!

[*Translation*]

The Joint Clerk (Mr. Kevin Pittman): I invite the Honourable Senator Poulin to the chair.

[*English*]

The Joint Clerk (Mr. Chad Mariage): We can now proceed to the election of the House of Commons joint chair.

As members will know, the clerk of the committee can only entertain motions to the effect of the election, and can't entertain points of order and that sort of thing.

I am now ready to accept motions to the effect of the election of the House joint chair.

Mr. Allen.

Mr. Mike Allen (Tobique—Mactaquac, CPC): I would like to nominate Greg Kerr.

The Joint Clerk (Mr. Chad Mariage): Mr. Allen moves that Mr. Kerr be elected House of Commons joint chair of the committee.

Are there any other motions?

Seeing none, is it the pleasure of the committee to adopt the motion?

(Motion agreed to)

The Joint Clerk (Mr. Chad Mariage): Congratulations, Mr. Kerr, on being elected.

Voices: Hear, hear!

The Joint Clerk (Mr. Chad Mariage): Before inviting Mr. Kerr to take the chair, with the indulgence of the committee, we'll proceed to the election of vice-chairs on the House of Commons side.

Pursuant to the Standing Orders, the first vice-chair must be a member of the official opposition. I'm ready to receive motions to that effect.

The Joint Chair (Senator Marie-P. Charette-Poulin (Senator, Lib.)): I move that Carol Hughes be nominated as vice-chair.

The Joint Clerk (Mr. Chad Mariage): Senator Poulin moves that Mrs. Hughes be elected first vice-chair of the committee.

Are there any other motions?

Seeing none, is it the pleasure of the committee to adopt that motion?

(Motion agreed to)

The Joint Clerk (Mr. Chad Mariage): Congratulations to Mrs. Hughes, the first vice-chair.

Voices: Hear, hear!

The Joint Clerk (Mr. Chad Mariage): Pursuant to the Standing Orders, once again, the second vice-chair must be a member of the opposition, but not of the official opposition. I am ready to receive a motion to that effect.

Mrs. Carol Hughes: I move that it be Scott Simms.

The Joint Clerk (Mr. Chad Mariage): Mrs. Hughes moves that Mr. Simms be elected second vice-chair.

Are there any other motions?

Seeing none, is it the pleasure of the committee to adopt the motion?

(Motion agreed to)

The Joint Clerk (Mr. Chad Mariage): Congratulations, Mr. Simms.

Voices: Hear, hear!

The Joint Clerk (Mr. Chad Mariage): I now invite Mr. Kerr to take his chair.

The Joint Chair (Mr. Greg Kerr (West Nova, CPC)): Thank you very much, everybody.

We have a bit of business to do today, and one is to let the senator speak first.

Please, go ahead.

[*Translation*]

The Joint Chair (Senator Marie-P. Charette-Poulin): First, I would like to thank all the members for being here today. On behalf of my co-chair and myself, I would like to thank committee members for their confidence in us.

[*English*]

I will defer, therefore, to my co-chair to start the business meeting.

The Joint Chair (Mr. Greg Kerr): Thank you, Senator.

It's really nice to be working with the senators and knowing things are going to proceed as they should. We're back to business, and it's good to have it that way.

Congratulations, Carol and Scott. Now that you know you are here and actually have to be a vice-chair, congratulations.

We have to adopt the routine motions this morning. If it's the committee's wish, we can do them as a block, or one by one, if you would like.

Mrs. Carol Hughes: I'd like to do them one by one.

The Joint Chair (Mr. Greg Kerr): If there's no consensus, I understand we have to go one by one. Part of the reason, the clerk tells me, is that number three is new to the process, so we may want to get some clarification.

Senator Anne C. Cools (Toronto Centre-York, Ind.): We always question that which is new.

The Joint Chair (Mr. Greg Kerr): Yes.

Okay, on number one, analyst services.

You are familiar with these, so are we in favour of adopting the analyst services?

(Motion agreed to)

[*Translation*]

The Joint Chair (Senator Marie-P. Charette-Poulin): The second routine motion pertains to the time allocated for opening remarks and the questioning of witnesses. It reads as follows: That witnesses appearing before the Committee be given ten (10) minutes to make their opening statement and that during the questioning of witnesses the time allocated to each questioner be 5 minutes.

● (1210)

[*English*]

It is moved by Mrs. Hughes.

Senator Anne C. Cools: Can I ask why this is necessary to be adopted in this way?

The Joint Chair (Mr. Greg Kerr): Could the clerk perhaps explain the process?

Senator Anne C. Cools: I'd like to know the origin of that, because I would think that the committee would have had some say in making such determinations as needed as we go along, but I'm quite interested.

The Joint Chair (Mr. Greg Kerr): The clerk is going to respond.

The Joint Clerk (Mr. Chad Mariage): The motions you have before you were all adopted in the previous session.

The origin of that specific one is that it's the practice on the House side to adopt routine motions that outline questioning of witnesses and the time of questioning of those witnesses. Obviously, it's been modified to reflect the reality of a joint committee, in the sense that it's not divided by party and that kind of thing, but the genesis is simply that it's carried over from the last session. The committee can decide whether it wants to adopt it or not.

Senator Anne C. Cools: I haven't been permitted to serve on a committee for quite a few years.

You said it's the practice of the House of Commons. Is it a practice of the Senate?

The Joint Chair (Senator Marie-P. Charette-Poulin): No.

Senator Anne C. Cools: Maybe we should look at it. Maybe the committee should arrive at its own decision on the issue rather than just apply a House of Commons practice. It's not that House of Commons practices are undesirable, but I think it's something we should address.

The Joint Chair (Senator Marie-P. Charette-Poulin): I really appreciate Senator Cools' question.

To give you a bit of background, this was the compromise that was made a few years ago for an adaptation between the rules of the two houses. It already reflects a compromise that was made, and it's just the continuation of that compromise.

All in favour?

The Joint Chair (Mr. Greg Kerr): It was already adopted.

The Joint Chair (Senator Marie-P. Charette-Poulin): It was already adopted?

Further questions.

Senator Nicole Eaton (Ontario, C) : I find it stunning that we don't take into account the time we have for that particular period. Say we have 40 minutes left and everyone wants to speak to it, don't you have to adjust the members' time for speaking to how much time there is on the clock? Isn't that a more pragmatic solution?

Anyway, it doesn't matter.

The Joint Chair (Mr. Greg Kerr): That's the problem for the chair to make the determination depending on how the meeting is going. That's our problem.

Senator Nicole Eaton: You could change it if you had to. You could say that each member is allowed one pertinent comment.

The Joint Chair (Mr. Greg Kerr): We can reflect on how the meeting is going and what the best time allocation would be.

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Wind-sor, Lib.): I have a quick question for clarification. Obviously I know what the routine is in the House of Commons, but for the Senate itself, what is the speaking time and order of questions to be asked?

Sorry, I don't watch as much CPAC as I should.

[Translation]

The Joint Chair (Senator Marie-P. Charette-Poulin): I am sorry. Could you repeat the question, please?

[English]

Mr. Scott Simms: You said that several years ago you accommodated both systems to come up with this. I'm not familiar with how the Senate differs from the House of Commons.

The Joint Chair (Senator Marie-P. Charette-Poulin): There are no time limits. It's that simple.

Mr. Scott Simms: There are no time limits? I did not know that.

Senator Nicole Eaton: It depends on how much time you have. If it's a two-hour committee or a one-hour committee and you have six speakers, you fit it in.

Mr. Scott Simms: Really. We have to get to the Senate. That's what I'm going to do.

The Joint Chair (Mr. Greg Kerr) : To keep the order, if there are questions, please go through the chairs.

