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Chair: Jean-Yves Duclos



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• (1540)

[Translation]

The Chair (Hon. Jean-Yves Duclos (Québec Centre, Lib.)): Good afternoon, everyone.

I call this meeting to order.

Welcome to meeting number 25 of the House of Commons Standing Committee on Public Safety and National Security.

Before we continue with the clause-by-clause consideration, I ask the committee to consider the budget that the clerk sent out yesterday morning. As a reminder, the committee has already adopted a budget for the study of the proposed Bill C-8. Unfortunately, the budget didn't cover enough meetings for this study. As a result, the budget must allocate additional funds amounting to \$4,500 to pay the cost of the additional meetings.

It should be noted that this amount is an estimate and that the committee could spend less on the study. Any unspent funds for the committee will be returned to the Liaison Committee.

Is it the pleasure of the committee to adopt the budget?

Some hon. members: Agreed.

The Chair: Great. The budget is adopted.

Pursuant to the order of reference of the House of October 3, 2025, the committee is meeting on its study of Bill C-8, an act respecting cyber security, amending the Telecommunications Act and making consequential amendments to other acts.

I would like to welcome the witnesses, who will answer questions if necessary.

From the Department of Public Safety and Emergency Preparedness, we have Richard Bilodeau, senior assistant deputy minister, national security and cybersecurity branch; and Kelly-Anne Gibson, director, national security and cybersecurity branch.

From the Department of Industry, we have Andre Arbour, director general, telecommunications and Internet policy branch; and Wen Kwan, director general, spectrum and telecommunications sector.

From the Communications Security Establishment, we have Stephen Bolton, director general, strategic policy; and Richard Larose, principal adviser on cyber security.

As you can see, we have six witnesses with us today.

We will now move to the clause-by-clause consideration of the bill.

That said, the last time, we ended the meeting on consideration of BQ-7, which would normally take us to CPC-36, except that there was a notice of motion on BQ-7.1.

Will anyone move that amendment?

Mrs. DeBellefeuille, you have the floor.

Claude DeBellefeuille (Beauharnois—Salaberry—Soulanges—Huntingdon, BQ): Mr. Chair, I want to move my amendment. I am a little late in doing so, but it is still important. The amendment protects whistle-blowers from being reprimanded or accused of anything. It also aims to prevent their identity from being revealed if they disclose sensitive information to protect the public interest. This is about protecting whistle-blowers, which we may have forgotten in the analysis we're completing of the bill.

In my opinion, it's relevant to support whistle-blowers who protect our systems, and thus to protect the identity of those who provide the information. I think that makes sense. I don't know if my colleagues share my feeling that this was missing from Bill C-8.

• (1545)

The Chair: Thank you, Mrs. DeBellefeuille.

Since this amendment has just been proposed, I'll suspend the meeting for a few minutes to give concerned members time to make sure they understand it. I'll suspend for only a few minutes. I therefore invite members to stay close to the table. We'll resume the meeting very soon.

• (1545)

(Pause)

• (1545)

The Chair: I call the meeting back to order.

Does anyone wish to comment on amendment BQ-7.1?

Mr. Ramsay, you have the floor.

Jacques Ramsay (La Prairie—Atateken, Lib.): Mr. Arbour, can you comment on this new proposed amendment? You can do so in English or in French.

Andre Arbour (Director General, Telecommunications and Internet Policy Branch, Department of Industry): I thank the member for the question.

There are already privacy protection measures in the Privacy Act, and other protections were adopted through amendments during the study of this bill. So there are already protections in place.

There are three drafting issues with this amendment.

First, I think there's some confusion between the words "person" and "individual". In the legal framework, "person" has a broader meaning than "individual" because a person can be incorporated as a business.

Second, there's a discussion on the impacts of the Telecommunications Act. The scope of the act is broader than that of the Department of Industry or its minister. More specifically, there are implications for the Canadian Radio-television and Telecommunications Commission, or CRTC.

