



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on Veterans Affairs

ACVA • NUMBER 031 • 2nd SESSION • 41st PARLIAMENT

EVIDENCE

Wednesday, October 29, 2014

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Chair

Mr. Greg Kerr

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• (1530)

[English]

The Chair (Mr. Greg Kerr (West Nova, CPC)): I'd like to welcome everybody here this afternoon. The committee is now in session and, as everybody is aware, we're here to go clause by clause through Bill C-27. There are some amendments that will come up during the process and we'll deal with them in order.

Without further ado, I welcome the staff. I'm sure, if there are any questions or help needed, you are just raring to go. Thank you for being here.

First is clause 1, which we postpone until later. This is the short title.

We'll go right to clause 2. Is there any comment before we go to the vote? There is no amendment on clause 2. It's as printed there. Is there any discussion or comment?

(Clause 2 agreed to)

(Clause 3 agreed to)

(On clause 4)

The Chair: Clause 4 does have an amendment. We will deal with the amendment.

I'll turn to Mr. Valeriotte, if you'd like to make a brief comment on the amendment.

Mr. Frank Valeriotte (Guelph, Lib.): It is no surprise, because I spoke of this matter the last time we were at committee, and that was with respect to the limitation period of five years. We have not had an opportunity to have any answer at all, let alone a satisfactory answer, as to why it's a limitation of five years. The amendment would merely remove the limitation so that it's not limited to five years and will continue indefinitely.

That's as simple and brief a response as I can give.

The Chair: It was very precise. Thank you, Mr. Valeriotte.

Is there comment on the proposed amendment?

Go ahead, Mr. Gill.

Mr. Parm Gill (Brampton—Springdale, CPC): The veterans hiring act proposes to increase the current two-year priority time period to five years. This means that medically injured veterans will now have up to five years for a medical release to be designated a priority, at which time they then have an additional five years from that date to find a position in the public service suitable to their

qualifications. This means that a medically released veteran may extend this time period to a total of ten years under the provisions of the veterans hiring act. Until budget 2012, the existing two-year priority time period was proved to be sufficient to enable injured veterans' employment in the federal public service. The regulatory priority afforded to Canadian injured veterans was the most successful priority created until 2012. It had at that time a 100% success rate of applicants finding positions in the public service.

By extending this priority from two to five years, and then with the option to begin the five-year clock in year five, the veteran would have up to ten years to make use of the new statutory priority provisions.

The Chair: Do you want to wait for other responses?

Mr. Stoffer has some comments.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): I thank the parliamentary secretary for that explanation. But as you know, in every situation there are always exceptions to this. I know Mr. Hawn would know this as well. The odd time we deal with someone who's been released from the military in a particular category that he or she disagrees with and sometimes it takes years for a category to change.

For example, a person can be dishonourably discharged, when in reality it should have been a medical release for a psychiatric concern. If they're successful in getting that changed, then their official record no longer says "dishonourable", or whatever other codes they have. They change to a 3(b) release. Sometimes that takes years, especially if it has to go to court to fight it or something of that nature. I know these are exceptions, but in that particular event, say a person's released today and then seven years later they got that release changed and now all of a sudden they're medically released, would they then be categorized as a five-year, 10-year exemption in that regard?

It's just a question I throw out. I just heard this morning from a fellow who asked about that. Otherwise, your explanation is fine. We don't have much difficulty with it. But I think Frank is right in his question, and I just wanted to know if you guys had an answer in that particular regard.

• (1535)

The Chair: Mr. Hawn, do you have a comment?

Hon. Laurie Hawn (Edmonton Centre, CPC): Yes, just a couple of comments.

First of all, with respect to Frank's amendment, that would become a little impractical. It would open it up to hundreds of thousands of potential applicants, which would stall the process.

With respect to Peter's point, yes, those things can happen. They are rare. This isn't an official government answer, but my answer would be, I think those could be handled on a case-by-case basis, advocating for the person in that situation. I think there would be some flexibility on the public service side to hear that.

The Chair: And you would like to hear the answers—

Mr. Peter Stoffer: When we get the chance, yes, from the people.

The Chair: This is why staff are here. I think Mr. Hawn is asking if it's possible to deal with it case by case. Could I ask the staff, please?

Ms. Sandra Lambe (Director, Program Policy and Outreach, Department of Veterans Affairs): Yes, I think as we're working through the implementation plan for the bill, supposing that the bill will pass, we will be looking at all of those exceptional circumstances to see that we can adequately address the concerns of the individual veteran, if in fact their release status changed, or the decision from VAC was that it was not service-related, but then later on in review it was found to be service-related. We are working through all of those variations to ensure that the veterans are treated fairly and equitably.

I don't know if the Public Service Commission had anything to add in terms of that.

Mr. Michael West (Acting Director General, Delegation and Accountability, Public Service Commission of Canada): I can say that we have thought of that situation. In preparing to draft the regulations we are looking at ensuring that, if there was a determination made at a later date and the release was due to medical reasons attributable to service, the entitlement would start counting from that date not from the date of initial release.

The Chair: Thank you very much for that.

Are there any further comments before Mr. Valeriote wraps it up?

Okay, Frank.

Mr. Frank Valeriote: Thank you, Chair.

One of my concerns that I expressed was that often—not always, but often—there could be a manifestation of injury well after the five-year period has expired. I believe the answer given to me was that benefits that would otherwise be available to that candidate would still be there, but this opportunity for employment would not be available to them.

