



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

44th PARLIAMENT, 1st SESSION

Standing Committee on Canadian Heritage

EVIDENCE

NUMBER 030

Thursday, June 2, 2022

Chair: The Honourable Hedy Fry



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• (1550)

[*Translation*]

The Chair (Hon. Hedy Fry (Vancouver Centre, Lib.)): Hello, everyone.

I call this meeting to order.

Welcome to meeting number 30 of the House of Commons Standing Committee on Canadian Heritage.

I would like to acknowledge that this meeting is taking place on the unceded traditional territory of the Algonquin Anishinabe people.

[*English*]

Pursuant to the order of Thursday, May 12, the committee is meeting to study Bill C-11, an act to amend the Broadcasting Act and to make related and consequential amendments to other acts.

Today's meeting is taking place in a hybrid format pursuant to the House order of November 25, 2021. Those attending in the room must be masked for safety reasons.

To those on Zoom, please look at the bottom of your screen. You will see a microphone icon. Please mute yourself until you are ready to speak, and then you can unmute your microphone. There is also a globe icon at the bottom of the screen that helps you go into French or English, depending on your choice. Those in the room know that they can plug into translation at any time.

We're not allowed to take photographs during the meeting.

I want to ask you one more time to remember to speak through the chair.

Witnesses, please wait until I recognize you by name before speaking. For those participating by video conference, click on the microphone to activate or close it. Thank you very much.

We're going to the first panel. Witnesses, you each have five minutes for your organization. You can decide how to divide up the speaking time within your organization. I'll give you a 30-second call, so that you can wrap up, and then we will go to a question and answer segment. I will tell you how that works then.

The witnesses in this round today, from 3:30 to 4:30, will be as follows. From the Canadian Independent Music Association, we have Andrew Cash, president and chief executive officer; from the Canadian Taxpayers Federation, Jay Goldberg, Ontario director; from ICI Television, Sam Norouzi, vice-president and general manager; and from the Society of Composers, Authors and Music Pub-

lishers of Canada, we have Andrea Kokonis, chief legal officer and general counsel.

To begin, we'll hear from the Canadian Independent Music Association and Mr. Cash for five minutes, please.

Mr. Andrew Cash (President and Chief Executive Officer, Canadian Independent Music Association): Thank you very much, Madam Chair.

Good afternoon, everyone.

I'm the president and CEO of CIMA, the Canadian Independent Music Association.

Our membership includes Canadian-owned music companies, artist entrepreneurs, managers, publishers, promoters, consultants and many other solo self-employed entrepreneurs.

CIMA supports the principles behind Bill C-11. Every entity doing business in Canada operates under some form of federal or provincial regulatory requirements. Online streaming and social media companies should too. These platforms should contribute back into the cultural ecosystem they profit from in the form of, among other ways, financial contributions that can be invested in the sector's industrial infrastructure and artists. We think these things are fair and reasonable and, frankly, a very long time coming.

For over 25 years I was a singer/songwriter, producer/performer and I have to tell you that rarely a day passed when I didn't think: How can I build an audience outside of Canada? That's because the music I was making often didn't fit into the narrow confines of Canadian radio formats at the time. Sometimes it did, but usually it didn't. It was pretty clear that in order to survive, make a living, raise a family, in other words have a middle-class income and life, I had to find a global audience for my songs, which, by the way, I never quite found.

But today, because of a number of factors, including the opportunities created by streaming and social media platforms, more and more of our artists and labels are building that global audience, whereas in the past they would have had no commercial avenue. I think that may be why 75% of all Juno nominees this year were from the Canadian-owned independent sector, and many are finding audiences in markets all over the world.

This growth is also made possible by important public investments in the industrial infrastructure of the Canadian-owned sector through FACTOR and Musicaction. This is a huge success story and a reminder of the importance and potential impact of additional funding from new digital platform partners to the system.

You know that too often when we talk about creators, we tend to hold up the exception as the rule, the über-successful influencer on Instagram, the number of streams Drake has amassed this month or the hit bands that underpin the CanCon structure of terrestrial radio. But they don't tell the true story or the whole story. It has always been, and continues to be, a precarious feast-or-famine life for 95% of those who work in the creative arts, both on and offline—including, alas, Juno nominees. But we do have an incredible opportunity here now to begin to lay a new foundation to build and grow a more stable middle-class arts and culture sector in Canada. So we must really understand the sector we are attempting to legislate and regulate, the opportunities for our artists and Canadian-owned labels if we get it right and the serious ramifications if we get it wrong.

CanCon was put in place to build a domestic industry for a domestic market. Today, we need to invest in the success of Canadian companies and artists for a global market. For CIMA members the best way for Canadian artists to be discovered is to have incredible artists supported by excellent, smart, well-resourced and highly competitive companies that can succeed in the global marketplace, with IP ownership remaining in Canada. We applaud anything in this bill that successfully facilitates these goals. An outcome that results in Canadian artists locked into Canadian-only playlists and a Canadian-only digital ecosystem would be unacceptable.

How music is promoted and shared by music fans on social media platforms has become key to the growth of Canadian-owned independent music, and so we agree with and support the comments by the minister and the chair of the CRTC, who have both said that so-called user-generated content would not be regulated.

Today, music companies have commercial relationships with platforms, therefore, we must ensure the cost of the financial contributions a platform may be required to make—

• (1555)

The Chair: You have 30 seconds left.

Mr. Andrew Cash: —will not be passed on to Canadian-owned independent labels or artists and that those contributions are not tied to what content is or is not in the bill.

The music business has always been complicated, and is even more so now. We want to ensure that creators who are impacted by Bill C-11 are consulted and that our voices are heard when this bill gets to the CRTC.

I would like to also underline CIMA's support for CDEC's amendments, as well as for the Racial Equity Media Collective's submission and suggested amendments, which would ensure the government's stated objective to see greater equity and inclusion in the broadcasting system is achieved.

We look forward to building stronger partnerships between artists, Canadian-owned labels, platforms and the cultural policy objectives of the Government of Canada.

Thank you so much.

The Chair: Thank you very much, Mr. Cash.

Now I'll move to the Canadian Taxpayers Federation and Jay Goldberg for five minutes, please.

Mr. Jay Goldberg (Director, Ontario, Canadian Taxpayers Federation): Thank you very much.

I'm very grateful to be here today to speak on behalf of tens of thousands of supporters, including tens of thousands of Canadians who have signed our petition calling on the government not to move forward with Bill C-11.

The Canadian Taxpayers Federation is concerned by this bill for three key reasons.

First, the government's "empower the CRTC now, give guidance later" approach raises major concerns about accountability. There are many Canadians who are asking why the government is trying to give such unprecedented power to an entity like the CRTC without first sharing with Canadians exactly how much power and on exactly what basis it plans to do so. The government has said that instructions and guidance will come later, but that's a backward approach when it comes to accountability.

Second, contrary to the government assertions, the CRTC has determined that user-generated content will be regulated by the CRTC under Bill C-11 through broadcast regulation. As Professor Michael Geist has said, "no other country in the world regulates content in this way", and to do so is a major threat to individual freedom. Again, many are asking why the government wants to give the CRTC the power to regulate user-generated content while at the same time saying that it's not.

Before I move to my third point, let me note that although the government has insisted that user-generated content won't be regulated, CRTC chair Ian Scott told this committee that "section 4.2 allows the CRTC to prescribe by regulation user-uploaded content subject to very explicit criteria". In addition, the very fact that user-generated content would be regulated demonstrates that this bill is not, as the minister and others have suggested, solely about Canadian culture.

Third, this could set a very dangerous precedent for the future. Today, this new government regulatory machine that is being built plans to filter content based on what it considers to be Canadian, but this could be repurposed in the future for other means. Not being able to hold the CRTC accountable in determining what is or is not Canadian content may concern some, but not being able to hold it accountable on future issues such as social cohesion, as Minister Mendicino has alluded to in the online harms conversation, is even more concerning.

There are also deep concerns about the process of this legislation, the lack of debate and the government failing to genuinely listen to Canadians. Our right to free speech and free expression must be sacred, and we should not be in a situation in which a bill like this is being pushed through Parliament in this way, with such limited debate and opportunity.

Thank you for having me here. I look forward to your questions.

The Chair: Thank you, that was wonderful.

You were three and a half minutes. Thank you very much, Mr. Goldberg.

I now go to ICI Television and Mr. Norouzi for five minutes, please.

[*Translation*]

Mr. Sam Norouzi (Vice President and General Manager, ICI Television): Good morning, Madam Chair and members of the committee.

My name is Sam Norouzi, and I'm here with you today representing ICI Television. ICI is an independent, multi-ethnic television station based in Montreal that offers original programming in 15 languages and serves over 18 ethnocultural communities. ICI is available on all basic cable and satellite services, in addition to being available on Hertzian waves in the Greater Montreal area.

Since September 1, 2017, in partnership with OMNI Regional, ICI is available on all basic services in Quebec.

• (1600)

[*English*]

Mr. Chris Bittle (St. Catharines, Lib.): Madam Chair, I have a point of order.

The Chair: Yes? I do not know who has raised the point of order.

Mr. Chris Bittle: It's Chris.

It's just an issue with the translation. We're not getting English translation.

The Chair: I'm sorry. I am getting it.

Could we suspend while that is fixed please, Clerk?

[*Translation*]

Mr. Martin Champoux (Drummond, BQ): It's been fixed, Madam Chair.

[*English*]

Ms. Alexie Labelle (Legislative Clerk): I'm told that it is back on.

The Chair: Is it back on? I don't know. I'll have to hear from the clerk.

Ms. Alexie Labelle: It's on.

The Chair: Thank you.

Continue, Mr. Norouzi.

Mr. Sam Norouzi: I'm here today because of the critical gap in Bill C-11 that could see millions of Canadians lose access to their beloved public interest TV channels over the next few years. We are one of those channels.

[*Translation*]

For many ethnocultural communities in Quebec, ICI Television is the only source of locally created television programming in their language available at little or no cost.

Our programming is developed by a network of local independent producers who have deep ties to their communities and decades of experience in producing quality television programs.

[*English*]

We cover current events from a local perspective, and connect people in Montreal and throughout Quebec to what is happening around them. We make a difference. However, telling local stories requires resources.

To help keep the lights on, we rely on an order by the CRTC that requires all cable and satellite services to carry our programming as part of their basic TV package and to pay a fixed rate tied to their number of subscribers. ICI is one of a small number of specialty channels that relies on the CRTC in this way.

These channels are known as 9(1)(h) services, a name which comes from the section of the Broadcasting Act allowing the CRTC to issue these orders in support of public interest programming.

You know many of these channels. Let me share a few examples. There's CPAC, which provides Canadians with unfiltered access to Parliament, and committee meetings just like this one. APTN tells the stories of indigenous peoples in Canada in their own voice. AMI-tv and AMI-télé help Canadians living with disabilities access TV programming.

[*Translation*]

In addition, there is TVA, which has a mandatory distribution order outside Quebec, which supports official language minority communities.

[*English*]

Together with our partner, OMNI Regional, ICI provides Canadians with information and entertainment in their own language, including six daily newscasts in six languages, from a Canadian perspective.

Canada's public interest TV plays a critical role in serving racialized and marginalized communities. We promote tolerance, diversity and inclusion. We help protect our democracy from disinformation.

With more Canadians shifting to online streaming, we need our broadcasting rules to keep up. As Ian Scott told you earlier this week, Bill C-11 doesn't extend the rules for 9(1)(h) services to online streaming. Instead, it leaves our future to good-faith negotiations. However, global web giants like Amazon, Google and Apple know they won't make money off of our content. They have no real incentive to negotiate, and we can't compete with their legal departments.

That is why we are asking you to amend Bill C-11 to help level the playing field and allow the CRTC to set terms and conditions for programming in their online distribution.

[*Translation*]

Giving the CRTC the power to set the terms of carriage for online public interest programming services would support us and level the playing field for conventional broadcasters competing with online distributors.

[*English*]

We need this change so that we can keep our lights on and serve Canadians in a way that meets their needs—

The Chair: You have 30 seconds left.

Mr. Sam Norouzi:—whether that is over the air, through cable or satellite or online.

I ask you to consider the racialized and marginalized communities that rely on us. These Canadians need you to act now and amend Bill C-11 to protect the future of made-in-Canada public interest television.

• (1605)

[*Translation*]

Thank you.

I will be happy to answer your questions.

[*English*]

The Chair: Thank you very much, Monsieur Norouzi.

I will go to the Society of Composers, Authors and Music Publishers of Canada, and Andrea Kokonis, for five minutes, please.

Ms. Andrea Kokonis (Chief Legal Officer and General Counsel, Society of Composers, Authors and Music Publishers of Canada): Thank you and good afternoon. My name is Andrea Kokonis. I am general counsel at SOCAN. I am pleased to appear before this committee in support of Bill C-11, the online streaming act.

SOCAN congratulates the government on the tabling of Bill C-11. The bill delivers on the minister's promise to regulate online streaming services while excluding its application to individual content creators. This represents a big step in the right direction for Canadian creative sector and for Canadian audiences.

Modernizing Canada's broadcasting legislation today is necessary. The Broadcasting Act was enacted long before the Internet became a dominant platform for the delivery of music. Online streaming has experienced explosive growth in recent years, but Canadian songwriters and composers are not benefiting from that growth. This inequity is due in part to the fact that the streaming services that have benefited greatly from operating in Canada are not required to contribute to Canadian culture.

SOCAN itself has experienced considerable growth in revenues from online streaming. In 2021, SOCAN collected \$416 million on behalf of Canadian and foreign rights holders, of which \$100 million was from digital sources. SOCAN's collections from digital platforms will soon overtake collections from more traditional sources, such as radio and television. Unfortunately, only a fraction of this digital licensing revenue stays in Canada. For every dollar generated from Canadian TV and radio broadcasters, approximately 34 cents is distributed to Canadian songwriters and composers. But of the revenues generated from online streaming services, only 10 cents is distributed to Canadians.

The situation is even more dire for francophone songwriters and composers who receive only 1.8 cents per dollar generated from online streaming services as compared to 7.4 cents from Canadian broadcasters.

The difference between broadcasting and online revenues that flow to Canadian songwriters and composers is due at least in part to the fact that streaming services are not required to support or promote Canadian creators to Canadian audiences. The market alone has not and will not solve this problem. Only legislative reform can do that, and the online streaming act sets the stage.