Third, we hold consultations where participants share information voluntarily and on a daily basis. In that context, it would cause a conflict. An individual could share some information during a public consultation where there are a certain number of participants, for example. However, based on the current wording, this information couldn't be communicated or published, even during a public consultation or in other situations where someone provides information.

If it's very important to find a solution, we can avoid the problem by replacing "person" by "individual".

• (1550)

[English]

That's the person who provided information on their own initiative to the minister.

[Translation]

In the legal framework, the term "minister" refers to "the minister and the Department of Industry".

At the end of the day, we should add a request for confidentiality and specify who requested confidentiality, because if the individual in question doesn't want confidentiality, because it's in the context of a public proceeding, there's no problem. In that case, the amendment would create a conflict within the act.

The Chair: Mrs. DeBellefeuille, you have the floor.

Claude DeBellefeuille: The purpose of the amendment is to provide protection for whistle-blowers. You're saying they're already protected and that this may not be necessary, but you are also saying that if we want to pass the amendment, we should replace "person" by "individual".

Is that correct?

Andre Arbour: Yes, so—

Claude DeBellefeuille: Every time the word "person" appears, it should be replaced by "individual".

Is that what you're saying?

Andre Arbour: Not for the first time it appears, but where it says "the identity of a person who provided", yes. There, it should be replaced by "individual who provided information on their own

initiative to the minister to achieve the objectives...". Also, at the end, we should add "who requested confidentiality".

Claude DeBellefeuille: Mr. Chair, I appreciate Mr. Arbour's arguments. However, I can't propose an amendment to my own amendment. Now either it's amended by one of my colleagues or we vote on it. It depends on how you want to manage this.

The Chair: There are a number of possible options. The first is to seek unanimous consent to withdraw the amendment and propose a new one. The second is that committee members propose an amendment to the amendment. They can do so if they wish. The third is that we vote on your amendment, either immediately or after debate.

Mr. Caputo, you have the floor.

[English]

Frank Caputo (Kamloops—Thompson—Nicola, CPC): Thank you, Mr. Chair.

I was just going to suggest the UC option.

[Translation]

The Chair: Is there unanimous consent to withdraw amendment BQ-7.1?

Some hon. members: Agreed.

(Amendment withdrawn [See Minutes of Proceedings])

• (1555)

The Chair: Since an amendment can always be proposed without notice, another motion to amend can be proposed.

Mrs. DeBellefeuille, you have the floor.

Claude DeBellefeuille: If the committee agrees, I would adopt Mr. Arbour's propositions of amendment to the previously proposed amendment. Therefore, I would write "the identity of an individual", and add the part on confidentiality that was suggested.

I'm not sure if the legislative clerk understands Mr. Arbour's proposed modifications. If so and it's clear to everyone, that would be my new amendment.

The Chair: I'm going to suspend for a few moments to make sure the legislative clerks and the clerk of the committee understand what's being proposed.

• (1555)

(Pause)

• (1610)

The Chair: I call the meeting back to order.

We'll take Mrs. DeBellefeuille's good advice. While we wait for the correct translation of the amendment, we'll carry on with other amendments, as there are no links between BQ-7.1 and the others.

That brings us to amendment CPC-36, for which a notice was filed.

Do I have someone to move amendment CPC-36?

Mr. Caputo, you have the floor.

[English]

Frank Caputo: Thank you, Mr. Chair.

I do move CPC-36. There is no requirement to state the number of times an order was made respecting confidential information.

Thank you.

[Translation]

The Chair: We will now move to the debate on amendment CPC-36.

Mr. Ramsay, you have the floor.

Jacques Ramsay: We humbly think this amendment is confusing. It asks for information that's not particularly useful. Knowing how many times an order was made, amended or revoked on the basis of confidential information is not particularly helpful.

You always have to weigh the work involved against the usefulness of the information. This data is generally financial or related to service provider activities. In every case, orders would be made, amended or revoked on the basis of a set of both confidential and non-confidential information.

For that reason, we'll be voting against this amendment.

The Chair: Thank you, Mr. Ramsay.

