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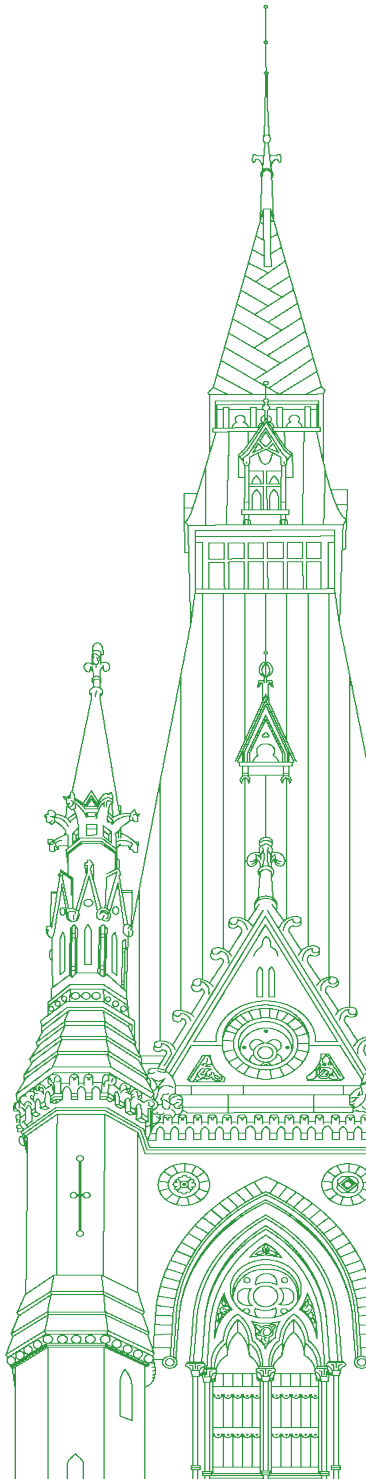
45th PARLIAMENT, 1st SESSION

Standing Committee on Industry and Technology

EVIDENCE

NUMBER 052

Thursday, October 22, 2026



Chair: Ben Carr

Standing Committee on Industry and Technology

Thursday, October 22, 2026

● (1535)

[*Translation*]

The Chair (Ben Carr (Winnipeg South Centre, Lib.)): I now call the meeting to order.

Good afternoon, everyone. I hope you've had a good week so far.

Today, the committee is continuing its consideration of Bill C-267.

I can confirm that all audiovisual tests have been completed and that everything is in order.

We have three witnesses joining us online today and one witness here in the room with us.

[*English*]

Colleagues, we're going to continue with the study of Bill C-267. Joining us today are the following witnesses.

We have lawyer and analyst for Option consommateurs, Alexandre Plourde.

[*Translation*]

Welcome, Mr. Plourde.

[*English*]

Joining us online, we have president of the Canadian Repair Coalition, Anthony Rosborough. From the LKQ Corporation, we have Tyler Threadgill, who serves as vice-president and head of North American government affairs, and Derek Willshire, regional vice-president for LKQ Canada.

Witnesses, you will have up to five minutes each for introductory remarks, at which point I will turn to my colleagues, represented by various parties at the table here, to dive further into the matter at hand.

[*Translation*]

Mr. Plourde, I'll start with you since you're here in person. You have the floor now.

Alexandre Plourde (Lawyer and Analyst, Option consommateurs): Mr. Chair and members of the committee, thank you for giving us this opportunity to provide our input today.

My name is Alexandre Plourde and I am an attorney and analyst at Option consommateurs.

Option consommateurs is a non-profit organization based in Quebec whose mission is to help consumers and defend their rights. As a consumer organization, we receive hundreds of reports each year from consumers who tell us that a product they purchased has stopped working prematurely. The most frequent concerns about product durability consumers share with us cover refrigerators that break down within six months of purchase, computers that overheat after two years and heat pumps that stop working after only a few years. It's therefore entirely timely for the government to address the issue of product durability and repairability and to seek solutions to this challenge, which weighs heavily on Canadians' wallets.

That said, while we support the principle of the bill, we have some reservations about its content. First, this bill does not have any concrete measures that will take effect upon its passage. The bill merely sets out the broad guidelines for a future framework to be developed, but it does not specify the concrete requirements it will impose. Since we do not know the exact content of the proposed framework, it is difficult for us to comment on it. In our view, it would be better to include specific standards regarding durability and repairability in the bill immediately rather than postpone adoption to a later session.

We would also like to point out that certain standards in the potential framework could duplicate existing provisions in Quebec, where the Consumer Protection Act imposes high product durability requirements on retailers and manufacturers. In particular, the act provides for a statutory durability guarantee that requires retailers and manufacturers to ensure that the product a consumer purchases will have a reasonable lifespan. A new performance guarantee also came into effect in Quebec recently. It requires merchants and manufacturers to repair certain types of new appliances free of charge for a fixed period of three to six years, depending on the type of appliance. Quebec's act also prohibits companies from selling products designed with planned obsolescence or from using techniques that make it more difficult for consumers to maintain or repair a product.

It goes without saying that the future framework developed by the federal government should in no way limit the scope of Quebec's consumer protection standards. If the government wishes to create a framework on product durability, it should only establish minimum standards to be followed in Canada, which can then be enhanced by the provinces.

In this regard, we are making several recommendations for additions to Bill C-267, with the aim of supplementing Quebec's legal framework where it falls short.

First, we propose that Bill C-267 require manufacturers to make replacement parts for appliances and the information necessary for their repair available for a reasonable period after they are placed on the market, at a reasonable cost. This requirement is already in place in Quebec, but, unfortunately, companies rarely comply with it and can opt out. The current bill therefore provides an opportunity to address this gap in Quebec legislation.

Second, Bill C-267 should address situations where appliances that are still functional become unusable because manufacturers no longer provide updates to their onboard software. To this end, the bill should require manufacturers of connected devices to provide these software updates for a reasonable period after the appliances are placed on the market.