Online streaming services like traditional broadcasters must contribute to Canadian culture by participating in financial support programs that help foster the creation of Canadian music. Online streaming services like traditional broadcasters must also participate in the promotion of Canadian music. Canadian content must continue to hold a prominent place for Canadian audiences whether broadcast on television, radio or streaming platforms.

Foreign streaming giants that benefit from unfettered access to Canadian audiences should be supporting our cultural community and the next generation of Canadian songwriters and composers. As online streaming becomes the dominant medium for music distribution, that support becomes even more important. It is vital to the survival of our culture and our cultural sovereignty.

Canadian music creators need to be actively promoted by the streaming services that provide content to Canadian audiences. Promotion helps Canadian songwriters, composers and music publishers find an audience and generate revenue for themselves so they can reinvest in others.

Viewer choice is not enough and frankly misconstrues the role that online streamers play. Online platforms already decide who to promote and who to demote on their services. They already play those curatorial and editorial roles and should fulfill those roles by showcasing Canadians to Canadians. Online platforms must help emerging Canadian talent get discovered and reach Canadian audiences. It is not just Canadian songwriters and composers who will benefit; listeners will too. We all benefit when our cultural policies reflect and encourage the Canadian experience and the creation and dissemination of Canadian stories and songs.

We implore the government to require streaming services to play their part in making it easier to find Canadian music and stories on online platforms in Canada.

SOCAN does not propose any amendments to Bill C-11. The bill must remain broad so that it can adapt to future online services, the models of content delivery from which are not yet known. A bill that is tailored only to services in operation today or that carves out specific services as they exist today will not be flexible enough or have staying power for the future of broadcasting online.

For all of these reasons, we urge the government to pass Bill C-11 as soon as possible. The creative industry is an important economic sector in our country. The best way to support it is through legislative reform and the online streaming act.

Thank you for your consideration. I'd be happy to answer any questions you may have.

• (1610)

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

Now we are going to the first question and answer session. It's a six-minute session, and please be aware, witnesses and colleagues, that the six minutes includes the question and answer.

We begin with Ms. Rachel Thomas for the Conservative Party.

You have six minutes.

Mrs. Rachael Thomas (Lethbridge, CPC): Thank you very much, Chair.

My first question is for Mr. Goldberg.

Mr. Goldberg, I'm wondering if you can just talk to me a little bit about the work you do on behalf of Canadian consumers and how Bill C-11 might impact them and what your concerns are around that.

Mr. Jay Goldberg: Yes, thank you for the question.

Essentially, we're deeply concerned about this legislation because it could impede the ability of Canadians to hold the government accountable, and as an organization we focus on less waste, lower taxes and more affordable government. Unfortunately, this legislation sets a very dangerous precedent. It allows for this brand-new regulatory machine that can filter content based on what it considers to be Canadian, but what we're all concerned about is the potential for that to expand into other areas in the future. It may not be phrased that way now, but we have to worry about what governments might do in the future and what ground this lays for potential stretching as we go forward.

Mrs. Rachael Thomas: Sorry, let's be really clear here then. When you say "potential stretching" could take place in how this bill is used to require these different platforms to curate content in a specific way according to whatever the government mandates through the CRTC, what are you potentially concerned about?

Today it looks innocent. It looks like it's just propping up Canadian content, even though it's an antiquated definition, and that certainly is harmful in and of itself. Nevertheless, beyond that do you have any other concerns?

Mr. Jay Goldberg: Absolutely. This legislation sets the stage for the government, through the CRTC, to be able to decide what ought to be promoted and what ought not to be promoted as we view products online. So, yes, today the criteria might be Canadian, that is, whether or not something is considered to be Canadian content. However, I would note here that some of the programming decisions are very outdated. A film called *Gotta Love Trump* is actually considered Canadian content while *The Handmaid's Tale* is not.

There are lots of problems there. But what I would also say is, yes, there could be expansion. Today the government's talking about whether or not something is considered to be Canadian. We've heard Minister Mendicino talk about things like social cohesion. We know that the topic of online harms is coming down the pipeline, and so we're very concerned that this could create a mechanism through which the government could promote and demote certain Canadian content—what people are saying based on standards that are not just Canadian and that could go all the way to social cohesion, which is very vague and allows a lot of room for the government to make decisions like that.

Mrs. Rachael Thomas: Thank you.

With regard to the bill, presently there is no policy directive that has been given to the CRTC. In other words, Bill C-11 is vague in some areas, and it will be left up to the CRTC to determine how they are going to apply the bill at large.

Without a policy directive, it is impossible for the CRTC to understand what the minister's intent is. Now, the minister is saying that will come later, and he's asking Parliament to trust him as he requests that this legislation be moved forward. However, that seems out of step. Do you have any thoughts on that?

Mr. Jay Goldberg: Absolutely. I'll say as Ronald Reagan said, "Trust, but verify."

If the government is trying to say that they're going to create this legislation and pass this, and then they're going to figure out exactly what the orders are down the line, Canadians shouldn't have to trust that. We need proof of exactly what the government intends to do with this legislation. The regulations, the rules and the instructions should all be coming first. This is a very backward way of doing things in government, to pass a bill, to give all kinds of power to an organization that is rather unaccountable, and then just to presume that the minister, based on what the minister decides at a later date, will simply make a determination, which, because the power has already been given, Parliament has little way to stop.

Mrs. Rachael Thomas: The minister has said that user-generated content, in other words the content put up by individuals, is exempt from the bill. However, the chair of the CRTC, Mr. Scott, has said nope, that in fact it is captured by the bill. Obviously, there's a discrepancy there that I would say is all the more reason for clear guidelines to be established at the beginning.

Do you have thoughts with regard to the capturing of user-generated content?

• (1615)

Mr. Jay Goldberg: Absolutely. I've had conversations with Professor Michael Geist, one of the foremost experts in this area. What he says is that there's an exception for user-generated content, but then there's immediately an exception to the exception, which he says throws the door wide open. As I quoted Mr. Scott earlier, he said, "section 4.2 allows the CRTC to prescribe, by regulation, user-uploaded content subject to very explicit criteria." That's pretty open and shut. There is room for the regulation of user-generated content. If the CRTC is the organization that's going to be getting that power—and indeed they themselves are saying they're getting that power—then I think they're the ones we have to listen to.

Mrs. Rachael Thomas: Some content will be bumped up in the queue and some will be bumped down when people are using their search bars to look for information. Of course, we know the content that will be bumped up is that which fits the definition of CanCon, which is very antiquated. Then anything that doesn't fit that definition will be bumped down.

It could even be produced by a Canadian on Canadian soil and be full of Canadian songs, etc., but it will not capture the attention of an audience because it will be bumped back to page 500 of the Internet, where it's undiscoverable.

The Chair: You have 30 seconds left.

Mrs. Rachael Thomas: Do you have thoughts on that?

Mr. Jay Goldberg: Absolutely. There is a great documentary on the Maple Leafs' playoff run in 2021. Lots of us love the Maple Leafs. It's not considered Canadian content and it will go down to the bottom of your streaming service, while *Gotta Love Trump* will be right at the top because it's considered Canadian.

Mrs. Rachael Thomas: Thank you.

The Chair: Thank you very much, Mrs. Thomas.

Now I go to the Liberals and Anthony Housefather for six minutes, please.

Mr. Chris Bittle: Actually, Madam Chair, I'll take this slot.

The Chair: All right. Thank you. I am just reading from the list I've been given.

Chris Bittle, you have six minutes. Thank you.

Mr. Chris Bittle: Thank you so much, Madam Chair.

That was an interesting discussion. It was almost as if the Charter of Rights and Freedoms doesn't exist in our society.

Before I get to the witnesses, I do want to make a quick apology to them. We had a very good discussion last night about what to do next. There was a motion on the floor from Mr. Julian and we didn't quite get to voting. Voting should only take about a minute. I have six minutes and this shouldn't take more than six minutes. I'm happy to cede that time back to the chair.

I'd like to put Mr. Julian's motion back on the floor. Also I'd like us to think, in terms of the original motion, that this was for the equivalent of 20 hours of meeting study. Five weeks was the equivalent of that study. We're at the end of that and so I'd like to hear from Mr. Julian and Monsieur Champoux about moving into clause-by-clause, since we have reached the end of that.

Again, I apologize to the witnesses. This should only take a couple of minutes as we vote on Mr. Julian's motion.

The Chair: Mr. Julian.

Mr. Peter Julian (New Westminster—Burnaby, NDP): Thank you, Madame Chair.

Yes, I believe Mr. Bittle has moved my motion, which he is able to do. It was to have the amendment deadline for Friday at 4:00 p.m., I believe.

As we talked about yesterday, Madam Chair, of course that would mean that amendments could still be brought to the clause-by-clause. It just prepares the ground so that amendments can actually be prepared and translated.

The Chair: Thank you very much, Mr. Julian.

Mr. Nater, your hand is up.

Mr. John Nater (Perth—Wellington, CPC): Thank you, Madam Chair.

I think this requires more discussion than the six minutes that is currently involved. I'll make a few comments.

Again, we still haven't heard from the minister. The minister will be speaking later in this meeting. At least I hope the minister will be speaking later in this meeting. Again, until we've at least heard from the minister, I am not prepared to anticipate or prepare to provide a deadline for amendments. That's the first thing I would point out.

Second, I think it's perhaps disappointing—I'll use that word—that we're doing this in the middle of testimony. We've heard from our witnesses, but obviously we've only had six minutes' worth of questions and I have obviously a lot of things I'd like to ask our witnesses.

I'd like to ask more about their interpretation of what they would like to see with Canadian content and what types of changes they'd like to see, particularly in the music industry. I know we have both Mr. Cash and Ms. Kokonis from SOCAN. I'd like to hear their opinions of where we'd want to go with Canadian content.

Others have mentioned discoverability. I'd like to hear more in-depth what their opinions are on where we're going forward and obviously what changes might be needed or might be required in terms of amendments.

I'd want to hear from Mr. Norouzi about ICI Télévision and what his thoughts are on part II licence fees, which are effectively a tax on broadcasters.

Those are some of the things I want to be hearing about. I want to hear about what their thoughts are in terms of amendments and changes to this piece of legislation.

My suggestion at this point—and I will move this—is that we adjourn debate on this motion.

● (1620)

The Chair: I understand that, now that you have moved to adjourn debate on the motion, the motion to adjourn takes precedence. We have other speakers on the floor who wish to speak to this motion, but we will have to adjourn the motion.

We are continuing. There is—

Mr. Anthony Housefather (Mount Royal, Lib.): I have a point of order, Madame Chair.

I am so sorry; I think you need to put that to a vote, Madam Chair.

The Chair: Okay, let's do that.

Those opposing the motion to adjourn, please raise your hand.

Would the clerk please note this for me?

Mrs. Rachael Thomas: I would ask for a roll call.

The Chair: You would like us to do a roll call.

Will the clerk please do the roll call?

Thank you.

Ms. Alexie Labelle: The motion is to adjourn the debate.

(Motion negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

The Chair: Thank you.

The motion is defeated. We will continue with the debate.

Thank you.

Ms. Alexie Labelle: Madam Chair, would you mind if I provide you with the speaking order that was there before?

The Chair: That would be wonderful, because I can only see the Zoom one.

Thank you.

Ms. Alexie Labelle: There was Mr. Champoux, Mr. Patzer and then Ms. Thomas. After that it was Mr. Julian.

The Chair: All right. It's Champoux, Patzer, Thomas and Julian.

Thank you very much.

Mr. Champoux, the floor is yours.

[*Translation*]

Mr. Martin Champoux: Thank you, Madam Chair.

I want to say to the witnesses that I too am sorry that we are taking longer than expected. I thank them for their patience.

We had already debated this motion. I thought we had thoroughly examined it and all members had expressed their opinions on it. It should only have taken a minute, yes. If we had voted quickly, Mr. Bittle could have continued asking questions afterwards, but that's another story.

Madam Chair, I would like a clarification from Mr. Bittle. I just want to make sure that I don't lose my turn to speak after he answers my question. Can you confirm that I'm going to get the floor after that?

[*English*]

The Chair: Once this motion has been dealt with, yes, we will resume the orders of the day for the rest of the hour that we have.

[*Translation*]

Mr. Martin Champoux: Actually, Madam Chair, I'd just like to get a clarification from Mr. Bittle, because he proposed that the committee proceed to clause-by-clause consideration of Bill C-11. When does he intend that the committee begin clause-by-clause? Is he proposing that it start on Monday? Is that the date he has in mind?

I will resume after his answer, please.

[*English*]

Mr. Chris Bittle: Perhaps on a point of clarification, Madam Chair, I would—

The Chair: Thank you.

Mr. Bittle, will you please respond to the question?

Mr. Chris Bittle: On a point of clarification, so Monsieur Champoux can keep the floor, yes, it would be on Monday that we would start clause-by-clause.

● (1625)

The Chair: Thank you.

Thank you, Monsieur Champoux. Have you finished?

[*Translation*]

Mr. Martin Champoux: No, I haven't finished.

[*English*]

The Chair: Go ahead, then.

[*Translation*]

Mr. Martin Champoux: I also want to express my opinion on this motion, which I think is very important and which we have already debated, as I said earlier. We've thoroughly examined it. Anything else would probably be a bit of bad faith, but we could be surprised.

Out of respect for the witnesses here, we should proceed quickly. I think we all agree and know where we stand with this bill. We heard 20 hours of evidence, as our conservative friends had asked us to do. We accepted that very willingly. My colleague Mr. Nater will be able to confirm that, because it was he who proposed that evidence be given for 20 hours in total.

So we can very well agree that the deadline for tabling amendments will be Friday, at 4 p.m., as proposed in Mr. Julian's motion. Then, we can start clause-by-clause consideration of this very important bill on Monday, at our next scheduled meeting.

I hope that we will have the good sense to hurry up and vote on this important motion.

[*English*]

The Chair: Thank you, Mr. Champoux.

I will go to Mr. Patzer.

Mr. Jeremy Patzer (Cypress Hills—Grasslands, CPC): Thank you very much.

I think, with a bill like this, obviously, it's very important to hear from as many witnesses as possible. We have a few more yet to go. I would like to see a copy of the motion. I don't have one. There are a few people who are newer to the committee here, so it would be nice to have a copy of the motion in both languages before us. I realize there are probably multiple motions out there and it would be nice to have copies of the motion in both official languages, so it's clear exactly what it is we are considering here, and potentially voting on.

I'm wondering if it would be possible to get that done.

The Chair: Mr. Patzer, I'd like to clarify. Do you mean the motion we're dealing with now?

