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Chair: Mrs. Sherry Romanado



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• (1105)

[English]

The Chair (Mrs. Sherry Romanado (Longueuil—Charles-LeMoine, Lib.)): Good morning, everyone. I now call this meeting to order.

Welcome to meeting number 48 of the House of Commons Standing Committee on Industry, Science and Technology.

Today's meeting is taking place in a hybrid format, pursuant to the House order of January 25, 2021. The proceedings will be made available via the House of Commons website. The webcast will always show the person speaking, rather than the entirety of the committee.

To ensure an orderly meeting, I'd like to outline a few rules to follow. Members and witnesses may speak in the official language of their choice. As you know, interpretation services are available for the meeting. Please select your preference at the bottom of your screen.

Again, before speaking, please wait until I recognize you by name. All comments by members should be addressed through the chair. Of course, when you are not speaking, your microphone should be on mute.

As is my normal practice, I will hold up the yellow card for when you have 30 seconds remaining in your intervention, and I will hold up the red card for when your intervention time has expired.

Pursuant to the order of reference of Wednesday, June 2, 2021, in the first hour of the INDU committee meeting, we will be meeting to begin our study of Bill C-272, an act to amend the Copyright Act, concerning diagnosis, maintenance or repair.

I'd like to now welcome our witnesses to INDU. We have with us today, Mr. Bryan May, member of Parliament for Cambridge and the sponsor for the bill.

With that, we will allow the member to present his bill for five minutes and [*Technical difficulty—Editor*].

MP May, you have the floor.

Mr. Bryan May (Cambridge, Lib.): Thank you very much, Madam Chair.

I thank you all for the invitation to speak to Bill C-272, my private member's bill. Most importantly, thanks to everyone who voted for the bill at second reading, bringing the bill to the INDU committee. I look forward to hearing your questions and discussing the bill.

As you know, the bill passed second reading with unanimous support in the House, and it has garnered interest and support from individuals, businesses and environmental and technological activists from across the country, and in fact, internationally. I trust that you all recognize the significance of the bill and realize its potential, as I have. I want to say that I'm happy to discuss amendments and ways to strengthen the bill, and I hope there is ample opportunity for me to hear your thoughts on the legislation.

Bill C-272 addresses some concerns that the Copyright Act is being used and interpreted in areas far beyond its scope—in particular, the provisions of copyright that are actually able to prevent the repair of digital devices and systems, even when nothing is being copied or distributed and where the owner actually owns the device.

The Copyright Act contains certain mechanisms that make it impossible—or extremely difficult—for consumers to repair their own goods. Technological protection measures, or TPMs, are used to protect the intellectual property found in devices. TPMs can inadvertently prevent repairs and can shut out independent repair shops, home DIY repairs and replacement of simple parts. This system can even prevent repairs after the company has gone out of business, because breaking TPMs would still be illegal even if the company was no longer making the product and there were literally no other options for repair or replacement.

This goes against everything that Canadians understand, instinctively, when they purchase something. As technology becomes more sophisticated, and with the introduction of digital systems integrated into these products, there are technological protection measures embedded by the Copyright Act that can prevent any repairs, even simple ones that consumers should be able to complete.

If passed into law, this bill could change the repair landscape entirely. Imagine when your smart appliance breaks down. You would not have to wait for a licensed repair person with the TPM bypassing passwords or tools to come to your house. You could order the part yourself, install it yourself or hire another company to do it for you.

This keeps the control of the product in the consumer's hands and reduces the manufacturer's ability to leverage their product long after it has been sold, which is not only inappropriate but also anti-competitive. A case could be made for those acts to be illegal under Canada's Competition Act. As a result, Canadians would not have to face the dilemma of throwing out their quality—and sometimes new—products as a result of a small malfunction. This would have drastic effects on our waste and would increase our ability to work efficiently with our smart devices.

I'm aware that other private members' bills have been brought forward in the past to address concerns about right to repair. Please be aware that this bill is substantially different in structure and design, and that's on purpose. I've aimed to carve out a very specific and limited allowance for consumers to circumvent a TPM, but only for the purpose of diagnosis, maintenance or repair.

I am well aware of the legislation that must be moved by the provinces to address some other components of right to repair, including availability of spare parts, mandating repair manual availability, instituting additional measures to protect consumers and regulating the sale of goods that do not allow for repair.

The key here is that Bill C-272 is a precursor to many of these other items. Without a change to the Copyright Act, those other legislative and regulatory changes will not have their desired effect because TPMs cannot be bypassed for repair. This bill is important because it's not a matter of “if” but of “when” this legislation will be required.

Legislation for right to repair has been considered at the provincial level, and it is in place or being written in the EU and across multiple jurisdictions in the United States. With our shared interest in avoiding waste and keeping consumers in control of their own products, we must make room for repair.

• (1110)

Thank you for your time today, Madam Chair. I would be happy to answer any of the committee's questions.

Thank you.

The Chair: Thank you very much, MP May. We're happy to have you here at INDU.

With that, we'll start our round of questions.

Our first six-minute round goes to MP Poilievre.

You have the floor.

Hon. Pierre Poilievre (Carleton, CPC): Thank you, Mr. May.

I've carefully read your bill and, frankly, I think you have it right. I think there are two extremes in this debate. One is that the government, as we do now under the Copyright Act [*Technical difficulty—Editor*] to respect the exclusive repair rights of the vendor. The other is to ban the vendor from applying technological protections.

You've done neither of those things. What you've done is basically remove the prohibition on circumvention technology to allow those customers who want to attempt to repair something themselves and to attempt to go around a technological protection measure to do that. By the amendment to the Copyright Act that you

propose, effectively, I think you are legislating the principle of “willing buyer, willing seller”. I think that's where we need to be on this.

That's more of a comment than a question. I'd invite your response to it.

Mr. Bryan May: Thank you, Mr. Poilievre.

I agree that this is not an overreach. This is actually my second opportunity to present a private member's bill in the House. I learned a lot in the first go-round.

When we drafted this bill, we wanted to make sure, first, it was broad. I had no delusions of grandeur that it would receive unanimous support in the House, but I was very pleased to see that. We also wanted to make sure that it would support all Canadians, and it would be a step in the right direction. I think a lot of times private member's bills are drafted trying to get across that finish line, and when we came across this issue, we very quickly realized that was not how this was going to work. We needed to take a step forward and give the provinces the opportunity to determine what the landscape of “right to repair” was going to look like for them.

I think the bill does that. I think the bill is reasonable. It has an approach that, as you say, Mr. Poilievre, is fair. I think that's quite frankly why we were able to achieve that unanimous support in the House.

Hon. Pierre Poilievre: Right. There's nothing in the bill, for example, that would ban a vendor from including a clause in a warranty agreement that requires the buyer to bring the product in question back to the vendor for repair and maintenance. That would still be allowed under this bill, would it not?

Mr. Bryan May: Yes, this bill does not get into the architecture of what a “right to repair” landscape is going to look like. This allows for that conversation to be had at the provincial level.

Hon. Pierre Poilievre: Right. At the same time, if a vendor puts in place a technological protection that would attempt to prevent the consumer from repairing the product themselves, what this would do is say that the consumer can try to get around that technological protection and repair their own product at their own risk, and then it really becomes a decision for the customer on whether or not to respect the technological measure put in place by this vendor, or to try to find some way around it. Is that a fair characterization?

Mr. Bryan May: Yes. This bill specifically carves out that exemption within the Copyright Act so that breaking a TPM for the purposes of diagnosis, maintenance and repair is not illegal in Canada.

Hon. Pierre Poilievre: Right. At the same time, it doesn't prevent vendors from putting in place those protections that keep customers from repairing the product.

• (1115)

Mr. Bryan May: That's correct.

Hon. Pierre Poilievre: There's no perfect world here, but at the end of the day, I think what your bill does is that it allows the customer to say, "Listen, this is the technological protection that the vendor has put in place to prevent me from repairing my product. I can decide whether or not I want to buy it, given that it has that protection," or "The vendor wants to put in place a requirement warranty that I bring my tractor or smartphone back to him for repair. I can look at that warranty agreement, and if I don't like it, I can go and shop somewhere else, but at the end of the day, the government's not going to ban me from attempting to go around the vendor and repairing the product myself."

That's a summary of what effect this would have.

Mr. Bryan May: Yes. It really touches on the fact that the Copyright Act has been used in a way that was never intended.

Hon. Pierre Poilievre: That's right.

Mr. Bryan May: When you had a refrigerator 20 years ago and a compressor went on that refrigerator, you could fix it without having to break the Copyright Act. Now that compressor is attached to a motherboard that has a technological protection measure in it that doesn't even allow you to replace the part that has nothing to do with the technology side.

I think this is where time and the development of these smart devices has required a rethink.

The industries have figured out a way to use the Copyright Act to their benefit, but it was never intended that way.

Hon. Pierre Poilievre: I know I'm out of time, but if I can conclude, no, in fact, I don't think this is copyright.

Mr. Bryan May: It isn't.

Hon. Pierre Poilievre: If someone was trying to break into the machine to copy the intellectual property and create their own similar machine and sell it, stealing the IP of the vendor, that would be one thing, but what you're talking about here is just letting them repair that machine.

I agree with you. The section you're removing never really belonged in the Copyright Act.

Anyway, that's good work on your part. Thank you.