It was among those other reasons that I honestly believe that even if there are thousands of candidates, these are men and women who were prepared to make the ultimate sacrifice. They accepted unlimited liability. Remember, they still have to qualify. Even under the best of circumstances within the five years, they still have to qualify that they should go to the head of the line.

For those two reasons, I thought it important—one, that they should be eligible to be employed, notwithstanding that they have access to the other regulatory benefits; and two, what you, I guess, can't comment on, and that is that they should have a right to that employment even if there are thousands, as Mr. Hawn has said.

The Chair: Normally, we'd wrap up now and go to the vote, unless there's a particular thing that's going to add to the....

Hon. Laurie Hawn: If I may, Mr. Chair—

The Chair: You can, but it opens it up for questioning. I just make that point.

Hon. Laurie Hawn: A question to these folks, would the possibility that Mr. Stoffer raised fall under the similar exceptional circumstances?

Ms. Sandra Lambe: Can you just repeat the circumstance that you're...?

Mr. Frank Valeriote: A manifestation of an illness, say PTSD, after the first five- and second five-year periods have lapsed.

Ms. Sandra Lambe: As the bill is written now—and I will ask my colleague from the Public Service Commission to comment if I am incorrect—no, there would not be that opportunity. As my colleague noted the other day, there are other programs and services through Veterans Affairs Canada, such as the rehabilitation program, where they would have access to assistance in helping them find employment.

• (1540)

Mr. Frank Valeriote: But there's no priority.

Ms. Sandra Lambe: No, not a priority entitlement through the Public Service Commission priority system.

The Chair: Okay, that's pretty clear now. We know where we stand on the amendment. I think we've covered the conversation.

Frank, you're comfortable with that?

Mr. Frank Valeriote: Yes.

The Chair: I'm going to call for the vote on the amendment as proposed by Mr. Valeriote.

(Amendment negated [See *Minutes of Proceedings*])

(Clause 4 agreed to)

(Clause 5 agreed to)

(On clause 6)

The Chair: Mr. Valeriote, you have a proposed amendment on clause 6.

Mr. Frank Valeriote: It really is in association with the first amendment that I proposed, and that was eliminating the five-year period. My argument remains the same—if I'm given the opportunity to repeat it—it could possibly hurt those who have a manifestation of an illness that follows the first five- and second five-year periods, which I think is unfortunate, regrettable, but I suspect I know the outcome of this vote.

The Chair: Okay.

I don't there's anything further to add if the information's going to be the same. If there's no further comment, we'll go to the vote.

(Amendment negated [See *Minutes of Proceedings*])

(Clause 6 agreed to)

(On clause 7)

The Chair: Clause 7 is the first one that is fun, eh?

The Clerk: Yes.

The Chair: I want to explain, because I know you're all experts far more than I am, if you vote in favour of an amendment, the other amendments immediately die. I'm going to explain that we have an NDP motion, and the next is, I believe, Ms. May's. The point being that there are three proposed amendments, and they're in conflict. Therefore, only one amendment can be voted in. The NDP's is the first, the private member's is the second, and the—

Ms. Elizabeth May (Saanich—Gulf Islands, GP): The Green Party is actually what PV stands for, *Parti vert*.

Thank you, Mr. Chairman.

The Chair: I can always count on you from way, way back to correct me. I appreciate that very much.

There are three proposals for amendments from the three parties: NDP, Green, and, Conservative.

We will deal with them in the order they are here. If one of them passes the other two are automatically defeated. Is that clear? We can't have all three is my point.

Are you happy with that?

It's the second Green Party one but it is not in conflict with these other ones. So we'll deal with that one separately.

Is that clear? There can be two amendments—

• (1545)

Hon. Laurie Hawn: One and one...

The Chair: Any further questions on the process before we go on?

So the first three are the NDP, the Green Party, and the Conservatives. We are dealing with those as a block. They are in conflict because they have similarities. That comes from the experts not from the chair.

So the first thing we do is have the NDP comment on their amendment, please.

[*Translation*]

Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP): I proposed this amendment because I am afraid that there could be problems, for example, in the case of a person leaving the Canadian Forces, feeling unwell and likely suffering from post-traumatic stress syndrome. After a year or two, that person's post-traumatic stress is recognized as attributable to his or her service. We know that, without doubt, the discharge will not be recognized. I am afraid that a situation like that could be a problem.

Previously, wounded soldiers and those discharged for non-medical reasons were not able to obtain benefits from the Service Income Security Insurance Plan, even after their condition was recognized as a ground for the discharge. If the text is not amended, I feel that this kind of problem could happen again. So it seems to me to be important for us to pass the amendment because, at the moment, a person leaving the forces because of post-traumatic stress syndrome, or for other reasons, would have problems in such a situation.

[*English*]

The Chair: Are there comments or questions?

[*Translation*]

Mr. Sylvain Chicoine: I ask for a recorded vote.

[*English*]

The Chair: We will have a recorded vote on the amendment.

(Amendment negated nays 5; yeas, 4 [See *Minutes of Proceedings*])

The Chair: Next we'll hear, briefly I hope, from Ms. May on her proposed amendment.

Ms. Elizabeth May: Mr. Chair, I appreciate the admonition to be brief but I really do think it needs to be put on the record that this committee passed more than a year ago a resolution, a motion, that said that members of Parliament in positions that I have, being a representative of a smaller party, under 12, and independent members will be invited, or required depending on how you look at it, to present amendments to this committee 48 hours before they begin clause-by-clause.