Mr. Jeremy Patzer: Yes, that's the one.

The Chair: All right. It was a very simple motion, but if you wish to see it in writing, I'm certain Mr. Bittle could send it to the clerk, and the clerk will distribute it to everyone.

Until we get that distribution, I suspect—

Mr. Chris Bittle: I have a point of order, Madam Chair.

The Chair: I don't know who—

Mr. Chris Bittle: Madam Chair, it's Chris Bittle.

The Chair: Yes.

Mr. Chris Bittle: This motion was approved by the committee. We debated it for an hour yesterday. The motion is before the committee. The motion is very simple: to set a deadline for clause-by-clause by 4 p.m. If Mr. Patzer wants to turn on translation services to hear that in French, I'll say it again: The motion is to set a deadline for clause—

Oh, he didn't put in his earpiece.

Mr. Patzer, if you want to turn to the French channel—

Mrs. Rachael Thomas: This is debate. This is not a point of order.

Mr. Chris Bittle: This is a point of order. This is what was discussed. The motion is valid. It doesn't need to be put in writing.

Mrs. Rachael Thomas: Madam Chair, I would appeal to you for orderly conduct in this meeting. This is debate.

Mr. Chris Bittle: Madam Chair, there's a point of order on the point of order.

The Chair: Order, please.

I'm not allowing debate across every party line on this thing. Let's get some order.

Mr. Patzer asked for a copy of the motion Mr. Bittle put forward, the one we are debating. Mr. Bittle is suggesting the motion is already clear. I, as chair, would suggest that Mr. Bittle repeat his motion and that we have no more questioning about what the motion is. Everyone obviously knows the motion, as Mr. Bittle rightly pointed out. This was the motion we dealt with yesterday and the day before.

I think we need to clarify. Mr. Bittle, please restate your motion in English and French. Thank you.

I will not allow any more points of order on this.

Go ahead, Mr. Bittle.

Mr. Chris Bittle: Thank you so much, Madam Chair.

That's why we have simultaneous translation. I won't offend Monsieur Champoux's ears trying to struggle through the French. The motion, which Mr. Julian brought yesterday, which we debated for an hour yesterday, and which this committee approved—I am taking it from the table—is that the deadline for clause-by-clause be Friday at 4 p.m.

The Chair: That is eastern time.

Mr. Chris Bittle: Oh, I'm sorry, not the deadline for clause-by-clause. It's the deadline for submitting amendments to be Friday.

The Chair: It's at four eastern time, I gather, if I remember Mr. Julian's motion correctly.

We will go back to debate. Mrs. Thomas is next, I think.

Mr. Patzer, have you finished?

Mr. Jeremy Patzer: I'm sorry. I appreciate that Mr. Bittle spoke the record, but I was hoping he would take two seconds to send an email, so I would have it in front of me.

I see that the minister is here now. I'm wondering if we should proceed to hearing from the minister, at this point in time—that we move to adjourn this debate so we can hear from the minister.

• (1630)

The Chair: We have a motion on the floor, and the motion to adjourn this debate was voted on recently—just now, a few minutes ago—and was denied. We can't move that motion again, Mr. Patzer. Therefore, we will continue this debate.

The minister may be here, but this session is due to end at 4:48, so we still have time in this session. Thank you.

Please continue, Mrs. Thomas. You had your hand up.

Mrs. Rachael Thomas: Thank you, Madam Chair.

A decision wasn't reached yesterday as to whether or not a copy of this motion would be provided in writing. There have been other instances at this committee where you have deemed it necessary to provide that. I'm unsure why that is a protocol or a practice at some of these meetings when some motions are moved, but not at others.

For example, a couple of days ago, I moved a motion at this committee and I was asked to provide it in writing, which I was able to do. I was also able to provide it in both official languages without a problem. It was promptly given to each member around this table and we were able to move forward with debate.

In the same way, my colleague Mr. Patzer is sitting in on this committee as a substitute, so he has not seen the amendment and is not familiar with the debate that took place yesterday. He has put forward a very reasonable request, which is that this motion be made available to him in writing.

Further to that and why it is so necessary, I listened to Mr. Bittle work his way through some part of the motion, or rendition of the motion, and then Mr. Julian did the same. It is unclear to me and, I believe, to others exactly what this motion is.

I would appeal to you to please be consistent. If this is something that is expected at some committee meetings with some motions, I believe that it needs to be asked for in all committee meetings and for all motions.

Madam Chair, I am not done.

The Chair: Mrs. Thomas, you asked me a question. May I be allowed to answer it, please?

Mrs. Rachael Thomas: Yes. I'm finishing that question, Madam Chair. Give me one moment.

The Chair: Go ahead.

Mrs. Rachael Thomas: I would ask you, then, to make sure that the same protocols are followed here that you've asked for at other meetings.

I will allow you to respond, but I would like to note that I currently have the floor.

The Chair: I will respond.

There is no need, because the issue that we are discussing in the order of business is Bill C-11. The motion pertains to Bill C-11. There is no need to give 48 hours' notice in both languages for this. When a motion is simple—and it is my understanding that this is a very simple, a one-sentence motion.... Most people will understand what it is by now, because this is going to be the third time we're hearing this motion.

When a motion is very long and complicated, it is necessary for people to read it, because they may not understand everything that has been said. As a chair, I make that decision based on the complexity and length of the motion, as opposed to a very short and simple motion that we are now hearing for the fourth time.

Thank you.

Please continue, Mrs. Thomas.

Mrs. Rachael Thomas: Madam Chair, I understand the words of your ruling. However, I would like to highlight a couple of things.

First, the motion is still unclear to me and to my colleagues who are subbed in at this meeting, so greater clarity is, in fact, required if we are expected to vote on this. It is improper and undemocratic to expect us to vote on something that is not clearly stated. Of course, the written language is what assists us best in that way.

[*Translation*]

Mr. Martin Champoux: On a point of order, Madam Chair.

[*English*]

The Chair: Yes. Mr. Champoux has a point of order.

Then I'm going to ask the clerk to read the motion. She has it right now in the minutes of this meeting. If she could read it—

• (1635)

[*Translation*]

Mr. Martin Champoux: Madam Chair, I have just raised a point of order. Will you let me finish?

[*English*]

The Chair: Go ahead, Mr. Champoux.

[*Translation*]

Mr. Martin Champoux: Thank you.

I hear my colleague Ms. Thomas, and even though we differ on a lot of things, I can't imagine for a second that this little sentence is not clear in her mind and that it needs so much clarification.

Her colleague Mr. Patzer himself said earlier that the minister had arrived and that we wanted to ask him questions. We have witnesses here to whom we also want to ask questions. We have a very simple motion before us, which simply states that the deadline for tabling amendments is Friday at 4 p.m. Eastern Standard Time. My goodness, my colleague is not doing herself any favours by asking for clarification on this.

I am appealing to the common sense of my conservative colleagues, out of respect for the witnesses who are here today to answer important questions on Bill C-11, so that we can put to a vote the motion that has been tabled and finally move on.

[*English*]

The Chair: Thank you, Mr. Champoux.

There is a call for the vote, which Mr. Champoux has asked for. Once again, we are asking for this motion to come to the floor and be voted on. I need to know if there is a majority approval for that in this meeting.

Is anyone opposed to this motion's coming to a vote now?

Mrs. Rachael Thomas: Madam Chair, there is still a list of speakers who need to be heard from before you can call a vote.

The Chair: All right, yes.

Clerk, will you please...?

Ms. Alexie Labelle: Yes, Madam Chair, there is still a speaking list, so the debate could presumably resume.

The Chair: Yes, I know.

Ms. Alexie Labelle: I do have the motion written in both languages. We're working on distributing it to the members, so we will distribute it shortly to all the members.

The Chair: Thank you very much, Clerk. I will let you carry on with that.

I need to know who, other than Mr. Uppal, is on the list right now.

Ms. Alexie Labelle: After Mrs. Thomas, you had Mr. Julian, then Mr. Uppal and then Mr. Perkins.

The Chair: Thank you.

Mr. Julian—

Ms. Alexie Labelle: Mrs. Thomas was interrupted by a point of order, so she is still on the list.

The Chair: Mrs. Thomas.

Mrs. Rachael Thomas: Thank you, Chair.

Thank you to the clerk for doing up that motion. That's wonderful.

I would like to move an amendment. I don't know what the motion is, so I'll just take it that after the first word, you scratch off everything—

Actually no, sorry. Perhaps before moving my amendment, the clerk could clarify and read the motion into the record for my reference.

The Chair: Clerk.

Ms. Alexie Labelle: I can read it in both languages. Is that okay?

The Chair: Yes, please. That would be preferable.

Ms. Alexie Labelle: It reads that “That the deadline for amendments on Bill C-11 be at 4 p.m. on Friday, June 3, Eastern Time.”

[*Translation*]

In French, the motion reads: « Que la date limite pour les amendements de C-11, Loi modifiant la Loi sur la radiodiffusion et apportant des modifications connexes et corrélatives à d'autres lois, soit le vendredi 3 juin 2022, à 16 heures (HE) ».

[*English*]

The Chair: Thank you.

You have heard the motion being read clearly in English and French.

Mrs. Thomas, please.

Mrs. Rachael Thomas: Thank you, Chair.

I would move an amendment to that motion. My amendment would be that we delete all words after “That”, and replace them

with “amendments be due three days before clause-by-clause begins.”

The Chair: We do not have a deadline for clause-by-clause, Mrs. Thomas. Would you like to clarify your amendment, please?

Mrs. Rachael Thomas: I didn't state that there was a deadline. I simply said that amendments are due three days before clause-by-clause begins.

The Chair: That is a completely new motion. I can't say that it's an amendment to the current motion on the floor, so I would have to ask for us to continue with the motion on the floor right now before you can bring a new motion.

Mrs. Rachael Thomas: Thank you, Madam Chair.

I would ask, with all due respect, that you consult with the clerk.

The Chair: Yes, I think I know the rules, but go ahead, Clerk. Will you please respond?

Can Mrs. Thomas move a new motion that is completely different from the intent of the current motion on the floor? I am ruling that her motion is out of order—

• (1640)

Mr. Rick Perkins (South Shore—St. Margarets, CPC): I have a point of order.

Hon. Tim Uppal (Edmonton Mill Woods, CPC): I have a point of order, Madam Chair.

The Chair: Excuse me. You know that you should say your name before you request a point of order. I have no idea who is asking for a point of order.

Hon. Tim Uppal: It's Tim Uppal here, Madam Chair.

The Chair: Yes, Mr. Uppal.

Hon. Tim Uppal: I believe Mrs. Thomas's motion there does refer to the timing of this. When we talk about timing, it's three days before rather than Friday, so it is not a new motion. It just refers to the timing of the initial motion, so it would be an amendment to that motion, changing the time.

The Chair: Thank you, Mr. Uppal. I think I asked the clerk to rule on this.

Mr. Rick Perkins: Before the clerk does so, it's MP Perkins on a point of order.

I don't think it's appropriate for the chair to put a box around classifying this as a new motion and then asking for an opinion on whether a new motion is in order. I believe the proper question is whether it is actually a substantively different motion or whether it is consistent with the existing motion?

The Chair: Mr....

I have no idea whom I'm speaking to. Is it Mr. Patzer, Mr. Perkins or who?

Mr. Rick Perkins: I introduced myself, as you requested. It's MP Perkins.

The Chair: Thank you, Mr. Perkins.

I did not know that Mr. Perkins was in the room. Thank you very much.

Clerk, will you please rule? I've asked you to do that.

We will wait until the clerk rules.

Ms. Alexie Labelle: Madam Chair, if you wouldn't mind suspending, I'm just going to confirm something on my end and then I will be able to advise you.

The Chair: Thank you. The meeting is suspended.

Would you let me know when you are ready for us to resume? Thank you, Clerk.

• (1640) _____ (Pause) _____

• (1650)

The Chair: Now I will rule on Ms. Thomas's motion.

The motion is admissible because it actually continues to set a deadline for amendments. This is an amendment that is acceptable, and we will now debate the amendment, please.

Mr. Chris Bittle: On a point of order. It's Chris.

The Chair: Yes, Chris.

Mr. Chris Bittle: I think perhaps we should suspend the meeting, let these witnesses go, and set it up for the minister to appear.

The Chair: We have a motion on the floor, but we must end this meeting. In fact, we're past the time to end this meeting, so you are absolutely right, Mr. Bittle.

The Chair: I will suspend and ask the witnesses to leave.

Thank you very much, witnesses, for coming. I am so sorry that you were not allowed to continue your testimony and answer questions. I apologize.

• (1650) _____ (Pause) _____

• (1655)

The Chair: We have the minister here and we shall begin.

Welcome, Minister, to the heritage committee. We're discussing, as you well know, Bill C-11. You have five minutes to present, please, Minister.

Mr. Chris Bittle: On a point of order, Madam Chair, there's a motion on the floor. The meeting was suspended. The meeting was not ended.

The Chair: You are absolutely right.

The minister may not be able to begin, because we suspended. We did not adjourn the meeting. We suspended it, and so we have to continue with the business that we were dealing with before the minister arrived or before we began this new session.

We have an amendment on the floor. I would ask everyone to speak to that amendment. I would entertain a list.

Thank you, Clerk.

Ms. Alexie Labelle: We have Mr. Perkins on the list.

The Chair: It's Mr. Perkins. I think the next person on the list was Mr. Julian, no?

Ms. Alexie Labelle: Since Mrs. Thomas moved her amendment—

The Chair: Yes, so we have a new list. It's Mr. Perkins. Who else? Is it just Mr. Perkins right now?

Ms. Alexie Labelle: Mrs. Thomas? Did you want to speak with her?

The Chair: No, I think Mr. Perkins is on the list and anyone else is free to put up their hand or to say they want to speak.

Mr. Perkins, please begin.

Mr. Rick Perkins: Thank you, Madam Chair.

Ms. Alexie Labelle: Madam Chair, just before Mr. Perkins speaks, Ms. Thomas is asking if she can have the floor again because you issued your ruling and she would like to speak on her amendment before Mr. Perkins speaks.

The Chair: It would be up to Mr. Perkins who has the floor to know if he would give the floor back or cede it to Mrs. Thomas.

Mr. Rick Perkins: I certainly would, but I think the mover of the motion usually gets to speak to their motion first before the speakers list happens.

The Chair: Yes. Thank you, Mr. Perkins. I think we should have Ms. Thomas speak then.