Thank you, Mr. Simms, for the distraction. That's very nice.

At this point I should ask the analysts if they'd care to join us, since they have been selected. If there are in-depth questions, we know we are well served by analysts, so we're glad to have them here.

[Translation]

The Joint Chair (Senator Marie-P. Charette-Poulin): You have the floor, Ms. Hughes.

Mrs. Carol Hughes: I would like to comment on the discussion that we had.

Since I have been a member of this committee, no one has ever really had any trouble sharing their time, whether it be a senator or an opposition MP. We have not had very many meetings, but I hope that will change. I would like us to discuss this procedure.

[English]

The Joint Chair (Mr. Greg Kerr): Thank you, Ms. Hughes, for sure.

Okay, on item number three, there is a difference. This is the only one where there is a difference, so I am going to ask the clerk to please give a bit of background on why it's a little different.

The Joint Clerk (Mr. Chad Mariage): Thank you, Mr. Chair.

As members who were here in the previous session will recall, when the debate arose on the subcommittee, there was an issue that was brought up with regard to numbers not reflecting the change in government and that kind of thing, so the clerks were tasked with going away and proposing, based on the new numbers in both houses. This is the result of that reflection, and this is what we propose to you. Obviously it is just a proposal. Should members wish to modify it, they can do so.

• (1215)

The Joint Chair (Mr. Greg Kerr): This is up for adoption and therefore it is open for discussion and any comments because it is new.

Ms. Hughes.

Mrs. Carol Hughes: I want to move it.

The Joint Chair (Mr. Greg Kerr): It is so moved.

Are there any questions or comments?

Senator Anne C. Cools: I think we are moving these a little too fast.

The Joint Chair (Mr. Greg Kerr): Could you show your hands, please, if you want to comment.

Senator Anne C. Cools: I have a suspicion that we may be moving these along a little too quickly. I have problems with handing over as much power to these subcommittees as is currently handed over automatically. Just let me finish. There was a time when subcommittees existed and steering committees existed, but anything they did used to come to the full committee first before they could do it. Over the years that has changed so that they just do things. You arrive at a committee meeting with a list of witnesses on which you can have no input, and I have a lot of problems with that.

The Joint Chair (Senator Marie-P. Charette-Poulin): Thank you again, Senator Cools, for your question.

To give you a little bit of historic background, those who are here today who were previous members will remember that previously there was no steering committee, Senator Cools, for this committee. It did create a bit of a problem. It was at the request of the committee itself that this was developed by the two clerks to make sure there was a process that is similar to other committees that could be used for pre-discussions before being brought to the full committee. That is just a little bit of the history here.

Did you want to add something, Carol?

Mrs. Carol Hughes: I was just going to say that I don't know how it works in the Senate either, but normally with the subcommittees there would be a discussion as to issues or studies that we want to do.

For witnesses, everybody would have an opportunity to put names forward. If I'm not mistaken, it is the clerks who go through that list to try to find a balance for the suggested witnesses to make sure that everybody has an opportunity to have certain witnesses come forward.

Again, as I said, this is not usually a very controversial committee when we're looking at the Library. On the issues that we are looking at, usually we are in agreement that we want to better the issues that fall under the Library of Parliament, so whether that was the study that we were undertaking under Parliament 2020 which was to encourage more people to vote and to give more people insight on Parliament, it's something that we all have a stake in.

I just wanted to add that there is equality on the subcommittee and it's just a matter of bringing this forward, and of course there would be a discussion about the studies being done.

Senator Anne C. Cools: I have no doubt about that. I'm not worried about that. My concern is not how well things have worked and whether or not there has been controversy. My concern is when controversy and difference arise, it's then that you need a solid rule. That is my concern and this is one of the problems.

I just want to tell you, I have been here for quite a few years and the number of motions that get adopted automatically at the formation of the constitution of any committee has increased. They've grown like Topsy. Once the committee is rolling and moving in full gear, you will find that quite often we will not be allowed to revisit these questions.

I don't want to shock you but I have sat on many committees where the lists of witnesses, the report itself, and the conclusions have been written outside of the committee and we have no say. Nobody has had any input. I've had the experience not once or twice

• (1220)

The Joint Chair (Mr. Greg Kerr): Okay, could I make a point?

This recommendation, which is a very common one with committees...the only purpose of this committee is to help prepare an agenda for the full committee and nothing happens unless the full committee signs off on it. This committee has nothing to do with reports. It has nothing to do with writing submissions. It simply puts together a potential agenda of items and potential witnesses, which has to be presented to the full committee, and the full committee has to decide whether it wants to proceed. That's its whole purpose.

Senator Anne C. Cools: Perhaps we could add "to make decisions, which must be approved by committee". Maybe we could add those words.

The Joint Chair (Mr. Greg Kerr): Sorry. I know the clerk is prepared to explain it. This—

Senator Anne C. Cools: I would prefer to hear from you because you're the chair and we'll be dealing with you.

The Joint Chair (Mr. Greg Kerr): No, this is the law of Parliament, both sides, that a subcommittee cannot make decisions for a committee.

Senator Anne C. Cools: That is not my experience. My experience is that the opposite is the case.

The Joint Chair (Mr. Greg Kerr): Well, I don't know if you've been on a steering committee—

Senator Anne C. Cools: Yes, I have.

The Joint Chair (Mr. Greg Kerr): I don't know of any steering committee that has ever been able to do anything but put together an agenda for the full committee, and I assure you, that's the only intent of this, if the committee wants—

Senator Anne C. Cools: If that's the limitation, perhaps we should say that in the motion.

The Joint Chair (Mr. Greg Kerr): Okay, I'm going to ask the clerk.

Senator Anne C. Cools: There are many subcommittees that argue that they do not have to report to the main committee anymore.

The Joint Chair (Mr. Greg Kerr): But this committee only exists to prepare an agenda for the committee. That's its only purpose.

Senator Anne C. Cools: Then put it into the motion so that there's no mistake.

The Joint Chair (Senator Marie-P. Charette-Poulin): I have before me the text of one of the committees that sat this morning, an organization committee. It's from the Senate, and it's the agriculture committee. The text that was approved by that committee reads as follows: "It is moved by the honourable senator that the subcommittee on agenda and procedure be composed of the chair, the deputy chair, and one other member of the committee to be designated after the usual consultation, and that the subcommittee be empowered to make decisions on behalf of the committee with respect to its agenda, to invite witnesses, and to schedule hearings."

It's the tradition also, as we all know, which is not written, that if committee members don't agree with discussions that have been held by the steering committee, there is an opportunity in the full committee to re-discuss.

Senator Anne C. Cools: Okay, I knew that. We should say, then, which decisions are subject to the whole committee's approval. If that is the case, we just put it in the motion.

The Joint Chair (Senator Marie-P. Charette-Poulin): Are you therefore proposing an amendment to the motion?

Senator Anne C. Cools: I'm just saying to you if that is the intention of the motion as you put it to us, it is not in the motion, so maybe you should entertain amendments.

The Joint Chair (Senator Marie-P. Charette-Poulin): There are other speakers on this issue.

The Joint Chair (Mr. Greg Kerr): Yes. If you are making an amendment, now would be the time to do it.

Senator Anne C. Cools: Okay, well, then I move that proposal number three be amended by adding after the word "hearings", "which decisions shall be subject to the approval of the committee."

The Joint Chair (Mr. Greg Kerr): Okay. We have an amendment which we now have to deal with.

Mr. Warawa.

Mr. Mark Warawa (Langley, CPC): Speaking to the amendment, I don't believe it would be in order because earlier in this motion, it's the subcommittee that would be empowered to make decisions on behalf of the committee, and then at the end we're saying it has to go back to the committee. It's one way or the other.