In that case I need to put it on the record that I find it egregious that it meant we were not entitled to hear from a single witness in informing the amendments we presented and prepared. Had we been able to listen to witnesses I think it's also unfortunate that none of those witnesses would have represented veterans groups. This is after all the veterans hiring act and I think they had relevant experience this committee should have heard.

That said, I rely for this amendment, which you can see quite simply removes the words that are attributable to service so that the medical reasons for which a discharge occurs is not restrictive. We based this amendment on the blog that was posted by the Veterans Ombudsman, Mr. Guy Parent, who wrote:

I believe that all medically releasing Canadian Armed Forces members should be treated the same way, because there is an inherent service relationship for every Canadian Armed Forces member who is medically released because the individual can no longer serve in uniform.

I will paraphrase quickly with an ellipsis...to all medically releasing members regardless of the reasons for medical release should be able to benefit from this act.

That's the rationale behind my amendment.

• (1550)

The Chair: Thank you very much, Ms. May.

Now I'm going to read into record why the amendment is inadmissible.

Bill C-27 aims to amend the Public Service Employment Act to provide increased access to hiring opportunities in the public service for certain serving and former members of the Canadian Forces, and to establish a right of appointment in priority to all other persons for certain members of the Canadian Forces who are released for medical reasons that are attributable to service. The proposed amendment, PV-1, would remove the specification that a priority in hiring would be reserved for those whose release for medical reasons is directly attributable to service. The scope of the bill, as adopted at second reading by the House of Commons on June 3, 2014, is explicit in restricting the priorities of those individuals and the amendment therefore falls outside the scope of the bill. As *House of Commons Procedure and Practice*, Second Edition, states on page 766, "An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill". Therefore, in my opinion as the chair, the amendment is inadmissible.

Thank you very much.

So we go to the third, which is moved by the government. We should hear a brief submission on that if we could, please.

Mr. Parm Gill: Thank you, Mr. Chair

My amendment is very simple. It basically clarifies that the Minister of Veterans Affairs makes the determination, and that's about it.

The Chair: Are there comments?

Mr. Stoffer.

Mr. Peter Stoffer: Does he say Minister of Veterans Affairs and/or...? If the minister for whatever reason in his capacity can't make it, is there a deputy or someone else who that determination can be assigned to?

The Chair: What I'll do is go to any other questions or comments and then, as we did before, we'll let the...

Mr. Peter Stoffer: Or is that just standard procedure in any aspect?

The Chair: You want him to answer now?

Mr. Parm Gill: My understanding is it's standard procedure, but ultimately any official is able to make a decision on behalf of the minister.

The Chair: Are there other comments?

Mr. Valeriote.

Mr. Frank Valeriote: Why would the Minister of Veterans Affairs need that degree of latitude? Why would we place that degree of discretion with one person or that one person's department?

Mr. Parm Gill: Like I just said, it's just a standard practice. It doesn't necessarily mean that it is the minister who has to make that decision—

Mr. Frank Valeriote: I don't mean that it's the minister. I mean why should that amount of latitude and discretion be given to the minister? It's not the minister himself, but the government essentially. Why would that not have to come back?

The Chair: Mr. Hawn.

Hon. Laurie Hawn: Somebody has to have the authority. And it's ministerial authority, whether it's the minister in person or somebody exercising the minister's authority. Somebody has to make the determination. It's seems to me, logically it would be the Minister of Veterans Affairs.

The Chair: I think our analyst has some clarification on this if everybody agrees.

Mr. Jean-Rodrigue Paré (Committee Researcher): As I understand it, it's basically that the release itself is the responsibility of the Minister of National Defence. But a release that is attributable to medical reasons is the responsibility of the Minister of Veterans Affairs. And if it's not specified, it's not clear who has the responsibility to determine medical reasons attributable to service or not, and the release itself, which is the responsibility of the Minister of National Defence.

The Chair: Is that clear?

Mr. Peter Stoffer: He's pretty smart.

The Chair: Is there any further comment on that amendment?

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

The Chair: We do have another amendment from the Green Party on the same clause, and it is in order so I'll ask Ms. May if she could comment, please.

• (1555)

Ms. Elizabeth May: By this amendment I'm suggesting amending clause 7 by adding language after line 35, which you can find in front of you. The purpose of this amendment is to ensure that, if we find a person who fits most qualifications is not available, the veteran will be provided with information about available training opportunities so that they can upgrade to meet those qualifications as quickly as possible. That's the purpose of my amendment.

The Chair: Are there any comments or questions?

Go ahead, Mr. Valeriote.

Mr. Frank Valeriote: If you are offering the opportunity, it makes sense. If there's an opportunity that exists, but they don't meet the qualifications, that opportunity may remain open or may reopen at some point in time. Who knows? The amendment doesn't say they must or anything like that. If it gives them the opportunity to meet those qualifications and they're so inclined, why not have that opportunity be given to them? Why not offer that kind of support of retraining, which is really the goal of the regulations in the first place, the new Veteran's Charter, and this. It would be entirely consistent.

The Chair: Thank you, Mr. Valeriote.

Go ahead, Mr. Hawn.

Hon. Laurie Hawn: We already give \$75,800 for retraining but not for a specific position. To me this would just open it up to, not abuse, but people contesting things all the time. I don't think we can hold up the public service from appointing somebody to a position because a veteran wants the position but is not trained for it. I just think you're opening up a can of worms with this, because we do offer retraining, \$76,000 worth. I think it's very impractical.

The Chair: Do I get the sense you'd like to respond?

