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Chair: Jean-Yves Duclos



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• (1535)

[*Translation*]

The Chair (Hon. Jean-Yves Duclos (Québec Centre, Lib.)): I call this meeting to order.

Good afternoon, everyone.

Welcome to meeting number 26 of the House of Commons Standing Committee on Public Safety and National Security.

You may have noticed that the meeting adjournment time has been extended to 7:30 p.m. It's to allow us to sit until later than 5:30 p.m., should we need to, so we can finish the clause-by-clause consideration of Bill C-8.

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

I would now like to welcome the witnesses we're fortunate to have with us today and who will be able to answer questions, if necessary.

First, from the Department of Public Safety and Emergency Preparedness, we have Colin MacSween, director general, and Kelly-Anne Gibson, director.

From the Department of Industry, we have Andre Arbour, director general, and David Gibson, director.

Finally, from the Communications Security Establishment, we have Stephen Bolton, director general, and Richard Larose, principal adviser on cyber security.

We will now resume our clause-by-clause consideration of the bill. As you recall, the last time we met, on Tuesday, we were at the proposed new clause 17, because we had reserved clause 11 for future consideration. We'll start, then, with the proposed new clause 17. We had an amendment moved for this one, BQ-15, and Mr. Ramsay moved a subamendment, which was unfortunately not in order. Therefore, we're back to BQ-15, and I understand, Mr. Ramsay, that you'd like to move a subamendment.

Jacques Ramsay (La Prairie—Atateken, Lib.): Mr. Chair, we intend to vote in favour of BQ-15, provided that the words “of Industry” are removed from the wording of section 17(1), after the word “Minister”.

The Chair: It's a fairly simple subamendment to understand. It would no longer refer to the Minister of Industry, but to the Minister, period.

[*English*]

Is there a will to have greater clarity on what this subamendment would do to amendment BQ-15? Before we debate it, is there any need to specify or any value in specifying more clearly the nature of that subamendment?

MP Lloyd.

Dane Lloyd (Parkland, CPC): I'm wondering who is responsible if we don't state the minister responsible.

The Chair: Let's check on that with the experts. Would anyone like to speak to that?

Monsieur MacSween.

Colin MacSween (Director General, National Cyber Security Directorate, Department of Public Safety and Emergency Preparedness): Thank you very much for the question, Mr. Chair.

Should the bill receive royal assent, the Minister of Public Safety would be responsible for the CCSPA, and the Minister of Industry would be responsible for the Telecommunications Act. As you know, currently the Minister of Public Safety is the sponsor of the bill as a whole, but should it receive royal assent, those would be their responsibilities.

It's part of the reason why the amendment is suggested. It could be interpreted to mean that the responsible minister would be responsible for reviewing their specific piece of the legislation.

The Chair: Is there any further input on this subamendment?

[*Translation*]

Shall the subamendment carry?

(Subamendment agreed to)

The Chair: We'll therefore go back to BQ-15 as amended.

Mr. Lloyd, the floor is yours.

[*English*]

Dane Lloyd: I'd like to move forward with my subamendment.

I hope I have the indulgence of the committee, because it has been amended to remove the reference to the Minister of Industry. My amendment was using some of the old language.

The spirit of my amendment is to change the language. This has been sent around, so everyone has it. Too often, we've seen in previous legislation that we've put in review clauses—I think of the NSICOP Act as an example—but reviews don't take place at the statutory five-year review period, and I think it's been several years overdue.

What I'm seeking to do with this amendment is create what I think is a broad and flexible requirement that within five years of this bill coming into force, the minister responsible must complete a review of the legislation, and then within 90 days of the completion of that review—so 90 days from the maximum of five years—the minister must complete a report on that review. The subamendment then goes on to what the regular amendment was, which is that within 15 days of the completion of the report, it be tabled in the House.

I think this creates firm accountability because, as worded, it's not clear to me that the minister would ever actually have to table any report. They would undertake to do a report and a review, but there would be no actual statutory requirement for that report to ever be tabled in the House.

Thank you.

• (1540)

The Chair: Just for clarity, is that a subamendment to BQ-15 or a different amendment?

Dane Lloyd: It's an amendment to BQ-15.

The Chair: It's a subamendment to BQ-15. Has this been communicated to the legislative clerk?

I have a question. As you pointed out first, and you were very good in doing so, since this comes after the subamendment, which was voted on positively, there's a question of whether we would include “of Industry” or “responsible”. Would you—

Dane Lloyd: I consent to removing that.

The Chair: I'll pause for 15 seconds—don't go anywhere—and we'll make sure that everyone is on the same page.

• (1540)

(Pause)

• (1540)

The Chair: The subamendment is what MP Lloyd pointed to, except that it would read, “the minister must complete a review” as opposed to “the Minister of Industry must complete a review”. Is everyone on the same page? Good.

That leads us to possibly discussing the subamendment to BQ-15. Is there debate on that? No.

[*Translation*]

Shall the subamendment carry?

(Subamendment agreed to)

The Chair: That takes us back to BQ-15 as amended for a second time.

Since no one seems to have anything to say about BQ-15 as amended, shall it carry?

(Amendment as amended agreed to [*See Minutes of Proceedings*])

(On clause 11)

The Chair: That means we can go back to clause 11, which was reserved last week and which we're now going to consider.