The Chair: Thank you, MP Poilievre.

We'll now go to MP Jowhari.

You have the floor for six minutes.

Mr. Majid Jowhari (Richmond Hill, Lib.): Thank you, Madam Chair.

To my colleague MP May, welcome to our committee and thank you for the great work you're doing in your riding and on the legislative side.

I was one of the fortunate MPs who managed to [*Technical difficulty—Editor*] the bill when it was introduced in the House. What I found interesting, and I would ask you to explore it for us, is the savings that's associated with the cost of maintenance, the total cost

of the equipment. It's under the consumer "right to repair" legislation.

Can you give the committee an estimate around the potential cost savings through this legislation?

Mr. Bryan May: MP Jowhari, thank you for the question. I do not have specific data regarding savings on this. It's a very good question, but it's one that, hopefully, if we have other witnesses appear on this subject from industry, they might be better able to answer.

The obvious reality is that consumers make their choices based on a lot of different factors, but the number one choice they make is based on price and cost. We know that if something is cheaper to replace than it is to fix, we'd rather have the new one and the other one goes out to the curb for the dump.

That's what we're seeing here, a system that allows the manufacturer of that device to control the cost of repair, so it's in their interest to make that cost of repair so significant that somebody is consciously looking at the cost of repair versus replacement and is looking to replace it.

This really goes to the next step of the bill, which is, of course, the environmental focus.

Mr. Majid Jowhari: I just want to share with you that, in our household, we are dealing with a dilemma. We moved into our house about 22 years ago. The washer and dryer that we have are older versions, but we have the flexibility to be able to repair them because there are a lot of mechanical parts.

We're looking to replace one of these appliances with a newer model that is enhanced electronically. It helps us with more energy efficiency, but when we look at the warranty, if we need to repair it, basically we have to either replace half of the machine or go look at the new one. The cost savings is not only as it relates to the repair but also to other efficiencies that you would be able to gain by upgrading to a newer model and being able to benefit from electrical efficiency, energy efficiency.

• (1120)

Mr. Bryan May: I understand that. I think there's research out there and I'm afraid I don't have it at my fingertips, but there is research out there that shows that's a bit of a misnomer in some cases, though not in all cases. We know that the energy it requires to produce the new product is significant, and quite frankly in Ontario the efficiency of the energy that's provided to run that device has in fact become a lot better. They've shortened that gap as well.

I think the advantage of replacing something because it's more energy efficient definitely is a factor, but not nearly as much as the cost of a repair to that device.

Mr. Majid Jowhari: You mentioned that the bill has received some international attention. I'd really like to get your input around how this bill would affect our nation's compliance with international treaties such as the CUSMA and the World Intellectual Property Organization, WIPO, copyright treaty, which provides protection on TPMs.

Mr. Bryan May: I thank you for that question. It's one that I've heard raised, but I haven't actually discovered what the challenge would in fact be. I know we clearly have to do our due diligence and make sure that we're not in some kind of breach of a treaty or a trade agreement.

I will point out that the U.S., the EU and other countries are in fact in the process of moving forward on legislation like this. In fact, in the EU they're setting new standards for repairability and ensuring that packaging clearly marks where a product can or cannot be repaired.

Again, that's further down the line when it comes to what the landscape will look like as per any further provincial measures and legislation and regulations that are passed, but this is happening. I think we need to be prepared and one of the ways we can be prepared is to eliminate the barrier of copyright so that the provinces can move forward appropriately.

Mr. Majid Jowhari: Thank you. That's my time.

The Chair: Thank you very much.

Our next six-minute round goes to Mr. Lemire.

[*Translation*]

You have the floor, Mr. Lemire.

Mr. Sébastien Lemire (Abitibi—Témiscamingue, BQ): Thank you, Madam Chair.

Thank you, Mr. May, for your bill, which I had the opportunity to speak about and support in the House.

I also appreciated Mr. Jowhari's questions about the environmental issue. It will be good to continue the discussion on this topic.

First, in terms of planned obsolescence, please explain the impact of the current legislation on the lifespan of objects and how this legislation is currently being used by companies to their advantage.

[*English*]

Mr. Bryan May: I apologize that I will have to respond in English. I'm working on my French, but it is not nearly good enough to present here today.

The environmental side of this was a huge motivator for me to want to move on this private member's bill. Clearly we will see less waste, less e-waste, as we allow for more items to be repaired. We see a huge growing desire for the DIY culture.

You can go on YouTube and learn how to fix almost anything. I think that is something we want to instill in our culture. I have two children. I teach them as much as I possibly can how to fix things and repair things on their own. It's not just the right thing to do from an environmental perspective, but it's a skill that we are potentially losing in our generation. The question about planned obsolescence is one that we see all the time. My mother-in-law has a washer-dryer from the sixties and it's still running perfectly fine. She had to replace a fan belt on one of them a couple of years ago and it's running perfectly fine.

We don't see that anymore. We see devices that are designed to ultimately fail and that's a choice from a manufacturing perspec-

tive, but it's also been driven by consumers. I think we have to recognize this is something, again, that won't be solved by this private member's bill, but potentially provincial legislation and regulation around requiring manufacturers to provide parts or manuals, or things like that, in order to repair some of these devices. I think we need to look at that a little bit deeper in terms of how we move forward.

I agree with you, sir, the idea of planned obsolescence is a challenge, but it won't be solved by this bill.

• (1125)

[*Translation*]

Mr. Sébastien Lemire: Clearly this issue inspires you. We know that the environmental cost of not doing things is always there. Have you been able to measure how much it costs us in terms of waste?

With this bill, how much public money could be saved if we were able to repair our washers and dryers, our electronics and so on? This would keep these items out of landfills or recycling facilities in the United States, for example, as we discussed earlier in our work.

[*English*]

Mr. Bryan May: Again, as with the other question we had about the costs associated with this, I would have to defer to industry experts, who I hope you will call to witness on this bill, but common sense would suggest that it would be significant. We know that waste and waste management, if not the biggest challenge for our municipalities and regions, is up there, and we know that the cost is significant.

We're looking at this from an environmental perspective and we're looking at this from a consumer rights perspective, but we also need to look at this in terms of an affordability perspective and in terms of what consumers, what Canadians, are spending their money on. If they're not spending it on a new appliance, what then could they do? Could they pay down their debt? Could they save for retirement? Could they help their kids through school? There are a whole bunch of other aspects to this, a ripple effect that could result.

I'm excited by what is to come. Hopefully this bill does have enough runway to see royal assent, but maybe not. Again, given that it was unanimously supported in the House, maybe the minister may choose to pick it up as well.

[*Translation*]

Mr. Sébastien Lemire: Regarding the elections, the ball is in the government's court.

You described Bill C-272 as a precursor. What other legislation could be reviewed in the same way to promote a longer lifespan for our devices?

At the same time, you said that many bills in the past weren't finalized.

What inspired you, both in the bills that were passed and the bills that weren't finalized?

[English]

Mr. Bryan May: If I understand your question, there are a number of things that have been attempted in the past, but this issue of copyright would still have been a barrier. It would still have been illegal for those pieces of legislation to pass.

In terms of what was the motivation, quite frankly, it was seeing my children growing up in a more digitized world and seeing the need for this growing every single year.

[Translation]

Mr. Sébastien Lemire: Thank you.

[English]

The Chair: Our next round of questions goes to MP Masse.

You have six minutes.

Mr. Brian Masse (Windsor West, NDP): Thank you, Madam Chair.

Thank you, Mr. May, for your work here on this bill. We support it, as New Democrats, and, in fact, we would go much farther. In fact, in 2009, my private member's bill passed in the House 247 to 18 on the automotive aftermarket, and it's now a voluntary agreement. Then former minister Clement was able to work with the industry, being the automotive sector and the aftermarket, and that agreement needs to be updated as well.

What would you suggest in terms of this bill here that would advance... It's not just rights for consumers. You noticed that the environment and consumer protectionism are there. What would you suggest your message would be to all those innovators out there that, once they purchase a product and understand the warranty, if they undermine the warranty, they still don't become a criminal for purchasing a product and then adapting it, changing it, improving it or innovating it? I think this is a key point that shouldn't be lost.

• (1130)

Mr. Bryan May: Thank you, MP Masse. I agree with you. I think there is a real potential to open up a lot of different industries with proper "right to repair" legislation.

Thank you for the work you've done in the past. I, along with MP Longfield, chair the auto caucus on the Liberal side. We've talked a lot about the auto industry in relation to right to repair.

You're absolutely correct. It was a voluntary agreement. It has worked well. It's not perfect. There are a number of holes in it and it definitely needs to be updated. We're seeing companies such as Tesla, of course, not following that voluntary agreement. A lot of companies, such as Volkswagen and Mercedes-Benz, don't follow that agreement.

We can use the auto industry, though, for those who are concerned, in terms of stakeholders who might be harmed by something like this. It clearly has not harmed the auto industry. What it has done is spin off a whole bunch of other options, whether it's independent mechanics, parts providers or service providers. This could be what you would see in a right to repair for digital devices. I think you would absolutely see that space starting to fill and making sure that the people have those choices and options.

Mr. Brian Masse: It's important to recognize your focus, to some degree, on electronic waste, something we haven't been doing the best job of as our landfills and other types of disposal systems aren't as robust as they probably should be in the market.