Mr. Frank Valeriote: Yes.

It doesn't say they're going to pay for it.

Hon. Laurie Hawn: No, no.

Mr. Frank Valeriote: It says they'll provide the person with information about the available training. That's all. That's—

Hon. Laurie Hawn: That can't mean that the public service holds that job open while somebody goes off—

Mr. Frank Valeriote: It doesn't say that either.

The Chair: Whoa, whoa.

I love a debate, but this is not really the process.

We're at a point where there's some disagreement of what it's doing.

Is there anybody else who wants to comment before Ms. May responds? No.

Go ahead, Ms. May.

Ms. Elizabeth May: Thank you.

I think Mr. Valeriote anticipated my response, which is that perhaps my friend Mr. Hawn may have read into this more than is intended. It's not a requirement that any position be held open. There's no can of worms that I can see here. I don't see a can opener either. What this really says is exactly what it says: if individuals, veterans, who hope to obtain a job within the civil service, don't qualify within the meanings of the act, that the individuals be referred to training opportunities that might get them to where they need to be to apply for that job. They may or may not be able to get to that job, and they may come back and apply for one later, still within the statutory period.

Thank you.

The Chair: Thank you. We've finished the discussion. Is there any further comment? Okay.

(Amendment negated [See *Minutes of Proceedings*])

(Clause 7 as amended agreed to)

(Clause 8 agreed to)

(Clause 9 agreed to)

(On clause 10)

The Chair: On clause 10, is there any comment?

Go ahead, Mr. Stoffer.

●(1600)

Mr. Peter Stoffer: Quite simply, I am reading this, and maybe it's my lack of formal education in this regard, but I was hoping to get a much clearer explanation. There seems to be quite a lot about the complaint process.

Can the commission explain it to me in plain language that I can clearly understand? To be honest with you, I'm a tad confused over it. I'm being honest because we're in camera.

The Chair: No, we're not.

Would you care to respond to his question, please?

Mr. Michael West: Under the current scheme of the PSEA, priority appointments are not subject to recourse to the public service staffing tribunal. My understanding is that this is a consequential amendment to section 87 of the PSEA in order to ensure that the appointments of persons with the medical release from the CAF, the new priority, would not be subject to recourse of the public service staffing tribunal as well. So, it's just a matter of ensuring that this new priority entitlement is treated exactly the same as all the existing priority entitlements.

Mr. Peter Stoffer: Thank you.

The Chair: Are there any other comments or questions?

(Clause 10 agreed to)

(On clause 11)

The Chair: Clause 11 does have one amendment proposed.

So, Mr. Valeriote, would the Liberals like to make their comments, please?

Mr. Frank Valeriote: Yes, similarly, Mr. Chair, to the two previous amendments that we proposed, this would eliminate the five-year limitation period for the reasons I recited earlier, the manifestation of an illness after the first five- and second five-year periods, to enable that candidate to be eligible for the benefits that this legislation provides. Since the previous two amendments failed it's likely that this too will fail.

The Chair: Are there any additional or new comments? Mr. Valeriote said it is consistent with his previous ones. Are there any comments or do we go to the vote?

(Amendment negated [See *Minutes of Proceedings*])

The Chair: Now we go to the clause itself. Again, if anybody wants to comment on the clause we always have that opportunity before we vote.

(Clause 11 agreed to)

(On clause 12)

The Chair: I'm reminded to explain this very carefully for Peter's and my sake more than anything else—that there's a proposed amendment from the Green Party and a proposed amendment from the NDP.

The Green Party amendment is dealt with first. If that is adopted, the NDP one obviously dies on the paper. If it doesn't pass then we go immediately to vote on the NDP amendment. Is that clear?

So what we'll do, Ms. Green, if you'd like to comment on your amendment, please....

Ms. Elizabeth May: Thank you, Mr. Blue.

The Chair: I had her admonition earlier. I'm not going to make that mistake. It's Ms. Green. I know that.

Ms. Elizabeth May: I represent the Green Party of Canada. As the leader of the Green Party of Canada, I'm happy to present this amendment to clause 12.

The attempt here is to treat the survivors of veterans in the same fashion. We've had changes in this bill that we make sure that the definition of veteran allows all members who have been honourably released from the Canadian armed forces, who have accumulated at least three years of service, to benefit from the veterans hiring act. But we have restricted the meaning of survivor of a veteran to those who are survivors of—well, I think for all practical purposes we don't really. Survivors is World War I and World War II but basically it's restricted to veterans' surviving spouses from the Second World War and not those who are survivors of a veteran who has passed who has served three years. So, it's an attempt to equalize so that survivors of veterans are treated the same throughout the act.

• (1605)

The Chair: Okay, thank you.

We're open to comments then.

I think Mr. Valeriote was first, please.

Mr. Frank Valeriote: Can I ask the analyst whether he understood that explanation and whether this is a proper interpretation of that section?

Mr. Jean-Rodrigue Paré: I have one concern: that what it would do is cancel the definition of a spouse. For the intention that you are presenting now, I'm not sure that would be the way to do it, because the definition of a veteran has been modified, and to make it consistent, instead of going from paragraph (a) to (e) you could go from paragraph (a) to (f), and that would include all the definitions.

What this amendment would do right now, I think, is simply abolish the definition of a survivor, which would create difficulties, obviously.

Ms. Elizabeth May: It certainly wasn't my intention to abolish the definition—

Mr. Jean-Rodrigue Paré: Yes, I understand that.