You will recall that BQ-9 had been moved for clause 11. If BQ-9 is adopted, then CPC-40, which could come next, cannot be moved due to a line conflict. Also, if BQ-9 or CPC-40 are adopted, they would amend the definition of so-called confidential information, which is mentioned later in BQ-10 and BQ-13. BQ-10 and BQ-13 can only be moved as long as BQ-9 or CPC-40 is adopted, since there is a correlation. So it's a bit complex, but those who understand subamendments will follow me a little better. This is just to let you know that the vote on BQ-9 has an impact on CPC-40 due to a line conflict, and on us being able to debate BQ-10 and BQ-13.

• (1545)

[*English*]

That said, is there debate on BQ-9?

Madame DeBellefeuille, go ahead.

[*Translation*]

Claude DeBellefeuille (Beauharnois—Salaberry—Soulanges—Huntingdon, BQ): I don't wish to move BQ-9 anymore. I wish to withdraw it.

The Chair: Okay. The amendment was moved last Tuesday. Unanimous consent is therefore required to withdraw it.

Is it the will of the committee that Mrs. DeBellefeuille withdraw BQ-9?

Some hon. members: Agreed.

(Amendment withdrawn)

The Chair: That brings us to CPC-40.

[*English*]

Is CPC-40 being moved?

Dane Lloyd: I'll move CPC-40.

The Chair: Thank you, MP Lloyd.

Is there debate on CPC-40?

Dane Lloyd: I'd like to ask the officials if they can give their reflection on CPC-40.

Colin MacSween: In part 2 of the act, one of the challenges that occur with CPC-40 is that it creates significant confusion as to the way personal information would be administered under the act. This arises from the commingling of the definition of personal information with confidential information.

I'm happy to give you an example here. Personal information under the Privacy Act is accessible by Canadians. There's a requirement to retain that personal information for two years. Canadians can request that information, can seek to correct that information and can seek recourse based on that information.

The confusion here arises because that information would now need to be treated as confidential, so it creates an interpretive question: If somebody requested that information under the Privacy Act, what would happen in that case? Would we need to keep it confidential, or could it be disclosed?

What exacerbates this challenge is that, in part 2 of the act, we have several organizations administering this act—not just Public Safety but regulators as well—so it certainly, at a minimum, creates a risk of conflict with the Privacy Act.

There's also a potential challenge in the administration of the act. If personal information has to remain confidential, there is a question as to how that could be interpreted when a regulator tries to exercise their regulatory power.

Dane Lloyd: I appreciate that. Thank you.

The Chair: Thank you, MP Lloyd.

Thank you, Mr. MacSween.

Is there any further input?

Mr. Ramsay, go ahead.

Jacques Ramsay: I'd just like to say that, in view of what's been said and in order to avoid this confusion, we will submit another amendment later—if this one doesn't go through, of course.

We will vote against this amendment.

The Chair: Thank you for that.

Is there any further input?

Is CPC-40 adopted?

[*Translation*]

(Amendment negated)

The Chair: That brings us to CPC-41.

[*English*]

Is CPC-41 being moved?

Dane Lloyd: Yes, I am moving it.

The Chair: Thank you, MP Lloyd.

Is there any debate on CPC-41?

[*Translation*]

Mr. Ramsay, do you have a comment?

[*English*]

Jacques Ramsay: Indeed.

[*Translation*]

We believe that this amendment would restrict the reporting of certain incidents based on the current standard, since quasi-incidents could no longer be reported. It would be tantamount to look-

ing only at weather events that are disasters, while ignoring the forecasts that might predict them.

This amendment would reduce the scope of threat activities that need to be reported to the Communications Security Establishment, so we will be voting against it.

• (1550)

The Chair: Thank you, Mr. Ramsay.

Is there any further debate?

[*English*]

MP Lloyd, go ahead.

Dane Lloyd: Conservatives are moving forward with this amendment because there's been a concern raised by civil liberties groups about the scope and the potential government overreach. By focusing on and including the word “material”, we're seeking to provide some level of comfort to Canadians that the impacts of this legislation, which is serious legislation, are meant to deal with serious problems.

Thank you.

[*Translation*]

The Chair: Thank you.

Shall CPC-41 carry?

(Amendment negated)

The Chair: We're now moving on to CPC-41.1, which was added a little later.

Is CPC-41.1 moved?

[*English*]

Dane Lloyd: Yes, I so move.

The Chair: Amendment CPC-41.1 is being moved.

Jacques Ramsay: I don't have the amendment.

The Chair: The notice wasn't sent in the initial package, but it was sent a bit later.

We'll pause for a few seconds. I'll suspend for a few seconds.

Dane Lloyd: I could explain it.

The Chair: MP Lloyd, you can explain it, and then if there is a need for a suspension, we'll suspend.

Dane Lloyd: This amendment, I think, is quite uncontroversial. It came out of a meeting with an association of internal auditors who expressed a desire for a clear definition of what an internal audit is. That definition is actually included in the Treasury Board act; it's the definition that the Treasury Board follows. This organization expressed concern over there being no firm definition of internal audit and sought to include that in the legislation to provide more clarity.

I'd like to ask the officials to weigh in and reflect on that.

Thank you.

Colin MacSween: The consideration I would raise with respect to this amendment... Yes, it's quite accurate to say that this definition is found in the Treasury Board policy on internal audit, but the one thing to bear in mind is that those policies are just that, policies of the government. They do have a broad effect. All deputy ministers must adhere to the policies and the policy requirements and so must use that definition. Therefore, there is some repetition there.

The consideration I would point out is that you would now be legislating that definition. Because policies are updated regularly, you run the risk of that definition in the policy changing. It's also possible that the institute that created this definition could also change or adapt that policy, in which case you would bump into a situation where a Treasury Board policy would now be different from what's legislated in this particular act.