I appreciate what Senator Cools is saying, but the motion has to be worded in a way that makes sense and it's contradicting itself.

A voice: In fact, it's not a contradiction—

The Joint Chair (Senator Marie-P. Charette-Poulin): Is there anyone who wants to speak on the amended motion?

Senator Eaton.

Senator Nicole Eaton: I would just say that if we amend the committee of the library's routine motions, I think we're opening up a can of worms. I'm sorry that Senator Cools has had different experiences than I have. This is basically a steering committee. I think we should think of it as a steering committee and proceed with evidence.

The Joint Chair (Senator Marie-P. Charette-Poulin): The first vote for my co-chair will be on the amended motion and then....

The Joint Chair (Mr. Greg Kerr): Mr. Warawa is correct. It would change the general working of the thing. The clerk suggests if that's the intent, then you're better off striking a couple of lines above the amendment. I would like to get the....

• (1225)

Senator Anne C. Cools: I would disagree with that. It doesn't alter the substance at all. What it does is it ensures the subcommittee presents a report and that reaches...before they do things. That's what it ensures.

The Joint Chair (Senator Marie-P. Charette-Poulin): Why don't we go to a vote?

The Joint Chair (Mr. Greg Kerr): What we're going to do is this. The clerk says it's acceptable to vote on the amendment. We'll take him at his word.

I will call the vote on the amendment. The amendment is to add the words....

Do you want to say it out loud, Chad, please.

Senator Anne C. Cools: The clerk is not the joint chair of the committee.

The Joint Chair (Mr. Greg Kerr): The clerk is reading the motion as prepared by one of the committee members.

Go ahead.

The Joint Clerk (Mr. Chad Mariage): I have, "That the motion be amended by adding after the word 'hearings', 'which decisions shall be ratified by the main committee'".

(Amendment negated)

The Joint Chair (Mr. Greg Kerr): Thank you very much.

Now we'll go back to the motion.

Is there still a speaker on the motion or are we going to the vote?

Mr. Mark Warawa: I'm on the list.

The Joint Chair (Mr. Greg Kerr): Do you want to speak on the motion?

Mr. Mark Warawa: On the main motion, I had asked for clarification. I had similar concerns as Senator Cools on the purpose of this committee.

Co-chair Kerr, you had mentioned that the purpose of this committee was to meet to discuss the agenda, but as has been clarified by the other co-chair, it actually has the right to make decisions based on the agenda and calling witnesses and scheduling hearings. That's what we're proposing. Does everything come back to this main committee, or do we give the authority, delegate the authority to this subcommittee, this steering committee?

Just as long as we know what we're voting on, then we can make a good decision. I don't have a problem with that in the interest of efficiency. If we have a problem with this, if we feel that the subcommittee has too much control, we can come back and review this. I think there would be nothing wrong with trying it.

My question is on the makeup of this steering committee. I find it a little confusing when I asked for clarification. Number one, it's composed of joint chairs, so that's two people. Then there are the vice-chairs, which are two more people. That's four people. There are four of the members from the committee representing, one, the Senate.... This is where it gets confusing to me. Who are these four people? One would be from the Senate, one would be from the Conservative Party. That means two people.

The Joint Chair (Senator Marie-P. Charette-Poulin): It would be two from the Senate and it has to be a Conservative senator.

Mr. Mark Warawa: The way it's written, it could be interpreted that one.... That provides clarification. From the House of Commons, there would be two Conservative members, so that would be three people, correct? The New Democratic Party would make four. So that's your four people.

Senator Anne C. Cools: What about independents? Do they count?

The Joint Chair (Mr. Greg Kerr): That's the makeup.

Senator Anne C. Cools: I was asking what about independents. Do they count?

The Joint Chair (Mr. Greg Kerr): First, I still have Senator Eaton's name on the list. Did you want to speak to the motion?

Senator Nicole Eaton: No, I spoke. Thank you.

The Joint Chair (Mr. Greg Kerr): Senator Cools.

Senator Anne C. Cools: I was just wondering, because sometimes it gets a little tiresome.... Does anybody consider that independents should be considered for some of these positions?

The Joint Chair (Mr. Greg Kerr): All I can tell you is that this is the standard makeup of committee structure. That's the split that's adopted by Parliament and that's the—

Senator Anne C. Cools: Parliament hasn't adopted anything. Parliament is two houses.

The Joint Chair (Mr. Greg Kerr): No, but this is the standard procedure for committees within the parliamentary structure. That's the general way it's done. That's why it was put here. It's the normal procedure.

Senator Anne C. Cools: I don't think so and this is put here out of habit. I don't think people have given it much thought. This is just habitual. You began by saying that this is how it's been done for the last little while, so you're just repeating it.

I just make the point, you know—

• (1230)

The Joint Chair (Mr. Greg Kerr): All right, well, thank you for your point.

Senator Anne C. Cools: —and I'll make it again as time goes by.

The Joint Chair (Mr. Greg Kerr): Okay, time for the question to be called.

(Motion agreed to)

[Translation]

The Joint Chair (Senator Marie-P. Charette-Poulin): Let us go on to Motion No. 4, which pertains to meeting without a quorum. It reads: That the quorum be fixed at six (6) members, provided that each House is represented, and that a member from the opposition and that a member from the government are present whenever a vote, resolution or other decision is taken; and that the Joint Chairs be authorized to hold meetings to receive evidence and have that evidence published when a quorum is not present, provided that at least three (3) members are present, including a member from the opposition and a member from the government, and provided that each House is represented.

[English]

Do I have a mover?

Senator Nicole Eaton: I so move.

The Joint Chair (Senator Marie-P. Charette-Poulin): Senator Eaton so moves.

Are there questions or comments?

Madame Hughes.

[Translation]

Mrs. Carol Hughes: I would like to replace the words “a member from the opposition”, which appear at the beginning and the end of the motion, with a “member of the official opposition”.

[English]

The Joint Chair (Senator Marie-P. Charette-Poulin): We would simply add “official” to “opposition”.

Mr. Simms.

Mr. Scott Simms: I don't think that's normal course, is it? I haven't been in the meeting yet where they've described for the official opposition. It's usually just—

Senator Anne C. Cools: There's only one opposition.

Mr. Scott Simms: One second, Senator. I'll be with you in one second.

I think it's just opposition in general. I have yet to see it changed to official opposition. I don't know the logic of it. What would be the logic of it?

The Joint Chair (Senator Marie-P. Charette-Poulin): I'll go to my colleagues in the House, because it doesn't apply to the Senate, but it applies to the House.

Mr. Clerk.

The Joint Chair (Mr. Greg Kerr): I guess—and I'll defer to the clerk—this one's the decision of the committee, and often it is the government and the official opposition, but there are—

A voice: There are both.

The Joint Chair (Mr. Greg Kerr): There are both.

Yes, there have been both where it just says “the opposition”. It's up to the committee to decide. It's a committee decision. If the committee doesn't agree with what Ms. Hughes is recommending, then it would stay as is. Okay?

The suggestion was to put “official” in front of “opposition”. I consider that a motion, and as such, the committee can decide whether it wants to add the word “official” or leave it as “opposition”.

Am I clear?

The Joint Chair (Senator Marie-P. Charette-Poulin): It's been moved by Mrs. Hughes that the original motion be amended. I'd like to have a show of hands.

All in favour of the amended motion?

Mr. Mark Warawa: A point of order.

The Joint Chair (Senator Marie-P. Charette-Poulin): On a point of order, Mr. Warawa.

Mr. Mark Warawa: You cannot have a vote on the amended motion until you first have a vote on the amendment.

Voices: Yes.