Third, we propose establishing design standards that facilitate repair and limit device obsolescence, as has been done in Europe. Among other things, the bill could require that batteries in electronic devices be easily replaceable or mandate the use of a universal USB-C port for charging devices.

Fourth, we urge the government to establish a durability rating system for products sold in Canada. This would allow consumers to learn about the durability and repairability of the products they purchase and make informed choices accordingly.

Thank you. I'd be happy to answer your questions.

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

[*English*]

Okay, I'm just going based on who I see first on my screen.

Therefore, Mr. Rosborough, I'm going to go to you, sir, if you're ready.

You have up to five minutes for your introductory remarks. The floor is yours.

● (1540)

Anthony D. Rosborough (President, Canadian Repair Coalition (CanRepair)): Thank you so much.

Good afternoon, Mr. Chair and members of the committee. Thank you for inviting me—

The Chair: I'm sorry, Mr. Rosborough. The volume in our room is incredibly low right now. I'm just going to ask you to pause so that we're not taking away from your time. I'll run a quick test to make sure that members can hear you.

Do you want to just try that again, Mr. Rosborough? I'll let you know if it works.

Anthony D. Rosborough: Absolutely.

Good afternoon, Mr. Chair and members of the committee.

The Chair: No, I'm sorry, sir. It's still not fixed. Wait just one moment.

Members, just for the sake of efficiency here and with your indulgence, I'd ask you to use your earpiece if the volume is too low and you need amplification. That way we don't have to suspend and deal with this. We'll ask the tech folks to work on it.

Mr. Rosborough, we can hear you. It's just an amplification issue. I've asked members to put their earpieces in if they can't hear you. We should be good to go.

Sir, I'm going to start the clock now. You'll have five minutes. Go ahead.

Anthony D. Rosborough: Thank you so much. It's a pleasure to see that we have our own kind of repair-related beginning to all this.

Thank you very much, Mr. Chair and members of the committee, for inviting me to appear on behalf of the Canadian Repair Coalition or CanRepair.

I'd like to start by saying that CanRepair supports Bill C-267. However, that support is on the basis that we see this as a constructive first step toward a more comprehensive national and federally led approach to the right to repair.

We've provided a written brief with five recommendations for strengthening the legislation. For now, I'd like to focus on three primary considerations from the right to repair advocacy perspective.

The first is that repairability is not simply a characteristic of how a product is designed. It's also a characteristic of the systems and markets that support the product or device throughout its useful life. A product can be designed to be durable, but it can become practically unrepairable when its manufacturer restricts access to replacement parts, diagnostic information, software or the tools necessary to maintain it. We would encourage the committee to make the repair ecosystem—and that includes independent and third party repairers—a more explicit focus of the national framework.

In particular, clause 3 should direct the framework to consider the practical ability of independent repair providers to access the resources necessary to perform repairs, including on fair and commercially reasonable terms. We also call for broader consultation with the people and the businesses who actually perform repairs, rather than limiting mandatory consultation to provincial consumer protection representatives.

Second, we believe that the right to repair is increasingly a matter of national economic resilience and technological sovereignty. In its submission, the Electronic Products Association Canada points out that Canada is overwhelmingly an “importing nation” when it comes to electronic products. As much as we may import many of these products and devices, repair is always local, and repair is always Canadian.

Canadians should have the technical capacity and resources necessary to maintain the technologies on which they depend. We would encourage the committee to build on the domestic resilience aspects of this bill by expanding its practical scope to additional product and device categories—such as the automotive sector, the agricultural equipment sector and other sectors—and requiring the framework to assess the availability of domestic repair and maintenance capacity for these products and high-value goods.

Third, CanRepair rejects the argument made by manufacturer industry groups that repairability, safety, IP protection and cybersecurity are all necessarily competing objectives. We shouldn't confuse protecting genuinely sensitive information with the monopolization of manufacturers' exclusive control over repair through abusive IP or other strategies. The common industry argument here is that consumers are safer the less they know about how products are designed. That stands on very questionable foundations.

Let me be clear: Nobody is calling for unsafe, insecure or infringing repairs. For that matter, repair restrictions can themselves create security and safety risks when products can no longer be diagnosed, maintained or updated properly. We're calling for the standards contemplated in the bill to balance repair access with safeguards that are evidence-based rather than fearmongering.

I'd like to close by calling upon the Government of Canada to renew its prior commitment to taking on a leadership role on the right to repair policy nationally. While no doubt a step forward, this bill is, after all, a framework bill that does not in itself create enforceable repair rights. As you know, Canada has already taken important steps through Bill C-59, Bill C-244 and Bill C-294, but these reforms have only addressed parts of the problem.

Currently, a disjointed patchwork of provincial legislation needs focused coordination and standardization for consumers, repairers and manufacturers alike. Our hope is that Bill C-267 becomes the beginning of renewed federal leadership on this file.

Thank you very much for your time. I look forward to your questions.

● (1545)

The Chair: Thank you very much, Mr. Rosborough. I appreciate that.

Mr. Willshire, we'll turn now to you for five minutes, sir.

[*Translation*]

Derek Willshire (Regional Vice-President, Canada, LKQ Corporation): Mr. Chair and members of the committee, thank you for giving us the opportunity to testify today.

My name is Derek Willshire and I am the regional vice-president, Canada at LKQ Corporation. I'm based in Lévis and I see the challenges we're discussing first-hand every day on the ground.

For most Canadians, a car is not just a luxury; it represents a significant expense. I would go as far as to say it is the second-largest expense after their home or housing. A car plays a vital role, enabling people to get to work, taking kids to school or getting to an appointment. This reality is even more pronounced in rural and remote areas.