Of course, it would be possible to update the legislation, but policies usually go a bit faster.

Dane Lloyd: My question is this: If this is the definition that has been adopted by the Treasury Board, presumably that definition is being updated. I've been told by this organization that the government is involved in decisions about updating this. Where would there be a conflict with this act, in particular, if we were to include that, if the Treasury Board is already updating its provisions based on its own internal definition?

Colin MacSween: I apologize. I should clarify myself there.

All I said is that it just creates a situation whereby there could be a difference. If this is legislated in the act and the Treasury Board policy stays the same and doesn't change, then you will have the same definition. If in a year, for whatever reason, the institute that created that definition or the Treasury Board in its capacity as the policy centre for government decides to change it—

• (1555)

Dane Lloyd: I'm sorry, but I want to clarify.

Doesn't the Treasury Board definition also change?

Colin MacSween: Yes, it could, but it wouldn't automatically change in the legislation. That's the issue.

Dane Lloyd: I see.

Thank you.

The Chair: Thank you, MP Lloyd.

Is there any further input?

I will suspend for a minute, because I think it's better for everyone to vote with sufficient clarity. It won't be a long suspension, so please don't go anywhere.

• (1555)

(Pause)

• (1555)

[*Translation*]

The Chair: We're going back to debating CPC-41.1, hoping that it's sufficiently well understood.

There doesn't seem to be any other discussion on CPC-41.1, so shall it carry?

(Amendment agreed to)

The Chair: That would normally take us to CPC-42, but I believe there's another amendment for which notice had already been sent.

Mr. Ramsay, you have the floor.

Jacques Ramsay: Would you like me to read it, Mr. Chair?

• (1600)

The Chair: Yes, please.

Jacques Ramsay: I move that Bill C-8, in Clause 11, be amended

(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*)

(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: Thank you, Mr. Ramsay.

Seeing no discussion on that, shall the amendment carry?

(Amendment agreed to)

[*English*]

The Chair: Is amendment CPC-42 being moved?

Dane Lloyd: Yes, I'll be moving CPC-42.

Basically, we're seeking to harmonize the standards by which this legislation is governed.

I'd like to ask the officials about the International Organization for Standardization and how that relates to national security. Do you believe this harmonization would reduce national security?

Colin MacSween: While, generally speaking, it's a good practice to harmonize this, there are some considerations when legislating that requirement. As it relates to cybersecurity, there are different international standards bodies, and thus different organizations can follow different standards. Legislating a certain type runs the risk of requiring a certain group to adhere to those particular standards.

The other issue is that standards change consistently, so embedding those in legislation runs the risk of that provision stale-dating quickly should there be a significant enough change.

I don't know if my colleagues from CSE wish to add anything.

Richard Larose (Principal Advisor on Cyber Security, Communications Security Establishment): Yes, indeed, this type of reference to a standard will be better placed in regulations, where it can be quickly adapted or changed, versus in legislation, where, if there was something we didn't want to adhere to in that standard, we would be left with it in legislation. The standards deviate over time.

Dane Lloyd: Thank you for that. I appreciate it.

[*Translation*]

The Chair: Mr. Ramsay, you have the floor.

Jacques Ramsay: Mr. Chair, we would be prepared to vote in favour of this amendment, provided that the subamendment I'm going to move is adopted. I'd like to move that subamendment.

I move that Motion No. CPC-42, proposing to amend Clause 11 of Bill C-8, be amended by

(a) deleting "in accordance with any guidelines established under section 15.1"; and

(b) replacing "must" with "may" in proposed section 15.1.

[*English*]

The Chair: Everyone seems to be on board and well aware of the subamendment.

Is the subamendment adopted?

[*Translation*]

The Chair: (Subamendment agreed to)

Shall CPC-42 as amended carry?

(Amendment as amended agreed to [*See Minutes of Proceedings*])

The Chair: Would someone like to move BQ-10?

Claude DeBellefeuille: No.

The Chair: That's fine.

That brings us to CPC-43. Would someone like to move that amendment?

[*English*]

Dane Lloyd: Yes, I'll be moving that.

There was significant concern, I believe, from the Privacy Commissioner and others, that the Privacy Commissioner was not required to be informed when there were privacy breaches. We're seeking to include a provision that will allow the Privacy Commissioner to be informed when privacy rights are impacted.

Thank you.

• (1605)

The Chair: Thank you.

Mr. Ramsay.

[*Translation*]

Jacques Ramsay: Thank you, Mr. Chair.

We will be voting against this amendment, because we believe it compromises the neutrality of the Communications Security Establishment in providing advice and guidance to industry. The CSE would effectively be required to determine whether an incident report meets the data breach criteria set out in the Privacy Act, which does not apply to its mandate. So we'll be voting against it.

The Chair: Thank you, Mr. Ramsay.

Seeing no other discussion, is it the will of the committee to adopt CPC-43?

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

The Chair: Let's move on to G-4. Would someone like to move that amendment?

Jacques Ramsay: I think we have another amendment to deal with first.

The Chair: Yes, sorry. You had advised that there might be another amendment before G-4. Would you like to move that amendment?

Jacques Ramsay: Yes, please, I do.

Madam Clerk, can you specify that this is the one with the number 011-027-21b on the page?

The Clerk: Yes.

Jacques Ramsay: Mr. Chair, I move that Bill C-8, in Clause 11, be amended by adding after line 24 on page 27 the following:

For greater certainty

18.1 For greater certainty, nothing in sections 17 and 18 affects the provisions of the *Personal Information Protection and Electronic Documents Act*.