Is there any further debate?

Shall amendment CPC-36 carry?

(Amendment negated [See Minutes of Proceedings])

The Chair: That brings us to amendment BQ-8.

Do I have someone to move BQ-8?

Claude DeBellefeuille: Yes, Mr. Chair.

I am moving BQ-8. I think the wording is already clear. It's important the minister publish a report summary on the Department of Industry's website within 10 days after it is tabled in both Houses of Parliament. I think it's a question of transparency. I hope to have my colleagues' support on this.

The Chair: Thank you, Mrs. DeBellefeuille.

Is there any further debate?

Shall amendment BQ-8 carry?

(Amendment agreed to [See Minutes of Proceedings])

• (1615)

The Chair: Let's move on to amendment CPC-37.

Do I have someone to move amendment CPC-37?

[English]

Frank Caputo: I so move, Mr. Chair.

[Translation]

The Chair: Thank you, Mr. Caputo.

We will now move to the debate on amendment CPC-37.

Mr. Ramsay, you have the floor.

Jacques Ramsay: The requirements in this amendment relate to the annual reporting to Parliament. The reports are already listed and planned for in Bill C-8. Preparing a second annual report is an additional administrative burden for the department. This information won't improve how elements that would be interesting to monitor through the bill are managed.

As a result, we'll be voting against the amendment.

The Chair: Thank you, Mr. Ramsay.

Mr. Caputo, you have the floor.

[English]

Frank Caputo: Thank you.

I'd like to ask the officials whether this is a redundancy. That obviously isn't the intent.

Andre Arbour: It does specify preparing a report, and it seems to be a distinct report from the already fairly detailed reporting requirements that were adopted across parties as part of Bill C-26 and carried forward, so this adds a second annual report.

[Translation]

The Chair: Thank you, Mr. Arbour.

Is there any further debate?

Shall amendment CPC-37 carry?

(Amendment negated [See Minutes of Proceedings])

The Chair: Let's move on to amendment PV-10, which is deemed moved.

Is there a debate on amendment PV-10?

Mr. Caputo, you have the floor.

[English]

Frank Caputo: Thank you.

I know that CPC-2 changed a number of things. Given that, is this amendment necessary with respect to what we're trying to achieve here?

Andre Arbour: No, it is not at all necessary, and for that reason, it actually creates confusion.

The right enumerated here already exists under the Federal Courts Act. Duplicating it in this bill would create confusion, because for the sections or other contexts that don't explicitly refer to this right, you're giving the impression that you imply that this right shouldn't exist.

It's best to avoid that type of confusion and rely on the existing law under the Federal Courts Act.

[Translation]

The Chair: Thank you.

Shall amendment PV-10 carry?

(Amendment negated [See Minutes of Proceedings])

The Chair: Do I have someone to move amendment CPC-38?

Mr. Caputo, you have the floor.

[English]

Frank Caputo: Thank you.

I will move this amendment to permit what is often called an “amicus curiae”, which literally translates to “friend of the court”, for people who are unrepresented. The role of an amicus is to assist the court, not necessarily to advocate.

Thank you.

[Translation]

The Chair: Thank you, Mr. Caputo.

Mr. Ramsay, you have the floor.

Jacques Ramsay: Again, it's already provided that in all applications before the Federal Court, the court can appoint an *amicus curiae*. Adding that to Bill C-8 would simply be redundant.

The Chair: Thank you, Mr. Ramsay.

Shall amendment CPC-38 carry?

[English]

Frank Caputo: Can I just ask the officials to please confirm that? Is that the case?

Andre Arbour: Yes, indeed, it's the same situation as with the Federal Court amendment that we just—

• (1620)

Frank Caputo: Then I'll seek unanimous consent to withdraw it.

[Translation]

The Chair: Do we have unanimous consent to withdraw the amendment?

Some hon. members: Agreed.

(Amendment withdrawn [See Minutes of Proceedings])

The Chair: Is CPC-38 moved?