Mrs. Rachael Thomas: Thank you.

Madam Chair, since your intention was to hear from the minister, then I would move a motion to adjourn this debate for the moment. Of course, this motion can be brought back after we have heard from the minister.

The Chair: Is there any opposition on the floor to—

Mr. Chris Bittle: Yes.

The Chair: —adjourning the debate?

I don't know who said yes, so can you please identify yourself?

Mr. Chris Bittle: It's Chris Bittle. I am opposed.

The Chair: Yes, Chris Bittle, you're opposed.

Then I guess we're going to have to call a vote.

Ms. Alexie Labelle: Do you want me to proceed with a—

The Chair: Yes, Mr. Housefather.

Mr. Anthony Housefather: On a point of order, Madam Chair, I'm wondering whether the mover of a motion can move to adjourn debate on their own motion right after they propose it? I don't think that's the case.

The Chair: There is no clear ruling on that, Mr. Housefather, but perhaps I will entertain the clerk's advice on this.

Ms. Alexie Labelle: I believe they can. I'm just waiting for confirmation.

The Chair: Yes, I think they can.

• (1700)

Ms. Alexie Labelle: Madam Chair, I have confirmation that a mover can move a motion to adjourn debate on their own motion.

The Chair: I thought that was the ruling: that she could move to adjourn or to postpone her own debate.

The question is, we have opposition on the floor right now from Mr. Bittle, so I will call the question with regard to this motion to adjourn, which is not debatable, by the way.

Let's just call the question, please.

Ms. Alexie Labelle: The motion is to adjourn debate on Ms. Thomas's amendment.

(Motion negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

The Chair: Thank you.

The debate is not adjourned. I think we need to go back to the floor.

Go ahead, Ms. Thomas.

Mrs. Rachael Thomas: Thank you very much.

I'm a little bit surprised by my colleagues. Certainly, it seems that they would perhaps be playing shield or defence on behalf of the minister, preventing the opportunity for him to speak and to be asked questions and to speak on this piece of legislation—

The Chair: This is debate on your motion to adjourn. Can you please continue now with your actual motion? We have decided that it is not allowed to be adjourned, so can you continue to speak to your amendment, please?

Mrs. Rachael Thomas: Sure, Madam Chair. I'd love to. Thank you.

The amendment I have moved is that the deadline for the amendments be three days before the start of clause-by-clause. Of course, we're talking about the time frame that is being granted in order to bring forward those amendments that we might have for Bill C-11.

Madam Chair, you'll recall that this committee agreed to hearing from witnesses for a minimum of some 20 hours. Actually, further to that, the motion, in its original form, said four meetings for five hours each. Obviously, that form has not been followed. We did not do four meetings at five hours each. The meetings have been more sporadic and for a lesser amount of time. Nevertheless, we're in good faith honouring that, but the original motion was for a minimum of 20 hours of witness testimony—

• (1705)

The Chair: As a correction, I have read and reread that motion. There was no minimum included in it.

Thank you very much.

Mrs. Rachael Thomas: Madam Chair, was there a maximum included in it?

The Chair: There was nothing included, just that there be five hours of debate on Tuesday, the 24th—or whatever that date was—and that, in the following week, we get three five-hour slots.

As you well know, Ms. Thomas, that is not decided by this committee. It is decided by the whips in the House, who agreed that we would get the equivalent of three five-hour meetings, which would be 15 hours. That is going to be concluded or should be concluded today.

Mrs. Rachael Thomas: Madam Chair, thank you.

I believe, then, with the committee's having agreed to 20 hours of testimony, it's not a maximum of 20 hours. It's not a hard stop at 20 hours. It's just simply that 20 hours is the starting point.

In fact, I can recall that there was discussion around this motion that we could take a closer look at it after we had heard from witnesses for that duration of time. If we deemed it necessary, perhaps we could expand it then. That was part of the conversation that ensued around this table. Of course, it was done in good faith.

It would appear that the good faith is no longer good, because there is no longer a willingness from my counterparts at this table to have the discussion around hearing from more witnesses. I believe that is very sad. We still have 33 witnesses who have not been heard just from the Conservative's list. Then we have more witnesses who were submitted by other colleagues at this table who have not been heard.

I believe it is incumbent upon us to be as thorough as we can possibly be. It would be very nice to hear from more witnesses. I don't believe that this request is unreasonable. Again, there are many times when a committee sets out with an intention and with an understanding, again taken in good faith, that the work of the committee can be reassessed or re-evaluated, and tweaks can be made along the way as more information is granted.

In this case, I think, sure, we're coming to the end of our time. Unfortunately, my colleagues at the table have decided to move this motion in the middle of hearing witness testimony. It was first moved when we had stakeholders at the table. Now it continues to be discussed while we have the Minister of Heritage at the table. Again, no doubt, that's a bit of a quarterbacking effort by the Liberal MPs at this committee.

Also, it's interesting to me that my NDP colleague Mr. Julian.... I moved a motion that pertained to Bill C-11 at another committee, and witnesses were present, and he was quite cruel in many of the words he spoke at that time. I won't repeat all of them, because certainly many of them would be unparliamentary—

Mr. Chris Bittle: I have a point of order.

The Chair: Yes, thank you. I was about to tell Ms. Thomas that she should stick to the amendment she made.

Mr. Chris Bittle: Thank you, Madam Chair.

I just want to point out that my understanding is that the minister is here until 5:45. We really would like to hear from him. Those who are listening need to know that this vote can take 20 seconds or 30 seconds, and we could get back to hearing from the minister.

Mrs. Rachael Thomas: That's debate. It is not a point of order.

The Chair: Thank you. It's not a point of order, Mr. Bittle. I'm sorry.

There was a motion to adjourn this motion, and it was rejected by the majority of the committee, so we are continuing with the debate.

To the Minister, I am very sorry. I know that the minister wanted to be here to answer questions. Unfortunately, the vote is such that the majority of the committee wishes to continue with this debate and not adjourn it.

Continue, Ms. Thomas.

Mrs. Rachael Thomas: I find it interesting, then, that members at this committee are now being permitted to interrupt with so-called points of order in order to launch attacks at me when, at a previous time when a motion was moved, members who represent this side of the table were accused of being “unparliamentary”, rude, disrespectful or unacceptable. I find that very interesting and very rich, coming from Mr. Julian, when he is in fact—

• (1710)

The Chair: Ms. Thomas, can you stick to your amendment, please.

Mrs. Rachael Thomas: Yes, Madam Chair. That's exactly what I'm doing. Thank you.

So here we are debating a motion. It's interesting, because it came through now in writing from Mr. Housefather, but it was actually Mr. Bittle who put the motion forward at first, and then passed the mike off to Mr. Julian. And then Mr. Julian spoke for a little while, and then Mr. Champoux spoke for a little while—

The Chair: And then the clerk, Ms. Thomas, read the motion in English and French. We are now clear about what that motion is. Can we please continue with your amendment.

Thank you.

Mrs. Rachael Thomas: And then, yes, of course, that brings us to this place in time, where I have put forward an amendment. Of course, that amendment asks for a more reasonable allotment of time for the deadline for amendments to Bill C-11 to be due at committee. We've asked that they be due three days before the start of clause-by-clause—which seems fairly reasonable—because, of course, we want to make sure that we've heard from all of the witnesses before we are expected to hand in amendments. We want the right allotment of time to be able to go through the testimony we've received at this committee. There have been many important voices that have been heard here. But then in addition to that, there are also voices that have not been heard at this committee, voices that have not been given an opportunity to come and to testify.

Madam Chair, do you wish to speak?

The Chair: No.

Mrs. Rachael Thomas: Okay.

Again, my preference would be for a new motion, which I'm not permitted to put forward so I've simply put forward an amendment I believe is reasonable. But, of course, my preference would be that we actually have a fair and reasonable conversation around actually continuing this study at this committee in order to hear from witnesses who have not yet been heard from. That would be my preference.

Certainly I believe that's a fair ask, however, again, that doesn't seem to be the conversation on the table. The conversation, then, is around amendments, and when they're going to be due. That loops back around, though, in this circular motion, back to this place of

we'd really like them due later than Friday at 4 p.m., which is now fewer than 24 hours away. The reason why we want to push that deadline back a bit is because we want an opportunity to hear from other voices.

Even today, right now, the Liberal members, the NDP member and the Bloc member have determined that we are not going to hear from the minister today. So in making that determination—

Mr. Chris Bittle: I have a point of order, Madam Chair. It's Chris.

The Chair: Yes, Chris.

Mrs. Rachael Thomas: Madam Chair, I would ask that you truly make sure this is a point of order.

The Chair: Ms. Thomas, I think I have been ruling extremely fairly, so don't presuppose how I'm going to rule.

Mr. Bittle.

Mr. Chris Bittle: Thank you so much, Madam Chair.

The minister is stilling right here. He's ready to go. The vote on the amendment will take one minute, and then on the motion, and then we—

Mrs. Rachael Thomas: Debate.

Mr. Chris Bittle: —can get back to it. The minister is ready to go.

Mrs. Rachael Thomas: Madam Chair, this is debate. Madam Chair.

Mr. Chris Bittle: He's sitting right there.

Mrs. Rachael Thomas: Debate.

The Chair: Mr. Bittle, that is not a point of order, I'm sorry.

Ms. Thomas, I would like, though, to comment on the premise that you put forward to this committee that in the past, when the committee has decided to look at a study, and we were able to extend it or not, that was because on all of those studies there was a deadline motion. It was either a minimum of four meetings, or at least four meetings, or a maximum. There was no such thing in this unanimous agreement by this committee with regard to the meetings that were going to be held with three meetings of five hours each during the week of May 20.

That has been accomplished. We now need to move on to clause-by-clause. You are setting a deadline for clause-by-clause. Can you speak to that and not to the issue of having more witnesses or not having more witnesses, because then I would have to rule your motion out of order because it would be completely contrary to the original motion on the floor that you're seeking to amend. If you're going to speak to deadlines, please speak to deadlines.

Ms. Thomas.

• (1715)

Mrs. Rachael Thomas: Thank you, Chair.

The reason for my deadline being extended is that I would like to hear from more witnesses. With all due respect, I believe you will find that on the topic at hand.

No...?

The Chair: Well, I would like to say to you that as a chair I take my orders from the committee, and a unanimous motion was passed, which is setting the tone for how we deal with this particular issue on Bill C-11.

As far as I'm concerned, that unanimous motion has now achieved what it asked for, so we are now ready to move into amendments and into clause-by-clause. I think that is what we should be talking about, and not going back on a motion that had already been unanimously approved.

I would also like to point out to the committee that there's a hard stop for the minister at 5:45.

Thank you very much.

Ms. Alexie Labelle: Madam Chair, perhaps I can give you an updated speaking order.

The Chair: Yes. Thank you.

Ms. Alexie Labelle: After Mrs. Thomas, we have Mr. Perkins, Mr. Patzer and Mr. Uppal.

The Chair: We have Mr. Perkins, to the amendment, please.

Mrs. Rachael Thomas: On a point of order, I do still have the floor, Madam Chair, whenever you're ready to give it back to me.

[*Translation*]

Mr. Peter Julian: On a point of order, Madam Chair.

[*English*]

The Chair: You had the floor and you were speaking, and then, when I finished saying it, you decided to stop speaking.

There's a point of order. Who is it by?

[*Translation*]

Mr. Peter Julian: By Mr. Julian.

I'd just like the clerk to confirm that my name is next on the list and that I'll be able to speak after Ms. Thomas.

[*English*]

The Chair: I brought that up with the clerk, Mr. Julian, and she said that was on the original motion. We are now speaking to the amendment, so I'm sorry.

Mr. Peter Julian: Just to clarify, Madam Chair, the speaking order continues when the person signals, and I did, right after the amendment, so I would be right after Ms. Thomas.

The Chair: The clerk did not agree. I'm sorry. I tried to get your name up there and the clerk said no, that we are on an amendment now and that we have a new speaking order, so there you go. I am following what the clerk tells me are the rules that we should follow.

Go ahead, Ms. Thomas. You said you are still speaking, Ms. Thomas. Will you speak?

Mrs. Rachael Thomas: Madam Chair, perhaps you could just help me out with something here. The reason I was quiet is that you hadn't given me permission to speak yet. I was trying to be respectful of you.

I seem to get in trouble if I go ahead and speak. I seem to get in trouble if I don't speak. Perhaps you could just give me some ground rules that I can abide by. I wish to be respectful.

The Chair: Just try to be respectful in deed, not just in saying so, Ms. Thomas. Just be respectful.

You have the floor. Speak.

Mrs. Rachael Thomas: Thank you, Madam Chair.

As I was saying, there is still an opportunity here for this committee, because, as you've stated, the committee is the commander of its own destiny. If the committee does decide that it wishes to hear from more witnesses, there is no reason why it can't do that, which is the conversation I would love to have.

Again, we cannot have that conversation directly; however, it does relate to the amendment I have moved to the motion on the floor, because I am making that amendment in order to allow for more time so that we could possibly hear from more witnesses.

The reason I believe that it is important to hear from more witnesses is that we have many voices that have not yet been represented. For example, one of the things that Bill C-11 is intended to do, or so claims the minister, is to protect or contend for diversity. Now—

• (1720)

The Chair: Ms. Thomas, will you please speak to your amendment, which is about the deadline for amendments? We are not discussing witnesses, because I have a unanimous motion from this committee about the time, the number of witnesses: 10 meetings, which is 20 hours. That has been achieved. There is nothing further in the committee's unanimous agreement that tells me I can go beyond that.

You were speaking to moving the deadline for amendments. Can you please speak to that issue, which is what your amendment speaks to?

Mrs. Rachael Thomas: Madam Chair, it is appropriate for me to explain the reason for my amendment, so I am unsure why I am being asked not to speak to motivation.

Would you be able to clarify why you're asking me to be silent as to why I would move this motion, as to my motivation?

The Chair: It's because the motion—

The Chair: You asked for a deadline, and the deadline specifically said three days before clause-by-clause. There is nothing about three days and nothing to do with witnesses.

Your motivation may be so, but I would still like to hear you speak to your amendment, which is on a deadline. That's why I ruled your amendment in order, because it did not change the intent of the original motion by Mr. Bittle.

Now, if you decide to speak about witnesses, you are changing the intent of the motion by Mr. Bittle and I would have to rule your amendment out of order, so can we stick to what you wish to speak about, which is the deadline for an amendment?

Thank you.

Mrs. Rachael Thomas: I am uncertain as to why that is out of order.