The Chair: Thank you, Mr. Ramsay.

Seeing no discussion, shall this amendment carry?

(Amendment agreed to)

The Chair: Do I have a mover for G-4?

Jacques Ramsay: Yes. This amendment ensures that directives made under the bill cannot be used to order that an encrypted private communication be decoded. I think this amendment is in line with the wishes of all the members here. So I don't think it should be an issue.

The Chair: Okay.

Shall G-4 carry?

(Amendment agreed to [*See Minutes of Proceedings*])

The Chair: Let's move on to CPC-44.

[*English*]

Is amendment CPC-44 moved?

MP Lloyd.

Dane Lloyd: Yes, I move the amendment.

I would like to ask the officials for their reflection on the amendment in relation to the privacy rights of Canadians.

Colin MacSween: We have no additional considerations to offer with this amendment. It's clearly in line with the policy intent of the bill. I don't have much to say beyond that.

The Chair: Thank you.

Is CPC-44 adopted?

(Amendment agreed to)

[*Translation*]

The Chair: Let's move on to BQ-11.

Would someone like to move that amendment?

Claude DeBellefeuille: No.

The Chair: There's no desire to move BQ-11, which takes us to G-5.

Would someone like to move that amendment?

Jacques Ramsay: I do.

The Chair: Mr. Ramsay, the floor is yours.

Jacques Ramsay: Amendment G-5 simply proposes a proactive change that seeks to ensure that the Governor in Council takes into account the need for proportionality before issuing a cyber security directive. It establishes a legal standard for review and provides additional assurance that directives will be used only to protect critical cyber systems. So this amendment provides greater assurance.

The Chair: Thank you, Mr. Ramsay.

Seeing no discussion, shall G-5 carry?

(Amendment agreed to [*See Minutes of Proceedings*])

• (1610)

The Chair: We're now moving on to NDP-12, which is deemed moved.

Is there any debate on NDP-12?

Mr. Lloyd, the floor is yours.

[*English*]

Dane Lloyd: I'll admit that this was a bit of a confusing motion for me. I'd like to ask the officials to provide some clarity on what the impact would be.

Colin MacSween: Simply stated, the amendment would remove the prohibition against disclosing the fact that a cybersecurity direction was issued to a designated operator and make the associated change in the "Disclosure—when allowed" section. In layman's terms, it would allow a designated operator to indicate that they were subject to a cybersecurity direction.

The Chair: Thank you.

Is NDP-12 adopted?

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

The Chair: We will move to BQ-12.

[*Translation*]

Is BQ-12 moved?

Claude DeBellefeuille: No, Mr. Chair.

The Chair: Okay, thank you.

We're now going to move on to CPC-45.

[*English*]

Is CPC-45 being moved?

Dane Lloyd: Yes, I'd like to move this amendment.

We're seeking to create a standard for information disclosure or collection. I'd like to ask the officials to provide some feedback on that.

Thank you.

[*Translation*]

The Chair: Mr. Ramsay, you have the floor.

Jacques Ramsay: Mr. Chair, I, too, would like to hear the experts' opinion.

The Chair: Ms. Gibson, you have the floor.

[*English*]

Kelly-Anne Gibson (Director, National Cyber Security Directorate, Department of Public Safety and Emergency Preparedness): Thank you, Mr. Chair.

I think there may be some unintended consequences with this particular amendment. If the purpose of the amendment is to ensure that there are protections in place for personal information, I would highlight that there's already a reliance on the Privacy Act, which has a definition of personal information and rules around its use, which this act relies on.

I would highlight that the CSE Act also has provisions for the protection of personal information. The concern with the way this is worded is that it could unintentionally inhibit CSE from using the information for its lawful mandate. In practical terms, it could affect CSE's ability to provide support, through its voluntary program, to Canadian operators.

I think that's something you may wish to consider as part of this amendment.

[*Translation*]

The Chair: Thank you, Ms. Gibson.

Seeing no further discussion, shall CPC-45 carry?

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

The Chair: That brings us to CPC-46.

[*English*]

Is CPC-46 being moved?

Dane Lloyd: Yes. I'll be moving this amendment.

Similar to the last one, it's seeking to create protections on the use of private information that isn't related to provisions in this act.

The Chair: Thank you.

Is there any need for clarification or debate?

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

[*Translation*]

The Chair: BQ-13 cannot be moved without BQ-9 or CPC-40 being adopted first, because there's a correlation between BQ-13 and those other two amendments, which were not adopted.

That brings us to CPC-47.

[*English*]

Is CPC-47 being moved?

Dane Lloyd: Yes, I'd like to move this amendment.

When we're giving government new powers to collect information for its mandate, I think there's a lot of concern about what happens to this data when the circumstances for which that data was collected for that purpose are no longer the case. What are the data retention rules? We're seeking to provide clarity for Canadians that this data is not going to be held somewhere. We know the government itself is subject to cyber-attacks, so we don't think it's necessary for the government to hold this information any longer than necessary if it's not needed anymore.

I want to ask the officials if they can provide their insight on that.

Thank you.

• (1615)

The Chair: Thank you.

Please go ahead, officials.

Colin MacSween: A consideration we'd offer to the committee is that, again, this may unintentionally restrict some of the privacy rights of Canadians, specifically as it relates to the retention of information and their ability to access information. Under the Privacy Act, there's a requirement for the government to retain information for two years, as I mentioned. In this case, as worded, there would be an obligation, potentially, to dispose of that information prior to that two-year period, meaning that Canadians would lose that two-year window if they were looking to access their information collected under the act.