Interesting to the auto sector is that we think about the environment and we think about the rights and all those things. However, there was a public safety issue too. Vehicles would be on the road and not in the best condition for travelling, waiting for repairs and so forth. It gets complex.

With regard to electronic waste and going back to that point, can you indicate whether you have had some discussions with third party groups on that? I know that some of this is municipal, because that's where some of it ends up, but has there been any work done on that part of the program and platform yet?

Mr. Bryan May: Do you mean with regard to electronic waste?

Mr. Brian Masse: Yes, and measuring what could be improved upon or reduced. Have there been any third parties that have jumped to your quarters just yet? It's still a bit early, but I wonder whether some groups have latched on.

Mr. Bryan May: We've had a number of stakeholders reach out to us, virtually the entirety of which have been supportive of this bill, a lot of them around the environmental components of this and the reduction of waste in landfills.

We know that a lot of incubators or groups that are trying to figure out new ways to do things are working on this kind of stuff. In fact, just down the street from where I am right now is a brand new incubator called Grand Innovations. Their almost entire focus is on dealing with what they call the "new waste". People are throwing out, for the first time, a large flat-screen TV. How does the industry break that down? How does it separate the precious metals versus the recyclables to things that have to go in landfill? This is what they're trying to work on right now, things such as batteries, technology designed to sort and recycle small batteries. These are all things that I have talked to different groups about in terms of what they're working on.

What this bill would attempt to do is to reduce the incredible load of waste that is heading their way and try to manage that. This, of course, is going to be driven by the consumer, but again, it comes down to cost. If something is cheaper to repair than it is to replace, people will likely make that choice.

• (1135)

Mr. Brian Masse: Thank you very much for your work on this. It's appreciated.

Thank you, Madam Chair.

The Chair: Thank you very much.

We'll now start our second round of questions. We'll go first to MP Généreux.

[Translation]

Mr. Bernard Généreux (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, CPC): Thank you, Madam Chair.

Thank you, Mr. May, for being here today.

We're talking mainly about obsolescence. We spoke a little bit about the environment and various things. This inevitably affects the environment. The items become obsolete because of rules that make us no longer want to repair them. Instead of keeping them for a long time and repairing them, we throw them away, which inevitably harms the environment.

Will your bill somehow ensure that we can have material goods with a longer lifespan, which would contribute to the protection of the environment?

[English]

Mr. Bryan May: Thank you very much for the question.

As I said in response to a previous question, no, my bill does not in fact do that. It is the first step that could lead to that type of legislation, that could allow the provinces to move forward with different regulations around manufacturing, parts availability and access to manuals. That isn't affected by this bill; that would be an over-reach.

What this bill does is simply allow for a circumvention of the TPMs around diagnosis, maintenance and repair. With that, it opens up.... I agree with you. The outcome that we would like to see as a result of this private member's bill could in fact be those things that you discussed. However, this bill specifically does not snap its fingers and make that all happen. It would all be up to the different provincial jurisdictions to determine for themselves what that right to repair landscape is going to look like.

[Translation]

Mr. Bernard Généreux: We have about 50 free trade agreements around the world.

Does your bill have a direct or indirect impact on these agreements?

Another issue has been bothering me a bit. You have chosen to introduce a private member's bill to change the rules, or at least to improve them.

Why isn't this a government bill?

[English]

Mr. Bryan May: To answer your first question, I have heard the concern that it could have an impact on trade agreements, but I have yet to see how it would impact trade agreements. There would definitely need to be a look at that to see how, but nobody has shown me a line within CUSMA, for example, that would be problematic for us. That's why I'm open to amendments, to make sure that is not a barrier to this bill moving forward.

As for the second part of your question, I don't speak for the minister. I've said in earlier remarks that if this bill can't move forward because it doesn't have the runway to go through the process before the next election, the next-best option is that the minister pick it up and move it.

No, I can't speak for the minister as to why this hasn't been done previously.

• (1140)

[Translation]

Mr. Bernard Généreux: That's it for me, Madam Chair.

The Chair: Thank you.

Normally, I chide you because I need to cut you off. However, this time you still had a little time left.

Mr. Bernard Généreux: Madam Chair, I have too much respect for you to act like Mr. Poilievre and constantly cut you off.

[English]

I'm kidding.

The Chair: We'll now move to the next round of questions. We will start with MP Ehsassi.

You have the floor for five minutes.

Mr. Ali Ehsassi (Willowdale, Lib.): Thank you, Madam Chair.

Thank you to Mr. May. You have done a magnificent job on this bill. I know you care deeply about changing the repair landscape and you've always championed consumer rights. Just to put this in perspective, as I understand it, this will be hugely transformative for the agricultural sector as well.

Could you provide us with a few examples so that everyone understands the implications of your bill and how it will assist individuals in the agricultural sector?

Mr. Bryan May: I really appreciate that question. This was one of the reasons we moved forward with the bill. I am the member of Parliament for Cambridge. I'm seen by many as an urban member of Parliament, but in reality, if you look at my riding map, 70% of my riding is actually rural.

This is a really big issue with the farmers in my community and across Canada. We've heard from many of them who, as time has gone by and they've replaced certain pieces of equipment, it's been replaced with equipment that has these digital components in it. As a result, they can't so much as replace a tire on a combine because a sensor in that tire is connected to the motherboard, which is connected to the GPS that identifies that there's a problem with that tire.

I'm one generation away from being born on a farm. I can tell you that the culture is to fix your own stuff. It's not just a point of pride for the agricultural sector; it's a necessity. A lot of people are in rural communities not like Cambridge, which is close enough to urban centres that they can maybe drive or get a technician come out to the farm easily. A lot of our farmers across Canada don't have access to technicians to come out. They need to be able to fix their own stuff.

I've read stories, seen articles and talked to farmers about having to put tractors on trains to send them away to be repaired. That is not only incredibly expensive for farmers, but it is debilitating for our ability to produce the food we need for this country.

I know there was a push in the United States specifically toward John Deere to identify and provide a way around these TPMs for farmers. They put on a push with the lobby effort against the legislation and agreed to a voluntary measure. That measure was supposed to be provided by John Deere in January 2021. We have yet to see that measure in place.

Voluntary agreements are great if they are done. Historically, that has not been the case in this industry. I think that as we move forward, everything from combines to simple tractors and other devices are all connected in some way, shape or form to these technological protection measures. There is nothing about copyright that would be infringed by a farmer being able to replace a tire on a combine.

• (1145)

Mr. Ali Ehsassi: Given some of the expressions of concern that we've heard and you alluded to, which essentially relate to our obligations under CUSMA or under WIPO, for all those people who are flagging that specific concern, how do we insulate against retaliatory actions under these agreements? Is there anything we could do to mitigate that risk?

Mr. Bryan May: [*Technical difficulty—Editor*] answer that question. Again, if you're going to have departmental officials come to speak to this bill at some point in the future, that's a question that I would pose to them. I have yet to see where in CUSMA or any of the agreements this would be a problem.

I agree with the department. We need to make sure we're doing our due diligence on this, but it would be up to the department to give that information. I personally have not seen where that issue would be.

The Chair: Thank you very much.

We will now go to Mr. Lemire.

[*Translation*]

Mr. Lemire, you have the floor for two and a half minutes.

Mr. Sébastien Lemire: Thank you, Madam Chair.

Mr. May, at the start, you identified four or five things that could interfere with provincial legislation. I'd like to hear your thoughts on this topic.

How does the bill align with provincial jurisdictions without infringing on them?

This could affect the Office de la protection du consommateur du Québec, for example. Have you contacted this office?

[*English*]

Mr. Bryan May: No. Again, I haven't spoken directly to the individual provinces about this.

This is not about creating a bill that the provinces will have to adhere to. This is about removing a roadblock that the provinces currently have that doesn't allow them to move forward, if they so

choose—they don't have to but if they so choose—on legislation or regulations around consumer protection or around the right to repair. Because the technological protection measures exist within the Copyright Act, anything that the provinces do until that is changed would run up against those legal challenges. All this bill is trying to do is remove that barrier in order for the provinces to be able to make those choices.

Now [*Technical difficulty—Editor*] what choices they do make. I know that there was a private member's bill or a piece of legislation that was introduced by a former Liberal member of the Legislative Assembly of Ontario that failed. One of the reasons it failed or was challenged was that the technological protection measures within copyright still existed.

My motivation and my hope is that the provinces see this as an opportunity to be able to move forward, to be able to recognize benefits to their citizens by creating that regulation or legislation around the right to repair.

[*Translation*]

Mr. Sébastien Lemire: Speaking of removing barriers, do you think that there may be a development opportunity for regional machine repair companies wanting to promote and expand their market?

I'm thinking in particular of all the Apple devices, in Abitibi—Témiscamingue, that we were forced to return to the company.

Do you think that this could create opportunities in the regions?

The Chair: Please keep your answer short.

[*English*]

Mr. Bryan May: Very quickly, yes.

[*Translation*]

Mr. Sébastien Lemire: Thank you.

[*English*]

The Chair: Thank you very much.

We'll now go to MP Masse.

You have the floor for two and a half minutes.

Mr. Brian Masse: Thank you, Madam Chair.

Go ahead and answer that question, Mr. May. I really don't have any more questions. I'll give you an opportunity to finish the last one. It was a good question by my colleague.

Mr. Bryan May: Thank you.