[English]

Frank Caputo: I believe it's CPC-38.1 that I'm seeking to move.

[Translation]

The Chair: Okay.

CPC-38 was withdrawn by unanimous consent.

Is CPC-38.1 moved?

[English]

So amendment CPC-38.1 is moved.

Frank Caputo: Yes, Mr. Chair.

The Chair: Thank you.

Is there debate?

[Translation]

Mr. Ramsay, you have the floor.

Jacques Ramsay: Again, Mr. Chair, this is a redundant provision. The Federal Court already has the power to appoint a special advocate in cases where confidential information needs to be re-

viewed. There's no need for special consideration in the Telecommunications Act. It's already there.

The Chair: Thank you, Mr. Ramsay.

Mr. Caputo, did you want to speak?

[English]

Frank Caputo: Yes, I'll ask for UC to withdraw it.

Thank you.

The Chair: Is there unanimous consent to withdraw amendment CPC-38.1?

(Amendment withdrawn)

[Translation]

The Chair: We're at clause 2.

We understand that there have been several rounds of amendments and subamendments to clause 2. Therefore, we have an amended version of clause 2. We're now making an overall decision on clause 2 as amended.

Shall clause 2 as amended carry?

Mrs. DeBellefeuille, would you like to speak?

Claude DeBellefeuille: I had moved BQ-8.1.

The Chair: We're going to have a debate on BQ-8.1, but it comes after BQ-7.1. We haven't voted on that one yet because we're waiting for it to be translated.

The good news is that we now have the translation of BQ-7.1.

Shall BQ-7.1 carry?

(Amendment agreed to [See Minutes of Proceedings])

The Chair: Shall clause 2 carry?

Mrs. DeBellefeuille, go ahead.

Claude DeBellefeuille: I'm sorry, but I'm a little confused.

Basically, does BQ-8.1 become clause 2.1?

The Chair: We'll discuss BQ-8.1 shortly, once clause 2 is adopted. It goes between clause 2 and clause 3.

Claude DeBellefeuille: That's fine, thank you.

The Chair: Shall clause 2 carry?

(Clause 2 agreed to [See Minutes of Proceedings])

The Chair: We're going to move on to BQ-8.1.

Can someone move BQ-8.1?

Mrs. DeBellefeuille, you have the floor.

Claude DeBellefeuille: I do.

During clause-by-clause consideration, we have continued to meet partners. I honestly wondered how I could improve the bill by putting limits on something I find disquieting. Let me explain.

We've learned that Canadian Internet service providers have subcontracted the management of all their infrastructure, even its design, outside Canada. I'll give you an example. An Internet service provider that I won't name has subcontracted all maintenance and management of its infrastructure to a company located in India. In other words, if there was a problem in a cell tower, for example, to get the repairs done, a worker in India would have to press a button.

I'm wondering how our personal information is protected, since it's in another country that has its own rules and spies on us too. It's documented. How is it that we couldn't prevent an Internet service provider from outsourcing its work to a country like India, for example, despite all the risks we're aware of?

I have another example. I learned that another Internet service provider's infrastructure was being managed from Egypt. However, I learned that in Egypt, all telecommunications are nationalized, meaning that Egypt can order a provider to provide data and the provider has to comply. How can we allow our data to be administered and hosted by subcontractors used by providers here at home?

I know that the Minister of Industry is well aware of this and she was unable to block the transaction for all kinds of reasons. Our rules of the game have allowed this, and I think companies want to make as much profit as possible. So they play with the rules, going as far as they can. As a legislator, I wondered what I could do in terms of damage control and, as much as possible, to secure our Internet infrastructure that's managed outside Canada. We spoke with the legislative counsel, who proposed this amendment to us. It's not perfect protection, but it brings to light the current problem, which is that we're allowing our Internet service providers to use foreign workers and have our data hosted abroad, in a context where we're talking about cyber-attacks, among other things. I'd like to hear what Mr. Arbour has to say about this.

How can we ensure that our data will remain confidential and will not be used by India or Egypt, for example, when everything is managed in their country?