The Joint Chair (Senator Marie-P. Charette-Poulin): The amendment on its own?

Mr. Mark Warawa: Yes.

The Joint Chair (Senator Marie-P. Charette-Poulin): Sorry, you're right.

I'll go back to my French.

[Translation]

I would like to call the vote on the amendment, as proposed by Ms. Hughes.

[English]

All in favour?

Senator Anne C. Cools: I just want to say it's unnecessary. It's only one government and one opposition. Anyway.

The Joint Chair (Senator Marie-P. Charette-Poulin): All against the motion?

We can't see the hands, I'm sorry.

Could we see the hands?

[*Translation*]

(Amendment negatived)

The Acting Joint Chair (Hon. Marie-P. Charette-Poulin): We will now vote on Senator Eaton's proposal.

Mrs. Carol Hughes: I am sorry, but I did not hear what you said.
[*English*]

The Joint Chair (Senator Marie-P. Charette-Poulin): It's on the original motion moved by Madam Eaton.

(Motion agreed to)

The Joint Chair (Senator Marie-P. Charette-Poulin): Number five.

The Joint Chair (Mr. Greg Kerr): Well, let's see how exciting this one's going to be. Mr. Warawa.

Mr. Mark Warawa: I don't want to raise a point of order. It's just a question.

What we have just decided, the definition of quorum, I'm assuming because it doesn't break it out applies to both the subcommittee and the main committee. Is that correct?

The definition of quorum, to be able to make a decision, would apply to both—

•(1235)

The Joint Chair (Mr. Greg Kerr): Only the committee.

Mr. Mark Warawa: So there's no definition of quorum for the subcommittee.

The Joint Chair (Senator Marie-P. Charette-Poulin): For the steering—

Mr. Mark Warawa: Subcommittee, steering committee; there's no definition of quorum.

The Joint Chair (Senator Marie-P. Charette-Poulin): The tradition in the Senate is that the full subcommittee has to be there. That's the tradition, because there are only three of us in each steering—

Mr. Mark Warawa: The record should show that, that quorum for the steering committee or subcommittee is eight people.

The Joint Chair (Senator Marie-P. Charette-Poulin): What's the tradition in the House? This is the fun part with joint committees.

The Joint Chair (Mr. Greg Kerr): Mr. Mariage, do you want to say that out loud?

The Joint Clerk (Mr. Chad Mariage): Mr. Chair, the practice on the House side, as members know, the membership is similar to the Senate side. There's only four or five generally on a subcommittee. Generally they're more collegial in nature, so they'll wait until all the members are there.

If you wanted a strict definition of quorum, generally the House uses a majority of members. In this case, there are eight members on

the subcommittee, so it would be five if you wanted to use the standard majority.

Senator Nicole Eaton: Members of the opposition—

The Joint Clerk (Mr. Chad Mariage): That's right. You can specify. You can make that look however you want it to look in terms of composition.

The Joint Chair (Mr. Greg Kerr): We're still on item four.

Mr. Mark Warawa: We've passed the quorum definition, Chair.

The Joint Chair (Mr. Greg Kerr): Yes, but the intent is to talk about quorum.

Mr. Mark Warawa: It is about quorum. My question is how it applies. We've heard that as it normally applies in the House, it would be the majority, but the norm in the House, Chair, is that the steering committee, subcommittees do not have the authority to make decisions. They report back.

I think it is important that we define what quorum is. At this point it's not defined; therefore, it leaves an unanswered void. If we are going to give the subcommittee, the steering committee, the authority delegating it on, we have to define quorum.

The Joint Chair (Mr. Greg Kerr): The clerk will draft something. We'll put it at the end of the agenda. If it satisfies the committee, we'll move it as a motion.

Mr. Mark Warawa: Thank you.

The Joint Chair (Mr. Greg Kerr): I'm not disagreeing. This is an unusual assortment for committees, the Senate and House being together. We're just having a fun ride here today.

Are we now on number five?

The Joint Chair (Senator Marie-P. Charette-Poulin): Yes, we are.

The Joint Chair (Mr. Greg Kerr): We're going to motion number five.

It's moved by Ms. Hughes that document distribution be adopted.

Would you like to discuss it?

Mr. Mark Warawa: I would like to discuss it. I would like to move an amendment, "except that there be unanimous consent".

The Joint Chair (Senator Marie-P. Charette-Poulin): An exception to the official languages?

Mr. Mark Warawa: No. You cannot distribute anything to the members unless it's in both official languages. That is the norm. I appreciate that. That's what it should be.

I guess the question to the chair is if it's necessary to have that added, or is this something that you could seek in routine proceedings, that you seek unanimous consent of?

The Joint Chair (Senator Marie-P. Charette-Poulin): It would be case by case—

The Joint Chair (Mr. Greg Kerr): Let me go to other members first, and then we'll come back to that.

Mr. Tyrone Benskin (Jeanne-Le Ber, NDP): I am a visitor today. My normal position is on the official languages committee. One of the things I feel is really important is that we do not create opportunities to not have that respected. There are both francophone and anglophone members on this committee.

Despite unanimous consent, both languages, both representatives should be entitled to have whatever documents are distributed at the time in both official languages.

For me, speaking to the amendment, I would say no to the amendment in regard to unanimous consent and keep it as what this government—this place—has to represent to Canadians with respect to official language practice and policy.

• (1240)

The Joint Chair (Mr. Greg Kerr): Thank you. I'm going to interject, and then perhaps we need to continue the conversation.

The amendment is actually not in order because the committee makes decisions by consensus. No? The committee has the right to do anything by unanimous consent at any time, so the amendment is not in order.

Mr. Mark Warawa: Thank you.

The Joint Chair (Senator Marie-P. Charette-Poulin): That's the tradition in the Senate.

The Joint Chair (Mr. Greg Kerr): Are you okay with that? The word "unanimous" was meant to be in there.

Do you still want to comment, Ms. Hughes? It can't be on the amendment now because that's not in order.

[Translation]

Mrs. Carol Hughes: I would simply like to say that it is very important not to lose ground when it comes to official languages. It is important to ensure that that is indicated with respect to the document. If not, we would be opening a Pandora's box, and we do not want to do that.

[English]

Senator Anne C. Cools: I've always been under the impression that the business of publishing in both languages was not an optional one. I was always under the impression that we were guaranteed this, and that this should always be followed.

The Joint Chair (Senator Marie-P. Charette-Poulin): That was Madame Hughes' point.

Senator Anne C. Cools: My point is, why do we need this here at all? Why do we need even a motion, or it being articulated like this? This is how we function and have been functioning for quite some time. This puts it in doubt as to whether or not we truly function that way.

The Joint Chair (Mr. Greg Kerr): This simply confirms what we're going to do and puts it on the record.

I'd ask for a vote on the motion at this point.

The Joint Chair (Senator Marie-P. Charette-Poulin): All in favour?

Against?

Abstention?

[Motion agreed to (See *Minutes of Proceedings*)]

[Translation]

The Joint Chair (Senator Marie-P. Charette-Poulin): The sixth motion, which pertains to committee proceedings, reads as follows:

That the Committee publish its proceedings and that *in camera* proceedings not be published.

[English]

May I have a mover?

The Joint Chair (Mr. Greg Kerr): It's moved by Mr. Trost.

Senator Anne C. Cools: I wonder if somebody could tell me if they mean published or printed. Published is a more public process than printed.

The Joint Chair (Senator Marie-P. Charette-Poulin): Senator Cools, the clerk's interpretation is that publishes implies printing.

Senator Anne C. Cools: Let me just explain again.