You brought up Apple. This is probably one of the biggest targets with things like this. You can't replace even a screen on something like this. Even if the part is available and the person has the know-how, you don't have the ability to do that.

They're very pernicious in how they've set up some of these systems, not just the TPMs but the requirements for things like passwords and tools that will unlock a device in order for the repair to even be done.

I'll give you an example. PlayStation has two major components to it. It has the disk drive and it has the motherboard. If the disk drive were to fail for some reason and you were able to take a disk drive from another PlayStation that maybe has another problem with it, or you're able to find the part online somewhere and you have the know-how to replace that part in the PlayStation, the motherboard will not recognize the perfectly fine disk drive because the serial numbers will not match up.

That has nothing to do with copyright. These are the types of things that manufacturers have done using copyright legislation as a shield. Even if you have the know-how and the parts, you still cannot get that device to function because of the way they have set up that device to not allow it to work.

• (1150)

Mr. Brian Masse: As a PlayStation gamer, I really appreciate that example. It's actually perfect. It's a really good example. Thank you.

Mr. Bryan May: It's one of those things where I think people across Canada, when they're starting to learn about right to repair, they're thinking about their own examples. They're thinking that they had to do this or they had to do that. It was a pain in the butt, and it cost them a fortune to have a guy come out to do something they could have done themselves.

I think this is getting that broad appeal because everybody has an example like that.

The Chair: Thank you very much.

Our next round of questions will go to MP Dreeshen.

You have the floor for five minutes.

Mr. Earl Dreeshen (Red Deer—Mountain View, CPC): Thank you very much, Madam Chair.

Thank you, MP May, for bringing this very timely legislation to us. My relaxation is driving a tractor, so I'm quite familiar with the significance of what is being asked. Of course, when you take a look at things like your DEF emissions control modules, when they start to go down it's not like an air conditioner where maybe you could open the windows. That shuts it down and you only have a small time frame when you can actually do the work you require.

One of the examples that I had was from a constituent. They have about a 1,200-acre farm around Olds, and quite frankly their average repair costs are probably \$75,000 a year. Of course, that's not all related to the types of things that you're discussing, but it does show the significance of the cost of repairs. I think that really becomes a critical aspect of it.

The thing that we depend upon, of course, are the great repair shops that we have in our communities, where basically whenever you have trouble they know how to fix it. This becomes one of those issues that I think we really have to pay attention to.

One of the things we've heard from equipment dealers and manufacturers in the past is that the right to repair argument is more about demanding the right to make these illegal modifications to farm equipment. Because no doubt we're going to hear a lot about that issue, I'm just wondering if you can speak to that for a moment.

Mr. Bryan May: I've heard this argument as well and I think we have to recognize where this argument is coming from. I think the idea that somebody is going to modify a piece of equipment to be dangerous or inappropriate is not realistic. We've seen this within the auto industry. People who are going to repair something and want to repair something either have the skills to do it or they don't, and if they don't, they take it to somebody who does. What this bill will do is it will allow that consumer to choose where they take that device or piece of equipment to be repaired. It allows for them to not have to necessarily go to one single-source person who can set the price and there's nothing you can do about it.

We look at the auto industry as an example. I have the comfort level to replace the oil in my car, and I used to feel comfortable—not anymore—going as far as replacing brakes. If all of a sudden the transmission goes, I'm not going to take that thing apart and try to fix it myself. I'm going to take that to somebody who is trained and has the know-how to do that.

The comments that it's going to lead to this or lead to that are really disrespectful to the average consumer who clearly doesn't want to take on a project for something that would either be harmful to them or potentially destroy the piece of equipment that they have.

• (1155)

Mr. Earl Dreeshen: One of the questions was around if you happened to have a particular brand of combine and you wanted to put a different header on it. I think that's where some of these other companies are saying, "You know what? We have a great product as well, but we're going to have a little bit of difficulty being able to link up there, or potentially have a problem linking up with this product that we would like to be able to sell." I think that really becomes one of the issues that people in the ag arena speak about.

One of the other things you spoke about was the environmental aspects of it and the fact that when things become obsolete, or there's planned obsolescence, these have to be dealt with. If you can keep them out of landfills that's important. I have a little different idea as far as landfill is concerned. I look at all of the solar panel waste that we're going to have and everything else as we work in certain directions. I think it's important that we do a full life-cycle analysis of all of the products that we're going to be producing no matter what the scenario, and the fact that you are addressing that is important, so I appreciate that.

I don't know if I have enough time to have you quickly comment on that, but I'd appreciate that.

Mr. Bryan May: I'm not sure that I have the time. Madam Chair has the red tag up there.

However, I will say that's, again, beyond this bill. That will be future legislation. This is simply removing that barrier.

The Chair: Thank you.

Our last round will go to MP Lambropoulos.

You have the floor.

Ms. Emmanuella Lambropoulos (Saint-Laurent, Lib.): Thanks, Madam Chair.

Thank you, MP May, for bringing forward this legislation. I'm happy we're discussing it here.

It's great that you're doing this, because a lot of middle-class Canadians and people can't necessarily afford to replace things or to go back to the company to get it fixed at the expensive rates that might be. I hope it gets full support going forward.

I do have questions, though.

I know that some companies purposely create these barriers and make it so that certain technologies get outdated. For example, with cellphones, iPhones, every couple of years they change the technology and the software so that you can no longer use the same charger, or when you update your phone it slows down and is eventually phased out.

Do you think this is going to have an impact on how companies, moving forward, will continue to do this, or will they try to make it even more difficult for people to be able to repair things on their own?

Mr. Bryan May: It's a good question, but this is the difference between [*Technical difficulty—Editor*] the philosophy of manufacturing in general. With this bill, we are simply saying that you have the right. It's no longer against the law to circumvent the TPMs in order to repair or replace or diagnose the situation.

As to what you're talking about and what others have talked about today in terms of that planned obsolescence, these are business decisions. Consumers are also going to look at, "Okay, I can effectively replace the part in my phone or replace the part in this device or that device, but this device has this new innovation and I want that." That always is a contributing factor in that consumer decision. This isn't going to slow that down at all. Industry is going to continue to innovate and continue to bring out new products with more conveniences.

I personally don't really find that kind of thing [*Technical difficulty—Editor*]. For example, my lawnmower has literally nothing on it that is a perk, if you will. You almost have to go searching for something like that now, something that's basic that someone like me can repair on their own. There are so many little features that industry is adding to products to make life easier, to add more convenience to this device or that device.

With the whole smart concept, the whole 5G connecting everything, the fact that your toaster is going to be 5G in the future and refrigerators already have that kind of capacity to say when you're out of milk and things like that, we have to recognize that this type of innovation is not going to slow down just simply because someone has the right to repair their own device.

What we are looking at, really, is for industry to acknowledge that using the Copyright Act is simply not the way to do this. If provinces want industry to be protected in that way, fine. They need to pass a law to say that, and not simply use the Copyright Act as a shield in a way that was never intended.

• (1200)

Ms. Emmanuella Lambropoulos: Thank you.

I have no further questions.

The Chair: MP May, thank you so much for being with us today. This is incredibly important legislation and we are looking forward to hearing more about it when we resume in the fall. Thank you for being very clear on the need. It is obvious that this is something that consumers need and consumers want. Given environmental concerns and given concerns of pricing, this is a really good idea.

With that, we will suspend momentarily while we allow the next panel to join us and do some sound checks, and allow Mr. May to leave.

Thank you so much.

Mr. Bryan May: Thank you, Madam Chair.

Thank you very much, everybody.

• (1200) _____ (Pause) _____

• (1205)

The Chair: I'll call this meeting back to order.

I won't go over the normal procedures, as I know our witnesses were with us a little earlier. This is just a gentle reminder, though, that when you see the little yellow card, that means you have 30 seconds remaining. The red card means that the time is up.

With that, pursuant to Standing Order 108(2) and the motion adopted by the committee on Thursday, June 3, 2021, the committee is meeting to begin a study of the order-in-council appointment of Monique Gomel, interim chair of the Canadian Tourism Commission.

Today we have with us Ms. Monique Gomel, interim chair of the board of directors, and Ms. Marsha Walden, president and CEO.

We will allow you to present for five minutes, after which we will go to rounds of questions.

With that, I turn the floor over to you.

Ms. Monique Gomel (Interim Chair of the Board of Directors, Canadian Tourism Commission): Hello, and thank you for inviting me to speak to the committee today.

My name is Monique Gomel, and I am the interim chair of Destination Canada's board of directors. I am joined by Marsha Walden, president and CEO of Destination Canada.

I would like to acknowledge that I am joining you from Vancouver, the traditional territories of the Coast Salish peoples: the Squamish, Tsleil-Waututh and Musqueam nations.

[*Translation*]

I was appointed interim chair in March of this year. However, I've been vice-chair of the board of directors since 2017. I'm also a senior vice president at Rocky Mountaineer, where I oversee global marketing, communications, data and insights, and sales operations.

[English]

Today I would like to give you a brief overview of my role as interim chair, the state of the tourism sector in Canada and Destination Canada's near- and longer-term plans.

First, as interim chair of the board, I work collaboratively with a team of eight directors with tourism experience from small business owners to renowned entrepreneurs to former executives from multinational corporations.