For LKQ, the right to repair is a matter of choice, competition and affordability. However, repairing a vehicle is no longer as simple as it used to be. Software and electronic systems now play a central role. If an independent repair shop does not have access to the necessary tools, data or authorizations, consumers inevitably have fewer choices when it comes to having their vehicles repaired. Ultimately, motorists, in this case the consumers, pay the price. According to recent analyses, 63% of independent repair shops do not have access to the tools or data needed to repair modern vehicles. Better access to independent repair could save Canadians up to 30%, or more than $500, on routine repairs.

Bill C-267 is an important milestone in advancing the right to repair in Canada and reducing costs for consumers. However, we believe it can go further. We support amendments that would clearly incorporate automotive electronic systems, software, diagnostic tools, telematics and safety tools and systems into the framework. Vehicle owners and the repairers they choose should also have reasonable access to the tools, parts, information, software, security authorizations and data necessary to perform these repairs.

Although the bill does not, on its own, constitute a concrete “right to repair” framework, it could serve as a solid and sustainable foundation for future action. We therefore urge the committee to strengthen and move it forward.

Thank you very much. I'd be happy to answer your questions.

The Chair: Excellent.

Thank you very much, Mr. Willshire.

[*English*]

Mr. Threadgill, the floor is yours, sir, for five minutes.

Tyler Threadgill (Vice-President, Head of North American Government Affairs, LKQ Corporation): Chair and members of the committee, thank you for having me.

My name is Tyler Threadgill. I am the vice-president and head of North American government affairs for the LKQ Corporation.

Our organization supports Bill C-267 because it creates a practical pathway to advance the right to repair in Canada. However, we believe the bill should be strengthened to include automotive repair within its scope.

The automotive sector has changed. Repair is no longer about access to only a physical part. It increasingly depends on software, diagnostic information, telematics, security credentials [*Technical difficulty—Editor*].

The Chair: Mr. Threadgill, I'm sorry, sir. I'm going to have to pause here. Your connection is breaking up on our end. I'm not sure what it's showing on yours, but based on the movements—

Tyler Threadgill: Those inputs are [*Technical difficulty—Editor*].

The Chair: He can't hear me.

Mr. Threadgill, I'm not sure if you can hear me, but you are breaking up quite significantly.

[*Translation*]

Mr. Willshire, I presume you have Mr. Threadgill's contact information.

Perhaps you can send him a message to let him know there's an issue here. We'll do the same on our end.

[*English*]

Once we've ensured that it's resolved, I'm happy to go back to Mr. Threadgill a bit later to allow him to complete his introductory remarks, but right now, it's interfering with our translation. I'm going to have to make sure that we've resolved that problem.

Mr. Threadgill, if you can hear me, somebody on the IT side will be in touch with you. I'm happy to give you the two and a half minutes to finish your introductory remarks once we've solved the problem.

With that, I'm going to go to members' questions.

Mr. Chambers, we'll start with you for up to six minutes.

● (1550)

Adam Chambers (Simcoe North, CPC): Thank you very much, Mr. Chair.

Welcome to our witnesses.

Mr. Plourde, thank you for your testimony. I noted that at the beginning of your submission, you mentioned you had some general concerns about the fact that the bill doesn't necessarily have concrete protections and that these protections may or may not be decided at a later date through consultation.

Do you want to expand on that a bit?

[*Translation*]

Alexandre Plourde: In our view, this bill lacks concrete details. This very brief bill only contains broad guidelines for a potential framework. We have heard that there could be provisions to address the availability of parts and the useful life of products, but there are no specific details or requirements.

Our proposal is to include measures that will apply to manufacturers immediately.

Laws on repair and durability are currently being enacted around the world. Quebec has done that. Here, the federal government still seems to be in the preliminary stages. We believe the time has come to act and directly implement mandatory measures, bearing in mind that Quebec has provincial measures on product durability and repairability. As such, this is not necessarily about duplicating efforts, but about taking action in accordance with Ottawa's jurisdiction and ensuring that a minimum standard is established that would apply across the country.

[*English*]

Adam Chambers: Thank you very much.

Did I hear you correctly? Are you a lawyer by trade?

[*Translation*]

Alexandre Plourde: I am an attorney admitted to the Quebec bar and I work for Option consommateurs.

[*English*]

Adam Chambers: In theory, do you think it's wise practice for Parliament to create a law that would provide a government or a minister with the discretion to make the law later? As a policy-maker, I'm being asked to vote for a law that.... I'm not quite sure I really know what I'm voting on.

[*Translation*]

Alexandre Plourde: That's pretty much what we're saying. It's difficult for us to take a position at this stage because we don't know how the requirements or content of this framework will look. We would also have really liked to discuss the content and substance with elected parliamentary officials who will have to decide on that content instead of going through a regulatory process where the government may have more discretion to set the standards.

It would therefore have been helpful to have concrete provisions. We have very concrete suggestions regarding the availability of parts, updates and the introduction of a repairability index. These issues have long been the subject of discussion in Quebec and across Canada. In fact, consultations on repairability were held across Canada two years ago.

I think we already have all the elements needed to at least set out a legislative framework that is more comprehensive than the one that's currently on the table.

[*English*]

Adam Chambers: If I could follow up on the index, my initial impression is that the level of transparency would fall squarely within federal jurisdiction for labelling, as an example. Would you agree with that assessment?

[*Translation*]

Alexandre Plourde: You're referring to the division of jurisdiction regarding the creation of the repairability index, aren't you?

Everything to do with consumer protection can also have a dual aspect. Several factors affect product durability. Information on durability or repairability can fall under both provincial and federal jurisdiction.

The federal government has jurisdiction over criminal matters, interprovincial trade, competition, copyright, and product health and safety. In fact, all kinds of labelling standards are already in place at the federal level and so yes, we believe there could be federal jurisdiction covering this.

However, what we're saying, and have repeatedly emphasized, is that any standard the federal government wishes to introduce in this bill at this juncture should not limit the scope of provincial standards, because Quebec already has a robust framework in place. Obviously, this factor must be taken into account. Our concern at Option consommateurs is that federal regulations will take precedence over consumer rights in Quebec and this would diminish consumer protection. We therefore urge federal lawmakers to establish a minimum standard that the provinces can enhance and expand upon without limiting the protection already established by the province.

