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Chair: Mr. Patrick Weiler



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• (0815)

[English]

The Chair (Mr. Patrick Weiler (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.)): I call this meeting to order.

Welcome to meeting number 125 of the House of Commons Standing Committee on Indigenous and Northern Affairs.

As always, I want to start by recognizing that we are meeting on the ancestral and unceded territory of the Algonquin Anishinabe people and by expressing gratitude that we're able to do the important work of this committee on lands they've stewarded since time immemorial.

Pursuant to the order of reference of Wednesday, June 19, 2024, the committee is commencing clause-by-clause consideration of Bill S-16, an act respecting the recognition of the Haida Nation and the Council of the Haida Nation.

We do have officials in attendance today to answer questions from committee members, if there are any.

We have in person Mr. Paul Dyck, the federal negotiations manager. Joining by video conference—very early in the morning, as they're joining from British Columbia—we have Angela Bate, director general; Julia Marcoux, acting senior director, negotiations west; and Bruce Hamilton, general counsel, Department of Justice.

I want to thank all of our witnesses for being here in person and virtually, especially with the early hours.

I would like to provide members of the committee with a few comments on how the committee will proceed with the clause-by-clause consideration of Bill S-16.

As the name indicates, this is an examination of all of the clauses in the order in which they appear in the bill. I will call each clause successively, and each clause is subject to debate and a vote. Although no amendments were submitted in advance to the clerk, members may propose amendments and subamendments from the floor to the clause in question, provided that they are submitted in writing.

If a member wishes to move an amendment or a subamendment, I will recognize the member who is willing to move it, who may explain it. There is no need for a seconder to move an amendment. Once the amendment is moved, you will need unanimous consent to withdraw it.

In addition to having to be properly drafted in a legal sense, amendments must also be procedurally admissible, and the chair

may be called upon to rule amendments inadmissible if they go against the principle of the bill or beyond the scope of the bill, both of which were adopted by the House when it agreed to the bill at second reading, or if they offend the financial prerogative of the Crown.

During debate on an amendment, members are permitted to move subamendments. Approval from the mover of the amendment is not required.

Only one subamendment may be considered at a time, and that subamendment cannot be amended. Once a subamendment is moved to an amendment, it is voted on first. Then another subamendment may be moved, or the committee may consider the main amendment and vote on it.

Once every clause has been voted upon, the committee will vote on the title and the bill itself. The committee will have to order the chair to report the bill to the House, and that report contains only the text of any adopted amendments, as well as the indication of any deleted clauses.

Finally, if members have any questions regarding the procedural admissibility of amendments, the legislative clerks to my right are here to assist the committee. However, they are not legal drafters. Should members require assistance with drafting an amendment or a subamendment, they must contact the legislative counsel.

I want to thank members for their attention and I wish everyone a productive clause-by-clause consideration of Bill S-16.

With that, unless there are any questions, why don't we get right into it?

• (0820)

Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC): I have questions for the officials, if I may.

The Chair: Do you want to ask those questions right now, or once we're going through those particular clauses?

Mr. Jamie Schmale: We might be able to get the questions done quickly and then fly through the clauses, if that helps.

The Chair: Go ahead, absolutely.

Mr. Jamie Schmale: I don't know whom to address this to. It's to whoever wants to respond. Maybe it's the folks from B.C. at this early hour.

I just want to ask a few questions that were answered by the president a few meetings ago to basically reinforce what he was saying, or potentially to get a different response.

How long have the negotiations for this bill been in the works? They've been doing this work for decades. How long has the legislation been in process?

You don't have to give me an answer that's exact to the minute, just a rough idea.

Mr. Paul Dyck (Federal Negotiations Manager, Department of Crown-Indigenous Relations and Northern Affairs): The agreement that this bill is based on was signed by the parties in July of 2023. The work to develop the bill followed after the signing. We had a series of engagement discussions with Haida at that time. The work was proceeding from July up until the introduction of the bill in February of this year.

Mr. Jamie Schmale: This might be a political answer.

Did anything occur that initiated the start of these conversations in July 2023, or was it a natural progression, given that this is something the Council of the Haida Nation has been doing for so long?

Mr. Paul Dyck: The requirement to develop this legislation came out of the Nang K'uula—Nang K'uulaas Recognition Agreement that was signed in June. Within these negotiations, that agreement was identified by the Haida Nation as their first priority, prior to entering into broader reconciliation agreements through this process. The bill itself was based on that initial priority we reached with them in July.

Mr. Jamie Schmale: To confirm, the bill only involves citizens of the Haida Nation. It does not infringe on any property held by non-indigenous people or anything like that. It is more of a governance bill. Is that correct?

Mr. Paul Dyck: Yes, that's correct.

Mr. Jamie Schmale: Okay.

Is everyone else good?

The Chair: That's great.

With that, pursuant to Standing Order 75(1)—

Mr. Jaime Battiste (Sydney—Victoria, Lib.): We can't infringe on the white people's rights.

The Chair: —consideration of clause 1, the short title and the preamble are postponed.

I'm going to ask if there is unanimous consent to group clause 2 through to clause 10 and vote on them all together.

Okay. It looks like there's unanimous consent.

Shall clause 2 through to clause 10 carry?

(Clauses 2 to 10 inclusive agreed to)

The Chair: Shall the short title carry?

Some hon. members: Agreed.

The Chair: Shall the preamble carry?

Some hon. members: Agreed.

The Chair: Shall the title carry?

Some hon. members: Agreed.

The Chair: Shall the bill carry?

Some hon. members: Agreed.

The Chair: Shall the chair report the bill to the House?

Some hon. members: Agreed.

The Chair: Well, that was very quick.

With that, I will look to see if we can present the bill in the House later today, at 10 a.m. Hopefully we can make the request to the journals branch.

This is a notice to members that we will be gathering again on Monday. We will have the Minister of Crown-Indigenous Relations, the Minister of Northern Affairs and the Minister of Indigenous Services.

I know there was a standing item for members to have a compilation of the briefs and amendments submitted by our witnesses. I was wondering if we could have an update on when that might be circulated.

A voice: It will be by the end of the summer.

The Chair: Okay. We can expect to have a compilation of all of the evidence and amendments that came up as part of the consideration of Bill C-61, so members can look forward to that.

We have the deadline for submitting amendments in advance, which will be on Tuesday. I believe it's at noon. I want to remind members of that. Then on Thursday, we will begin clause-by-clause consideration of Bill C-61. I wanted to give you that short reminder.

That concludes the business we have today.

Is it the will of the committee to adjourn?

Some hon. members: Agreed.

The Chair: The meeting is adjourned.

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