The government has appointed some of Canada's best and brightest tourism business leaders to help provide strategic advice to the executive team and the president and CEO of Destination Canada. Directors are actively involved in long-term strategic planning, prioritization of objectives, financial oversight and risk management. The board assures itself that appropriate systems of governance, leadership and stewardship are in place while empowering the executive team to manage the organization.

[Translation]

Before I provide an overview of the state of the sector as a whole, I would like to share my perspective as an operator. In my role as senior vice president of Rocky Mountaineer, a Canadian luxury rail company, I'm seeing firsthand the devastation of the COVID-19 pandemic on our business. We weren't able to operate in 2020, and we've delayed the start of our 2021 season.

[English]

The impact of the pandemic on tourism is greater than that experienced after 9/11, SARS and the 2008 crisis combined. Women, youth, immigrants and indigenous workers, who make up the engine of the visitor economy, have been the hardest hit by the impact of COVID-19 due to reduced operations, business closures and job losses.

We are forecasting that the sector [Technical difficulty—Editor] until 2024.

[Translation]

At this point in my presentation, I would like to acknowledge that the speed and scale of the government's response to the pandemic has never before been seen in times of peace.

[English]

The government has provided over \$15 billion in federal government investments to support tourism in the past year. This includes important programs like the Canada emergency wage subsidy program and the highly affected sectors credit availability program. There was also robust support for Canada's tourism sector in budget 2021, which, I will note, still needs to pass the House and Senate, including an additional \$100 million to Destination Canada for marketing.

While government subsidy programs are helpful for survival, recovery can only happen when revenues return.

[Translation]

The good news is that, although the sector is struggling now, we're seeing strong signals of future demand. Our latest research

shows upward trends in feelings of safety about travel and a greater willingness of communities to welcome visitors.

• (1210)

[English]

With these signs of hope, Destination Canada is focusing its strategy to help revive market revenue in the near term and support a thriving and resilient industry that delivers net benefits to communities in the long term.

A key part of our plan to revive revenue is a multiphased domestic campaign that reflects the evolution of health restrictions. Recent research from Destination Canada finds that, if Canadians shift two-thirds of their typical spending on international travel towards domestic tourism this year, it will make up for the estimated \$19-billion shortfall in international visitation. It will also support 150,000 jobs and help accelerate recovery by a full year. Simply put, we need Canadians to keep their holiday dollars in Canada this year to speed up our sector's recovery.

In its early stages, our campaign aims to increase Canadians' understanding of the importance of travel to their communities, inspire confidence and a desire to travel domestically, and finally to reignite the welcoming spirit of Canadians from coast to coast.

While our industry is first and foremost concerned with protecting the health of our employees and guests, we are eager to welcome travellers again. When the time is right, we will start introducing more aggressive calls to action and encourage Canadians to book their travel. We are also key in our international markets, ensuring that Canada stays top of mind for business and leisure travel alike when it is safe to do so. The efforts are now intensifying.

In order to help our industry ready itself to reopen and compete in a ferocious marketplace, we are hearing three main areas of concern.

They are seeking clarity around reopening milestones—

The Chair: I'll give you a few more minutes to conclude, if you could. Thank you.

Ms. Monique Gomet: Thank you.

They are seeking clarity around reopening milestones, consistency in protocols between levels of government and between countries, and the need for governments to move with urgency to save the 2021 season. No business can survive two summers without revenue.

As you will appreciate, much of Destination Canada's strength is found in the relationship it has with its partners, including provincial and territorial counterparts, the Indigenous Tourism Association of Canada and the private sector partners.

As the interim chair of the board of directors of Destination Canada, I am confident our work will elevate Canada's competitiveness as a tourism destination, enabling Canadian culture to thrive and place-based regenerative economies to emerge.

Thank you very much.

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

With that, we will start our rounds of questions.

Our first round of six minutes goes to MP Baldinelli. You have the floor.

Mr. Tony Baldinelli (Niagara Falls, CPC): Thank you, Madam Chair.

Thank you to Ms. Gomel and Ms. Walden for being here.

First of all, congratulations to you, Ms. Gomel, on your appointment as our interim chair of the board for Destination Canada. Both you and Ms. Walden have assumed your responsibilities during truly one of the most devastating times, with impacts that we've never seen on our Canadian tourism sector. I appreciate the work that you're doing and that your team is doing. I look forward to asking some questions, working with you and seeing what we can do about assisting that recovery that we all want to see in the tourism marketplace going forward.

Moving forward, you did talk about working with those eight directors. I was wondering if you could quickly just update us on the number of vacancies still on the board that need to be filled for Destination Canada.

Ms. Monique Gomel: Absolutely, yes. There are six vacancies to be filled. I was part of a committee of four who completed over 30 interviews during the last month. We've presented a letter to the minister with our recommendations. That's where it's currently sitting.

Mr. Tony Baldinelli: That's very timely and good to know. Thank you, Ms. Gomel.

As you know, I'm from Niagara Falls and the Niagara region. Niagara is Canada's top leisure tourism destination. We have some 40,000 employees and 16,000 hotel rooms. We generate about \$2.4 billion in tourism receipts alone. The government just committed \$1 billion for assistance to tourism, while Niagara generates on its own \$2.4 billion.

For 11 years, Niagara was proud to have a representative on that board to speak to the importance of that sector, of that [*Technical difficulty—Editor*] and as the number one leisure tourism destination, of having that voice on the board. I just wanted to see if I

could get your opinion on whether you believe Niagara should still have a seat at the table of the Destination Canada board.

Ms. Monique Gomel: Thank you for the question.

With the committee, we were really looking for a diversity of representation across the country. We were looking for the most highly competent and skilled people in terms of tourism and the value they could bring.

I certainly think that Niagara is an extremely important region for tourism in Canada. I do believe that we've considered several candidates from the region.

• (1215)

Mr. Tony Baldinelli: I look forward to seeing that list submitted and those names put forward. I truly believe that if Niagara is not represented on that board, then we're doing a disservice, not only to the tourism industry in Canada but to those 40,000 hard-working people in my tourism destination.

Quickly, I want to shift to the domestic tourism funding that you had alluded to. According to the Tourism Industry Association of Canada, prior to COVID, we were a \$105-billion sector, responsible for 1.8 million workers—one in 10 Canadians. That almost immediately ceased.

Can you explain how Destination Canada has been working to shift its marketing focus to our domestic travel market to try to begin the tourism recovery that's needed?

Ms. Monique Gomel: Certainly. You're absolutely right. We've pivoted to a mostly domestic plan, given the current times. We're very sensitive to the health restrictions and have aligned our activities with those restrictions as they unfold. The first step for us has really been to communicate the importance of tourism for communities across Canada and to increase that understanding of the visitor economy among Canadians.

Second, we've begun to do more work towards inspiring confidence in travel as restrictions open up, by communicating all of the safety measures that our operators have taken across the country.

Third, we are working to reignite that welcoming spirit for visitors among Canadians. The second stage, as restrictions start to open up, will be to be more aggressive in terms of offers that we put out there for Canadians to increase conversion and to really get them to book trips across the country.

Fourth, we are still keeping a presence in international markets to ensure that we remain top of mind during this time, and that our brand remains strong among those international guests when the time is right for them to travel back.

Mr. Tony Baldinelli: Thank you for going on that one point, about keeping Canada and the notion of Canada alive in the international marketplace. I was looking at your 2020 annual report. You mentioned you'd quickly pivoted last year because of COVID and took about \$31.4 million towards national, which [*Technical difficulty—Editor*] market dollars. Then you took that and put it in to the domestic marketplace.

I'm wondering. This year, in terms of your investments and so on, how much is Destination Canada putting into its whole domestic marketing campaign?

Ms. Monique Gomel: I don't have all of the numbers in front of me. If Marsha would like to weigh in with the specific numbers, I would pass it to her, or we could get the information to the clerk.

Ms. Marsha Walden (President and Chief Executive Officer, Canadian Tourism Commission): Certainly, I'd be happy to answer that.

Our commitment to the domestic market this year will be about \$35 million. What we are doing is supplementing the activity of the provinces, which are focusing primarily on intraprovincial travel. Destination Canada's role is to promote interprovincial travel, to get Canadians travelling between our provinces again.

Mr. Tony Baldinelli: There's that nasty stop sign.

Thank you, Ms. Walden.

The Chair: Thank you so much, MP Baldinelli.

We'll now go to MP Jaczek. You have the floor for six minutes.

Ms. Helena Jaczek (Markham—Stouffville, Lib.): Thank you so much, Madam Chair.

Thank you to both witnesses, Ms. Gomel and Ms. Walden, for being with us today.

I think we're probably all feeling that pent-up demand to get travelling. For most of us, that will probably mean Canada this year. It might also mean the opportunity, potentially, for international travel as well.

Turning to our domestic market, Ms. Gomel, you referenced your work with Rocky Mountaineer. I think we've all seen those very intriguing ads for that particular tourist product. Could you give us a bit of your background in terms of your experience in the various jobs you've had through the years and how you bring that expertise in marketing to Destination Canada?

• (1220)

Ms. Monique Gomel: Absolutely. Since completing my MBA, I have had more than 20 years of experience in marketing, working with consumer-driven industries. I started my career in consumer package goods with Johnson & Johnson in Toronto. From there, I moved over to L'Oréal Canada in Montreal, and then I returned to Vancouver, where I worked with Electronic Arts before moving into the hospitality industry. I was with Earls restaurants for five years. I've now been at Rocky Mountaineer for six years.