Ms. Elizabeth May: —but I think it would be much more equitable to treat the survivors of a Canadian Forces veteran of three years the same way we treat survivors of veterans of the Second World War and other veterans.

The Chair: I saw Mr. Chicoine's hand up.

[*Translation*]

Mr. Sylvain Chicoine: That is exactly the question I wanted to ask.

[*English*]

The Chair: Okay, that's perfect.

Mr. Stoffer.

Mr. Peter Stoffer: I have a question for the commission here. Can they explain to us what, in their view, a survivor is—their definition of a survivor?

The reason I ask is that the traditional sense is that it is the husband or the wife or common-law partner of a deceased soldier, sailor, airman, or airwoman. But in a situation in which you have an individual who is, say, 50 years old and who has a son or a daughter who is 20ish and not married, and that 20-year-old relies on this individual who passes away, and you have the 20-year-old left alone, would that 20-year-old child be considered a survivor of a deceased

veteran? If yes, would they then be entitled to any benefits in terms of priority in hiring and all that kind of stuff that follows through? Or does the survivor in the legal sense mean strictly the husband and wife or common-law partner of the individual who is deceased?

Ms. Sandra Lambe: Thank you, Mr. Stoffer.

Yes, the definition of survivor is a spouse or a common-law partner.

I would note, however, that the Public Service Employment Act currently gives a regulatory priority to survivors of members of the Canadian armed forces whose death is attributable to service. So those survivors of modern-day veterans, as we call them, have a regulatory priority, which is in fact a higher priority than “preference”, which is what is being referred to in this proposed amendment.

Mr. Peter Stoffer: But it doesn't include a dependent child?

Ms. Sandra Lambe: That's correct.

Mr. Peter Stoffer: That's a mistake.

The Chair: Mr. Galipeau.

Mr. Royal Galipeau: Thank you, Mr. Chairman.

I must be slow, because I didn't understand that clearly. I am in accordance with the question that Mr. Stoffer asked. It includes also a minor child; for instance, would a 17-year-old child not be included as a next of kin or a survivor?

Ms. Sandra Lambe: No. The definition of survivor in the act is a spouse or common-law partner.

Mr. Royal Galipeau: And if there is no spouse but there is a child, is it just too bad?

Ms. Sandra Lambe: The act does not address other survivors.

• (1610)

Mr. Royal Galipeau: We here as parliamentarians, in some of the privileges that we have and in some of the entitlements that come with this job—with this temporary job, I'd like to underline—have certain privileges that go to our spouses and also to our minor children and also to our major children, provided that they are students and no older than 25 years old.

If it's good enough for us, shouldn't it be good enough for those who saved the democracy that got us here?

The Chair: Mr. Valeriote.

Mr. Frank Valeriote: From the explanation that has been given, and understanding Ms. May's and the Green Party's intent and I think the sentiment that might probably be felt by many around this table, there may be an amendment that can achieve the desired result, albeit not in the form that was presented by the Green Party.

If I'm led correctly, were we to change subclause 12(1)'s definition of survivor, line 4 from paragraphs (a) to (e), instead of leaving it in its current form, we would achieve—

Ms. Elizabeth May: It's (a) to (f).

Mr. Frank Valeriote: —I'm sorry, (a) to (f)—we will achieve the desired effect.

I would ask the analyst to analyze that.

Mr. Jean-Rodrigue Paré: I agree with that statement. I think that would fulfill the intention that was presented.

That would be a subamendment, though. It's not in the amendment.

Mr. Peter Stoffer: Can I make the subamendment?

Mr. Jean-Rodrigue Paré: I don't know.

Mr. Frank Valeriote: Can I ask the analyst to look at the next page on the handout and under paragraph (f) to see whether in fact the proposal is redundant, given that paragraph (f) is included in the transitional provisions?

Mr. Jean-Rodrigue Paré: No, the transitional provisions don't apply. It's not the—

Mr. Frank Valeriote: I'm sorry, I mean in subclause 12(2).

Mr. Jean-Rodrigue Paré: Subclause 12(2) deals with the definition of “veteran”, not “spouse”—

Ms. Elizabeth May: Yes.

Mr. Jean-Rodrigue Paré: —and not “survivor”. It's “veteran”.

Mr. Frank Valeriote: I stand firm on my original proposal that you change “(e)” to “(f)” and it will achieve what's intended.

Ms. Elizabeth May: Yes.

The Chair: We're still not in camera, Peter. Do you have a comment?

Mr. Peter Stoffer: Having said what Mr. Galipeau said so eloquently about the fact that if a service person dies in the line of duty and has a dependent child of legal age—say, 19 or 20 years old or something—and there is no common-law spouse or husband-and-wife concern, I understand that if we try to include that and change it in this bill, it's going to cause a lot of consternation within the public service and the commission in doing all those types of changes.

But what I would like, if we support this particular issue as it is now, is that we have assurances from the government members that they will take this back to the government and seriously look at what Mr. Galipeau said and what we're indicating. This is not just for hiring, but for other benefits as well; that in the event that there is no known common-law partner or legally married husband or wife, in this particular case the government would undertake either a study or some sort of look at the benefit package's being much more inclusive and including dependent children. Nathan Cirillo's son was five years old. If Nathan Cirillo's son were 20 years old, I think emotionally we'd have a much different situation in this regard. That's why I say this.

If we can get assurances from the government that the minister and the government will look at this as a serious issue and maybe come back to us—say in 30 days, before Christmas—with some kind of response, that would be very helpful for all of us on this committee, sir.