Mrs. Rachael Thomas: Madam Chair, I am not changing my amendment. It stands as is, which is that the deadline for the amendments to Bill C-11 be moved to three days before the start of clause-by-clause.

I believe you gave me the mike so I could speak to my motivation. My motivation for moving this amendment is that we might be able to hear from more witnesses.

The Chair: There is no motion on the floor to hear from more witnesses. The motion that was carried unanimously had a very strong number of meetings, and that is what I am listening to because that is what the committee asked me to do.

Mrs. Rachael Thomas: Yes.

The Chair: You could speak to witnesses, but there is no motion that allows for this, at the moment, because there was no minimum on that unanimous motion.

I think you may speak, in which case you could speak to anything. You could read from the phone book if you wanted to, Ms. Thomas, but the issue here is that you talked a lot about good faith. If the good faith is for us to get on with this, if the good faith is for us to move to getting this bill to its amendments and to clause-by-clause, then let's do that and not just use your amendment to continue to just speak about anything, or whatever you wish to speak to.

I already told you that there is an agreement on witnesses and on meetings. The meetings were for 20 hours. The witnesses have been asked and called and the witnesses have already spoken. We do not have any more meetings for witness hearings, Ms. Thomas.

We're talking about the motion brought by Mr. Bittle, which was on a deadline for amendments.

Now, I would like to hear what, if you are proposing three days before clause-by-clause, the deadline of those three days will mean, Ms. Thomas. That is what you need to answer in your amendment. What do you mean by that deadline of three days before clause-by-clause?

As the chair, I will tell you that we have finished what the committee, unanimously, asked me to do, which was to have 10 meetings, 20 hours, within the week of May 30. That has been achieved. We should, then, move to clause-by-clause and we should, then, set a deadline for amendments so that we can do that. This is what the orders of the day and the orders of this committee actually are intended to do.

I just want to let you know that and say that there is no room in your amendment to discuss anything to do with the number of witnesses we have yet to hear.

I have finished, Ms. Thomas.

• (1725)

Mrs. Rachael Thomas: Oh, thank you.

I'm sorry. I want to return to something you said.

I am not allowed to talk about my motivation for this amendment, but I would be permitted to read from the phone book if I wanted to? That is correct?

The Chair: Ms. Thomas, you know that is something you can do when you filibuster, but you are not on topic right now.

We are supposed to debate your amendment to the motion that is still on the floor, Ms. Thomas. There is a motion on the floor that you are amending.

Mrs. Rachael Thomas: Yes, there is a motion on the floor that I am amending. I am asking for additional time before amendments to Bill C-11 are due at the committee.

It's hard to know when the start of clause-by-clause is going to begin. That would have to be a further conversation by this committee, which again would take place at another time, because part of the decision about when clause-by-clause would begin would be for us to determine if we have heard from enough witnesses, or would desire to hear from a few more.

Again, there would be appetite on this side of the table at least to give time to a few more, to be able to hear from other Canadians who are going to be impacted by Bill C-11 and have not yet had an opportunity to add their voice.

In front of me, I have a list of a total of 119 witnesses who were put forward to be considered by the committee. Of those, there are actually more than 50 who have not yet had an opportunity to come to speak. If we were to decide to move clause-by-clause back a bit and to hear from those witnesses, then whenever we decide to set that date for clause-by-clause consideration to commence, we would have to have our amendments in three days prior to that.

That's my proposal. That's what's on the table right now for this committee to consider. I'd love to have a conversation on that. I guess whether or not there would be appetite at this table for giving a little more time for those amendments to be drafted so that we can thoroughly review the testimony that has been submitted in writing as well as the testimony that has been granted here in person from those who have—

Mr. Chris Bittle: I have a point of order.

The Chair: Yes, we have Mr. Bittle.

Mr. Chris Bittle: Just for clarification, the minister is only here for a few more minutes. This filibuster is now—

Mrs. Rachael Thomas: There's no point of clarification. This is not a point of order. This is debate—

Mr. Chris Bittle: —into its second hour, and I think we should hear from the minister.

The Chair: Mr. Bittle, that is not a point of order.

The order of this meeting is to continue this debate. There was a question of adjourning the debate. The committee moved with a majority to continue the debate. So that is what as chair I have to do. The order of the day is to continue this debate on the amendment.

Ms. Thomas, when I actually stop speaking—

• (1730)

Mr. Michael Coteau (Don Valley East, Lib.): I can't hear you, Chair. Is it just me who can't?

The Chair: I have no idea. Is there a problem with the sound? Everyone can hear the chair all right.

Who is the person who said they couldn't hear me? Are they in the room or virtual?

Mr. Michael Coteau: I can't hear anyone. I'm going to sign out and [*Technical difficulty—Editor*].

The Chair: Fine, Mr. Coteau, you may do that.

Ms. Thomas, when I have finished speaking, and I have finished, you may begin. You still have the floor.

Mrs. Rachael Thomas: Thank you, Madam Chair.

Madam Chair, those of us on this side of the table had every intent of hearing from the minister today, and we do have every intent on being reasonable about when amendments are due. That has been our position throughout this week as this topic of conversation has come forward. However, there seems to be a desire at this table to prolong, to keep delaying an opportunity to hear from witnesses, in particular today to hear from the minister who has graciously given us his time to speak to Bill C-11. Now it looks like we will not have that opportunity, because a motion has been brought forward to the floor. Even though I moved that we suspend or adjourn debate, that motion was voted down by the members opposite. So, instead, they're insisting that we continue to have this debate on the motion that was brought forward earlier concerning amendments—

Mr. Chris Bittle: I have a point of order, Madam Chair.

The Chair: Yes, Chris, go ahead.

Mr. Chris Bittle: Again, the minister is here.

Mrs. Rachel Thomas: It's debate.

Mr. Chris Bittle: The vote will take a minute, and we can get going to hear the minister.

Mrs. Rachael Thomas: It's debate.

Mr. Chris Bittle: He still has 15 minutes here.

The Chair: Mr. Bittle—

Mr. Chris Bittle: Yes, Madam Chair.

The Chair: —that is not a point of order.

The question was asked as to whether this debate should be adjourned to allow the minister to speak. The majority of this committee voted to continue with the debate. I am so sorry.

I apologize profusely to the minister, but I have to do what the committee dictates that I do.

A point of order is that right now what we're doing is continuing to debate, Mr. Bittle.

Thank you.

Mrs. Rachael Thomas: Madam Chair, it's interesting to me that, today, in the House of Commons, the government House leader said during question period that the parliamentary secretary should not interfere in committee business, and that's exactly what we see

Mr. Bittle doing here over and over and over again. The hypocrisy is thick—

Mr. Chris Bittle: Madam Chair, I have a point of order. This is actually a point of order.

Mrs. Rachael Thomas: Oh, so you're acknowledging the other ones weren't.

The Chair: Go ahead, Mr. Bittle.

Mr. Chris Bittle: This is Mr. Julian's motion that we're debating, and this is not the—

Mrs. Rachael Thomas: Sorry, I have a point of order.

Mr. Chris Bittle: Madam Chair, I have the floor.

Mrs. Rachael Thomas: It's not a point of order—

Mr. Chris Bittle: Madam Chair, there's a lot of talk back and forth.

Mrs. Rachael Thomas: —this is debate.

The Chair: You know, Ms. Thomas, I would appreciate it if you would allow me to hear what is being proposed as a point of order before I rule on whether it is a point of order or not.

Mr. Chris Bittle: It's fascinating—

The Chair: Thank you.

Go ahead, Mr. Bittle.

Mr. Chris Bittle: Sorry, Madam Chair.

It's fascinating that Ms. Thomas is first to jump up and say that someone is interrupting her, but then will have no problem interrupting me.

What the parliamentary secretary is doing has nothing to do with what the amendment is. It is not relevant to the debate. Ms. Thomas should move on to the discussion. Again, we can get to the vote and still hear a little bit from the minister. He wants to speak, I'm sure.

The Chair: Ms. Thomas, I think that was a point of order. It was a point of order asking us to get back to the order of this meeting, which is for you to speak to your amendment.

Mrs. Rachael Thomas: Thank you for that clarification, Madam Chair.

Well, the amendment in front of us is that we would expand the time frame granted to be able to put forward amendments to Bill C-11. The reason I'm asking for that extra time is that I would like to propose that we hear from more witnesses. Now, I realize that right now we can't have that conversation in good faith. I'd love to have that conversation following a vote on this amendment and the substance of the motion itself.

The reason for that, of course, is that I believe that we as parliamentarians have a responsibility to hear from a diverse set of voices before moving forward and making decisions with regard to this bill. The point of bringing a bill to committee is so that it can be spoken to by witnesses from various backgrounds so they can add their voice, which may be in support of various aspects of the bill or perhaps the bill in whole, or it could—

• (1735)

Mr. Anthony Housefather: I have a point of order.

The Chair: Anthony, go ahead.

Mr. Anthony Housefather: Madam Chair, I'd call repetition. Ms. Thomas has repeated this verbatim three times now.

The Chair: And I have told Ms. Thomas that it is not speaking to her amendment. Ms. Thomas is doing exactly what Ms. Thomas wishes to do, which is to drag this on, and so we will allow her. She has the floor. She can drag this on for as long as she wants. I would like it to be very clear what is going on in this committee right now.

Ms. Thomas, I have spoken over and over that the number of witnesses and the number of hours of public hearings for witnesses has been achieved as per a unanimous decision by this committee. Now, you have suggested in your amendment that we have three days before clause-by-clause. I have told you that we do not know when clause-by-clause will be, but we do not have a lot of time to stretch anything out, because this bill is supposed to be reported back to the House before June 23, and so it—

An hon. member: According to whom?

The Chair: That's all I'm telling you, so can you continue to speak to your amendment or allow other people to speak to your amendment or against your amendment?

Thank you.

Mrs. Rachael Thomas: Madam Chair, I do have to ask a question for clarification before continuing.

You ascribed motivation to why I'm speaking.

The Chair: I did not.

Mrs. Rachael Thomas: I'm wondering if you feel this is appropriate, as a chair. Madam Chair, if you go back and review your words, you will realize you ascribed motivation to me. You accused me of wanting to drag this out. Madam Chair, that is inappropriate.

The Chair: Mrs. Thomas, I have asked you, numerous times, to stick to the concept of a deadline for amendments, which is what your amendment to the motion is about. You have refused to do that. You have continued to speak to another issue, which I said you cannot speak to, because this committee already decided how many public meetings we were going to have to listen to witnesses. That has been achieved.

You continue to pretend I did not say that. I have to, therefore, wonder if you have another motivation, other than speaking to your amendment.

Mrs. Rachael Thomas: Madam Chair, ascribing motivation to me is inappropriate.

The Chair: Mrs. Thomas, you have the floor. Please speak to your amendment.

Mrs. Rachael Thomas: Yes, Madam Chair. That is what I have been doing. Perhaps, if we see differently on this, you could seek the counsel of the clerk.

The Chair: Your amendment was moved in order, because it did not change anything with the main motion. You cannot make an amendment that will change the main motion. You were speaking to the main motion, which is about deadlines, so I would like you to speak about deadlines.

Thank you very much.

Mrs. Rachael Thomas: Yes, Madam Chair. I am speaking to deadlines, and I'm speaking to why I would like to see that deadline changed. I believe this is within the scope of the amendment I have moved. If you and I see differently on this, I am happy to have this suspended for a moment while you seek clarity from the clerk.

The Chair: I do not seek clarity from the clerk. Thank you very much.

Continue, Mrs. Thomas.

Mrs. Rachael Thomas: Thank you.

Madam Chair, I'll also seek clarity on one other thing.

You seemed quite firm about there being a certain date by which we need to report this bill back to the House. That was never put forward to this committee. In fact, the extract from the Journals of the House of Commons, as of Thursday, May 12, reads:

That Bill C-11, An Act to amend the Broadcasting Act and to make related and consequential amendments to other Acts, be now read a second time and referred to the Standing Committee on Canadian Heritage.

Within that, there is no deadline by which this committee has to report this bill back to the House. Madam Chair, I'm wondering if you have secret information the rest of us are not privy to, and, if so, why that hasn't been tabled for the committee to see.

● (1740)

The Chair: Mrs. Thomas, you have suggested that we continue.... As chair, I work on orders from the committee. The unanimous orders from this committee were that we have 10 meetings equivalent to 20 hours, and that they end the week of May 30. We are in that week.

There is no suggestion that we have to continue to talk about anything. We know—we all know—that the next step is to go to amendments and clause-by-clause. I am asking that we continue to obey the orders of the day, which say that this bill, now that it's finished with public hearings, go to amendments and clause-by-clause.

Mrs. Rachael Thomas: Madam Chair, again, the motion that was moved at this committee says:

That the committee hear witnesses on the topic of Bill C-11, an Act to amend the Broadcasting Act and to make related and consequential amendments to other Acts for one meeting lasting five hours during the week of May 23, 2022; that the committee continue to hear witnesses for an additional three meetings lasting five hours each during the week of May 30, 2022; and that during the meeting of Tuesday, May 24, 2022, no motion shall be moved.

That is—

The Chair: Every single item of that motion has been completed.

Mrs. Rachael Thomas: Madam Chair, I am seeking clarity, though, as to what part of that motion says there is a hard stop and we have to get this back to the House by June 23. I don't read that in this motion, so I'm wondering if there is something I have missed.

The Chair: It reads, “that the committee continue to hear witnesses for an additional three meetings lasting five hours each during the week of May 30, 2022”. This is the week we are now completing, so those were the clear and detailed instructions in that motion.

Mrs. Rachael Thomas: Okay. So Madam Chair, I'm just clarifying—

The Chair: It did not say “a minimum of” or any such thing. It said for the week of May 30, 2022, for “additional” meetings.

Thank you.

Mrs. Rachael Thomas: Thank you.

So it also doesn't say “maximum”.

As a second point of clarification—I want to make sure I have all the information, because I feel like maybe there's some that I've missed—was there an amendment made to this motion that means we have to report back to the House by June 23? Did I miss that?

The Chair: No, you did not miss it, but I am suggesting that if we continue with the order of the day, which is to now move to amendments and to now move to clause-by-clause, we will have finished it before the House rises. That's unless you would like us not to have any meetings further to this.

Mrs. Rachael Thomas: Okay, Madam Chair. Thank you. I—

The Chair: I'm talking about good faith here. This is good faith that was agreed on in this motion, and now you are backing down from that. That is what I see, and I have to ask you why.