● (1555)

[*English*]

Adam Chambers: This is my final question. Do you think it would be appropriate for all of the other provinces to basically adopt Quebec's model? Do you think that's the right one that might work across the country?

[*Translation*]

Alexandre Plourde: I can't make such a claim. I'm not familiar with the applicable laws in every province. They should have an opportunity to decide what they want.

However, there are some very interesting provisions in Quebec's law. I don't want to sound overly patriotic, but I'd say that in Quebec, we're certainly pioneers when it comes to consumer protection. There's a genuine commitment in Quebec's consumer protection act to ensuring product durability. These provisions may be of interest to all consumers across Canada.

[*English*]

Adam Chambers: Thank you, sir.

The Chair: Thanks very much, Mr. Chambers.

Mr. Threadgill, I'm told that your connection has strengthened. It probably makes sense for us to hear from you before members ask questions so that they might have the opportunity to incorporate what you have to say into their lines of inquiry. If it works for you, sir, we'll give this another go.

I can afford you two and a half minutes, if you'd like to take that now to finish your introductory remarks.

Tyler Threadgill: Absolutely. I'll start over since I'm not sure where I cut out the first time.

Chair and members of the committee, thank you for having me. My name is Tyler Threadgill. I am vice-president and head of North American government affairs for the LKQ Corporation.

Our organization supports Bill C-267 because it creates a practical pathway to advance right to repair in Canada. We do, however, believe that the bill should be strengthened to include automotive repair within its scope.

The automotive sector has changed. Repair is no longer only about access to a physical part. It increasingly depends on software, diagnostic information, telematics, security credentials, calibration tools and vehicle-generated data. If those inputs are restricted, an independent repairer may have the part and the expertise but may still be unable to complete the job.

That is why we're asking the committee to support two focused amendments that explicitly name the automotive sector.

First, the bill should expressly include vehicle electronic systems, software, diagnostic, telematics and security systems within the definition of an electronic product.

Second, the framework should recognize that vehicle owners and their chosen repairers need reasonable access to the parts, tools, information, software, security credentials and data required for repairs on terms no less favourable than those available to the manufacturer-authorized repairers without technological or contractual barriers.

Canada has relied on the voluntary Canadian automotive service information standards, or CASIS, to support access to automotive repair information, but CASIS has not kept pace with today's automotive market and lacks the enforcement tools needed to guarantee meaningful access for independent repairers. That access is essential to preserving competition, consumer choice and affordable repair options.

These amendments do not try to turn Bill C-267 into a comprehensive automotive right to repair regime; however, because this is a framework bill, we believe it's important that automotive repair be considered from the outset.

Bill C-267 provides an opportunity to strengthen Canada's approach to right to repair. We encourage the committee to adopt these amendments and use this bill as the foundation for the comprehensive and enforceable right to repair framework that Canada needs.

Thank you for the opportunity to appear before you today. I look forward to your questions. Hopefully I don't have any more Internet issues.

The Chair: Thanks very much, Mr. Threadgill.

Colleagues, we're going to continue with lines of questioning.

Mr. Ma, the floor is yours for six minutes.

Michael Ma (Markham—Unionville, Lib.): Thank you, Chair.

My question will be for Mr. Plourde.

One of our principal objectives with Bill C-267 is to reduce long-term household expenses through more durable and repairable essential home appliances; however, stronger durability requirements may also increase upfront purchase prices.

From a consumer protection perspective, how should we balance these initial purchase prices against total lifetime ownership costs to ensure that Canadian households actually save money over time?

[*Translation*]

Alexandre Plourde: I understand your question. Manufacturers frequently use that argument and say that higher durability or repairability standards will drive up the price of appliances and that home appliances and electronic devices will cost more. That argument has come up in Quebec for many years with the passage of legislation on repairability. I'd say that remains to be seen. Will the purchase price really go up?

A new performance warranty recently came into effect in Quebec. As I mentioned, it mandates repairs for a period of three to six years, depending on the type of product. Retailers argue that this will lead to higher prices, and so forth. However, Quebec has had legislation for the past 50 years requiring any product purchased from a retailer to have a reasonable useful life.

We find the arguments put forward by manufacturers somewhat dubious, because the new legislation does not necessarily impose new requirements. Nevertheless, we have been told that prices will go up.

I would say that even if new repairability or durability standards were to result in higher purchase prices, on the ground, we at Option consommateurs see people who might pay less at the time of purchase but are forced to pay for costly repairs or buy a new item when the product stops working after two or three years. Ultimately, this does not serve consumers' long-term interests. We have seen many consumers buying the so-called extended warranty, which is quite expensive and costs one-fifth or one-quarter of the product's price, simply because the buyer wants to have peace of mind in case the item stops working.

Thus, in my view, the so-called price increase, which, incidentally, has yet to be proven, is something people end up paying for indirectly anyway through other costs incurred over the long term.

● (1600)

[*English*]

Michael Ma: Thank you.

Following up on that, should the national framework then take account of repair costs, replacement frequency and ongoing operating expenses when assessing affordability?

[*Translation*]

Alexandre Plourde: Yes, and I think that's very important because consumers save money every time a product's lifespan is extended by one year, and so it's clear that a long-term perspective is needed when enacting this kind of regulation. Taking the purchase cost for consumers alone into consideration does not factor the total costs they'll ultimately have to bear.

I'm not aware of any Canadian study in which this type of analysis has been carried out, but some studies in France and the United States have found that when the product lifespan is extended, consumers obviously end up replacing them less often and, as a result, spend less money. That's pretty obvious. It makes sense.

Indeed, that certainly needs to be part of the calculation.

[*English*]

Michael Ma: Thank you.

Essential home appliances, the domestic infrastructure, if you will, maintain household quality of life. When a refrigerator or washing machine breaks down, the length of time that the appliance remains out of service can be just as consequential as the cost of repairing.