Dane Lloyd: Thank you.

I think that raises an interesting point. Obviously, we can't create legislation that directly counteracts another piece of legislation, but there's nothing in this amendment requiring any government body to dispose of that information before the two years are up. The government could keep it for two years, follow the Privacy Act rules and then dispose of it after that point, could it not? What mechanism would force it to delete it before that?

Colin MacSween: I believe the issue comes in the wording that says it "must be disposed of if it is no longer necessary for the purposes for which it was collected or obtained". If that period—

[*Translation*]

Claude DeBellefeuille: I have a point of order, Mr. Chair.

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

Claude DeBellefeuille: I know we haven't had a lot of testimony so far from Mr. MacSween, but he's speaking at lightning speed and the interpreter is having a hard time keeping up. Can he slow down?

The Chair: Yes.

Mr. MacSween, I think you understood the interpretation of what was just said.

[*English*]

Colin MacSween: Yes, absolutely. I apologize.

I'll go back.

The issue arises specifically with the wording here that says it "must be disposed of if it is no longer necessary for the purposes for which it was collected or obtained or for verifying compliance

or preventing non-compliance with this Act". The interpretive read of that is that if I no longer need that, regardless of what the Privacy Act says, I have to get rid of it.

Dane Lloyd: I would just draw the committee's attention to the rest of the sentence. It says, "or in accordance with any requirement under the Privacy Act"—which was what you cited, the two-year Privacy Act rules—"that applies to it, whichever retention period is shorter."

Colin MacSween: I agree, but the problem is with "whichever retention period is shorter". If you divide this up and take the first part of that sentence, "for the purposes for which it was collected...for verifying compliance", if that period is shorter, then the information needs to be disposed of.

Dane Lloyd: I'm going to move a quick subamendment to this, then, and request that—

The Chair: I'm sorry. For procedural correctness, you yourself cannot do that, but someone else could.

Dane Lloyd: Okay.

I would just remove the last part, "whichever retention period is shorter".

[*Translation*]

The Chair: Mrs. DeBellefeuille, you also raised your hand. I think you're looking for an explanation.

Claude DeBellefeuille: Yes. Maybe they could talk to each other while I ask questions about the amendment.

[*English*]

The Chair: If that's fine with you, MP Lloyd, we'll allow you and MP Au to work together while Madame DeBellefeuille asks her questions.

[*Translation*]

Claude DeBellefeuille: With BQ-13 and CPC-47, we want information to be withdrawn when it's no longer needed. However, BQ-13 was deemed out of order and CPC-47 is currently being debated. If we don't adopt these elements, can we have Bill C-8 clearly set out the obligation to withdraw confidential information when it's no longer needed?

Kelly-Anne Gibson: Yes, I think it's already there. Right now, the bill contains rules on the use of confidential information, but the Privacy Act also contains a definition and rules for using that information.

• (1620)

If you want to make it really explicit, you can change the wording a bit by adding “and” to it. As a result, the rules established by this amendment will exist in parallel or in accordance with the Privacy Act.

Claude DeBellefeuille: Perfect.

I understand that Mr. Lloyd is working with his colleague to perhaps introduce a subamendment, but I just want to be more assured.

This recommendation was proposed to us by the Privacy Commissioner. When he makes such recommendations to us, we take them seriously, since that's his specialty. So we want to make sure that all information has to be withdrawn when it's no longer needed.

I didn't understand everything you said, since you spoke in English for a little while and the interpretation wasn't working, but as I understand it, if we adopted a subamendment to add the word “and”, that would be acceptable and would achieve the objective of BQ-13 and CPC-47.

Kelly-Anne Gibson: The way it's written right now, yes, there's a conflict. However, this conflict can be resolved. The proposed rules can coexist with the act.

Claude DeBellefeuille: Then, Mr. Chair, I would move a subamendment to add the word “and” where Ms. Gibson indicated, to make CPC-47 more acceptable and to achieve the objective of withdrawing personal information when it's no longer needed.

The Chair: I think the legislative clerks clearly understand this subamendment, but since it's getting a little complicated, I'm going to suspend the meeting for a few minutes to make sure everyone on both sides of the room understands exactly what we're talking about.

• (1622)

(Pause)

• (1630)

The Chair: I call the meeting back to order.

Before the break, we were talking about CPC-47, and Mrs. DeBellefeuille had proposed a subamendment.

Do you wish to go back to that subamendment, Mrs. DeBellefeuille?

Claude DeBellefeuille: Yes.

After discussion, we came up with a better solution than my subamendment, and it achieves the same objective. I will therefore ask for unanimous consent to withdraw my subamendment.

The Chair: That's fine.

[English]

Is there unanimous consent for Madame DeBellefeuille to withdraw her subamendment?

Some hon. members: Agreed.

(Subamendment withdrawn)

The Chair: This brings us back to CPC-47.

[Translation]

Mr. Ramsay, you have the floor.

Jacques Ramsay: I will read the subamendment in English for the benefit of our colleagues, since it concerns their amendment:

[English]

Any personal information, as defined in section 3 of the Privacy Act, that is collected or obtained under this Act must be disposed of if it is no longer necessary for the purposes for which it was collected or obtained or for verifying compliance or preventing non-compliance with this Act, or in accordance with any requirement under the Privacy Act that applies to it.

[Translation]

The Chair: Thank you, Mr. Ramsay.