I know that what I'm proposing is not ideal, but at least it tries to set some limits on this. I hope the government will find a solution to avoid the worst-case scenario. I know they are already aware of the problem and looking for a solution. So I humbly propose this amendment to try to reduce the risks, knowing full well that it's not perfect, but that it's better than nothing.

I find it extremely serious that, with the full knowledge of the government, all of our data have ended up in India or Egypt, for example. I don't want to name the two Internet service providers, but I think you're familiar with them. They're the ones who outsourced the management of their infrastructure. I was even told that infrastructure design mandates had been entrusted to companies outside Canada.

I hope this new clause I'm proposing will be helpful. I know very well that it doesn't fill all the gaps, but it does provide somewhat of a framework.

• (1625)

The Chair: Thank you, Mrs. DeBellefeuille.

Do you want to jump in, Mr. Arbour, or does anyone else?

Andre Arbour: Thank you, Mr. Chair.

First, with respect to the concerns raised, the supply chain controls are already in place in the current version of Bill C-8. This includes the provision of services, such as foreign services. Powers are already in the bill. It's not necessary to list every specific risk. There's a framework in part I. Under Bill C-8, in the event of a real and credible threat, we would have the authority to impose rules on telecommunications service providers in Canada to control supply chains. Fortunately, the powers are in the current bill.

The proposed amendment with respect to the new clause 2.1 would add consideration by the CRTC for one type of licence, namely international traffic licences. However, the CRTC is already able to take these kinds of risks into account under the current framework of Bill C-8. So there's no need to add it.

In addition, it could cause confusion because the CRTC has other powers to impose regulatory restrictions. In this context, we're talking about clause 16.3, for example, but the CRTC has other powers to impose conditions of service under clause 24.

That's why there's no need for the criteria related to international traffic. They are broader powers, and the CRTC has other powers. If we impose the criteria of these powers but not the others, we risk causing confusion, that is to say people might think that Parliament intends to limit the CRTC's power.

In my opinion, the good news is that there are already powers established to counter this type of situation.

• (1630)

The Chair: Mrs. DeBellefeuille, would you like to speak?

Claude DeBellefeuille: To be quite honest, I know the CRTC rules, but they are quite minimal.

What oversight, what assurance do we have about infrastructure used by an Internet service provider located in India? What oversight is done? How do we make sure that our confidential, personal information is not being used?

I know that some CRTC rules provide very basic protection. However, what power do we have to ensure that that information is not used?

These countries have a certain culture. We know that these countries are spying on us. It's been documented. So apparently we're handing them our infrastructure. I think we're not that well protected right now under the current CRTC rules.

Andre Arbour: Thank you, Mr. Chair.

That's what Bill C-8 is all about. There are, of course, gaps in the current version of the Telecommunications Act. Bill C-8 would add a new purpose to clause 7: clauses that cover all CRTC and Innovation, Science and Economic Development Canada, or ISED, action to protect the telecommunications system. Yes, there are gaps in the current act. That's why our government has tabled Bill C-8.

The minister and the Governor in Council would have powers. The bill sees ISED as the primary regulatory authority for exercising powers. However, those powers need to exist, and they don't currently exist. The powers of the Telecommunications Act can only be expanded through Bill C-8's comprehensive amendments. There would then be an opportunity to impose mandatory regulations to protect the telecommunications network and the data on those networks. So that's the context in which the protection exists.

The amendment in question proposes to change the CRTC's minor regulatory power over a type of licence. That's why I mentioned the CRTC, and that's the context of the amendment. First, in terms of principles, the measures in Bill C-8 give the Governor in Council and the Minister of Industry new powers to impose obligations on telecommunications service providers to protect their networks. That's a very important thing to consider, in terms of high-risk equipment, for example.

• (1635)

Claude DeBellefeuille: Is that the case in Canada and abroad?