Mrs. Rachael Thomas: Madam Chair, the statement you made just moments ago is that we had to get this done and back to the House by June 23—you made it sound very matter of fact—which, I think you've just revealed, is actually not in the motion. I have it directly in front of me as well. I don't read it there. You've just confirmed for me that there's not an amendment that I wasn't privy to.

I do have to ask, then, Madam Chair, why would you state that we have to have this back by June 23 if that is not in fact a decision made by this committee? The responsibility of this—

[*Translation*]

Mr. Martin Champoux: On a point of order, Madam Chair.

[*English*]

The Chair: Yes, Mr. Champoux.

[*Translation*]

Mr. Martin Champoux: Madam Chair, on the one hand, our conservative colleague is straying from her main subject, which is the amendment she is proposing. On the other hand, when she comes back to it, it is to repeat exactly the same things she has been telling us for quite some time.

Madam Chair, I believe you have the authority to rule and force a vote on the amendment and then the motion before us, so that we can get back to the committee's agenda.

[*English*]

The Chair: According to the rule book, Mr. Champoux, I do have the authority. If the debate is being repetitive, and if in my mind nothing new is being gained by the continuing discussion, I

could do that. That is not used very often, because quite often on committees we depend on goodwill to move forward according to the rules and according to the traditions.

So I could do this, in which case I will ask for the vote to be called on the amendment and then the vote to be called on the main motion.

• (1745)

Mrs. Rachael Thomas: I have a point of order.

The Chair: Yes, Ms. Thomas.

Mrs. Rachael Thomas: Madam Chair, you can dictatorially decide to move past me, but you have to hear from the rest of the people who are on the list to speak.

However, I would ask that you be respectful of the fact that I do hold the floor and that I have been respectful as to this motion and speaking to it on topic.

If we disagree on that, then I would ask that you consult with the clerk.

Mr. Peter Julian: A point of order—

The Chair: Ms. Thomas, you don't have to ask that I do anything. I am the chair of this committee and I know the rules.

Mr. Champoux is absolutely right about the rule that allows me to end your speaking because you are continuing to repeat the same things. I have not done that yet. I have given you a lot of leeway to continue to repeat yourself, Ms. Thomas.

Mr. Peter Julian: I have a point of order.

The Chair: Yes, Mr. Julian.

Mr. Peter Julian: Thanks very much, Madam Chair.

I've seen a ton of repetition, and I would argue there's the issue of relevance as well. You do have the ability to enforce committees, and in this case, of course, during the Harper years it was systematic—

Mrs. Rachael Thomas: Madam Chair, that is not a point of order. This is debate.

Mr. Peter Julian: —that Harper chairs—

Mrs. Rachael Thomas: Debate.

Mr. Peter Julian: —would ensure—

Mrs. Rachael Thomas: Debate.

Mr. Peter Julian: I'm being heckled by Ms. Thomas. Could you bring this to order, please?

The Chair: Ms. Thomas—

Mrs. Rachael Thomas: Yes, Chair. This is debate.

Mr. Peter Julian: Could you bring this to order, please?

Mrs. Rachael Thomas: This is debate.

The Chair: Mr. Julian is [*Inaudible—Editor*]—

Mrs. Rachael Thomas: Debate.

The Chair: Ms. Thomas—

Mrs. Rachael Thomas: Debate.

The Chair: —would you like to be the chair—

Mrs. Rachael Thomas: Debate.

The Chair: —of this committee?

Mrs. Rachael Thomas: Yes.

The Chair: You can continue to speak over me and above me and over anyone else who continues to speak. This shows a lack of respect for your colleagues.

Now, Mr. Julian is speaking. It is a point of order, because he is speaking to the issue of your amendment. You were speaking, and he is suggesting that you are repeating yourself and that it is time to ask you to step down from your debate.

Mr. Michael Coteau: A point of order—

The Chair: Now, that is a rule—that is a rule—of committees. The chair can do that.

Mr. Michael Coteau: I have a point of order, Madam Chair, when you have time.

Mr. Peter Julian: Sorry—

The Chair: Yes, Mr. Coteau?

Mr. Michael Coteau: Can I just say that it is past 5:45 p.m. and the minister has been waiting for an hour? Can we just agree through you, Chair, to thank the minister? Hopefully, we can hear from him in the future, but we can let him leave and let the witnesses know that the minister was here and he was prepared to speak to the issue.

I just want to say thank you to him and the department for being here and to say, on behalf of the committee, I'm sorry for wasting his time.

The Chair: Thank you, Mr. Coteau.

I would like to say to the minister that I apologize profusely. You must leave, I know, at 5:45 p.m. You always indicated that you had to do that.

I would thank you for your patience and for waiting. I would like to ask you to come again to present to us, except that I have no idea what is going to happen to this committee and whether we should be meeting again at another time, or whether we will continue to debate the amendment to the motion for the next set of meetings.

Thank you very much, Minister. I apologize. Thank you for your patience.

Hon. Pablo Rodriguez (Minister of Canadian Heritage): Thank you, Madam Chair.

I have to say that I'm very disappointed that I didn't have the chance to speak today.

Thank you.

The Chair: Thank you.

Mr. Peter Julian: Madam Chair, it's Mr. Julian.

I just wanted to complete my point of order, if I might.

The Chair: Go ahead, Mr. Julian.

Mr. Peter Julian: Thank you, Madam Chair.

I was citing relevance. I was as well citing repetition. The reality is that you have the ability to make that decision—

Mr. Jeremy Patzer: This is debate, Madam Chair. He is debating what is going on here.

The Chair: Yes—

Mr. Peter Julian: I'm being heckled by—

[*Translation*]

Mr. Martin Champoux: I too have a point of order, Madam Chair.

[*English*]

The Chair: Mr. whoever is speaking over Mr. Julian—

[*Translation*]

Mr. Martin Champoux: Madam Chair, I just want to ask my colleagues to keep their voices down on the microphones, because interpreters do not deserve to be shouted at like that.

Thank you.

[*English*]

Mr. Peter Julian: Just to complete my point of order, I thank Mr. Champoux for thinking of the interpreters—

The Chair: Thank you. I agree with you.

Mr. Peter Julian: I'm sorry, Madam Chair, but just to complete, you have the ability to make that decision, to make that call that we move to the vote because of repetition and, of course, I will complete my comments, Madam Chair—

• (1750)

Mr. Jeremy Patzer: I have a point of order.

The Chair: Excuse me. There is a point of order.

Can people please mute the table mike? That's how come the shouting is going on.

Mr. Peter Julian: Yes.

The Chair: Now, Mr. Julian—

Mr. Peter Julian: The Conservatives have been extraordinarily unruly. That behaviour is really unacceptable.

The reality is that you have the ability to make that decision. Ms. Thomas has the ability, of course, to appeal the decision of the chair and committee will decide.

I would impress upon you, Madam Chair, that you make that decision, and if Mrs. Thomas disagrees, she can basically challenge the chair and the committee will decide.

The Chair: Thank you, Mr. Julian.

Mr. Rick Perkins: I have a point of order.

The Chair: Who has the point of order?

Mr. Rick Perkins: It's Rick Perkins.

The Chair: I have no idea who it is.

Mr. Rick Perkins: It's Rick Perkins.

Just to clarify, the chair, if she wants to impose some sort of censure or closure, she can only do it on the speaker, not on the speakers list. She cannot move directly to the vote in my understanding.

The Chair: I'm sorry. I didn't get what you were saying, Mr. Perkins. Can you please repeat?

Mr. Rick Perkins: Certainly, Madam Chair.

Mr. Julian suggested on his point of order that he could go or you could go directly to the vote. I don't believe that to be the case in the rules. You have the power, if you choose—the extraordinarily rarely used power—to stop a member from speaking. I would suggest that's not appropriate at this time, but you do not have, as I understand it, the power to go straight to the vote and ignore the speaking list on this motion.

The Chair: I agree with you that. We are speaking.... I thought I understood Mr. Julian and Mr. Housefather who intervened earlier on with regard to repetition, but I am speaking about a particular member who is being repetitive, and that is what I have the power to do. What I think I will do is ask this member not to continue with her...which has been so repetitive that I think I can repeat everything that the member has said, and I would like to move to the next in line to continue the debate on the amendment that was raised by Ms. Thomas.

Clerk, I do not know whose hands are up in order to do that.

Ms. Alexie Labelle: Madam Chair, the speaking order is Mr. Perkins, Mr. Patzer and Mr. Uppal. Those are the hands that I've seen for now.

The Chair: Thank you.

Mr. Jeremy Patzer: I have a point of order.

The Chair: Yes.

Mr. Jeremy Patzer: Madam Chair, I just feel that because there were multiple points of order on my colleague and was continually cut off, she was unable to establish what she was actually trying to say.

I think she was just trying to establish the reasoning and the rationale for the subamendment, which is perfectly in order. She was speaking to the reasoning for the subamendment and why the subamendment is important. I do think that it would be inappropriate to end her chance to speak at this point in time because she was speaking to the relevance of the subamendment.

I think Mrs. Thomas should be able to continue to speak.

The Chair: I hear you, Mr. Patzer, but I have ruled. Thank you.

Mr. Perkins, please.

Mr. Rick Perkins: Thank you, Madam Chair.

I am very disappointed that you chose to shut off the discussion of the mover of the motion who was constantly interrupted by both the NDP and Liberal members, which prevented her from getting to her point.

The question going forward is the amendment on the amount of time that's given to committee members to put forward amendments to this important piece of legislation. We've already seen ex-

cessive use of closure in the House by the government with the support of their partner, the NDP. It's been 31 times, I believe, in six or seven months. They did it in this bill. In fact, two days ago they did it on a piece of legislation in the House after one opposition speaker and two hours of debate. Now—

Mr. Chris Bittle: I have a point of order, Chair.

The Chair: Yes, Mr. Bittle.

Mr. Chris Bittle: This very much isn't relevant. I'm sorry to be interrupting the Conservatives, but they aren't relating it back to the amendment. This is well outside the scope of the amendment and if Mr. Perkins could get back to debate—

● (1755)

Mr. Rick Perkins: Perhaps if Mr. Bittle had actually been listening instead of going through his phone, he might have heard the introduction to what I was saying, which is the issue of the amendment. Only allowing less than 24 hours to amend a very extensive bill obviously is consistent with the government's and their partner's, the NDP, desire to end democracy in any legislation and have any scrutiny over a bill that continues to have—

Mr. Peter Julian: I have a point of order.

The Chair: Yes, Mr. Julian.

Mr. Peter Julian: I would cite relevance here, Madam Chair, but he's also factually incorrect. He knows he can bring amendments forward even up to consideration of clause-by-clause. It's on relevance and I'm seeing repetition from the Conservative side. I would call this, again, on repetition and relevance.

You have the ability, of course, to make a decision on the committee's behalf, Madam Chair.

The Chair: Can people on the floor please mute their mikes? I cannot even hear myself speak. Thank you very much.

I made a ruling as the chair on Mrs. Thomas's relevance and repetition. Mr. Perkins has just begun to speak. I cannot accuse him of either at the moment, but Mr. Perkins knows that he needs to be speaking to the amendment. I think he's doing so as far as I can hear.

Mr. Perkins.

Mr. Rick Perkins: Thank you, Madam Chair.

I'll start again because clearly the members weren't hearing what I was saying.

We're dealing with an amendment here to the proposal by the government, with their NDP partner, to limit the amount of time on a very large and important bill that deals with freedom of speech on the Internet. It's about limiting to 24 hours the amount of time members of Parliament have to put forward amendments on this committee.

That's consistent with the approach they've been taking with closure on this bill and many others in the House. I would suggest that the most important part of the legislative process obviously is the ability to study clause-by-clause, to hear from witnesses in committee and to propose amendments. It's really quite appalling that the government chooses to want to limit debate on their bill, the scrutiny of the public on their bill and the proposals that one might make on amendments.

In terms of committees, perhaps the interfering parliamentary secretary would prefer to—

The Chair: Mr. Perkins, can you just stick to what you're saying? Casting aspersions on our colleagues is not something we have a tendency to do in this committee.

Thank you.

Mr. Rick Perkins: I've heard lots of it already today with regard to my colleague, Ms. Thomas, but I'll move forward on the issue of the closure that the government is trying to bring and the limited time the government is trying to allow for amendments to a very important bill on freedom of speech. It's kind of ironic that a bill that limits freedom of speech on the Internet has a limited time for amendments and a limited time for witnesses to comment.

The chair said, as is the case in other committees, that this committee is in charge of its own destiny. When I looked at the past comments about the 20 hours, I saw that Mr. Julian said that this was a good start as a minimum. Mr. Nater said that we could revisit that partway through.

I think that's what Ms. Thomas is saying with regard to moving the time frame for amendments, which would provide more time for witnesses to hear the minister. The government decided not to hear from him today by rejecting the opportunity to adjourn the debate on this motion to hear from the minister. The NDP and the Liberal members decided to vote to continue this debate and then ironically said that, somehow, we're delaying the debate. It is they who voted to continue this debate, when we were willing to adjourn it.

Perhaps what I could add and consider going forward on this... Yes, I spoke to this bill on February 28 in the House and asked to join today to be able to question the minister and participate in this, because it is an important bill and more time is needed. I was surprised that the Liberals were trying to limit debate—

● (1800)

Mr. Chris Bittle: I have a point of order, Chair.

Mr. Rick Perkins: —on the amendments.

I will continue to—

The Chair: I don't know who has a point of order, but there you go.

Mr. Chris Bittle: It's Chris.

The Chair: Go ahead, Chris.

Mr. Chris Bittle: Thank you so much.

Mr. Perkins is speaking about everything but the amendment and the motion, so it is not relevant to—

Mr. Rick Perkins: I have the floor. I'm allowed to speak about what I want.

Mr. Chris Bittle: He's trying to talk over me, Madam Chair.

If he's going to filibuster, he has to do it properly. It needs to be relevant to the subject matter, which is the amendment that's before us.

The Chair: Thank you very much, Mr. Bittle. I accept that as a point of order.

Mr. Perkins, you still have the floor.

Mr. Rick Perkins: I do, and I'm leading up to a point where I think all members would be enlightened by the opportunity to hear from more witnesses and to understand that the time frame that's being imposed by the government on this amendment limits the ability to do so.

The committee has control of its own destiny and can choose to amend it. In fact, three times in the committee that I sit on—the fisheries committee—including on a study put forward by the NDP, we extended it for witnesses. We extended the amendment time on the study we did on the fire on the container ships in Vancouver harbour. We extended the time for amendments on several of our studies. On the current study, we've decided to hear from more witnesses than we originally agreed to, and we'll extend the hearings until the fall.