Is the committee in agreement with this subamendment?

(Subamendment agreed to on division)

The Chair: We'll now go to a vote on CPC-47 as amended.

(Amendment as amended agreed to)

The Chair: We're moving on to CPC-48.

Jacques Ramsay: Before that, I have another amendment to move.

The Chair: Okay.

Jacques Ramsay: I move that Bill C-8, in clause 11, be amended by adding after line 24 on page 32 the following:

For greater certainty

29.1 For greater certainty, nothing in this Act affects the provisions of the *Communications Security Establishment Act* in relation to the protection of personal information.

• (1635)

The Chair: Thank you, Mr. Ramsay.

Is there any debate on this amendment?

[English]

Is this amendment adopted?

(Amendment agreed to)

The Chair: We are moving, therefore, to CPC-48.

Is CPC-48 moved?

Dane Lloyd: I'd like to move that amendment, and I'd like to speak to it.

We're seeking to add a confidentiality requirement for anyone exercising powers under these acts. I'd like to ask the officials to weigh in on this.

Thank you.

Colin MacSween: Thank you for the question.

We struggled with the intent behind this provision. Our plain language reading of this is, essentially, that an individual responsible for enforcing this act would not be allowed to share the name of any person who provides information under this act, unless the law specifically requires them to do so. This would apply in any situation that could compromise a service or system vital to national security or public safety. That is our interpretation.

There are some considerations for the committee.

Most prevalent is that it could prevent regulators from clearly showing what information they relied on, including from whom, when determining non-compliance with the act. If the determination was challenged, for example, and regulators were asked to demonstrate the source of the information used, this motion would limit their ability to do so.

It could make it harder to identify sources of information, limiting decision-makers' ability to assess credibility and make fully informed decisions. It would add administrative burdens, requiring new procedures, training and legal checks to avoid unintended violations, given the uncertainty around the provision. Obviously, it would impose strict confidentiality limits, slowing information handling, delaying coordination and reducing flexibility in administering the CCSPA.

[*Translation*]

The Chair: Thank you.

If there are no further comments, is it the pleasure of the committee to adopt CPC-48?

(Amendment negated)

The Chair: We're moving on to G-6.

Mr. Ramsay, you have the floor.

Jacques Ramsay: The purpose of this amendment is to address the industry's concerns regarding personal responsibility. It reduces maximum financial exposure to a more manageable level for individuals, including senior management and other company executives, while ensuring compliance. As such, everyone should be in favour of this amendment.

The Chair: Thank you, Mr. Ramsay.

Mrs. DeBellefeuille, you have the floor.

Claude DeBellefeuille: I would like to know why the government wants to reduce it to \$500,000 from the original \$1 million when the bill was initially drafted. That's a big difference. I would like you to explain the reasoning behind that. Why do you want to change the penalties so dramatically?

Kelly-Anne Gibson: After Bill C-26 was introduced, we had an opportunity to talk to industry stakeholders, and most of them told us they were afraid people wouldn't want to accept positions in cybersecurity. They saw it as a major problem. We took their concerns into account, and that's why we decided to reduce the amount. We put \$1 million initially because we wanted to make sure that people would take cybersecurity seriously. This is a compromise between the two.

• (1640)

Claude DeBellefeuille: Perfect.

The Chair: Thank you.

We'll vote on G-6.

[*English*]

(Amendment agreed to on division [*See Minutes of Proceedings*])

The Chair: We're moving now to BQ-14.

[*Translation*]

Mrs. DeBellefeuille, would you like to move it?

Claude DeBellefeuille: Yes, I'd be happy to move it.

This amendment stems from discussions with Electricity Canada, an association of partners that produce hydroelectricity. This sector is already well regulated by a North American regime, and these people have shared some fairly well-founded fears with us.

We really want the federal government to be required to consult the provinces, particularly those that have a hydroelectric network and that are used to complying with very high safety standards. For example, where I live, we have Hydro-Québec. It would be in the interest of these organizations to have assurances that the government will consult them.

Electricity Canada has clearly demonstrated the importance of this fairly urgent request, which was unfortunately not incorporated into Bill C-26. I believe that BQ-14 addresses that request, and I hope my colleagues will support it.

The Chair: Thank you, madam.

Mr. Ramsay, you have the floor.

Jacques Ramsay: As a matter of principle, we cannot accept such an amendment. Saying that the Governor in Council must ensure consistency with regulatory bodies is akin to relying on external bodies to determine what is best for Canada. It is up to us to decide what needs to be included in regulations. We look at what's being done elsewhere, of course, and we take into account any requirements that organizations are subject to. We're already doing that.

However, to say that the Government of Canada will determine what regulations it needs based on what's being done in the United States, Europe, the provinces or elsewhere would be to diminish or abdicate our responsibility as a government. We will therefore be voting against this amendment.

The Chair: Thank you, Mr. Ramsay.

If there are no further interventions, is it the pleasure of the committee to adopt BQ-14?

(Amendment agreed to on division [*See Minutes of Proceedings*])

The Chair: We're moving on to CPC-49.

[*English*]

Dane Lloyd: We won't be moving it.

The Chair: No, it cannot be moved because it is a line conflict. Thank you for not moving it. It couldn't be moved anyway.

Is G-7 being moved?

[*Translation*]

Jacques Ramsay: Yes, Mr. Chair.

This is an amendment that provides greater certainty to industry stakeholders because the government is committing to consulting and collaborating with them while developing regulations. That's why we voted against BQ-14. Amendment G-7 already serves the same purpose very well.