Andre Arbour: The regulations would apply to telecommunications service providers in Canada. The control measures are there for supply chains. For example, Bell could be prohibited from buying a type of equipment or providing a type of service. The obligation applies to providers in Canada. However, it would be possible to control supply chains overall, regardless of the location, when it comes to purchasing Canadian or foreign equipment, or a service being provided abroad.

There are criteria like that. The committee has given us more control over our ability to have guardrails, which is reasonable. The framework exists in that context. So there would be an opportunity to act if the threat was credible, if there was credible information. That situation exists. Regardless of the regulatory environment, credible information is needed to impose a regulation on the industry.

Claude DeBellefeuille: Mr. Chair, if I may, I would give the floor to other people. I will then decide to withdraw my amendment or have it put to a vote.

Is that okay?

The Chair: Okay.

Let's see if anyone else wants to speak.

Mr. Ramsay, you have the floor.

Jacques Ramsay: Mr. Arbour, just to be clear, Mrs. DeBellefeuille is referring to the fact that there are a number of jobs being outsourced abroad. She alluded to jobs in technology architecture, remote port assignment and activation, as well as engineering and design. I likely attended the same briefing as Mrs. DeBellefeuille. There are many things that leave our telecommunications system a little exposed.

What you're telling us is that subsection 15.1(1)(a) under clause 2 makes it possible to control that. It says:

(a) prohibit a telecommunications service provider from using all products and services provided by a specified person in, or in relation to, its telecommunications network or telecommunications facilities, or any part of those networks or facilities;

This part of the act would therefore make it possible to exercise the control needed to prevent any abuse in that regard.

Is that correct?

Andre Arbour: I thank the member for his question.

Yes, there are a few options in clauses 15.1 or 15.2 to control or limit this type of harmful activity if there is credible information that the Canadian telecommunications system is at risk.

Jacques Ramsay: That's it for me. Thank you.

The Chair: Thank you, Mr. Ramsay.

Is there any further debate?

Mr. Au, you have the floor.

[English]

Chak Au (Richmond Centre—Marpole, CPC): Yes, I also want to ask for clarification.

You're probably talking about after the fact, if something happened overseas and then we may be able to do something. How can we prevent and protect in advance?

• (1640)

Andre Arbour: The powers under part 1 of Bill C-8 would give the government the ability to implement regulatory controls on telecommunications service providers and the management of their infrastructure and services, and those can absolutely be pre-emptive.

I keep going to high-risk vendor equipment, because that's a tangible example that people are familiar with. If there's credible information that a foreign equipment provider has risks associated with their equipment, proposed section 15.1 gives the government the ability to tell Bell, Rogers, Telus, whomever, that they can't buy that equipment from that vendor, full stop, under any circumstances.

It doesn't matter where the equipment is made. It can be made in another country, but the obligation applies. It's more effective if the obligation applies to the corporation that's running the infrastructure in Canada, because they're under our jurisdiction. We can control them via these powers. We would say, "You cannot use that equipment," or we might have other mitigation measures that say, "Only with these mitigation controls could you use that equipment."

The same thing applies to the provision of services, and the text refers to services as well. Outsourcing is a purchase of a service from a foreign company, and so the same context would apply.

[*Translation*]

The Chair: Thank you.

Mrs. DeBellefeuille, you have the floor.

Claude DeBellefeuille: I'm somewhat reassured, but I don't think the clause I'm proposing is perfect. I therefore request the committee's unanimous consent to withdraw it.

The Chair: Thank you.

Is there unanimous consent to withdraw the amendment?

Some hon. members: Agreed.

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

The Chair: Shall clause 3 carry?

(Clause 3 agreed to)

(Clause 4 agreed to)

(Clause 5 agreed to)

(Clause 6 agreed to)

(On clause 7)

The Chair: We are now considering clause 7.

A notice of amendment has been moved.

Is CPC-39 moved?

Mr. Lloyd, the floor is yours.

[*English*]

Dane Lloyd (Parkland, CPC): I'll be moving the amendment and asking the officials if they have any thoughts on it.