Members have always had a right to the printing of in camera proceedings just for the committee members and those privileged to see it. Publishing, as it is here, is a different thing. If there's an in camera committee...and there are far too many going on that most of us cannot find out what's going on in committees. The rules committee of the Senate operates in camera all the time, and it's a real problem for people like myself.

When I serve on a committee and we hold an in camera meeting, I feel comfortable that we have copies of the proceedings, but they're privileged to us, and anybody who violates that privilege would be dealt with accordingly. But I don't like the idea, because the House of Commons adopted it some years ago, of destroying these proceedings as well. At the time I remember raising lots of objections on the joint committee that I had served on. I don't understand why it is that we would not be allowed to have copies of in camera proceedings, especially if we unfortunately miss that meeting.

I really find it disturbing, young man. I was talking to the chair. I think you shouldn't distract her.

Continue.

The Joint Chair (Senator Marie-P. Charette-Poulin): No, I was able to hear you, Senator Cools.

The tradition in the Senate, if my memory serves me correctly, is that even the members of the committee do not receive transcripts of the in camera discussion, because there are no transcripts made of an in camera discussion. Now, that is the Senate, and I therefore go to my colleague, the co-chair. Is that the same tradition in the House?

The Joint Chair (Mr. Greg Kerr): It is.

Senator Anne C. Cools: This is a very new tradition. These are very, very new traditions, as is the tradition of destroying those proceedings.

The Joint Chair (Senator Marie-P. Charette-Poulin): Well, there are no proceedings of in camera discussions.

•(1245)

Senator Anne C. Cools: But you have to leave room, you must agree, to want to keep discussions and want to keep records of them sometimes, depending on who the witness is who's before us.

All I'm trying to say is to leave the door open so we don't have to repeat, like rote, mistakes or bad or inadequate processes just because they were done before. All of this stuff is quite recent in the chambers. It encourages committees to have meetings for which nobody can find out what the record is, even the members who were not there.

I don't like it. It's a bad practice and we should ignore it.

The Joint Chair (Mr. Greg Kerr): Ms. Hughes.

Senator Anne C. Cools: And at some point.... Some of these traditions are very, very young. I remember. I have a good memory of these events.

Mrs. Carol Hughes: In the House of Commons, if I'm not mistaken, the way this actually works is that the clerk keeps a copy and we're able to go to the clerk to review those minutes. I think by saying "publish" we mean publicly. In camera means that it's not public, but we as members would still have an opportunity to look at the clerk's minutes, if I'm not mistaken. They are recorded.

The Joint Chair (Mr. Greg Kerr): That's correct.

Senator Anne C. Cools: What do you keep? Are you keeping notes or a transcript? If there's a transcript made, we should all be able to get it.

The Joint Chair (Senator Marie-P. Charette-Poulin): We would have to ask the clerk.

The Joint Chair (Mr. Greg Kerr): For the House it is recorded. The clerk has it. There is a transcript on record only for committee members. Anything that's for public publication must be from when the committee is not in camera.

The Joint Chair (Senator Marie-P. Charette-Poulin): It's not the same tradition in the Senate.

Senator Anne C. Cools: All this is frightening. All this is very new. Anyway, perhaps it would be nice if we could offer some authorities other than to say the clerk. It would be nice.

The Joint Chair (Mr. Greg Kerr): Yes, sir.

Mr. Tyrone Benskin: Just to clarify, in committees on the House side a transcript is kept by the clerk which any member of the committee or an authorized individual—one of the member's staff—can consult. They can't leave with it. It's not distributed to the committee. There's a transcript that is kept and members of the committee or authorized designates can consult that transcript.

The Joint Chair (Mr. Greg Kerr): That's correct, yes.

Senator Anne C. Cools: Well, I'm just curious. What is the authority that anybody would deny all committee members access to the record of—

No, I remember when these rules were made. On what grounds are committee members denied access to those proceedings, or their access is restricted?

The Joint Chair (Senator Marie-P. Charette-Poulin): Just so that we can all understand the same thing, Senator Cools, and it is a

good question, any member of the committee can visit the clerk to have access to the transcript and to the notes of the clerk of an in camera discussion. Therefore, there is access, but no publishing, and no distribution and no photocopies. There are no photocopies for the members.

Senator Anne C. Cools: If he has a copy, somebody has made a copy that is printed or published. Then the clerk has a higher privilege than all the other members.

The Joint Chair (Senator Marie-P. Charette-Poulin): I'm calling the vote, colleagues.

Senator Anne C. Cools: I'll just state on the record that I object to everyone not being able to...I've seen a lot of things here.

The Joint Chair (Mr. Greg Kerr): Okay, I think we'll make note of that.

Yes, Ms. Hughes.

Mrs. Carol Hughes: I just want to clarify. The House tradition is that the clerk keeps in camera evidence in the clerk's office and members can consult it there. They are destroyed at the end of each session. Is that correct? They're not. Okay.

The Joint Clerk (Mr. Chad Mariage): It's up to the committee to verify how they want—

Mrs. Carol Hughes: So each committee will decide. Okay.

The Joint Chair (Mr. Greg Kerr): Not about access, but about the long-term retention.

The Joint Chair (Senator Marie-P. Charette-Poulin): We're calling the vote.

The Joint Chair (Mr. Greg Kerr): Yes, I think we're ready for that.

The Joint Chair (Senator Marie-P. Charette-Poulin): I think we're ready for the vote on the motion that was moved by Mr. Trost.

(Motion agreed to)

The Joint Chair (Senator Marie-P. Charette-Poulin): As joint chairs, we will bear in mind your comments, Senator Cools, so that if there is an in camera meeting, we will make sure that at every session of the in camera, the committee decides whether those notes are to be kept by the clerk past the session.

I think that's a good respect of your comments.

Senator Anne C. Cools: This business of destroying committee proceedings, in camera proceedings, was an innovation, and I can even identify who began it in the House of Commons.

•(1250)

The Joint Chair (Senator Marie-P. Charette-Poulin): We'll make sure that it's brought to the attention....

Senator Anne C. Cools: It has not been a practice yet in the Senate, but it's a very unparliamentary practice.

The Joint Chair (Senator Marie-P. Charette-Poulin): Point well taken. Thank you.

The Joint Chair (Mr. Greg Kerr): We are moving on to amendment number seven, which is a very standard straightforward recommendation on travel, accommodation, and living expenses of witnesses. As you know, if we as a committee, regardless of which side of the House, invite witnesses in, it's standard procedure that witnesses be reimbursed for their costs, because they're coming at our request. That's what this does. The only difference, I think, in the Senate is the number of witnesses. It varies by committee.

This one is for the living expenses for one witness from any one organization. If an organization wants to bring more than one, they would have to look after their own expenses. This would cover only one.

Are you moving it?

Mr. Mark Warawa: I'll move it for discussion, and then I have a question.

The Joint Chair (Mr. Greg Kerr): Okay. Mr. Warawa is moving the motion.

Mr. Mark Warawa: Will there be an actual budget when we call witnesses that the committee will be approving, and then you'd have the discretion to—

The Joint Chair (Mr. Greg Kerr): Yes.

Mr. Mark Warawa: Thank you very much.

The Joint Chair (Mr. Greg Kerr): Yes, that is standard procedure.

Mrs. Hughes.

Mrs. Carol Hughes: Perhaps the clerk could tell me if it's in order, but I would like to amend it to include expenses for child care or personal attendant care. There are committees that do cover child care.

I know this is an expense, but I don't think it would be used that much. It's not that we've had a lot of studies and a lot of witnesses, but if someone, for example, has a husband who has MS or something, and he can't travel, if we need them to physically be here, we could take that into consideration.

I don't think it would be a lot of money for one day, but given this day and age, it's something we should take into consideration.