This isn't an unusual thing that happens—

The Chair: Mr. Perkins.

Mr. Rick Perkins: Yes.

The Chair: With all due respect, this committee has the ability to make its own decisions. It made a decision in writing in a motion in English and French that we were to continue to have hearings to amount to 15 extra hours on the week of May 30. We have fulfilled that, so to continue to ask for that kind of change from what the committee unanimously agreed to and to comment on that, I think, is outside of your purview right now, because you were not here when we passed that motion.

I am guided by the unanimous motion passed by this committee. The amendment that Ms. Thomas brought forward has to do with a deadline for amendments. I would prefer that we listen to that debate on a deadline for amendments, please.

By the way, I would like to point out and remind this committee that we have been trying to get this deadline, not today, but since Monday. This committee has had a business meeting to try to bring forward a deadline for amendments. That would have given us Monday, Tuesday, Wednesday, Thursday and Friday—five days—to make this decision. Each time this was brought up, there was an intervention that prevented us from getting to that particular vote.

This is not something that is new and that suddenly came up today.

Now, Mr. Perkins, you may continue.

Mr. Rick Perkins: Thank you, Madam Chair.

I have a little issue with the perspective you shared with the committee that somehow as a member of Parliament who is substituting into this committee my thoughts or my opinion on what should happen going forward and what's happened in the past somehow is of less value to others.

I am a member of this committee today.

The Chair: Mr. Perkins, I did not say that, but you were not here. You made it sound like this is something that is happening today. This has been going on now since Monday. This committee has been trying to get one thing and that is a deadline for amendments. Each time that motion was to come to a vote, it has not been allowed to occur.

I'm just giving you that piece of information. That's all.

Mr. Rick Perkins: I appreciate that. The democratic right of members of Parliament to put forward ideas to move committees forward or change that, that's part of the committee having its own right and destiny to go forward. There are always opportunities to adjust that. In fact, it happens in most committees.

As such, I would propose a subamendment to the amendment.

The Chair: What?

Mr. Rick Perkins: That subamendment would be to extend the date in order to, as outlined by Ms. Thomas, allow for more witnesses, including the appearance of the minister at a later date.

• (1805)

The Chair: I don't think you can move a subamendment while there is an amendment on the floor.

Mr. Rick Perkins: Yes, you can. That's the purpose. I have the floor. I have the ability to move a subamendment to an amendment.

The Chair: You can, but I don't know that the chair can recognize it.

Mr. Rick Perkins: That would be very unusual under parliamentary rules.

The Chair: I'm just checking the rules.

Mr. Rick Perkins: Perhaps you should check with the clerk.

The Chair: I am checking the rules at the moment on that issue.

Mr. Rick Perkins: Would you care to suspend while you check with the clerk, please.

The Chair: Yes, please. I'd like to suspend for lots of reasons other than checking with the clerk. I think it is time for everyone to have some kind of refreshment break or whatever break, because we have a hard stop for this committee to end, and then when we get to that stop, there will be no other room, no room and no one to carry on meetings.

I wanted you to know that. I'm suggesting that the committee ends at 6:45 hard stop. The room is closed and all of the staff leave.

Thank you very much. We will suspend for two minutes. Thank you.

• (1805)

(Pause)

• (1810)

The Chair: We will resume the debate.

I would need to hear from Mr. Perkins what exactly his subamendment is before I can rule it in order. It has to deal with the amendment.

Thank you, Mr. Perkins.

• (1815)

Mr. Rick Perkins: Thank you, Madam Chair.

I think the clerk has it typed out in front of her. She could—

The Chair: Read it to us?

Mr. Rick Perkins: —either email it or read it.

The Chair: Clerk, could you please read the subamendment?

Ms. Alexie Labelle: Yes. I can perhaps read the motion with Ms. Thomas's amendment.

The Chair: Yes, please.

Ms. Alexie Labelle: It reads, “That the deadline for amendments be three days prior to clause-by-clause”, and then the subamendment would be to add “and after the minister appears before committee”.

The Chair: That subamendment is in order, so we will entertain debate on the subamendment, please.

Mr. Rick Perkins: I speak to my subamendment first, I believe.

The Chair: I said yes. Obviously you have to speak to it.

Mr. Rick Perkins: Thank you, Madam Chair.

The subamendment, to add clarity to the amendment, which appears to be what some of the members around this table were seeking, provides a little more rationale as to why the date for submitting amendments to the bill should be three days afterwards so that we can hear from additional witnesses and the minister, who unfortunately had to leave as a result of the unwillingness of the government members to adjourn this very debate that we're having.

I think it's important we hear from—

Mr. Anthony Housefather: I have a point of order.

The Chair: Excuse me, I do not think that was a subamendment that the clerk read. She did not read “and four other witnesses”.

Mr. Rick Perkins: That's what I gave the clerk.

The Chair: Well, the clerk said three days after the deadline that was in the original amendment and after the minister has appeared.

Mr. Rick Perkins: I'm sorry, Madam Chair, I was aware—

The Chair: Clerk, will you please read it?

Mr. Rick Perkins: Just a moment, I thought I had done that, but apparently it's not there, and that's okay. It says—

The Chair: That's why I ruled your subamendment admissible.

Mr. Rick Perkins: I appreciate that. Thank you.

The Chair: All right.

Mr. Rick Perkins: Madam Chair—

Mr. Anthony Housefather: I have a point of order, Madam Chair.

The Chair: Yes, Mr. Housefather.

Mr. Anthony Housefather: I'm just wondering, Madam Chair, can the clerk please, then, circulate the subamendment by email to everybody so we could all have it in front of us? I have essentially very little understanding of where the proposed substitution is.

Mr. Rick Perkins: I would be supportive of that. We could suspend the meeting until we all get that. I would appreciate getting a copy as well, please.

The Chair: I would remind the committee we have a hard stop for the staff to leave and for the room to be empty at 6:48 p.m.

I'll suspend for the clerk to send the subamendment to everyone.

Mr. Michael Coteau: How long will you suspend for, Chair?

Mr. Rick Perkins: I assume until we get it.

The Chair: I don't know, Mr. Coteau. For as long as the clerk takes until she sends it. I have no idea how long that will take the clerk, Mr. Coteau.

Mr. Michael Coteau: Okay. Thank you so much.

Mr. Rick Perkins: It also, I suspect, needs to be in both official languages.

The Chair: This is what the Conservatives have been asking for, both official languages, so I think we have to, as Ms. Thomas would agree, stick to what we say we're going to do in both official languages.

• (1815) _____ (Pause) _____

• (1820)

The Chair: I will resume the meeting.

Mr. Peter Julian: I have a point of order.

The Chair: Go ahead, Mr. Julian.

Mr. Peter Julian: Thank you, Madam Chair.

I just want to state for the record, through you to the clerk, that we will be submitting our amendments tomorrow at 4 p.m..

We believe it's fundamentally important that staff be respected. As a result of that, I'm giving you the information that the NDP will be submitting our amendments by tomorrow at 4 p.m. We've been working on them diligently. As we've been hearing, it's important to be able to two things at once, Madam Chair, to both hear from witnesses but also incorporate the information they've been providing, so we will be submitting them.

The Chair: Thank you very much, Mr. Julian. That's good news, indeed, and I think that the legislative clerk and so on—

[*Translation*]

Mr. Martin Champoux: On a point of order, Madam Chair.

[*English*]

The Chair: —will really appreciate it.

Yes—

[*Translation*]

Mr. Martin Champoux: It's Mr. Champoux.

[*English*]

The Chair: We have an order coming here. I wish that people would please mute their mikes on the floor, so that I don't have to listen to myself shout into a big room.

Mr. Champoux.

[*Translation*]

Mr. Martin Champoux: For our part, we like to hear you, Madam Chair.

That said, I don't know if the point raised by Mr. Julian was really a point of order, so I don't know if I should raise a point of order or simply ask for clarification. In any event, I want to say that the Bloc Québécois has also been working for several days to prepare amendments to Bill C-11, and we will be tabling them by tomorrow, Friday, at 4 p.m., in accordance with what we have been trying to get passed since the beginning of the week.

I wanted to say that we, too, think it's very important that the bill be allowed to go forward. So we are going to be ready and our amendments will be sent to the legislative clerk tomorrow, before 4 p.m., as the committee generally wishes.

[*English*]

Mr. Chris Bittle: On a point of order, it's Chris Bittle.

The Chair: Thank you very much, Mr. Champoux.

Mr. Bittle.

Mr. Chris Bittle: Thank you so much, Madam Chair.

Further to what Martin said, and I don't know whether this is a point of order or a point of information—

The Chair: It's a point of information.

Mr. Chris Bittle: We will also be submitting our amendments by four o'clock tomorrow.

The Chair: Thank you very much.

I am resuming the discussion on—

Mr. Anthony Housefather: I have a point of order.

The Chair: —subamendment....

Yes.

Mr. Anthony Housefather: Thank you so much, Madam Chair. It's Anthony.

I was just going to ask you to rule on whether or not the subamendment is receivable. I think it's void due to uncertainty. It does not suggest what minister is supposed to appear before the committee, and given the fact that there are many ministers, I don't believe that amendment is receivable. I think it's void due to uncertainty.

The Chair: All right. You have heard that.

I think that is a point of order, and perhaps we will have to rule that subamendment out because it does not specify the minister.

Mr. Tom Kmiec (Calgary Shepard, CPC): Madam Chair, on a point of order, it's Tom Kmiec here.

You already ruled that the subamendment was in order. You cannot then change your mind afterwards.

You made a ruling as a chair of the committee, so we have to deal with the subamendment. We already started debate on it with Mr. Perkins. You cannot then go back and change it. Just as in the chamber, when speakers make a ruling, they cannot go back and change that ruling after the fact.

The Chair: Thank you so much—

Mr. Tom Kmiec: You're very welcome.

The Chair: —for informing me of what I can and cannot do.

I would like to suggest that we have a member of this committee challenge that I should not have ruled it in order for a very specific reason of clarification of which minister it is. I am entertaining that.

We have had people raising points of clarification during the course of hearings on Bill C-11. People have wanted things in writing, wanted them in both official languages, because they did not understand what these meant.

A member is now suggesting that he does not understand what the subamendment means. The subamendment is not necessarily out of order, but there is a point of clarification being raised by one of our colleagues, and I am listening to it. Mr. Perkins also heard it.

While in theory this subamendment is in order, I think that the degree of uncertainty about the minister is a very important point.

• (1825)

Mr. Tom Kmiec: On a point of order, it's Tom Kmiec again.

The Chair: Yes, Tom Kmiec.

Mr. Tom Kmiec: On the procedural matter, you made a ruling as the chair, and there was debate already commenced by Mr. Perkins. Therefore, you ruled that the subamendment was in order. The member, Anthony, for whom I have a great amount of respect—he and I have talked many times, and we have a great shared love for Yiddish proverbs. However, on the merits of the subamendment, he can debate the merits of it, and perhaps the confusion is that it doesn't say the specific minister there, although colloquially we all know who we're speaking of...

On the procedural matter, if you look to the book, you have already made a ruling. You've determined that it was in fact in order. Debate commenced, and now a member is saying they don't understand the subamendment that was sent around by the clerk.

He is free, when the moment comes, to vote down the subamendment, but the ruling you made initially is the ruling that now is binding on the committee. That's my understanding of how the procedures are to work. I would welcome it if you were to consult with the clerk on this matter, if you choose to.

However, since we've started debate on it, we should thereafter continue debate until the matter is resolved with a vote, either recorded or on division.

Mr. Anthony Housefather: I have a point of order. It's Anthony.

The Chair: Just a minute, I would like to answer Mr. Kmiec's point. That point is simply this: we did not begin debate on the subamendment. We were just passing the subamendment around before there were speakers, so there you go.

Mr. Rick Perkins: On a point of order, Madam Chair, this is MP Perkins, I had started and was speaking to my subamendment when I was interrupted by points of order, which were really just points of information and not points of order on their desire to put in their own amendments, which is fine. I had started my explanation. If you check the blues you will see. If you want to suspend to ask the clerk to check the record, I had started my explanation of my subamendment.

The Chair: Mr. Perkins, you had not. Everyone asked that you put it in writing, which you did give—

Mr. Jeremy Patzer: I have a point of order.

Mr. Rick Perkins: I will challenge your ruling on that, and I would ask the clerk to check the record.

The Chair: I would like order, please. Order.

Thank you very much.

I would like to suggest that we suspend. We could not accept your wording, and I asked you to send it so that it can be very clear. You sent it to the clerk in both official languages. The clerk then sent it to everyone else. Not everyone in the room had received it. Mr. Kmiec and somebody else had not—I think you had not received it. You had not really begun debate. I had not really said that it was in order until I got to read it. That all happened after a suspended moment.

Now, before you began to discuss your subamendment Mr. Housefather asked for some clarity, and that is—

Mr. Rick Perkins: That's totally incorrect, Madam Chair. You ruled it in order. I was speaking—

The Chair: Challenge me.

Mr. Rick Perkins: I did. I challenged you. I was speaking when three members of this committee... I had been about two to three minutes into my presentation on my subamendment when Mr. Julian, the member from the Bloc and the parliamentary secretary chose to interrupt with pseudo points of order. They in fact were just points of information, which you allowed. I had already started my explanation of the subamendment.

If you would look, and suspend in order to check with the clerk, I'm sure the clerk will confirm that.

The Chair: I will ask the clerk to confirm those minutes. I can tell you, I may have just had a blackout right there when you were speaking because I did not hear you begin debate. I had points of order coming from everyone at the moment before you began debate.

Clerk, may I get some clarity on this, please?

• (1830)

Ms. Alexie Labelle: Just to go back to the challenge of the chair's ruling, you had ruled the subamendment in order. The point of order challenging the decision made by Mr. Housefather was not done immediately after your ruling. It really is up to you to determine if the challenge can be accepted. Usually a challenge has to be made right when the ruling happens. In this case we had several points of order before Mr. Housefather's point of order.

The Chair: But we did have points of order before Mr. Housefather. I think each point of order clarified themselves or checked themselves by saying that they were points of information. Thank you.

Mr. Jeremy Patzer: I have a point of order, Madam Chair.

The Chair: Yes, Mr. Patzer.