Andre Arbour: This amendment would amend the administrative monetary penalty authority with respect to individuals and would add the word "knowingly". Basically, ISED or the minister would have to prove intent before being able to fine an individual.

This is an extraordinarily high bar to clear in a regulatory context. We are not investigatory in the way a law enforcement body is. Forcing us to engage in that type of investigation is not something that we are seeking to do. This would likely render the AMPs power basically unusable, because the burden to try to demonstrate intent would be so high.

There are already provisions that limit our ability to use the monetary penalty power in this case. There are criteria such as the track record of the individual involved, the ability to pay and those types of things. It's already a much, much lower limit than the AMPs power for corporations, and there's a requirement that any AMP must be to promote compliance and not punish. If this was adopted to promote compliance, the main authority we'd have would be the offence power, which is a very heavy power, such as going after jail time or something like that. The point of a monetary penalty is to have an intermediate step that is not so drastic as that.

I can continue. If you have questions about how we've used AMPs to date, we don't use them often. There have been only two instances of individuals, and we have 160,000 licences.

I'll stop there.

• (1645)

[*Translation*]

The Chair: Thank you, Mr. Lloyd.

Is there any further debate?

Shall CPC-39 carry?

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

(Clause 7 agreed to)

(Clause 8 agreed to)

(Clause 9 agreed to)

(Clause 10 agreed to)

(On clause 11)

The Chair: We're going to move on to clause 11.

There was a notice put on the table with respect to BQ-9.

Mrs. DeBellefeuille, you have the floor.

Claude DeBellefeuille: Thank you, Mr. Chair.

Basically, this amendment was drafted after the Privacy Commissioner of Canada testified. I think we need to listen to the commissioner. So far, he's given us a reasonable perspective on Bill C-8. I'll wait to see if my colleagues are in favour of this amendment.

The Chair: Thank you, Mrs. DeBellefeuille.

Mr. Ramsay, you have the floor.

Jacques Ramsay: Can we suspend for a few minutes?

The Chair: Yes, I can suspend the meeting for a few minutes.

• (1645)

(Pause)

• (1650)

The Chair: I call the meeting back to order.

Is there any debate about BQ-9?

Mr. Ramsay, you have the floor.

Jacques Ramsay: Based on what's been forwarded to the clerk, we'd like to move a subamendment. It complies with what's proposed in BQ-9, but it's just a matter of making sure that it complies with the Privacy Act.

Do you want me to read the subamendment, or do you already have it?

The Chair: It would be better if you read the subamendment and make sure that it has been distributed to all committee members so that they can read it.

Jacques Ramsay: I move that amendment BQ-9, proposing to amend clause 11 of Bill C-8, be replaced by the following:

That Bill C-8, in clause 11, be amended in item (a) by adding the following after line 11 on page 22:

personal information has the same meaning as in section 3 of the *Privacy Act* (*renseignements personnels*)

in item (b) by adding the following after line 13 on page 31:

For greater certainty

26.1 For greater certainty, nothing in this Act affects the provisions of the *Privacy Act* in relation to the protection of personal information.

The Chair: Can we confirm that the clerks have read the subamendment?

Jacques Ramsay: In fact, if Mrs. DeBellefeuille agrees, it would replace BQ-9. Mrs. DeBellefeuille may have to withdraw her amendment so that we can submit ours; if she agrees, of course.

• (1655)

The Chair: There are two possibilities: Either we make sure that the subamendment has been distributed to all members of the committee, which may take some time, or we withdraw BQ-9 by unanimous consent.

[*English*]

Is there unanimous consent to withdraw BQ-9?

[*Translation*]

Claude DeBellefeuille: I didn't hear the interpretation, but I still understood. It's a simple sentence in English.

I don't agree with withdrawing BQ-9 like that, on the fly, as they say.

The Chair: In any case, we have to take another short break so that the legislative clerks have the information they need. They informed me a few moments ago that they didn't have quite all the necessary information.

[*English*]

Don't flee the room too quickly, because we'll start as soon as we can.