• (1645)

The Chair: Thank you.

Mrs. DeBellefeuille, you have the floor.

Claude DeBellefeuille: I just want to clarify something with the officials, Mr. Chair.

If we adopt this amendment, how will that affect BQ-14? Will this amendment reduce the significance of BQ-14, or is it merely adding a duty to consult?

Kelly-Anne Gibson: At first glance, I think it means the same thing, essentially. There was already a duty to consult—

Claude DeBellefeuille: Yes, that's in BQ-14.

Kelly-Anne Gibson: Even before BQ-14 was adopted, there was a duty to consult. This amendment creates a new one.

Claude DeBellefeuille: You don't see this amendment as diminishing the scope of BQ-14?

Kelly-Anne Gibson: No, I don't think so.

Claude DeBellefeuille: Okay. Regarding consultation, it says may, not must. Do I have that right?

Kelly-Anne Gibson: Yes, that's right. I think BQ-14 is a little stronger, but it essentially means the same thing, so I don't think G-7 undermines BQ-14.

Claude DeBellefeuille: Okay.

If you're saying that BQ-14 uses stronger language, I would expect that to prevail. Would the government be able to use G-7 to say that it isn't obligated to abide by BQ-14?

Kelly-Anne Gibson: I don't know. There could be some confusion, actually. However, there is already an intent and a duty to consult with stakeholders baked into the regulatory development process.

Claude DeBellefeuille: Ms. Gibson, we're used to the federal government saying that it's going to consult and then making decisions before doing so. We've seen that in the past, and we're seeing it now. You're saying that there could be some confusion, so I want to make sure the government won't use G-7 to justify shirking its obligation to take North American standards, which are very strict, into account.

Do you understand what I'm saying? I'm quite collaborative here in committee. I am not against Mr. Ramsay's amendment, but I also don't want to reduce the force of BQ-14, because I feel very strongly about it. It addresses a request from Electricity Canada that I fully support.

I would therefore ask you to enlighten me, sincerely. Basically, I could oppose G-7, because it doesn't take anything away.

Kelly-Anne Gibson: In English, BQ-14 would be described as prescriptive, an order to do as indicated. That is not the case with G-7, which says that the government may do as indicated. So—

Claude DeBellefeuille: There could be some confusion, then?

Kelly-Anne Gibson: It's possible.

Claude DeBellefeuille: Okay, I have my answer. That's perfect.

The Chair: Thank you, Mrs. DeBellefeuille.

Ms. Kirkland, the floor is yours.

[*English*]

Rhonda Kirkland (Oshawa, CPC): Thank you, Chair.

My clear question, then, is, does G-7 add anything? It sounds like it's redundant.

Kelly-Anne Gibson: I think it could be, yes.

[*Translation*]

The Chair: If there are no further interventions, is it the will of the committee to adopt G-7?

[*English*]

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

The Chair: That brings us to G-8.

Is G-8 being moved?

[*Translation*]

Jacques Ramsay: Yes, absolutely.

Mr. Chair, as we read it, there are no legal or legislative barriers preventing the sharing of information between entities in Bill C-8. However, for greater certainty, we are proposing G-8 to ensure that solicitor-client privilege will continue to apply to information shared with the government. This is known as an exempting provision.

That was a concern the industry expressed. The amendment will make it easier to share information without people feeling threatened.

• (1650)

The Chair: Thank you, sir.

[*English*]

Is there any input on this?

(Amendment agreed to [*See Minutes of Proceedings*])

[*Translation*]

Is it agreed that clause 11, as amended several times, be adopted?

(Clause 11 as amended agreed to)

The Chair: Shall schedule 1 carry?

(Schedule 1 agreed to [*See Minutes of Proceedings*])

The Chair: Shall the title carry?

Some hon. members: Agreed.

The Chair: Shall the bill as amended carry?

Some hon. members: Agreed.

The Chair: Shall the chair report the bill, as amended, to the House?

Some hon. members: Agreed.

The Chair: Shall the committee order a reprint of the bill, as amended, for the use of the House at report stage?

Some hon. members: Agreed.

The Chair: Congratulations, everyone. Given how demanding our work has been over the past few weeks, on everyone's behalf, I'd like to thank and congratulate the team here.

[*English*]

As you have noted, we have been very pleased and fortunate to have the company of Michelle Legault today. Of course, Andrew is also here, whom we know really well. Before Andrew came, there was Nellie Winters. These are the legislative clerks.

[*Translation*]

The law clerk's office has handled a lot of the work we've had to do over the past few weeks. All of the analysts pitched in, as well as the clerk, Paul, whom we are getting to know and love very much. I also want to thank all the technical staff who support us, as well as the extraordinary interpreters, who enable us to work together well.

Obviously, I also want to thank the witnesses, who not only spent many, many hours with us, but also spent many, many hours preparing to be with us.

I think we should give them a good round of applause to express our gratitude.

Some hon. members: Hear, hear!

The Chair: We've beaten our own record. I hope nobody is disappointed. Before I leave you, I have one more thing to say.

[*English*]

I would like to point out that next week is a riding week. The week after, we were supposed to host the Minister of Public Safety on March 10, but as many of you will know, he cannot come on that date. That means we are trying to have him come with his team on March 12, which is two weeks from now, on Thursday. We will be discussing together what we will do on March 10 instead. I just wanted to flag that for all members of this committee.

We are now turning to you, MP Gill.