Based on your experience with consumer complaints, what are the principal barriers preventing Canadians from obtaining timely repairs and how should a national framework address those barriers to maximize appliance service uptime?

[*Translation*]

Alexandre Plourde: That's a very good question.

Our recommendations discuss the availability of parts and repair manuals. I think that indirectly, this requirement could go a long way toward reducing wait times. Indeed, there's a problem when it comes to the availability of repair technicians. At Option consommateurs, we often see cases where people want to have an item repaired, but face extremely long wait times when parts are not available. Often, it's virtually impossible for an independent repairer to obtain these parts.

As such, having strong standards that require manufacturers to make parts available for a reasonable period after a product is released would foster a more dynamic repair market and promote competition. It might even bring down repair costs. It would undoubtedly reduce wait times for consumers seeking repairs and would also lower one of the major barriers, which is often the cost of repair. Repairs can be extremely expensive. There is limited competition.

I therefore think standards on the availability of parts could greatly contribute indirectly to making repairs more accessible to consumers.

[*English*]

Michael Ma: Thank you.

Bill C-267 seeks to improve transparency around product lifespan, durability and repairability. However, consumers often lack the technical expertise required to evaluate these characteristics before purchasing an appliance. What information should manufacturers be required to disclose at the point of sale to help Canadian householders make informed purchasing decisions and protect themselves against premature product obsolescence?

● (1605)

[*Translation*]

The Chair: Mr. Plourde, please answer the question briefly.

Alexandre Plourde: We propose the introduction of a Canadian repairability index modelled on the one implemented in France. It would be a scale from 1 to 10 that would give consumers immediate access to information about whether the product they want to buy is durable and easily repairable.

The Chair: Mr. Barsalou-Duval, you have the floor for six minutes.

Xavier Barsalou-Duval (Pierre-Boucher—Les Patriotes—Verchères, BQ): Good afternoon, Mr. Plourde. Welcome to the committee meeting.

I'll start by saying that as you noted in your remarks, we're disappointed to see that the bill is essentially a statement of intent in which the minister has been asked to take action, but there are no requirements. The bill sketches out the direction, but lacks any real substance.

Obviously, I think the bill is well intentioned. However, you said that as things stand, you are having a hard time taking a position on the bill and saying whether you support it or not. Nevertheless, would you be willing to risk its passage as is? Can we assume that the measures taken by the minister would be more beneficial than detrimental to consumers?

Additionally, would there be a significant risk of encroachment on Quebec's jurisdiction?

Alexandre Plourde: For our part, we would really prefer to see concrete provisions added to the bill right now.

We have made several recommendations. I spoke to the availability of parts. Accordingly, we believe the best thing is to act now to supplement the Quebec framework, which we frequently use at Option consommateurs, and add mandatory provisions immediately. I think that would be the best approach. Unfortunately, at present, we're working only with broad guidelines. We don't know exactly what the outcome of these standards will be. We'd therefore like to see requirements for manufacturers to make replacement parts available and manuals available and to provide mandatory updates.

There is also the issue of product design, and that's a very interesting position at the federal level. I don't know if you've ever bought a new phone only to realize that your old charger doesn't work with the new phone. That's the kind of issue the federal government could address, and it could be included in the bill right now. The same goes for the repairability index.

Some issues can be addressed later, but why not act now and establish concrete standards?

Xavier Barsalou-Duval: We have representatives from the automotive industry, specifically from the automotive parts manufacturing sector joining us around the table today.

Do you support their call to include the automotive industry in the vision for repairability? I know this was done with the law that was passed in Quebec City, but I'd like to hear your opinion on this.

Alexandre Plourde: Absolutely.

If consumers can benefit from their repair shop having access to data, standard tools or any other form of access to the vehicle, then yes, we are fully in favour of that.

At Option consommateurs, we receive many calls from consumers experiencing all kinds of difficulties with their vehicles and so any measure that makes it easier for consumers to have their vehicles repaired is entirely appropriate.

Quebec legislation already imposes certain requirements on automakers. Quebec has already taken steps regarding access to vehicle data. Manufacturers are required to provide access to vehicle data, but even so, I think that if there are gaps in Quebec's framework, this is the ideal opportunity to address them and take action to make it easier for consumers to get their vehicles repaired.

Xavier Barsalou-Duval: Perfect. Thank you for your answers.

My main take-away is that for you, and you can confirm this with me, the top priority would be to ensure that the framework established, should the bill be passed, does not limit what is already in place in Quebec from a legal standpoint. Ideally, you're proposing something a bit more rigid in the current bill rather than just guidelines that leave it up to the minister's discretion to do as the minister pleases, which could lead them to cave in to lobbyists.

Alexandre Plourde: Exactly.

We would therefore like to see concrete measures, things that are important and urgent even for consumers, to promote product sustainability. Obviously, this should only serve as a baseline for the country, and not standards that take precedence over existing provincial consumer protection standards.

Xavier Barsalou-Duval: Thank you.

Mr. Willshire, in your opening remarks earlier, you mentioned that there is a great deal of frustration in the automotive industry and among the people you represent because they are having a hard time accessing information, particularly with regard to data sharing.

Mr. Plourde and others have said that requirements regarding data transmission are already in place, at least in Quebec. Has this necessarily meant that these requirements have addressed all the problems, or are there issues that persist? Furthermore, is there any benefit to extending these requirements to the rest of Canada?

● (1610)

Derek Willshire: Thank you for your question, Mr. Barsalou-Duval.

Absolutely. Quebec's Bill 29 was a step in the right direction. Has it solved all the problems? Absolutely not. Often, repairers bear the burden of taking these steps to gain access to information, and that's a challenge. I take every opportunity to say that this is not an issue of us against them; it is not the aftermarket against manufacturers. We need the manufacturers to continue to bring vehicles to market. We have nothing against technology. All we're asking for is much easier access to data so that the 492,000 jobs in the aftermarket sector can be preserved. There is nothing in what we're asking for or advocating that would jeopardize a single one of the 135,000 jobs on the manufacturers' side.