• (1655)

(Pause)

• (1710)

[*Translation*]

The Chair: I call the meeting back to order.

We're going to do something rare. We're going to stand clause 11 for future discussion. That will enable us to move on to the other clauses, including clause 11.1, while the legislative clerks, analysts and experts determine the content and interpretation of clause 11, as well as the links between the various related amendments and subamendments.

Is there a mover to stand down clause 11?

Claude DeBellefeuille: I so move.

The Chair: Okay.

[*English*]

Is everyone in agreement with that?

(Clause 11 allowed to stand)

The Chair: We are standing clause 11 and moving to clause 11.1.

Is clause 11.1 adopted?

An hon. member: On division.

(Cause 11.1 agreed to on division)

(Clause 12 agreed to on division)

[*Translation*]

(Clause 13 agreed to on division)

(Clause 14 agreed to on division)

(Clause 15 agreed to on division)

(Clause 15.1 agreed to on division)

(Clause 16 agreed to on division)

(On clause 17)

• (1715)

The Chair: We'll now go to proposed section 17.

Mrs. DeBellefeuille, do you want to move BQ-15?

Claude DeBellefeuille: Yes.

This amendment enables parliamentarians to follow up on a new act. Bill C-8 is long awaited and important, but we know that during the debates, there were still questions on the way things should be done. It seems that it would be wiser to review the act after five years to see whether there are any amendments or improvements to be made, since that will be revealed through use.

I'm asking for my colleagues' support to force the government, five years after the passage of Bill C-8, to undertake a review of the act and publish a report.

The Chair: Thank you, Mrs. DeBellefeuille.

Mr. Ramsay, you have the floor.

Jacques Ramsay: We support the principle of the five-year review, but we would like to propose an amendment. Let me explain why.

Mrs. DeBellefeuille's amendment proposes that the Minister of Industry conduct the review. However, the act is the responsibility of the Minister of Public Safety, so it would be more appropriate for him to conduct that review.

I can read the amendment. Do you already have it?

The Chair: We should read it first.

Jacques Ramsay: I move that BQ-15 be replaced by the following:

That Bill C-8 be amended by adding after line 27 on page 88 the following new clause:

Review

Five-year review

15.1 (1) Five years after the day on which section 11 comes into force, the Minister of Public Safety and Emergency Preparedness must undertake a review of the *Critical Cyber Systems Protection Act*.

Report

(2) At the conclusion of the review, the Minister of Public Safety and Emergency Preparedness must prepare a report on the review that sets out the Minister's findings on the effectiveness of the measures provided by that Act respecting offences that are more easily committed using cyber technology, among other matters, and the Minister's recommendations, including any changes to any Act, such as the *Criminal Code*.

Tabling of report

(3) The Minister of Public Safety and Emergency Preparedness must cause the report to be tabled before each House of Parliament on any of the first 15 days on which that House is sitting after the report is completed.

The Chair: Okay.

We're going to take a break, because the legislative clerks have to confirm some things.

I will suspend the meeting for a few minutes.

• (1715) _____ (Pause) _____

• (1725)

The Chair: I call the meeting back to order.

The teams worked very hard during the break. This isn't a criticism of anyone, but there is a bit of confusion about the nature of the subamendment that Mr. Ramsey would have proposed. It isn't a real subamendment, so it can't amend BQ-15. Instead, if I understand correctly, the hope is to submit a new subamendment to BQ-15, and that gets a bit complicated.

We're going to adjourn today's meeting, which will enable us to do two things. First, we're going to look at the new clause 17, which may get a subamendment proposal on Thursday. Second, we'll come back to clause 11 on Thursday, and there's a lot of work to be done on that between now and then.

Before adjourning the meeting, I want to let you know that on Tuesday, March 10, after we return from a week in our respective ridings, the minister and his team will appear in committee as part of the study on the supplementary estimates (C). We'll then have an opportunity to discuss other activities for our wonderful Standing Committee on Public Safety and National Security.

The meeting is adjourned.

Have a good evening.

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