I've been in the hospitality business for more than 11 years. I would say that having a diverse experience in industry has been extremely helpful for me in terms of bringing that lens to Destination Canada. I have worked on global businesses where I was doing marketing across the globe, and I have gained a real understanding of the different motivations of different consumer groups and of marketing research, which is a key mandate of Destination Canada. That's what I bring to the experience.

Ms. Helena Jaczek: Thank you very much. It certainly sounds like you will be a great asset in your role as interim chair of the board.

Given Canada's size and diversity, it's really hard to understand how one central organization can really effectively promote experiences across the country. Obviously there's so much to offer.

Could you tell us a little more about how Destination Canada works with different regional and provincial organizations to support tourism across Canada?

Ms. Monique Gomel: Absolutely. I think one of our key advantages is our team Canada approach, which has really shone in the past year and a half. We work very closely with all of our counterparts at the provincial and territorial destination marketing organizations. We communicate regularly, and we create alignment among our plans. It's a very cohesive and close working relationship.

Ms. Helena Jaczek: Thank you.

Actually, I was intrigued about the relationship with Parks Canada. How does Destination Canada partner with Parks Canada?

We know that we have tremendous assets, whether they be wilderness areas or heritage sites. I'm pretty aware that a lot of visitors from the U.S. are particularly intrigued to visit those destinations. I was wondering if there is any specific partnership going on there.

Ms. Monique Gomel: We work very closely with different partners across government. Certainly, the parks are of key interest to visitors. I can attest to that from working on the Rocky Mountaineer, where Banff, Jasper and Lake Louise are key assets for us.

If you would like more details on those partnerships with Parks Canada, I would ask my colleague Ms. Walden to weigh in on that.

Ms. Helena Jaczek: Actually, I would, because my riding encompasses a very large part of the Rouge National Urban Park, which is maybe not as well known as Banff or some of the glorious parks we have in the Rockies, but if Ms. Walden could elaborate, that would be great.

Ms. Marsha Walden: Thank you. I'm happy to do so.

We have a long-standing relationship with Parks Canada because they are such an important asset for Canada's tourism industry. By way of example, for instance, this afternoon we are holding a national webinar. We are hosting Parks Canada to help share what they are doing with our industry. I think it has just finished our French version of the webinar, and this afternoon there is an English version.

That's one example of how closely we try to work. More and more, we are integrating our work with theirs as we contemplate the new mandate we have around destination development to think about how we produce products in tourism that can be globally competitive. Parks Canada is a very key part of that conversation.

Ms. Helena Jaczek: Since I have very little time left, I think I'll just pass it on to the next questioner.

Thank you.

The Chair: Thank you very much.

[*Translation*]

Mr. Lemire, you have the floor for six minutes.

• (1225)

Mr. Sébastien Lemire: Thank you, Madam Chair.

First, Ms. Gomel, I want to congratulate you on your appointment. Second, I want to thank you for being here today.

In your remarks, you said something that surprised me. You said that you were particularly grateful for Canada's generosity, which I acknowledge, and the speed with which it helped tourism companies. Frankly, this isn't what I've been hearing throughout the pandemic. On the contrary, we were told that, if any industry wasn't receiving government support and needed to wait to get help, it was the tourism industry. One reason was that the programs were poorly adapted to the reality of tourism, including the Canada emergency rent subsidy or the emergency wage subsidy. We know that jobs in the tourism industry are often seasonal. We must remember the programs in place during the March, May and June qualifying periods.

Are you really ultimately satisfied with the federal government support for the tourism industry throughout the pandemic? Are you concerned about a fourth wave?

How do you see the future, with a possible opening of the borders and the emergence of the Delta variant?

[*English*]

Ms. Monique Gomel: I would begin by saying that the impact the pandemic has had on tourism is not an issue only faced in Canada. It's an issue that's been faced globally and of course it's had a devastating effect on our industry. No one could have predicted where things have gone. Certainly, it's been a challenging time for everyone.

We are pleased with the support we have received and the recognition for the industry within the last budget, which is still pending approval.

In terms of where the industry is at, we are ready to welcome tourists and guests when the time is right. We are encouraged by the vaccine uptake. It's a very resilient industry. I feel confident that, as restrictions are lifted, we will be able to respond and restart. We will be in a good position.

[*Translation*]

Mr. Sébastien Lemire: In concrete terms, given the \$100 million announced, what's your plan once the borders are open again? What will Canada do?

What are the needs of the tourism industry today? We know that predictability is necessary in this industry.

Do you feel that clear direction can be provided?

[*English*]

Ms. Monique Gomel: Destination Canada is a Crown corporation. We are not involved in policy decisions, so I haven't been privy to any conversations around the timing of the border opening.

We take our direction from the government and the Public Health Agency.

That being said, we are waiting for further direction. We'll be ready to welcome guests and travellers as border restrictions are lifted.

[*Translation*]

Mr. Sébastien Lemire: What are your views on Quebec's tourism structures?

The tourism attraction agencies are working together a great deal, and increasingly so. Given the need for labour as a result of the new reforms, more tourism development officers are wanted.

Would you be prepared to support this strategy from a Canadian perspective? What's your opinion on this?

[*English*]

Ms. Monique Gomel: As I mentioned, we work closely with [*Technical difficulty—Editor*] the provincial and territorial marketing organizations across the country. Our focus is really in terms of our mandate, which is to provide marketing, intelligence and consumer research. Those are the areas we're focused on.

[*Translation*]

Mr. Sébastien Lemire: Do you have any funds available?

What could be done to encourage these tourism development officers to flourish in the field in the various regions?

For example, what could be done in Abitibi—Témiscamingue to promote adventure tourism, which would provide a great experience in the area?

[*English*]

Ms. Monique Gomel: As I mentioned, our focus really is on marketing, research and intelligence, so certainly we aim to [*Technical difficulty—Editor*] experiences across the country. It's something we're very involved in, so that is something we would promote in that respect.

• (1230)

[*Translation*]

Mr. Sébastien Lemire: In concrete terms, how do you work with the regional agencies?

I gather that you're presenting a marketing campaign across Canada or internationally, but that there are few relationships with regional agencies.

What does this mean on a daily basis?

[*English*]

Ms. Monique Gomel: We are working more closely with the regional development agencies. I think Marsha could quickly provide a little more context about that.

Ms. Marsha Walden: Thank you, Monique.

As part of our new strategy to work on destination development and the product and supply side of the tourism industry, we have relationships with the regional development agencies right across the country. Those are still just forming up, I would say, as we develop the strategies for developing clusters and corridors across the country that can compete on a global level.

I see the red tag, so I'll stop there for now.

The Chair: Thank you very much.

[*Translation*]

Mr. Sébastien Lemire: Thank you.

[*English*]

The Chair: Our next round goes to MP Masse.

You have the floor for six minutes.

Mr. Brian Masse: Thank you, Madam Chair.

Congratulations. That's quite an extensive background. Actually, I toured Electronic Arts when I was in Vancouver, probably about seven or eight years ago. It's really interesting. I'm an Apex Legends player. It's a fun thing to do on the side. I really do appreciate the fact that you have this experience, because I think it is going to be about marketing, in a different way, experiences for people.

I was curious as to your discussion about Parks Canada. How valuable are our parks in terms of rebuilding the tourism industry as a destination point, especially for American tourists? Has there been some new data? Are there some strengths that you can see, especially when we try to build back from COVID and the border is eventually, hopefully, reopened?

Is that something that could be exercised very successfully for Canadians to push that, especially with more people doing outdoor stuff because of COVID?

Ms. Monique Gomet: Yes, definitely. I would say our parks are an enormous asset for our country in terms of appealing and attracting visitors—the clean air and open spaces. It's definitely something that we're going to continue to be profiling in our marketing.

Mr. Brian Masse: In my destination area, we're trying to build a park. The Rouge was mentioned by my colleague. It's a wonderful national urban park, the first one in Canada. It's tremendous not just for the local community. Other cities are looking at national urban parks.

Do you suspect that would be an asset for tourism if we actually move in that direction? The Prime Minister noted that in the Speech from the Throne. We're seeing places like Edmonton, Windsor and other places push towards national urban parks. Is that something that's been discussed as a potential as we build these out?

Ms. Monique Gomet: It's a conversation that I haven't been involved in, but as we go forward and looking at [*Technical difficulty—Editor*] be considered.

Mr. Brian Masse: What types of input have you had with regard to the process for reopening the border? We're still not going to see much change until July 5, and it will affect Canadians, not Americans. Has there been any consultation with regard to how to support the tourism industry if the government isn't changing any directions?

There should be an amelioration plan for the summer. Have there been any discussions with you and the organization about how to deal with the consequences of not altering the status quo?

Ms. Monique Gomet: As I previously alluded to, I am not involved in any discussions with the government over the border openings. We do provide market research and intelligence to ISED and the government, but really, we take our direction from the Government of Canada.

That being said, as I mentioned in my opening remarks, we believe that Canadians travelling within Canada are a critical piece in terms of supporting the industry. It will be very challenging for the industry to lose a second summer, so that is really where our focus has been as restrictions are lifted: encouraging interprovincial travel and having Canadians experience all of the beauty that Canada has to offer this summer.