That said, again, Bill 29 is a great step in the right direction, but a car travels on roads and crosses borders. I think there is an opportunity today for the federal government to flesh all of this out a bit from a national perspective.

Xavier Barsalou-Duval: You mentioned the importance of maintaining—

The Chair: Unfortunately, Mr. Barsalou-Duval, your time is up. You may ask your question in the next round.

[*English*]

Mr. Gill, the floor is yours, sir, for five minutes.

Harb Gill (Windsor West, CPC): Mr. Plourde, I'm happy to hear you say that you're in favour of adding automobiles to this bill. The sponsor of the bill chose not to include them. Nevertheless, I'm hoping that we can amend it, with his permission, obviously.

Could you tell us what would change with this bill? What would consumers in Quebec get if this bill were passed as it is today that they were not getting, let's say, yesterday?

[*Translation*]

Alexandre Plourde: If this bill is adopted in its current form, it will not change a single thing for the time being, because all the bill says is that a consumer protection framework to promote repairability and durability will be adopted at some point. As such, it depends on what measures the government will determine and include in the framework after the bill is adopted. That is when we will see if it makes a big difference for consumers in Quebec or not. We're still in the dark on this.

[*English*]

Harb Gill: What I'm hearing is that it doesn't have any teeth. What type of enforcement action would you recommend as an amendment to this bill?

[*Translation*]

Alexandre Plourde: I think that any framework that is adopted or any measure that is selected for inclusion in this bill needs to come with significant penalties. There has been a lot of discussion about the standards adopted in Quebec in recent years. One thing that has flown a little under the radar is that the Consumer Protection Act, which sets out all these new durability standards, has been strengthened with penalties. Now, failure to comply with the Consumer Protection Act is very expensive: up to 5% of worldwide turnover. As such, if this act or the repair and durability framework is to apply to large multinational corporations that import products to Canada, whether electronic devices, household appliances or cars, it must be able to deter and force them to comply with this framework, and there needs to be significant penalties.

● (1615)

[*English*]

Harb Gill: Thank you for being candid with me.

Mr. Threadgill, I have a question for you.

Modern vehicles are increasingly computers on wheels, yet they have been left out of this bill. Vehicles depend on electronic components, specialized diagnostic tools and software. Why shouldn't the same principles of durability, repairability and access to replacement parts apply to automobiles as they do to household appliances?

The second question I have for you is with respect to the issue of sovereignty and security. You brought that up. If you're going to allow Chinese EVs into the country, which have been referred to as spies on wheels by other western countries.... I'm glad to see that you're seeking amendments to this legislation that demand access to operating software for such vehicles. What Canadians need to know is whether they are being spied on. It shouldn't be a case of “trust us.” We need to verify.

Can you also talk a little bit about the cost for consumers if a qualified mechanic is not able to access such tools and software?

I know it's a long question.

Are you with us, Mr. Threadgill?

Tyler Threadgill: Yes. I'm sorry about that.

It kicked me out and I just returned, so I didn't get your question.

Harb Gill: Shall I start from the beginning, sir?

Tyler Threadgill: Yes, please. I apologize.

The Chair: Go ahead, Mr. Gill.

Harb Gill: Thank you, sir.

Mr. Threadgill, modern vehicles are increasingly computers on wheels, yet they have been left out of this bill. Vehicles depend on electronic components, specialized tools and software. The same principles of durability, repairability and access to replacement parts should apply to automobiles as they do to the household appliances in this bill.

With respect to the issue of sovereignty and security, if you're going to allow Chinese EVs into the country, which have been referred to as spies on wheels by other western nations, should we be seeking amendments in this legislation that demand access to that operating software on these vehicles? Canadians need to know they're not being spied on. It shouldn't be a case of “trust us.” We need to verify it.

Can you also talk about the cost of repairs if an independent mechanic is not able to access such software and the consumer is forced to go to a dealership?

Tyler Threadgill: Absolutely. Thank you for the question.

You are exactly correct. Cars are becoming increasingly smarter. They are tracking more and more of what you do, how fast you go, where you go and how much you weigh. All of this information is being stored [*Technical difficulty—Editor*] some in the cloud.

We believe [*Technical difficulty—Editor*] and what we've been [*Technical difficulty—Editor*] independent repair shops across the country is access to just the repair and maintenance data. For decades—more like a century—car companies have provided access to the information that is needed just for repair, maintenance and calibration, those simple things, and they have walled off all of the other information.

For years, if you go back to when CASIS was created, and you think of plugging in your old iPhone to download music or upload your pictures, it functioned the same way in the car. Now that is done telematically. That is where we need legislation to keep up with the current state of cars, because unfortunately, they are able to lock out the mechanics.

To the end part of your question, what happens is that if you only have the choice of going back to the manufacturer service location, the price goes up, as with anything. As you have less choice, the price goes up. We have seen, in some cases, increases ranging from 20% to 40%, depending on the study and whether that is just access to parts or whether it's access to data as well.

Think of things as simple as replacing tires. It's mandated in many provinces that you change your tires to winter tires. Those tires have sensors. It may be simple for a mechanic to take off the tires, change them and replace them, but if those sensors aren't calibrated, the car won't work. That takes what should be a very quick, affordable repair and turns it into something that takes an exceptional amount of time and requires a far greater cost.

● (1620)

The Chair: Thank you, Mr. Gill.

Colleagues, I have a quick note that we're tracking about eight or nine minutes late here as a result of some of these technical difficulties.

I'm going to give the floor to Mr. Ntumba for his regularly scheduled five minutes, but then I'm going to cut down the time on the remaining three. I will let you folks know what that will look like.

[*Translation*]

Mr. Ntumba, you have the floor for five minutes.

Bienvenu-Olivier Ntumba (Mont-Saint-Bruno—L'Acadie, Lib.): Thank you, Mr. Chair.