I ask that to the parliamentary secretary.

• (1615)

The Chair: Just before we go further, I understand that we are changing some direction of the bill, if we do this. Keep in mind that we're getting into broader territory. I'm just saying that within the context of the bill, this may be something that follows after the bill.

Did you want to respond? I know we have responses, but you had your hand up first.

Mr. Frank Valeriote: Yes. First of all, I guess I'm not as assured as Mr. Stoffer might be that assurances from the government will actually materialize into much of anything over the next 30 days, with respect. I mean, it's a bureaucracy, and you're going to have all sorts of responses.

If, Mr. Chair, it is within my rights to bring the amendment that I spoke of earlier, and that is to change subclause 12(1)'s definition of “survivor of a veteran” by changing (e) to (f); if it's within my right to do that, then I—

The Chair: It is not right now, but there will be an opportunity before we have finished the clause. We have to deal with the amendment first.

Mr. Frank Valeriote: Do you mean the amendment as presented by Ms. May?

The Chair: Yes. But then there's a chance for someone to propose a different amendment. I just make that point for the record.

I know there were a couple of hands raised.

I have Mr. Galipeau and Mr. Gill.

Mr. Royal Galipeau: You can go to Mr. Gill, provided I get a chance at it.

The Chair: Mr. Gill.

Mr. Parm Gill: Thank you, Mr. Chair.

Just in response to Mr. Stoffer's question earlier, right now obviously the intent is to get this bill through as quickly as possible.

With regard to other suggestions and I think wonderful initiatives that you have brought forward, we are happy to look at those, moving forward.

The Chair: Mr. Galipeau.

Mr. Royal Galipeau: In a way I'm happy that I opened up this can of worms and happy for the good will that it might have created around this table and the trust it might have engendered. I hope we don't betray that trust.

Thank you, sir.

The Chair: Thank you very much. This has been the nature of the way we have dealt with matters; I hope it will continue.

Are there any other—?

Mr. Frank Valeriote: I'm sorry; I think we're dealing with her motion.

The Chair: Well, if it's on the amendment—

Mr. Frank Valeriote: No. I still have the right to bring an amendment on this.

The Chair: You don't have to wait 30 days. I'll come back to you on that.

I have a question for the experts: if there is a vote on this amendment and it is defeated... You seem to be looking for a replacement one, and if it comes forward and is passed, it still would mean that we would not vote on the NDP amendment.

Am I correct, that it would still push that one away? Or does it follow after that one?

Ms. Chloé O'Shaughnessy (Procedural Clerk): We are still going to go to the NDP amendment first, because the change you are proposing, Mr. Valeriote, would I believe bring us to line 34 of this page of the bill; you would change paragraphs (a) to (e), and it would now be paragraphs (a) to (f). That would be the amendment you want to bring.

Technically the NDP-2 amendment starts at line 33, which is one line before that.

Mr. Frank Valeriote: I get it.

Ms. Chloé O'Shaughnessy: So if amendment PV-3 fails, then we would go to the NDP amendment. If that fails, then we would go to any amendment you would bring forward to that line.

• (1620)

The Chair: Are we clear on that?

Mr. Frank Valeriote: Yes.

The Chair: So if we're through discussion on the Green Party amendment—and we've had lots of conversation—I'm going to call the vote.

(Amendment negated [See *Minutes of Proceedings*])

The Chair: That amendment is defeated, and as you just heard, because of the process here, we are now going to go to the NDP amendment on clause 12.

I will go to Mr. Stoffer, I gather, for the NDP.

Mr. Peter Stoffer: He is the talker on this one.

[*Translation*]

Mr. Sylvain Chicoine: I would like to add a few words at the end of the amendment. That means that I would like to amend the amendment. Is it possible to do that?

Ms. Chloé O'Shaughnessy: Then it would be a subamendment.

Mr. Sylvain Chicoine: So I would like to make a subamendment. It would read as follows:

That Bill C-27, in Clause 12, be amended by replacing lines 33 to 36 on page 4 with the following:

person who, being a veteran, died from causes arising during the service by virtue of which the person became a veteran or of a former member of the Canadian Forces who died as a result of a service-related injury or disease within the meaning of the *Canadian Forces Members and Veterans Re-establishment and Compensation Act* or *Pension Act*.

[*English*]

The Chair: They are consulting all over the place here.

Just give us a moment, please.

• _____ (Pause) _____
•

Mr. John Rafferty (Thunder Bay—Rainy River, NDP): I'll read the amendment with the changes so everybody is clear on what we're talking about here.

It's "person who, being a veteran, died from causes arising during the service by virtue of which the"—former member instead of

person—"the former member became a veteran or of a person who died as a result of a service-related injury or disease within the meaning of the Canadian Forces Members and Veterans Re-establishment and Compensation Act", or Pension Act.

It's those two small changes, just so everybody's clear on what we're talking about.

The Chair: Thank you.

That's the amendment with the subamendment right?

Mr. John Rafferty: Oh, I'm sorry, let me clarify my clarification.

It's not the first time that "person" is mentioned; it's the second time "person" is mentioned. So it's "which the person became a veteran or of a former member who died as a result of", and so on. Just so that's clear.

The Chair: Now that it's been presented in that way, I'm told it can be presented as an amendment. You don't need the subamendment because it is contained within the content of the amendment; it doesn't change the amendment, just some of the wording.

Rather than vote on a subamendment and an amendment, if everyone understands, we're going to vote on the proposed amendment.

Is that clear?