The Joint Chair (Mr. Greg Kerr): Okay. Are you making that as an amendment?

Mrs. Carol Hughes: I'm making that as an amendment. Yes.

The Joint Chair (Mr. Greg Kerr): The clerk captured it as “including child care and personal attendant care”.

Is that what you were suggesting?

Mrs. Carol Hughes: It would be “and/or personal attendant care”.

The Joint Chair (Mr. Greg Kerr): It's “and/or”. Okay.

We have an amendment to the motion to expand the coverage for a witness, if there is—I'd better say it correctly—“child care and/or personal attendant care”.

Are we ready to vote on that amendment?

Senator Anne C. Cools: Is that not included?

I thank her. I think it's a very sensitive matter that she's raising. I would have thought we already would consider such expenses in respect to travelling and living expenses. Witnesses have been remunerated and compensated for a very long time for a variety of reasons. For example, if there's a witness coming who is very seriously disabled, they have been allowed in the past to have care.

Is that not already included?

Mr. Chairman, could you answer that?

The Joint Chair (Mr. Greg Kerr): I will answer it by saying that if the committee adopts the motion, it makes it very clear that it does include those things so that no question is left afterwards.

It's in order, and I'm going to call the question on the amendment.

(Amendment agreed to)

The Joint Chair (Mr. Greg Kerr): We will now move to the motion.

All those in favour of the motion?

The Joint Chair (Senator Marie-P. Charette-Poulin): As amended.

The Joint Chair (Mr. Greg Kerr): As amended, correct.

(Motion as amended agreed to)

The Joint Chair (Mr. Greg Kerr): Thank you very much.

That's number seven.

The Joint Chair (Senator Marie-P. Charette-Poulin): We are on number eight.

[*Translation*]

The motion, which pertains to working meals, reads as follows:

That the Joint Clerks of the Committee be authorized to make the necessary arrangements to provide working meals for the Committee and its subcommittees.

[*English*]

As you know, our meetings are usually during the lunch hour, and a light lunch is usually served.

Did you also want to suggest the menu?

Mr. Mark Warawa: No.

The Joint Chair (Senator Marie-P. Charette-Poulin): Are you planning to cook?

Mr. Mark Warawa: I'm just moving it.

The Joint Chair (Mr. Greg Kerr): So moved.

The Joint Chair (Senator Marie-P. Charette-Poulin): It is moved by Mr. Warawa.

Senator Nicole Eaton: Please don't move it yet.

With the AG moving in on us, if you and I had lunch, we could not claim a per diem for today. We might just want to consider that, or maybe that's not a factor.

•(1255)

Senator Anne C. Cools: That's a good point. Since I don't claim per diems, the problem doesn't apply to me.

Senator Nicole Eaton: I do, because I don't live in Ottawa.

I'm just saying that I'll bring my own lunch. It's easier.

The Joint Chair (Senator Marie-P. Charette-Poulin): There's Mrs. Hughes also.

Did you want to add anything?

[Translation]

Mrs. Carol Hughes: Thank you very much. I appreciate your comments.

When I am in the House and lunch or supper is served, I never claim a per diem. I am not opposed to the motion. On the contrary, I am in favour of it. However, I think we should plan for light lunches. Before, some lunches were more like suppers. I know that that was not the case in the House of Commons, but it seems as though senators have a hearty appetite.

[English]

Senator Nicole Eaton: I think I've decided to abstain. I charge my per diem. I'll bring my own food.

The Joint Chair (Senator Marie-P. Charette-Poulin): I think that's a private decision. I don't think we should—

Senator Nicole Eaton: No, that's okay. All right. I'll deal with my order, then.

The Joint Chair (Senator Marie-P. Charette-Poulin): Okay, thank you, Senator Eaton.

Senator Anne C. Cools: I have to mention it should be given to the other colleagues who may not understand the consequences of what is going on in the Senate by bringing in the AG.

Senator Nicole Eaton: [Inaudible—Editor]to be sure not to have a meal because it would affect people's per diems.

The Joint Chair (Mr. Greg Kerr) : Excuse me, hello.

In the effort to get out of here today before question period, what I would suggest—the clerk suggested, and I would come to the same opinion—is that because there is a concern about the expenditure, perhaps we hold this motion and get some clarification. I would worry if one member wants to go one way and one member another, you can guarantee yourself that there will be somebody asking why did that happen. So before we get to that, perhaps we'll have a look at both the legal and financial activities and recommendations coming from the staff.

[Translation]

Mrs. Carol Hughes: I would like to add one thing about the motion on meals. The discussion is about whether they should be paid for or not, and like you said, I think that is a personal decision.

People often have meetings to attend. For example, I came to this meeting directly from another. If I did not have time to eat during the first meeting and question period follows directly afterward, I will need to take the time to eat.

It is therefore important to have something to eat at the meeting. The motion is about whether the committee authorizes you to order a

meal. We have to decide what we want to do, whether those meals should be paid for or not.

[English]

The Joint Chair (Senator Marie-P. Charette-Poulin): It's our conscience that will decide. It's my motion.

Mr. Warawa.

Mr. Mark Warawa: Chair, it's a common practice to provide lunch at committees. Whether, as Ms. Hughes said, a member wants to claim a per diem, it's up to them.

If you have had a lunch and you claim a per diem, you're creating a possible conflict for yourself, but to have lunch available for those who want it or need it, it's a normal practice, and I think the motion is reasonable.

The Joint Chair (Senator Marie-P. Charette-Poulin): All those in favour of the motion that was moved by Mr. Warawa, that working meals be provided?

(Motion agreed to)

The Joint Chair (Senator Marie-P. Charette-Poulin): We are on to access to in camera meetings, motion number nine.

The Joint Chair (Mr. Greg Kerr): The clerk wanted to add something after the motion, just on that.

The Joint Clerk (Mr. Chad Mariage): I'm not a financial expert, which is why I suggested I get an opinion on this.

Just to clarify for members, at least on the House side when we calculate per diem for travel, for example, if a meal is offered at that meeting, we do not give you a per diem for that meeting. So the fact that it's being offered, even if you bring your own lunch, may be an issue.

•(1300)

Senator Nicole Eaton: I'll square it with my own conscience. I bring my own lunch. I run from one meeting, go down to the cafeteria, and bring it up. I'm fine. I can look at myself in the mirror.

The Joint Chair (Mr. Greg Kerr): The clerk will still get some additional information.

Senator Nicole Eaton: For everybody else that's fine. That's what I'm going to do.

The Joint Chair (Mr. Greg Kerr): Okay, thank you.

We are on motion number nine, access to in camera meetings. You have it before you. It has been moved by Mr. Allen.

Are there any comments?

Senator Anne C. Cools: We should have some discussion on this. This is a huge problem. In actual fact, in camera means senators only, and sometimes I've gone to in camera meetings and there are more staff present than members.

Go ahead.

The Joint Chair (Mr. Greg Kerr): Just so we're clear, though, if the committee agrees on having an in camera meeting, which is the issue you're talking about, this is saying who can be present at the in camera meeting. I'd just ask you to check the wording here. I know the in camera question will come up—it always does—but this, as it says, is to have staff present unless there is a decision for a particular meeting to exclude all staff. This is about a staffing one.

Yes?

Senator Anne C. Cools: Unless staff are expressly prohibited.

The Joint Chair (Mr. Greg Kerr): Yes.

Senator Anne C. Cools: That's a huge condition, because it imposes on the committee an individual decision every single time.

The Joint Chair (Mr. Greg Kerr): Yes.

Yes, Mr. Benskin.

Mr. Tyrone Benskin: Perhaps it's on the House side, but in fact the wording for a similar motion is that each member of the committee is allowed a staff member. This motion as it's worded right here says "to have staff". If I decide to bring five people, I'm allowed.