Sukhman Gill (Abbotsford—South Langley, CPC): Chair, I would like to move a motion that was tabled by my colleague, Frank Caputo, on November 20, 2025.

The motion reads:

That the committee report to the House its grave concern about the rise of extortion, which is up 330% across Canada since 2015, including a 400% spike in British Columbia and a 500% increase in the Lower Mainland, and the committee further report its recommendation that the federal government to use every tool at their disposal, including tougher sentences, more restrictive bail provisions and other measures to crack down on organized crime to protect Canadians, their property and their businesses.

This should have been brought forward to everybody in both languages. I just want to confirm that.

I would like to continue and say a couple of words.

The Chair: We will suspend for a moment so that everyone has access to the motion, which, as you noted, MP Gill, was circulated a little while ago.

• (1655) _____ (Pause) _____

• (1655)

[*Translation*]

The Chair: Thank you for your patience.

[*English*]

We'll start again, now that the motion has been shared.

MP Gill, I will turn back to you.

Sukhman Gill: Thank you, Chair.

I have been waiting patiently to discuss this very important motion. This has been impacting the residents of my community in the Lower Mainland. As stated in the motion itself, we see that numbers have spiked like we've never seen before. We've seen these numbers jump 400% in our Lower Mainland communities. We see the number as high as 500% in B.C. as well. What we're seeing is extraordinary, and that's why it's so important to me, because I'm a B.C. resident.

Members of my community have been asking me, "Hey, what do we do? We currently feel like our public safety is vulnerable." That's what my residents have been saying to me. We hear stories from families because, when you live on the ground, people... A member from the Bloc the other day said that there's no way there are people living in Canada who are afraid for their lives every single day. One of our Bloc colleagues said this. I encourage him to come to my riding, come to Surrey, where they say it's ground zero.

Just recently, the mayor of Surrey came down to Ottawa. She has called for a national state of emergency. That's how bad it's gotten in Canada. That's how bad it's gotten in our community, for my residents of Abbotsford—South Langley, for Surrey and for Lower Mainland residents. They are calling on the government to bring precaution, to bring justice to the ones who have been repeat offenders on our streets and to tighten up security. They're asking for a castle law to be passed.

Members of my community are so terrified. They're sleeping, and they don't know if a bullet is going to come flying into their bedroom window. They're choosing to sleep in their basements nowadays with their kids. The kids and the wives of these men are telling them not to go to work, because they're scared that if Papa goes to work, they don't know if he's going to return back home that night. Businesses are being shot at. Family members are feeling this pressure now more than ever. It's due to these extortion cases ramping up.

The thing is, we've identified this problem. Way back, over a year ago, our deputy leader Tim Uppal brought forth a bill. It was called the protection against extortion act. The bill had “extortion” in the writing of it. This is stuff that we tabled for tougher sentencing, for real consequences. Just last year, in the fall season, we had the jail not bail bill brought forward, which we encouraged our colleagues to adopt in the House as well. Sadly, that was voted out.

Around seven to 10 days ago, we had a motion on extortion that was brought forward to the House. It was to close the loophole of these fake asylum cases that are being brought up after these criminals cause chaos and terrorize our streets. They're using and abusing the loophole in the justice system to seek asylum and to stay in Canada. We encourage that, but we don't want them to be on our streets. We want them to be sentenced. We want them not to have the bail that they are currently receiving. They should feel the full thrash of justice in Canada, and they should not be out on our streets.

We want to make sure that we bring this motion forward, because our citizens and members of our nation are terrified. They're looking for answers.

I seek unanimous consent throughout our committee here and to engage with the members and their opinions. As well, my colleagues on my side from B.C. are very concerned.

Thank you very much, Mr. Chair.

I'm looking forward to having unanimous consent on this motion.

• (1700)

The Chair: Thank you, MP Gill.

MP Ramsay.

Jacques Ramsay: I just want to say, on the matter of extortion, that our government has been very active on this matter. We have more boots on the ground, more tools and more means, but we all know that the problem of extortion won't be solved before we get lawful access. I would expect, then, the other side of the committee to agree to expedite the bill, whatever it is going to be named, when it is reintroduced. I think this is the solution for extortion.

Mrs. Kirkland was there this morning. She heard the experts on the panel. She will concur that they were adamant that lawful access is the way to go to fight extortion. Madame Acan was there as well and actually was the one who organized that panel.

We know what to do. We will do it. It's just a matter of expediting lawful access when it is introduced in the coming weeks.

At this point, Mr. Chair, I move for adjournment for today.

The Chair: That's a motion on which we need to vote immediately.

Rhonda Kirkland: I have a point of order.

The Chair: Do you want us to adjourn the meeting?

Jacques Ramsay: Yes, please.

Rhonda Kirkland: Mr. Chair, on a point of order, Mr. Au clearly indicated to the clerk that he would like to speak, before Mr. Ramsay took the floor and before you gave it to him. I would like to ask for the unanimous consent of this committee to give Mr. Au a few moments to say the words he wished to say for his residents in British Columbia.

• (1705)

The Chair: I hear you. This is a motion on which we need to move right now. I saw Mr. Ramsay first, and I didn't know that MP Au wanted to speak. I also added your name, MP Kirkland. That being said, we have a motion to adjourn the meeting, and we need to vote immediately to see whether that is the will of the committee.

Does the committee want to adjourn the meeting?

Dane Lloyd: I'd like a recorded division, Mr. Chair.

The Chair: We'll have a recorded division, just to make sure.

(Motion agreed to: yeas 5; nays 4)

The Chair: The meeting is adjourned.

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