Mr. Plourde. How are you?

Alexandre Plourde: I'm doing well.

Bienvenu-Olivier Ntumba: I listened to your opening remarks. I understand your interest in adding the automotive sector. One of your colleagues has defended the bill as announced and said that it was really a baseline that would leave it up to the provinces to ensure the rest. Some of the work has been done by Quebec, which has made some strides on this. What do you think of an approach where a baseline is set and the provinces are left to do the rest?

Alexandre Plourde: We think that that can be quite a positive approach. It is somewhat what we are proposing, that is, the federal government may have a role to play in terms of repairability and durability by setting minimum standards. If the provinces can improve on this framework, that's perfect for us.

There are all kinds of federal jurisdictions that may be relevant to the right to repair. I spoke about criminal law. For example, one might want to criminalize planned obsolescence. It could be a criminal act. Interprovincial trade, copyright, and product health and safety often fall under federal jurisdiction, or, at least, they have a dual aspect.

Thus, the federal government may have a role to play. The federal government can also have a kind of coordinating role. Many of the products we buy, such as electronics, household appliances or cars, are imported, or the same products are sold across Canada. As such, it can be helpful to have a certain standardized framework across all the provinces. This can be quite a relevant approach.

Bienvenu-Olivier Ntumba: In your answer, I've heard a subquestion that brings me to Canada's approach to interprovincial trade. It will take me a bit off topic. You're telling me that we should really accelerate and harmonize this trade and lift interprovincial trade barriers. Is that right?

Alexandre Plourde: No.

What I'm saying is that the federal government—I don't want to get into constitutional law—has jurisdiction over interprovincial trade. As such, that can be part of the jurisdictions that are used in establishing a right to repair.

Bienvenu-Olivier Ntumba: Families complain a lot about household products that need to be repaired, such as washers, dryers, irons, phone chargers and computer screens. These products, which are easily accessible, can be purchased by young and old. Do you think people believe that it is absolutely necessary to have their vehicle repaired before having their computer or dryer at home repaired by a local repairer, if they break?

Alexandre Plourde: I think we need to develop a repair reflex in consumers. There's an aspect of consumer accountability or awareness in all this. We talk to a lot of consumers. I can tell you that the most common problem we see is people who have a broken washer or car. Often, people don't always have the reflex to have their device or appliance repaired. They want a new one. They don't necessarily trust a repaired item. Therefore, awareness-raising work needs to be done on that front.

Before placing the responsibility on consumers, before encouraging them to have their item repaired, they need to have repair options. For example, if I want to have my broken washer repaired, it can be very difficult to find a repair person in a timely manner or to find the parts and all that. Therefore, a framework needs to be created to give consumers who choose to repair access to this option before looking to raise awareness. Currently, it can be quite a challenge to have one's devices or appliances repaired.

Bienvenu-Olivier Ntumba: Is this framework in the bill? It's a baseline, and it's up to the provinces to do the rest.

Alexandre Plourde: As I was saying, the issue at the moment is that we don't yet know what is in it. Maybe we're going to have a very interesting framework that's going to come out of this whole legislative and regulatory process, or maybe we're going to be disappointed in the end.

Unfortunately, we would have liked the bill to be more concrete. This would have given us the opportunity to comment on how it will concretely change things for consumers.

Bienvenu-Olivier Ntumba: What would you add to this bill, concretely?

Alexandre Plourde: As I was saying, there is a matter of the availability of parts. In Quebec, there's a law about the availability of parts and all that, but it's optional. For example, if you buy something in a store in Montreal, there's often a sign at the entrance, near the checkout, that says that they don't supply spare parts or a repair service. Once a store puts up that sign in Quebec, it no longer needs to supply spare parts. We would like this to be mandatory, and we believe that the federal government could impose this requirement on manufacturers.

There is also the availability of updates. People may have devices that are connected to the Internet in their homes that stop working overnight. Physically, the device works, but, since the onboard software is no longer updated, the item can no longer be used. It's a matter of obsolescence that could be resolved within the federal framework.

Finally, as I mentioned, there is the design of devices. Take the example of a battery in a cellphone or other purchased product, which can only be replaced by removing it with special tools. The design of the devices should make them more easily repairable and interoperable.

These are the kind of standards that we would have liked to see concretely in the bill today.

● (1625)

Bienvenu-Olivier Ntumba: Thank you, Mr. Plourde.

Alexandre Plourde: My pleasure.

The Chair: Thank you very much.

I'd like to ask the witnesses to give brief answers, please.

Mr. Barsalou-Duval, you have the floor for one minute.

Xavier Barsalou-Duval: Thank you, Mr. Chair.

Mr. Plourde, you mentioned that because of the areas of federal jurisdiction, there is the possibility for the federal government to look at the patent system and the copyright system, and that this could help with repairability.

Do you have any ideas or amendments to propose to make the bill more concrete? Even if there is already a legal framework in Quebec, we are still held back by not having access, among other things, to these two systems.

Alexandre Plourde: The Copyright Act has been amended twice. I think this was mentioned by another speaker. It was to prevent software barriers for repairers. This is an interesting step forward made in recent years at the federal level.

There was another amendment, this time to the Competition Act. It was about businesses' access to repair services. It's based on the refusal to deal, but I don't want to go into too much detail. All this to say that the requirement that was introduced in the form of a right to repair in the Competition Act is very limited. One has to go before the Competition Tribunal, demonstrate that it impacts competition and so forth. It's not really a consumer protection standard.

As such, to do something concrete and practical, the Competition Act may need to be amended. A new right to repair was introduced into the act. It should be given more teeth to make it more easily applicable by consumers. For example, a provision of the act could simply state that the manufacturer must make spare parts available after a product has been put on the market, for *X* number of years or for a reasonable product lifetime. That is the kind of amendment that could be made.

Xavier Barsalou-Duval: Thank you.

The Chair: Thank you.