• (1235)

Mr. Brian Masse: Has there been any data or support provided to the government about...? Areas like mine, Windsor West, are not going to be an interprovincial destination for the most part. There will be some who come—they always do—but there won't necessarily be the volumes. Having no border closure changes from the current situation will probably mean a second season.

Have you provided any data or information to the government about the consequences for border communities, like Windsor, that don't have that option? There are other places, of course, such as Sault Ste. Marie, and I could go on and on.

Ms. Monique Gomet: Yes, absolutely. The organization is involved in producing a large volume of data and research. That information is being shared with the department and with the government.

Mr. Brian Masse: I'd ask if you could provide that information to this committee. It would be very helpful for us in our deliberations on the report.

Ms. Monique Gomet: Yes, we can get that information to the clerk.

Mr. Brian Masse: Great. Thank you very much. I appreciate your work.

Thank you, Madam Chair, for the time.

The Chair: Great.

We'll now start our second round of questions.

Our first five-minute round goes to MP Baldinelli.

Mr. Tony Baldinelli: Thank you, Madam Chair.

Thank you to the witnesses again.

I'm just following up on what my colleague Mr. Masse says. Destination Canada does provide some great information in terms of statistics and forecasting. Their last visitor economy forecast update in June was really more than helpful, so thank you for continuing to put that information out. It's quite helpful.

I just want to quickly go to the budget. In 2021, \$100 million was provided to Destination Canada.

Ms. Walden or Ms. Gomel, do we know if that's a one-year commitment or two-year? Is it building on the existing, I believe, \$96 million in funding that Destination Canada has?

Ms. Monique Gomel: If the chair will allow, I will pass that question to Ms. Walden.

Ms. Marsha Walden: Thank you. I'm happy to answer that.

Yes, our current funding is in the order of \$96 million, and \$100 million was proposed in the April budget as additional funding for Destination Canada. It's over a three-year period. It's somewhat front-end loaded. Although those discussions with Treasury Board are still under way to define exactly how those funds would be spent and in what years, I think the intent of the budget originally was to front-end load those significantly in year one and two.

Mr. Tony Baldinelli: Okay. Thank you.

Again, I'm just following up on a line of questioning one of my colleagues was asking. It's that whole notion about the consultation by the federal government and the information that you're able to provide them. I was wondering if you have spoken to the government about any reopening plans from a tourism perspective with the data that you're providing.

Are they seeking any of your input with regard to that?

Ms. Marsha Walden: We certainly have an ongoing conversation with our ministry on the conditions and state of the industry, on what our industry is asking for, and some of the advocacy bodies like the Tourism Industry Association of Canada are very vocal on these issues and have ongoing conversations with ISED. We provide all of the research that is provided to our industry online and take our ministry through that. I think in the past year we've produced 250 reports on different aspects, on everything from Canadian sentiments about travel and whether or not they're willing to travel and whether or not they're willing to host visitors, to the ongoing economic conditions of various parts of our sector.

We've also shared perspectives from our industry on those areas that Monique spoke about earlier around the need for clarity on what the milestones will be as our market reopens and on consistency in how we apply protocols, whether it's at the border or at individual airports, provincially and internationally. Finally, we've shared our perspective on the need for urgency, because summer is upon us and it would be very difficult if our industry is unable to have revenue driven through this summer.

Mr. Tony Baldinelli: Thank you for sharing that. There is an urgency here. I'm fearful that we've lost another summer tourism season in Niagara with those borders continuing to be closed.

As you alluded to, speaking with both those national and provincial organizations, there was yesterday's announcement, which many people were holding out hope would be an indication for the

tourism sector. Chris Bloore, the president of the Tourism Industry Association of Ontario, just called yesterday's announcement "devastating". He said, "It's absolutely a gut punch."

As tourism businesses are trying to find that notion of consistency, timelines, a formal plan that needs to be in place, I want to ask this, because those same kinds of views are held by most of the tourism organizations with regard to the need for a tourism reopening plan. Does Destination Canada agree with the Tourism Industry Association and the Canadian Travel and Tourism Roundtable when they call on the government to immediately release an implementation plan to reopen our borders?

It's my understanding that those plans.... Not only the Tourism Industry Association but, Ms. Gomel, Rocky Mountaineer is even a member of the Canadian Travel and Tourism Roundtable.

Do you share those views that we need those metrics in place and that formal reopening plan in place, and in place now?

• (1240)

Ms. Monique Gomel: Certainly, we think a clear road map is needed, with some clarity around milestones.

I see the red card.

Mr. Tony Baldinelli: It's that nasty red card again.

Thank you, Ms. Gomel and Ms. Walden.

The Chair: Thank you, Mr. Baldinelli. I'll make it up to you. I'll come visit Niagara when I can.

Mr. Tony Baldinelli: We'll hold you to it.

The Chair: That's perfect.

Our next round of questions goes to MP Lambropoulos.

You have the floor for five minutes.

Ms. Emmanuella Lambropoulos: Thanks, Madam Chair.

Thank you to our witnesses for being with us today. I'll be splitting my time with my colleague Mr. Erskine-Smith.

My question goes to Ms. Gomel.

I know that many of us have asked you about border reopenings, especially for fully vaccinated people. Currently, as it stands, on July 5, rules will be changing for Canadians and permanent residents who are fully vaccinated upon entry to Canada. However, we know that there's no talk of anyone else being allowed to enter Canada.

You've said that you really don't have much of a say in this matter but that you provide science and you provide the minister with information. Are you ever able to have a more involved role in that kind of conversation?

I'll ask my second question now. With regard to interprovincial travel, which is the role that you said you play, and promoting interprovincial travel, when certain provinces still haven't accepted this going forward for the summer, what are your plans on encouraging provinces to open their borders, at least to other Canadians? In what capacity are you able to do this?

Ms. Monique Gomet: As a federal Crown corporation, Destination Canada is not a policy-making body, so we are not involved in those questions around federal or provincial borders. Our marketing plans are sensitive to the different restrictions currently across the country. As I mentioned, we've really taken a team Canada approach, working very closely with our provincial and territorial partners, working with the different nuances across the country.

That is the extent of our involvement in terms of our mandate on marketing and providing research and intelligence.

Ms. Emmanuella Lambropoulos: Okay. Thanks.

Since I have about two and a half minutes left, I'll pass it on to my colleague.

Mr. Nathaniel Erskine-Smith (Beaches—East York, Lib.): Thanks very much.

You've acknowledged that you are not in a position to comment on the border reopening or give advice to the government. You're not involved in those conversations explicitly. However, we obviously know that the border closure has a deep and lasting impact on the tourism sector here in Canada. In regard to, in your words, the "devastation" of the COVID-19 pandemic, you have said that you need clarity around reopening milestones, consistency in protocols, and governments to act with urgency.

On July 5, we're going to say fully vaccinated Canadians and permanent residents don't need to quarantine, and there will be freer travel as a result. When we look at Americans and the importance of allowing those fully vaccinated Americans to come into Canada, I wonder if you can comment on the fact that when I look at the numbers, in 2019, we welcomed 22.1 million international tourists. Of those, over two-thirds were Americans. Over 15 million international tourists came from the United States.

If we said, as an initial phase, that we're going to open our border to our American cousins who are fully vaccinated, what would be the positive impact on the tourism sector in Canada?

• (1245)

Ms. Monique Gomet: From my own business at Rocky Mountaineer, I can certainly attest that the U.S. is our number one market. For my own business, it's also our top market for guests, so it plays a huge role.

It has been a very challenging situation. I work in a business where over 90% of our guests come from outside Canada, and we haven't been able to operate. We're looking at starting up again in July, but it will be at a reduced schedule as we're trying to make up as much volume loss from Canadians. Obviously, it remains un-

known. We do have a lot of Americans booked onto our train in August.

It's certainly challenging. We're doing the best we can in terms of encouraging Canadians to travel and—

Mr. Nathaniel Erskine-Smith: Pause there. On that point, isn't it all the more important that we reopen to fully vaccinated Americans, as an example, when, as of July 5, Canadians are going to be able to travel internationally and come back, and there's no longer the same incentive for that domestic travel? Is that not of concern to you?

Ms. Monique Gomet: Certainly. We, as I mentioned, believe that it's critical for Canadians to travel within Canada this summer to support the industry.

Mr. Nathaniel Erskine-Smith: Thanks very much. Thanks for all your work.

The Chair: Thank you.

[*Translation*]

Mr. Lemire, you now have the floor for two and a half minutes.

Mr. Sébastien Lemire: Thank you, Madam Chair.

In the current situation, the tourism industry is calling for planning over the next two or three years in order to maintain its expertise and receive special financial support. In particular, the industry is calling for the extension of the Canada emergency wage subsidy for this sector.

I'm thinking specifically of all the tourism events, such as festivals, which can require up to two years of preparation. Above all, they require a great deal of work over a whole year. You seem very satisfied with the measures implemented by the government.

Will you lobby for a long-term vision for the various festivals?

[*English*]

Ms. Monique Gomet: Destination Canada is not a lobbying agency. As I mentioned, our mandate is really around marketing and providing market research. That being said, we amplify and promote experiences across the country, including festivals, which are a key part of the experience that we deliver, so that is something we will continue to support in that capacity.

[*Translation*]

Mr. Sébastien Lemire: I understand, but you must still have an opinion. If you're satisfied with the measures in place, it means that you have an opinion. That's a form of lobbying.

On that note, I'll ask one last question.

