



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

42nd Parliament, 1st Session

REPORT OF THE COMMITTEE

The Standing Committee on Procedure and House Affairs

has the honour to present its

HUNDREDTH REPORT

ADVICE FOR THE CONSIDERATION OF COMMITTEES OF THE HOUSE OF COMMONS IN THE 43RD PARLIAMENT

At its meeting on 11 June 2019, the Standing Committee on Procedure and House Affairs (“the Committee”) agreed to discuss the creation of a legacy document.¹ This discussion would capture the advice and lessons learned by the Committee during the 42nd Parliament that it wished to call to the attention of the next incarnation of the Committee in the 43rd Parliament.

The discussion was held on 13 June 2019. At that meeting, the Committee decided there was value in highlighting two important and innovative procedures and practices used by the Committee during the 42nd Parliament. They are:

- the “Simms protocol,”² a convention which allows for a member speaking in committee to decide to yield the floor without losing the floor, to allow for a brief and germane intervention by another member; and
- a motion detailing the circumstances under which a committee can conduct its proceedings *in camera*.

The Committee would like to share these procedures with the House of Commons as an example of informal practices and potential rules that increased the efficiency and collaborative nature of the proceedings of the Committee during the 42nd Parliament, and may be of benefit to future committees in the 43rd Parliament. The Committee does

1 House of Commons, Standing Committee on Procedure and House Affairs, [Minutes of Proceedings](#), 42nd Parliament, 1st Session, 11 June 2019.

2 The “Simms protocol” is named after Mr. Scott Simms, member for Coast of Bays—Central—Notre Dame, who first employed this convention at a meeting on 21 March 2017.

not include recommendations in this report. It merely provides information for other committees to consider applying, at their discretion.

A. The Simms Protocol - Interventions When a Member has the Floor

At its 55th meeting, on 21 March 2017, the Committee developed a convention allowing a member to raise a question or comment related to the topic immediately at hand, without the speaker formally ceding the floor or losing his or her place on the list of speakers.³ Once the intervention is concluded, the speaker once again has the floor and the existing list of speakers continues unimpeded. It is up to the member who has the floor, along with the Chair, to decide whether to permit the intervention. The original speaker may also take back the floor at any time and resume speaking. The Committee named this convention the Simms protocol, after Mr. Scott Simms, member for Coast of Bays—Central—Notre Dame, who first employed this convention at the meeting on 21 March 2017.

The Committee has found the Simms protocol to be useful in its debates. It allows for timely and relevant comments or points of clarification to be made without disrupting the natural flow of the debate and contributes to the overall quality of discussions during meetings.

B. Rules Governing *in camera* Business

At its meeting on 16 February 2016, Mr. David Christopherson, member for Hamilton Centre, moved a motion to adopt specific procedures for *in camera* business. These procedures prescribe that the Committee would only meet *in camera* for certain specific matters, and that any motion to sit *in camera* would be debatable and amendable.⁴ Members of the Committee debated the motion and proposed two amendments.

3 House of Commons, Standing Committee on Procedure and House Affairs, [Evidence](#), Meeting 55, 21 March 2017, 2345, 0220, 1400, 2100, 6055 (various speakers).

4 House of Commons, Standing Committee on Procedure and House Affairs, [Minutes of Proceedings](#), 42nd Parliament, 1st Session, 16 February 2016.

At its meeting on 14 June 2016, the motion on *in camera* business was withdrawn and a new motion to establish rules on when to go *in camera* was moved. The Committee unanimously agreed to the new motion,⁵ which reads as follows:

That the Committee may only meet *in camera* for the following purposes:

- (a) to consider wages, salaries and other employee benefits;
- (b) to consider contracts and contract negotiations;
- (c) to consider labour relations and personnel matters;
- (d) to consider a draft report or agenda;
- (e) for briefings concerning national or parliamentary security;
- (f) to consider matters where privacy or the protection of personal information is required;
- (g) when conducting an inquiry pursuant to the Code of Conduct for Members of the House of Commons: Sexual Harassment;
- (h) to receive legal, administrative or procedural advice from the House of Commons' Administration; and
- (i) for any other reason, with the unanimous consent of the Committee.

That the Chair may schedule all or portions of a meeting to be *in camera* for the reasons listed above;

That any motion to sit *in camera* shall be subject to a debate where the mover, and one member from each of the recognized parties, be given up to three minutes each to speak to the motion; and that the mover shall then be given one minute to respond.

The Committee has followed this rule since 2016. Members of the Committee agree that the adoption of this rule lends transparency to its proceedings, as well as a degree of certainty and predictability to when the Committee will conduct business *in camera*. Overall, it has assisted with a general tone of collaboration and openness when undertaking committee business and when debating whether to move *in camera*.

5 House of Commons, Standing Committee on Procedure and House Affairs, [Minutes of Proceedings](#), 42nd Parliament, 1st Session, 14 June 2016.

Dedication



Image credit: © House of Commons

The Committee dedicates its one hundredth report to the memory of the late Arnold Chan, who was the member for Scarborough—Agincourt, and Deputy Leader of the Government in the House of Commons. As a colleague and friend, he was widely respected for his sharp legal mind, willingness to listen and pursuit of fairness. Mr. Chan was a driving force behind the motion to establish rules on the use of *in camera* meetings for the Committee. The rules were established in close collaboration with his fellow Committee members.

A copy of the relevant *Minutes of Proceedings* ([Meetings Nos. 162 and 163](#)) is tabled

Respectfully submitted,

Hon. Larry Bagnell, P.C., M.P.
Chair