Mr. Jeremy Patzer: I think, for the benefit of the committee, I would like to just add in that Mr. Perkins had started his deliberations. There was some confusion because he had thought he had talked about a specific part of the subamendment that was different from what it was. We got that clarified. Then he started again into it. Then that's when the points of order happened. It was very clear that the debate had begun and then there were points of order. Then Mr. Housefather brought his point in.

Mr. Perkins, and again, I'm sitting right beside him so I heard him, he did in fact start debate on his subamendment. As he started—

Mr. Anthony Housefather: I have a point of order.

Mr. Jeremy Patzer: —I then turned to the clerk to make sure I could get on the speaking list as well. Mr. Perkins did, in fact, begin his debate on this subamendment.

Mr. Anthony Housefather: I have a point of order, Madam Chair.

The Chair: Thank you.

Mr. Housefather.

Mr. Anthony Housefather: I'm so sorry, Madam Chair. I know this is very trying. You're doing an incredible job under the circumstances. What I wanted to say was that when I heard the debate begin, I was the one who raised the point of order and asked for a copy to be sent to all members. I was unclear on what had been raised.

The Chair: Yes.

Mr. Anthony Housefather: As soon as I had received the document and had the opportunity to look at it, then points of order were being raised by other people—

The Chair: Yes, you're right.

Mr. Anthony Housefather: —but no debate had ensued on the amendment before I raised the issue that I believe this amendment is vague and uncertain, and therefore should not be receivable.

While I hate to say it would be a challenge to the chair, I didn't think you had ruled in the first place. I think either you should make a ruling or my challenge should be allowed. I don't think there was any opportunity to make it otherwise.

Mr. Rick Perkins: I have a point of order.

The Chair: I agree with you, Mr. Housefather. When you were about to raise your challenge, we had three points of order, one after the other, and I did not hear Mr. Perkins begin debate.

Mr. Rick Perkins: I have a point of order, Madam Chair.

The Chair: May I finish? I know you have a point of order, and I will come to you for your point of order—

Mr. Rick Perkins: Thank you.

The Chair: —but I would like to at least finish my sentences sometimes.

Thank you.

We're going to move forward with the challenge by Mr. Housefather.

Mr. Rick Perkins: What about my point of order, Madam Chair?

The Chair: Yes, go ahead. I don't know whose point of order it is.

Mr. Rick Perkins: I'm sorry. It's Rick Perkins.

The Chair: Yes, Mr. Perkins.

Mr. Rick Perkins: Madam Chair, it was clear—if you suspend and ask the clerk to look at the blues or look at the record—that you had ruled my subamendment in order and that the debate, led by me, had started.

The Chair: Mr. Perkins, if you recall, I said that I would like to look at your subamendment to see if it was in order. I did not get it from the clerk until she sent it to everyone. We did not decide on anything, because you and your colleagues said you had not received the amendment.

As soon as everyone received it, points of order were raised from the floor, so you did not begin debate, Mr. Perkins.

Mr. Rick Perkins: Madam Chair, again—I challenged you on this before—I had begun. You ruled it in order. I had begun debate and I was well into it. There were three points of order from members saying that they were going to introduce their amendments after I had started the debate, which was after you ruled that my subamendment was in order.

I had begun my explanation of it when I was interrupted by three of the committee members on points of information, which were points of order—

The Chair: All right.

Mr. Rick Perkins: Give me a moment, please. If I could finish.... We all had the motion. It had been sent to all of us. You confirmed that with all of us. You asked me and Mr. Kmiec if we had it. You had it. You ruled it in order.

You asked me to begin debate on my subamendment. I began that, so I had the floor and there were interruptions of points of order that weren't points of order.

Your ruling that we hadn't started debate is incorrect.

• (1835)

The Chair: My ruling may not be incorrect, I—

Mr. Rick Perkins: I wish you would look to the clerk and at the blues.

The Chair: I would like to finish speaking, Mr. Perkins.

There is a real problem here. I can only begin two words in a sentence before I am cut off.

I would like to ask the clerk to tell me if debate had begun. I do not have the blues in front of me and I cannot see exactly what happened.

Mr. Rick Perkins: You have the ability, Madam Chair—it's Mr. Perkins—

The Chair: I am asking the clerk right now.

Mr. Rick Perkins: — to suspend and ask the clerk about that. I would ask you to do so.

The Chair: I do not have to suspend to do that. The clerk is about to answer me.

Ms. Alexie Labelle: I do not have the blues in front of me, either.

The only thing I would advise is that there was a challenge to your ruling. From what I understand, you accepted that challenge to your ruling. If you accept the challenge, it is non-debatable, so technically, we should go to a vote on the challenge of your decision. Once that is resolved, you can move forward.

The Chair: Thank you, Clerk.

Mr. Housefather—

Mr. Rick Perkins: I have a point of clarification, so that I can follow that ruling.

I also challenged the chair, but which challenge is the clerk talking about? Is this the one from—

The Chair: The first challenge—

Mr. Rick Perkins: —Mr. Horsefeather, the Liberal member of Parliament who's challenging the chair of this committee?

The Chair: That was the first challenge.

Mr. Rick Perkins: We're voting on whether to accept the Liberal member of Parliament's challenge to the chair of the heritage committee's ruling.

The Chair: Yes.

Mr. Rick Perkins: This is the clarification I'm seeking. I'd like to know whether it's my challenge of the chair or the challenge of

the Liberal member of Parliament. I believe Mr. Horsefeather challenged the chair's ruling—Horsefather. I'm sorry.

The Chair: Excuse me, I would like—

Mr. Anthony Housefather: With respect, could the member could get my name right?

Mr. Rick Perkins: I apologize, Mr. Housefather.

The Chair: You know that his name is Housefather, Mr. Perkins.

The challenge that was before yours was Mr. Housefather's. There is no debate on Mr. Housefather's challenge. He said he challenged me because he felt that my ruling on your amendment was not...your amendment was not clear about which minister.

Let's call the vote on that.

I'm sorry, Clerk. You had your hand up.

Ms. Alexie Labelle: Just to clarify, if I understand this correctly, Madam Chair, whether the debate resumed or not, I believe you ruled the subamendment admissible. Mr. Housefather, after reading the written copy of the subamendment, challenged your decision on that ruling. In this case, there should be no debate and we should proceed to a vote.

The question is whether the decision of the chair be sustained. Should the decision of the chair to rule the subamendment admissible be sustained?

Is that correct?

The Chair: I think that is very correct.

Thank you very much, Clerk. You can proceed.

(Ruling of the chair overturned: nays 7; yeas 4)

Ms. Alexie Labelle: We go back to debate on the amendment, or you open the floor again.

The Chair: Mr. Housefather, begin, please.

Mr. Rick Perkins: I'm sorry, that's incorrect.

I was debating Mrs. Thomas's amendment. I had the floor when I proposed a subamendment. I believe I still have the floor.

• (1840)

The Chair: Thank you. Go ahead.

Mr. Rick Perkins: Thank you, Madam Chair.

Now we're back on the amendment as I understand it, which is the amendment to have the time for amendments to Bill C-11 extended to three days before clause-by-clause.

As I was saying, the reason we should be doing this is to allow for the time. I appreciate that other parties are willing to look at submitting their amendments before the list of witnesses were expired. We believe there is an opportunity and we need time as a party to prepare the appropriate amendments to a very complex bill on an important piece of legislation—the Broadcasting Act—which is not being reviewed by Parliament nor had a major amendment in 31 years, as I understand it.

The ability by the government and its dance partner, the NDP, to rush this through is a difficult situation that doesn't allow the opposition to do its due diligence, which needs to be done on behalf of Canadians to consider the appropriate amendments to the bill.

Mr. Chris Bittle: I have point of order, Madam Chair.

The Chair: Mr. Bittle.

Mr. Chris Bittle: Thank you, Madam Chair.

I know Mr. Perkins is new to this committee, but we've been through five weeks' worth of committee meetings. The government has not rushed through anything. We are a minority government. We cannot rush through anything on our own. I know he's a new MP and new to this committee today, but I think the record should make that straight.

Mr. Rick Perkins: This is a point of debate.

The disingenuous comments by the parliamentary secretary with regard to.... Well, it's both disingenuous and rude.

Mr. Peter Julian: I have a point of order.

The Chair: Yes, Peter.

Mr. Peter Julian: I would certainly challenge Mr. Perkins on relevance. He's being repetitive already and, of course, factually incorrect—

Mr. Jeremy Patzer: This is debate, Madam Chair.

Mr. Peter Julian: There's been the equivalent of five weeks of parliamentary hearings. Many of them were disrupted by the Conservatives.

The Chair: Excuse me. I am going to have to call order to this meeting.

Mr. Julian is on the floor with a point of order. I cannot hear a word he's saying because somebody else is speaking. Please mute your mikes when you are not speaking.

Mr. Peter Julian: Thank you very much, Madam Chair.

I appreciate your bringing the very unruly Conservatives to order. They've disrupted these hearings repeatedly and filibustered through so that we've been unable to hear witnesses. I think it's fair to say the five weeks we all agreed to, the five-week equivalent of hearings, is something that could have been used more effectively if the Conservatives hadn't repeatedly sabotaged those hearings. However, I do question Mr. Perkins both on relevance and on repetition. He doesn't seem to be speaking to the motion on the table.

The Chair: Thank you, Mr. Julian.

Mr. Rick Perkins: Well, I appreciate that the deputy government House leader has given me about two minutes to speak on this amendment, but it's pretty hard to believe that I had repetition.

That being the case, Madam Chair—

The Chair: Mr. Perkins.

Mr. Rick Perkins: Madam Chair?

The Chair: Mr. Perkins, I would like to bring some respect to this particular meeting. There has been a great deal of disrespect in this meeting and no order being kept. I would like to suggest that rather than referring to your colleague with any kind of pejorative statement, you perhaps just stick to saying "Mr. Julian"? That's who

he is, the member of the NDP. Let's not go into the sort of negativity that continues to happen in this committee. I don't like it. It's not appropriate.

Mr. Rick Perkins: I appreciate that, Madam Chair.

In order to address Mr. Julian's concern, therefore, I'm willing to propose another subamendment to add clarity at the end of the motion, to say "the time for amendments be extended until we've had an opportunity to hear from the Minister of Canadian Heritage and department officials".

The Chair: Thank you.

Has the clerk had that clarity put in, and can we now read the new subamendment?

I will just let everyone know that we are coming close to having to adjourn this meeting. We have three minutes left.

• (1845)

Ms. Alexie Labelle: Madam Chair.

The Chair: Yes, Clerk. Go ahead.

Ms. Alexie Labelle: Before I read the subamendment, I just want to let you know that the other legislative clerk may want to have clarification on something. If you could recognize him sometime before the end of the meeting, that would be appreciated.

The Chair: Yes.

Ms. Alexie Labelle: Meanwhile, I will read out the new subamendment moved by Mr. Perkins.

The Chair: Thank you.

Ms. Alexie Labelle: It would read, "That the deadline for amendments be three days prior to clause-by-clause and until we have the opportunity to hear from the Minister of Canadian Heritage and department officials from Canadian Heritage".

The Chair: All right. That's "and department officials". Okay, good.

Now I think that subamendment is in order.

Mr. Housefather, do you think it's clear enough for you?

Mr. Anthony Housefather: Thanks for asking, Madam Chair.

I don't understand the word "until". I would think it would be "after", but I'd leave that to you. Again, I don't have it in writing.

The Chair: Well, maybe the clerk can send it to us in writing, please.

I'll suspend until that happens.

• (1845)

(Pause)

• (1845)

The Chair: We've resumed the meeting.

Mr. Méla.

Mr. Philippe Méla (Legislative Clerk): Thank you, Madam Chair.

I have a question for Mr. Julian.

I heard that Mr. Bittle and Mr. Champoux will have their amendments ready to submit to the clerk of the committee tomorrow, but I think I heard Mr. Julian say that he would send his amendments to the law clerk's office.

Am I mistaken or will they be ready and be sent to the clerk of the committee rather than to the drafter?

• (1850)

[*Translation*]

Mr. Peter Julian: You misunderstood me. I said that we would send this to the clerk of the committee by 4 p.m. tomorrow.

Mr. Philippe Méla: Perfect.

Madam Chair, if I may, I would like to ask you another question. Tomorrow, will I have to distribute the amendments I will have received?

[*English*]

Sorry, I was asking in French.

The Chair: That's all right.

Mr. Philippe Méla: The question was whether tomorrow I should distribute to the members the amendments that I will have received.

The Chair: If you're getting them at 4 p.m. tomorrow, Mr. Méla, will you be able to distribute them or would you wait until Monday? I don't know. That's up to you. Only you know what your time allows you to do with regard to any kind of translation or anything else that is needed.

Mr. Philippe Méla: Okay. I'll see what I can do, and I'll send them as soon as I can.

The Chair: Thank you very much, Mr. Méla.

Mr. Philippe Méla: You're welcome.

The Chair: Now, have you sent the wording, please, Clerk?

Ms. Alexie Labelle: Yes, it has been sent.

The Chair: I would like to ask the committee if they have all received the wording.

Mr. Rick Perkins: This is Rick Perkins.

Yes, Madam Chair, I have it. I don't know about the others.

The Chair: If someone has not received it, please speak now.

It would seem that everyone has received it. In both official languages, it has been received.

Perhaps, just for clarification, the clerk can read it once more before we rule on it.

Ms. Alexie Labelle: The full motion, including the subamendment, reads, "That the deadline for amendments be three days prior to clause-by-clause and after the committee has the opportunity to hear from the Minister of Canadian Heritage and department officials."

Mr. Rick Perkins: I have a point of order—

The Chair: That seems to me...

Somebody is raising a point of order before I even speak.

Go ahead.

Mr. Rick Perkins: Yes. It's Rick Perkins, on a point of order, Madam Chair.

The Chair: Is that not your subamendment?

Mr. Rick Perkins: Yes, it is, but I believe we're beyond the allotted time, so I'm not sure if we can continue to deal with your ruling on the amendment.

The Chair: Well, I will make that decision. Mr. Perkins. Go ahead.

Mr. Rick Perkins: You need unanimous consent, I believe, to go beyond the two hours.

The Chair: You know, Mr. Perkins, I am speaking at the moment. Thank you.

Did everybody get the subamendment that Mr. Perkins sent, in both official languages? Yes.

Would you like me to rule on it now, or will I entertain a motion to adjourn? We have to leave this room.

A voice: Make the motion to adjourn. Just adjourn.

The Chair: Then I will move that the meeting be adjourned. Thank you.

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