Mr. Rafferty.

• (1625)

Mr. John Rafferty: Chair, before we do, I wonder if the analyst would like to make a comment about this amendment as it stands and how that refers to our discussion we just had about Ms. May's amendment and Mr. Valeriote's concerns.

The Chair: Just so it's clear, though, that is a question that certainly staff can also respond to. I think that's what you're asking.

Mr. Jean-Rodrigue Paré: My understanding is that it would cover some of the intention presented by Ms. May, but it would restrict it to spouses of former members who have received either a pension or a disability award. The spouses of former members who have died as a result of service, within the understanding of the new Veterans Charter or the Pension Act, would be included.

The risk here is that not only the understanding would maybe go too far as to include spouses of those who have died, who are receiving a pension or a disability award but who did not die as a result of these injuries. Do you see? That would be the ambiguity here.

To me, that would involve a lot of interpretation of different consequences of the act.

The Chair: We would welcome some comment or clarification from our visiting friends today.

Ms. Sandra Lambe: Yes. As I understand, the amendment you're proposing would significantly broaden the definition of survivor, so it would extend preference in the external appointment processes to survivors of veterans who died during service or who had a disability award or a disability pension, and died of that injury or illness for which they received the award or pension.

I'll just defer to my colleague at the Public Service Commission as well.

Mr. Michael West: If I could repeat what Ms. Lambe had mentioned earlier, a surviving spouse does have a priority entitlement under the existing regulations, and that is a higher order provision than the preference that is being discussed with regard to this section.

The Chair: Is that clarified now for everybody?

Mr. Peter Stoffer: Let's vote.

The Chair: Is everybody ready? There are no further comments.

It's not a subamendment, but it is an amendment with some wording adjustment.

(Amendment negated [See *Minutes of Proceedings*])

The Chair: As we said earlier, there is room for a further amendment.

I believe Mr. Valeriotte would like to do just that.

Mr. Frank Valeriotte: Thank you, Mr. Chair.

I will refresh our memory about the conversation moments earlier with Ms. May, me, and others around the table, with respect to subclause 12(1), on the definition of "survivor of a veteran". The amendment I'm proposing is to change paragraph (e) to proposed paragraph (f). The intent of that amendment is to include spouses of a member veteran.

We've had the opportunity to look at this legislation. We've had the opportunity to review the new Veterans Charter.

The comments I make around this table about this change are not intended to undermine or diminish in any way the goodwill that exists around this table. Just because we disagree doesn't mean it's intended to diminish goodwill. At the same time, we shouldn't miss an opportunity to make good legislation better.

If this will accommodate the surviving spouses, which was something that was brought to our attention time after time during our discussions of the new Veterans Charter, then we should seize the opportunity and not foreclose the opportunity and rely on some review over the next 30 days. Once this legislation starts moving forward, let's face it, it's highly doubtful that anyone from the government is going to come back—and I'm not saying there's ill will there—and start toying and tinkering with this legislation at that time.

For the very reasons that Mr. Galipeau himself had stated and I support, and I suspect everyone around this table supports, I would beg that if we change anything, one letter in this whole piece of legislation, it would be paragraph (e) to proposed paragraph (f) in subclause 12(1), "survivor of a veteran" definition—that's all I ask.

● (1630)

The Chair: It is, as you pointed out, changing paragraph (e) to proposed paragraph (f), so you have to make sure you've looked at both paragraph (e) and proposed paragraph (f) to understand the outcome. We are open to comments or questions, because the amendment is acceptable to be considered for a vote.

Are there no further comments or questions? We're all ready to vote.

Everybody understands, then, it's a new amendment introduced by Mr. Valeriotte to change paragraph (e) to proposed paragraph (f) in the spousal interpretation bit.

A rapid debate still continues. Was there anything further from the commission or are we okay?

Mr. Peter Stoffer: We're voting on (f).

The Chair: We're voting on the proposed amendment just put forward by Mr. Valeriotte.

(Amendment negated [See *Minutes of Proceedings*])

The Chair: So clause 12 is without amendment.

We now move to clause 12 itself. Is there any comment on the clause?

You have a comment, Mr. Stoffer?

Mr. Peter Stoffer: I just wanted to reconfirm Mr. Gill's concern that within 30 days we'll have some kind of response regarding our previous talk.

Mr. Parm Gill: I said we will get the response, but I just didn't agree to the 30-day period.

Mr. Peter Stoffer: Okay. That's fair enough.

The Chair: Fair enough. I'm sure Mr. Valeriotte will be watching very carefully. I just want to warn you on that.

(Clause 12 agreed to)

(On clause 13—*Priority*)

The Chair: Clause 13 has two proposed amendments, first one from the Green Party and then one from the Conservative government party.

Ms. May, would you like to give a brief explanation, please?

Ms. Elizabeth May: I suspect, Mr. Chair, that this amendment will face the same ruling of being beyond the scope of the bill as my first amendment did.

The attempt here is to ensure that the medical reasons for discharge are not restrictive. I go again to the rationale of the Veterans Ombudsman, that all medically released members, regardless of the reason for medical release, should be able to avail themselves of this program. I suspect the ruling will be the same.

Thank you.

The Chair: Thank you for your comment and your understanding of what the ruling is going to be, because you're absolutely correct. But I do have to read this into the record—with great affection.

Ms. Elizabeth May: Thank you.