The Joint Chair (Mr. Greg Kerr): We're not going to like you though.

Mr. Tyrone Benskin: No, I know that, but there's nothing here that says I can't do that. What other committees have done is say "a staff member".

The Joint Chair (Mr. Greg Kerr): Okay. We'll come back to that in a moment. That's a good point.

Ms. Hughes.

Mrs. Carol Hughes: To add to that, I think I would like to exclude "unless there is a decision for a particular meeting to exclude all staff", but I'm a little flexible on that. I'm just wondering, usually when you do that it's because you're talking about staff. I don't want this phrase to be used. We've had a meeting where this has occurred and we couldn't have any staff, and the discussion had nothing to do with our particular staff. I wanted to raise that.

More importantly, I think that we can say that it's a staff member for each member, as well as a member of staff from the party. So aside from my...because we do have supports from our party, just like how you sometimes bring somebody else in as well, I think from that perspective we also need to say "a staff member plus a staff member from the party".

The Joint Chair (Mr. Greg Kerr): I know it's common practice to have somebody from the respective whips' offices.

Mrs. Carol Hughes: That's right.

The Joint Chair (Mr. Greg Kerr): I wouldn't say specifically a party person; I think it has to come from—

Mrs. Carol Hughes: Well, the whip's office.

The Joint Chair (Mr. Greg Kerr): Yes, but it has to come through that process, I believe, as additional staff.

Mrs. Carol Hughes: To clarify on that, it's just like how you sometimes need direction from the clerk. Sometimes we need direction from that particular staff member as well.

The Joint Chair (Mr. Greg Kerr): Are there other comments on the—

Mrs. Carol Hughes: That's an amendment.

The Joint Chair (Mr. Greg Kerr): Okay, we have almost two amendments then, if we're going to go in that order.

We'd have to go back and start with Mr. Benskin.

Mr. Benskin, do you want to clarify that it's one staff member per member?

A voice: Ms. Hughes has added that to her amendment, so you can —

The Joint Chair (Mr. Greg Kerr): Are you going to make that a friendly agreement?

Mr. Tyrone Benskin: Yes.

The Joint Chair (Mr. Greg Kerr): I love it. We'll have a hug afterwards, all of us.

Ms. Hughes is suggesting it would be one staff member per member of the committee, as well as representatives from the whips' office—

A voice: —and that we remove the part about excluding staff.

Mrs. Carol Hughes: Let's do it on that one first, please. I just want "a staff member and a staff member from the whip's office".

The Joint Chair (Mr. Greg Kerr): Go ahead and read it.

The Joint Clerk (Mr. Chad Mariage): The motion as amended would read that "each member of the committee be allowed to have a staff member present at in camera meetings in addition to one representative from the whip's office"—

● (1305)

Mrs. Carol Hughes: —for each party.

The Joint Clerk (Mr. Chad Mariage): Okay.

"for each party, unless there is a decision for a particular meeting to exclude all staff".

The Joint Chair (Mr. Greg Kerr): Is everybody happy with the amendment?

Some hon. members: Yes.

(Amendment agreed to)

Senator Anne C. Cools: I just want—

The Joint Chair (Mr. Greg Kerr): I want to make to make it clear that the motion has carried.

Senator Anne C. Cools: I'd just like to point out that I've always understood that the leaders in the institutions are ex officio members of the committee, so by virtue of that, their staff can come.

The Joint Chair (Mr. Greg Kerr): You're talking about a Senate —

Senator Anne C. Cools: Well, whether it's articulated, leaders are ex officio members. They can come to committees anytime that they want to come.

The Joint Chair (Mr. Greg Kerr): That would apply to a Senate committee, but for a joint committee I think we have to go to what the standard process is. I don't think that would be it. That would be a very unique thing to do with any House committee.

Senator Anne C. Cools: I'm just saying that usually in these structures some of these things have already been contemplated, but I've never heard of it applying to a whip. It doesn't really matter. Do it; that's fine.

The Joint Chair (Mr. Greg Kerr): The whip is the standard procedure in our committee process, and yours as well, I think.

Ms. Hughes, did you have a second amendment?

Mrs. Carol Hughes: Did the whole amendment pass?

A voice: Yes.

Mrs. Carol Hughes: Okay. Then I would move now an amendment that we exclude "unless there is a decision for a particular meeting to exclude all staff".

The Joint Chair (Mr. Greg Kerr): I do have a question for the clerk. This is the second amendment to the motion, but the motion now has been amended. Do we have to have it on the amended motion?

The Joint Clerk (Mr. Chad Mariage): Yes.

The Joint Chair (Mr. Greg Kerr): Okay, do we have to adopt the amended motion, or can we just go ahead and do this?

The Joint Clerk (Mr. Chad Mariage): No, you can do it.

The Joint Chair (Mr. Greg Kerr): Perfect. That's why we pay you the big bucks.

All right, Ms. Hughes' second amendment is on the amended motion. Do you want to tell us—

The Joint Clerk (Mr. Chad Mariage): It's removing "unless there is a decision for a particular meeting to exclude all staff".

The Joint Chair (Mr. Greg Kerr): Is there any comment?

Yes, Senator.

Senator Anne C. Cools: Any member of any house at any time has the right, without notice, to make an observation that there is a stranger in the place, and our rules should be consistent with the principles on which the rules are based.

I just put the question, do you think this is consistent with that principle?

Maybe we should make him a member of the committee.

The Joint Chair (Mr. Greg Kerr): The clerk is saying if the committee adopts it, the committee always has the right, by unanimous consent, to make a change for a particular meeting.

What I think Ms. Hughes was indicating—

Senator Anne C. Cools: Not true. I would dispute that.

The Joint Chair (Mr. Greg Kerr): What Ms. Hughes' motion is saying is for standard practice, for standard purposes of the committee, that this particular one be taken out. Is that clear?

Okay, I'm going to call the question. I don't even know where we are now.

(Amendment agreed to)

The Joint Chair (Senator Marie-P. Charette-Poulin): On number 10—

The Joint Chair (Mr. Greg Kerr): We have to vote on the amended motion.

(Motion as amended agreed to)

The Joint Chair (Mr. Greg Kerr): On number 10—

[*Translation*]

The Joint Chair (Senator Marie-P. Charette-Poulin): I will read it. That 48 hours' notice be required for any substantive motion to be considered by the Committee, unless the substantive motion relates directly to business then under consideration and that the notice of motion be filed with the Joint Clerks of the Committee and distributed to members in both official languages.

[*English*]

May I have a mover to start with?

• (1310)

Senator Anne C. Cools: Could it be explained?

Mr. Brad Trost: I so move.

The Joint Chair (Senator Marie-P. Charette-Poulin): It is moved by Mr. Trost.

It means that any motion that would be tabled to the committee would have to come to the members in both official languages 48 hours before the planned meetings. It is the practice of the House of Commons.

Senator Anne C. Cools: I'm not sure I'm understanding that from here. Is 48 hours required for any and every motion?

The Joint Chair (Senator Marie-P. Charette-Poulin): Yes, and that's for any substantive motions.

Senator Anne C. Cools: Does that mean for any substantive motion?

The Joint Chair (Senator Marie-P. Charette-Poulin): It would be probably the judgment of the co-chairs to decide if it's a substantive motion or not.

The clerk from the House would be best to answer the question.

The Joint Clerk (Mr. Chad Mariage): To answer the senator's question, it would be any substantive motion unless it relates directly to what you are speaking on at that meeting—

Senator Anne C. Cools: That's my first concern.

The Joint Clerk (Mr. Chad Mariage): For example, if you're speaking about the library's budget, any motion regarding the library's budget would be admissible without notice. That's just an example.