What tourist attractions do you hold dear in the current situation?

Will you be showcasing the regions of Quebec, or will you be focusing more on promoting events in the main cities that appear on Canada's postcards?

Can we expect your promotions to be a little more diverse?

[English]

Ms. Monique Gomet: Certainly I think that there's a role for promoting all kinds of different experiences to all kinds of different visitors, both urban and rural. We aim to promote a huge range of diverse experiences, and I can say, in my opinion, as someone who lived in Quebec for five years, that I certainly cherish the festivals in Montreal and the mountains in the Laurentians. There's a lot to promote.

[Translation]

Mr. Sébastien Lemire: Will you include the parks of the Société des établissements de plein air du Québec, or Sépaq, in your promotion of Canada's parks?

[English]

Ms. Monique Gomet: Absolutely, the parks are a big part of our promotions.

[Translation]

The Chair: Thank you.

[English]

Our next round of questions goes to MP Masse.

You have two and a half minutes.

Mr. Brian Masse: Chair, I'd like to continue with the challenges with the government's decision recently. It's not even based on science. Apparently, the Pfizer vaccine is going to have a different response in a Canadian versus an American. It's left border communities extremely vulnerable, waiting around month after month to find out what's going to happen next.

Has there been any discussion about how there would be some involvement or amelioration by your organization for, I guess, many destinations? My friend from Niagara Falls will feel this. They're basically going to be frozen out of any interprovincial tourism for the most part. Some of it will happen, but some significant American visitation won't be there. Decisions are being made to isolate some tourist destination areas at their expense.

Has there been any discussion about what to do once we finally get some reopening, and will there be some extra consideration to those that are basically sacrificed this year because of a lack of foresight?

• (1250)

Ms. Monique Gomet: As I mentioned, we do take a team Canada approach. We work very closely with the provinces and territories in terms of aligning [*Technical difficulty—Editor*] something that would be considered.

Mr. Brian Masse: There's not much of a team Canada approach if you can't have American visitors. If you're dependent upon American visitors and the focus is going to be on interprovincial travel, you're basically sacrificed at the end of the day.

I just think that, if there's going to be a decision made like that, then organizations that are supported by the government and in the government—that's a different story in itself—need to have a plan to help these places once there is a final opening again. They're going to have to cling to their lives over the next number of months and, hopefully, if they do make it through, organizations that receive government funds are going to do things to help those areas later on, because it's going to be a terrible summer.

You don't have to answer that. It's okay.

Thank you, Madam Chair. That's my rant.

The Chair: Thank you, MP Masse.

Our next round of questions goes to MP Poilievre.

You have the floor for five minutes.

Hon. Pierre Poilievre: Thank you very much.

My question is for the Rocky Mountaineer. I think it's Ms. Gomet. I understand that the Rocky Mountaineer is a wonderful enterprise. It created this great entrepreneurial Canadian tourism experience. Then along came VIA Rail, using a subsidized version of the same thing. It took advantage of its taxpayer subsidy to compete on the same lines, offering a comparable service. Is that continuing to this day?

Ms. Monique Gomet: VIA Rail does have a service that runs through the Rockies.

Hon. Pierre Poilievre: Is it designed to compete with your tourism experience, or is it just a convenient way to get through the Rockies?

Ms. Monique Gomet: I'm not privy to how they've designed their service. I can say that we offer a luxury, world-class service that connects Vancouver through the Rockies.

Hon. Pierre Poilievre: I've heard. I haven't been on it yet, but I understand that it's a fantastic experience. I come from Calgary myself, and as you know, Calgarians love to invade British Columbia every summer, as often as they can. I intend to take advantage of your experience there at the Rocky Mountaineer.

I think it's crazy to have a state-subsidized enterprise competing with private entrepreneurs. I'm not going to ask you to comment any further, because I can tell that you're being very diplomatic. I hope that in the future VIA will serve markets that don't already have a private enterprise doing so. The purpose of having a state-owned enterprise in this space is to correct for market failures. Obviously, there's not a market failure here, because you at the Rocky Mountaineer are providing the service.

Do you have any comments?

Ms. Monique Gomet: I would just echo my previous comments, that we do provide a world-class service. I would encourage you to definitely come on board this summer.

Hon. Pierre Poilievre: Thank you very much.

What is your take on the issue of the border opening? You must have American customers who come and want to experience the Rockies. Of course the most beautiful parts of the Rocky Mountain range are on the Canadian side of the border. Tell me how you've been affected by the continued border closure.

• (1255)

Ms. Monique Gomel: Rocky Mountaineer, as I mentioned, didn't operate in 2020 at all. We have delayed the start of our season. Normally we would start in April. We will be resuming operations on July 5, which is very exciting for us, but there will be a reduced schedule, as we'll really be focusing on that domestic market.

That being said, a lot of Americans are looking forward to coming on board the train and are booked on August departures. We await news on the border opening and we'll adjust accordingly.

Hon. Pierre Poilievre: That's excellent. Good for you.

I encourage all Canadians to give the Rocky Mountaineer a look and to consider spending their tourism dollars here in Canada with great companies like yours and other tourism enterprises across the land.

I hope that VIA Rail will provide services the market is not already providing. We don't need to subsidize a state business to go after a private business—especially when you're paying taxes, ironically, to subsidize your own competition.

I'll leave it at that, as I can tell you're being very cautious in your words, which I understand, given your business. Best wishes for a great reopening and much prosperity to you, your workers and shareholders.

Ms. Monique Gomel: Thank you.

The Chair: Thank you very much, MP Poilievre.

Our last round will go to MP Ehsassi. You have the floor for five minutes.

Mr. Ali Ehsassi: Allow me to start off by thanking the two witnesses.

I found your testimony to be incredibly helpful. You have focused on some of the short-term challenges that need to be addressed to ensure that hopefully this season we will see a surge in tourism.

For the longer term, what are some of the indicators that you think members of Parliament should remain focused on to ensure that we see a sustainable recovery for your sector?

I will go to Ms. Gomel first.

Ms. Monique Gomel: Certainly we'll be monitoring things as they come. There's still a lot of uncertainty. I would say that we have made some shifts in our corporate strategy looking forward in terms of the types of travellers we will be targeting and our approach to marketing, so certainly we are reacting to the change in the climate.

Again, we will be looking at arrivals numbers from different countries, looking at all of the measures that we did before and adjusting where we allocate dollars in terms of our marketing to dif-

ferent countries. We are going to be kind of watching and adapting. We've become quite agile.

If the chair will allow, I'll ask Ms. Walden to elaborate on that one.

Ms. Marsha Walden: Thank you. Maybe just at the very highest level I'll say that we really see our role in helping our industry contribute to the quality of life of communities right across this country, while we're enriching the lives of our visitors [*Technical difficulty—Editor*] people and places of our land.

We have four pillars that will not only help us address short-term opportunities but also position us in the long term. First of all is ensuring that we have the social licence of Canadians to welcome visitors back into communities. Second is that we are doing things to increase the vitality of our industry over time. Part of that is focusing on a higher-value traveller who will increase their spending in Canada and help us sustain well-paid jobs in the country.

Third is that we focus on brand resonance to make sure that what Canada can offer as an experience remains competitive internationally and that we have budgets that support our ability to compete on a marketing level in the short term. Finally, the fourth pillar of our strategy is really around creating legendary experiences. We have many in this country already and we want to continue to have the work of our economic development agencies invested in those experiences to ensure that we can compete [*Technical difficulty—Editor*] because having the right product is what will make us competitive over the longer haul.

We have a role to play now in helping strategize around that to create demand-informed strategies and to work with regional development agencies to ensure that we are positioning our industry well for the future.

• (1300)

Mr. Ali Ehsassi: Thank you very much for that.

I understand, Madam Chair, that's my time.

Am I correct?

The Chair: Yes, we have a hard stop at one o'clock because of some interpretation service limitations.

If you're okay with that, Mr. Ehsassi, we'll stop there.

Thank you so much.

With that, I'd like to thank our witnesses, Ms. Gomel and Ms. Walden, for being with us today.

Thank you so much for your time and for sharing the concerns of the industry but also the opportunities that present themselves, and also for reminding Canadians to go out there, discover our great nation, spend their money here in Canada, stay safe and, obviously, visit our great country coast to coast and make sure they have a chance to visit when they can.

With that, I will bid you adieu.

Before I adjourn, I just want to say that this is our last meeting before we return in the fall. I want to thank everyone—the analysts, IT folks, the clerk, the folks in the room, the sanitation workers and the interpreters—for allowing INDU, which has been sitting consistently since February 2020, to be able to do what we're doing. Without you, we would not have been able to.

Again, to our support staff, all of our staffers who make what we're doing possible, I want to thank you. This has been a great committee.

[*Translation*]

All my colleagues will agree that we've worked in a spirit of co-operation.

[*English*]

We get a little feisty sometimes, but that makes it interesting.

I want to thank you all, because we've really come together as a team. We were able to produce some [*Technical difficulty—Editor*] and I want to thank you because it's made my job a lot easier. I promise to bring the cards back in September, because I know how much you all love them.

Take some time off this summer, guys. Go and visit MP Baldinelli because, supposedly, he needs us to come visit him. Go and visit and take care of yourselves and I will see you all in the fall. If there are any updates with respect to reports and so on, we'll definitely be in touch.

With that, I call this meeting adjourned.

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