The Chair: Bill C-27 aims to amend the Public Service Employment Act to provide increased access to hiring opportunities in the public service for certain serving and former members of the Canadian Forces, and to establish a right of employment in priority to all other persons for certain members of the Canadian Forces who are released for medical reasons that are attributable to service.

The proposed amendment, PV-4, would remove the specification that a priority in hiring would be reserved for those whose release for medical reasons is directly attributable to service. The scope of the bill as adopted at second reading by the House of Commons on June 3, 2014 is explicit in restricting the priority to those individuals, and the amendment therefore falls outside the scope of the bill.

As *House of Commons Procedure and Practice*, Second Edition, states on page 766, “an amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill”.

In the opinion of the chair, the amendment is therefore inadmissible.

That amendment is off the table, so we have one proposed amendment, and I would ask for a brief explanation of the amendment, please.

•(1635)

Mr. Parm Gill: Thank you, Mr. Chair.

This is very similar to my previous amendment. All this does is basically clarify that the Minister of Veterans Affairs makes the determination, for the same rationale as before.

The Chair: Are there any comments or questions?

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

(Clause 13 as amended agreed to)

(Clauses 14 and 15 agreed to)

The Chair: Shall clause 1, the short title, pass?

Some hon. members: Agreed

The Chair: Shall the title carry?

Some hon. members: Agreed

The Chair: Shall the bill carry as amended?

Mr. Sylvain Chicoine: On division.

The Chair: The bill is agreed to on division.

The Chair: Shall I report the bill, as amended, to the House?

Some hon. members: Agreed to on division.

The Chair: We've finished with the bill. It will be reported as it stands.

Thank you very much.

Mr. Peter Stoffer: I wanted to talk more about the bill. I know it's passed, but I have a couple of questions.

The Chair: Okay. We have a couple of hands.

I'm going to go to Mr. Gill first, and then Mr. Stoffer.

•(1640)

Mr. Parm Gill: I have good news that I want to share with the committee. The Prime Minister today announced some changes in the senior ranks of the public service. Retired General Walter Natynczyk, currently president of the Canadian Space Agency, becomes deputy minister of Veterans Affairs, effective November 3, 2014.

The Chair: You're not allowed to show emotion, but thank you for that update.

Okay, you were looking for that job, and you were disappointed, right?

Mr. Peter Stoffer: No. Veterans Ombudsman, maybe.

Some hon. members: Oh, oh!

Mr. Peter Stoffer: Having said that, maybe we'll get an opportunity to invite General Natynczyk to the committee just for a brief hello.

On this bill, now that it's going through, we had discussions earlier about the RCMP not obviously being included in this bill. We know the Royal Canadian Legion is supportive. Of course, we always have one or two concerns. One of them is the RCMP being included in something of this nature. If an RCMP officer gets killed in the line of duty, their spouse would be entitled to public service employment opportunities, etc. I ask the commission if that could be looked at and that the government include the RCMP in something that our military men and women would be entitled to.

Thank you.

Ms. Sandra Lambe: Veterans Affairs Canada administers benefits and services on behalf of the RCMP. However the RCMP would make any decisions on changes in benefits and services, or in this case, changes to priority hiring entitlement, so I cannot speak to that. That question would have to be posed to the RCMP.

The Chair: Mr. Galipeau.

Mr. Royal Galipeau: I just wanted to make a comment about the appointment of General Natynczyk.

Some of the feelings that I've heard at this table over the last year reflect, it seems to me, a disconnect for our servicemen and our veterans between the time that they're servicemen and the time that they become veterans.

The fact that General Natynczyk has an intimate knowledge of the Department of National Defence and that now he'll be the deputy minister of veterans affairs should be good news for all our veterans because it will make it more seamless, unless he decides to live in Charlottetown.

Mr. Peter Stoffer: We should write a letter to the previous deputy minister, thanking her for her service.

Mr. Royal Galipeau: Absolutely. Mary Chaput.

The Chair: I've got a couple of things I just want to raise briefly.

If it's not appropriate that's fine, but you will notice that one of our witnesses who came before us, Jody Mitic, was just successfully elected as a councillor.

Mr. Royal Galipeau: I was the first guy to congratulate him. I went to his campaign office to congratulate him.

The Chair: I'm not surprised about that. I'm wondering if you would like a letter to go from the committee congratulating him.

Mr. Peter Stoffer: That would be great.

Mr. Royal Galipeau: Mr. Chairman, could it be drafted so that I am co-signer? I'm his MP.

The Chair: If it is the will of the committee, I can ask the committee members to all sign the letter if you'd like. We can do that.

Yours can be up near the top.

Mr. Bryan Hayes (Sault Ste. Marie, CPC): In alphabetical order.

The Chair: I would mention one thing regarding the bill. I know the process is good and I know there are always some loose ends. But I've got to tell you that the response that we've gotten, or at least I've gotten, is very positive that this initiative is going forward.

I think the comments that have been made about things that can be done in the future are very genuine. I think they're legitimate. I

suspect there may be more down that road that will come from this, but I want us to remind ourselves that this was in response to a very obvious need within the changes that we all believe should happen for the vets.

I think we want to know that the committee did a good job moving this bill forward. I know that the members of the House will probably appreciate that. There is always more that we can do for vets, we understand that.

Thank you all for your co-operation.

The next meeting will be after the break. Please remember that gathering on Tuesday is particularly important this year. It was in place before, obviously, the tragedy happened. I encourage members to show up Tuesday morning at 9:00 at the Cenotaph. It would be a good showing of support.

● (1645)

The Chair: Anything further for the committee?

Meeting adjourned.

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