The Joint Chair (Mr. Greg Kerr): Is there any further comment?

The Joint Chair (Senator Marie-P. Charette-Poulin): I call the question.

Senator Anne C. Cools: I abstain.

The Joint Chair (Hon. Marie-P. Charette-Poulin): *Merci.*

(Motion agreed to)

The Joint Chair (Hon. Marie-P. Charette-Poulin): I have a last item before we conclude. There's a document being distributed and it's a—

The Joint Chair (Mr. Greg Kerr): My apologies. Mr. Warawa, we did acknowledge that we would allow one more motion. You had a motion on the subcommittee.

The Joint Clerk (Mr. Chad Mariage): It's on the subcommittee. I can read it if you want.

The Joint Chair (Senator Marie-P. Charette-Poulin): Could we move to that after?

The Joint Chair (Mr. Greg Kerr): We actually had it as part of the—

A voice: —quorum on subcommittees.

The Joint Chair (Mr. Greg Kerr): Do you still want to move the motion? He has the wording.

Mr. Mark Warawa: I'm wondering if the clerk could provide recommendations on the definition of quorum for the subcommittee.

The Joint Clerk (Mr. Chad Mariage): What I have drafted here, Mr. Warawa, would read, "That quorum of the subcommittees be set at a majority of the total membership of the subcommittee so long as one member of the government party, one member of the official opposition, and that a member from each House be present."

The Joint Chair (Mr. Greg Kerr): Do you want to hear that again, or are we okay with it?

The Joint Chair (Senator Marie-P. Charette-Poulin): It's the definition of quorum for a subcommittee.

The Joint Chair (Mr. Greg Kerr): Yes.

Mr. Warawa has moved it. It's in order.

With no further conversation, I'll call for the question.

(Motion agreed to)

The Joint Chair (Senator Marie-P. Charette-Poulin): Before we conclude, let's review the report that's to be tabled today. You have it in front of you, I believe. It has been distributed.

It's intended to seek the powers that the committee requires to perform its work. As you know, several of our standing committees today are tabling reports. It's so that the powers are given.

You have the report in front of you. May I have a motion to approve the report?

Senator Anne C. Cools: No, I think we should have a few minutes to read it. This is the first time I've seen it, and it's a very important motion.

The Joint Chair (Senator Marie-P. Charette-Poulin): Okay.

Mr. Warawa is moving the report. I will give a few minutes for the reading of the report.

The clerk reminds me that it is pro forma.

Senator Cools.

Senator Anne C. Cools: This power, as far as I know, to support, to assist, to recommend to both of the Speakers is already assured in the Parliament of Canada Act, in the sections with respect to the

Library of Parliament. What is being said here is purely declaratory, then.

There are a couple of things that need some explanation, for example, "Your committee further recommends to the Senate that it be empowered to sit during sittings and adjournments of the Senate." Is that during Senate sittings?

Obviously, Senator Charette-Poulin, you're seeing this for the first time too. If we could have begun with this, it would have been better.

This is in respect to fulfilling the obligations imposed upon the committee with respect to the Parliament of Canada Act.

• (1315)

The Joint Chair (Senator Marie-P. Charette-Poulin): In the past, just to go back to our little history, we—

Senator Anne C. Cools: Yes, but there's a lot of that practice in the past that we're referring to. I'm just asking that question.

The Joint Chair (Senator Marie-P. Charette-Poulin): You're absolutely right. There is a theoretical request because of the fact that the House committees can't sit while the House is sitting. In reality, these meetings are held on the lunch hour. I'm trying to remember, but I don't think we go beyond the sitting of the Senate. It has happened maybe on one occasion that we were late in getting to the Senate sitting because the meeting had gone on.

I think that's why our clerk thought of including this. Am I right?

The Joint Clerk (Mr. Kevin Pittman): It has been the established practice for joint committees.

The Joint Chair (Senator Marie-P. Charette-Poulin): It has been the established practice for joint committees.

Senator Anne C. Cools: That's not true at all. It's not an established practice for joint committees. I have sat in joint committees before. It's not the established practice. It may be something we desire here.

The Joint Chair (Senator Marie-P. Charette-Poulin): Sorry, let me explain.

Mrs. Hughes, I know what you mean when you say that you don't understand. In the Senate there's a rule—

Mrs. Carol Hughes: No, no, I never said I didn't understand.

The Joint Chair (Senator Marie-P. Charette-Poulin): —that the committees don't sit at the same time as the chamber. We're only 105 members, so if the committees were sitting, the chamber would be empty.

[Translation]

Mrs. Carol Hughes: I do not have any questions about that. I am wondering if we can put the motion. I attended another committee meeting just before this and I have to get to question period.

[English]

The Joint Chair (Senator Marie-P. Charette-Poulin): Senator Eaton has a last question. Then we'll go to the vote.

Senator Nicole Eaton: I was just about to say that there are exceptions, Senator Charette-Poulin. You know that when we ask the clerk and our whips, some committees do sit while the chamber is in session.

The Joint Chair (Senator Marie-P. Charette-Poulin): Absolutely, yes, but it's a routine request.

Senator Nicole Eaton: It's not a big deal.

The Joint Chair (Senator Marie-P. Charette-Poulin): No. The reason we do it is that our meeting starts at noon. That's why.

Senator Anne C. Cools: We've gone over to 1:30 p.m., or sometimes a quarter to two.

The Joint Chair (Senator Marie-P. Charette-Poulin): All in favour of the motion as read?

(Motion agreed to [See *Minutes of Proceedings*])

The Joint Chair (Senator Marie-P. Charette-Poulin): It will therefore be tabled today.

Senator Anne C. Cools: Perhaps those of us who are new to the committee could have had this document before now, to really be able to look up a few other documents....

I understand your eagerness, but it's very improper and very impolite to distract the chairman when she's in an exchange with a member.

The Joint Chair (Senator Marie-P. Charette-Poulin): Thank you.

The Joint Chair (Mr. Greg Kerr): That was for me. I'm impolite and distracting.

Senator Anne C. Cools: Not you; I was talking to Senator Poulin.

• (1320)

The Joint Chair (Mr. Greg Kerr): Mrs. Hughes, you have your hand up.

Mrs. Carol Hughes: I had mentioned earlier that before we end the meeting, perhaps we could have some type of discussion. I understand it's getting late—I do need to have lunch before my next

meeting—but I want to see if perhaps the subcommittee can actually meet so that we can discuss some business that we should do as a committee, as opposed to not meeting at all for months.

I think this committee can actually be very productive. There are some things—given the fact that we have a new Parliamentary Budget Officer, and given the fact that we have just hired a new parliamentary librarian. We also had a very good study that had been going on with respect to Parliament 2020, trying to get people more interested in politics. I'm sure they've been interested lately, but I think we need to show people that there is much more to Parliament than just that.

Through you, I'm wondering if maybe someone could organize a subcommittee meeting so that we can have that discussion and then bring it back to the group as a whole.

The Joint Chair (Mr. Greg Kerr): I'll tell you what I'll do. I'll talk to my colleague, but what we need first is for each of the parties to send in the members of the subcommittee. We can't call a meeting before that. Once we have that, we'll have a chat about it.

The Joint Chair (Senator Marie-P. Charette-Poulin): The parties have to decide who their members will be.

The Joint Chair (Mr. Greg Kerr): Yes. We have to get those first.

Do we have a motion to adjourn?

Mr. Brad Trost: I so move.

The Joint Chair (Mr. Greg Kerr): The motion is accepted.

Thank you, all.

The Joint Chair (Senator Marie-P. Charette-Poulin): Thank you.

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