Mr. Groleau, you have two and a half minutes.

Jason Groleau (Beauce, CPC): Thank you, Mr. Chair.

Mr. Plourde, you're popular today.

Alexandre Plourde: I didn't expect to speak this much today.

Jason Groleau: You're an analyst and an attorney at Option consommateurs. You said from the outset that the bill lacked concrete details. What do you mean? Do you have any examples? What are your recommendations?

Alexandre Plourde: As I told your colleague earlier, this bill contains broad guidelines for a framework, but we don't yet know what this framework will contain and we're kind of in the dark.

In addition, the guidelines duplicate what is found in Quebec. Quebec already has a warranty of good working order that was introduced recently, according to which certain products must have a lifespan of three to six years. We already have a requirement on the availability of parts, although it isn't perfect.

As such, we don't know exactly where this framework is heading. It could be very interesting, or it could be less interesting. It really depends on a government process.

Jason Groleau: I get the impression that no one is ever held accountable or responsible in this area. I'll give you a concrete example of a citizen, Karine, who wrote to me about a double-door refrigerator. The part between the two doors is no longer available. She bought a high-end refrigerator for $4,000 in 2019. She can't find any available parts. Nothing is available.

No one is held accountable for this. How does that work?

Alexandre Plourde: What you're describing to me is, in fact, the most common type of case we see at Option consommateurs. About one-fifth of the cases we receive come from people dealing with premature breakdowns. The refrigerator is, I think, the best example you could give. People call us and say, “Listen, I bought a refrigerator two years ago, and it's no longer working, and yet I paid several thousand dollars for it”.

As we're seeing on the ground, people can have a really hard time asserting their rights. Even though Quebec has legislation that holds retailers and manufacturers liable and requires them to ensure the product has a reasonable lifespan, people often have to fight for years to win their case.

● (1630)

Jason Groleau: That's why I've concluded that no one is ever held accountable.

Do you have any recommendations for this bill? We want someone to pay if something breaks. Right now, both parties keep passing the buck, and neither of them pays.

Alexandre Plourde: Under Quebec law, retailers and manufacturers are liable. Often, what we see in practice is that they act as if the law doesn't exist. They say people should not have bought the extended warranty, or that the manufacturer's warranty has expired, even though there's a law that applies.

As such, if a framework is established, it's not just the content of the framework that will matter, but its enforcement and the penalties that will be imposed. That's always the case with consumer protection. We can pass the best laws in the world, but consumers face problems if there is no organization responsible for monitoring and enforcing the laws.

Jason Groleau: Thank you.

The Chair: Thank you, Mr. Groleau.

[*English*]

Ms. Begum, you'll be the last in this first round. The floor is yours for two and a half minutes.

Doly Begum (Scarborough Southwest, Lib.): Thank you very much, Chair.

I recognize that you're here, Mr. Plourde. Thank you for your response.

I do want to give Mr. Rosborough a chance to respond. I believe he's online and hasn't been able to respond to any questions yet.

One of the things you mentioned, Mr. Rosborough, was the consultation with local repair shops, and I think that really allows people to have access. A survey that was done in 2019 showed that approximately 75% of Canadians would love to have the access to repair, yet in 2022, when they were surveyed about how many people had actually done that, around 18% or 19% had gone ahead and repaired their last device that was broken.

Would you like to elaborate on how important it is to consult with local repair shops on the framework of this bill, if it goes through? What are some of the issues that currently hinder people's ability to find that access or have the possibility of repairing the device?

Anthony D. Rosborough: One of the dimensions of the bill that I think others have touched upon is that by focusing on a very narrow range of products, it allows for a fairly narrow conception of how to solve the repairability problem. By focusing on home appliances and electronics, we can characterize the problem as one that can be solved through an engineering or product design solution alone.

My submission on that point was that often repair takes an entire ecosystem of actors. Whether it's the folks who are providing access to parts or the local service technicians who are nearby and can help you, it involves a range of actors that is usually more complex. I think it's convenient that the bill chose a relatively narrow range of products because they're the ones that, relatively speaking, we can address through product design more so than others.

My point was that we include in this consultation, which is meant to be done with provincial consumer protection officials, consultation with folks who have experience with repairing these products and devices. That includes independent and third party commercial repairers on a smaller and larger scale. It also includes, in the case of things like home appliances and electronics, grassroots repair experts.

Across the country, we have a range of repair cafés—you might have heard this term before. These are community repair events where folks come and bring items they have that need repairs or that they need assistance with. There's an enormous source of information, data, knowledge and expertise that we can learn from through those community resources as to what the real repair impediments on the ground are. We don't learn this through aggregate statistics or surveys in the same way we do through qualitative conversations with the people who are seeing this.

My suggestion was that we engage not just consumer groups, advocacy groups and consumer protection experts but also repair experts. There's a whole field of expertise to draw on for that.

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

Colleagues, that brings us to the end of our first round. I'm going to suspend for five minutes as we turn over.

Thank you very much to all of our witnesses for your insights today. We appreciate your making yourselves available.

We'll come back in five minutes, colleagues.

● (1630)

_____(Pause)_____

● (1640)

[*Translation*]

The Chair: We're back in session.

Colleagues, we're resuming our study for the second hour. We have new witnesses with us.

[*English*]

I'd like to welcome the witnesses we have with us here today.

Alissa Centivany, associate professor, is here online. We have Maxime Dorais, co-executive director, Union des consommateurs. We also have William Courchesne, lawyer, analyst, consumer protection policy and regulation, Union des consommateurs. Here in the room with us is Rémi Moreau, managing director, Association of Home Appliance Manufacturers.

Colleagues, witnesses will have up to five minutes each for their introductory remarks. I am going to have to reduce the amount of time for each member asking questions. This time what we'll do is we'll shave it off the top for each person, and we'll make that up by the end.

With that, Monsieur Moreau, you are here in the room with us, so I'll turn the floor to you, sir.

[*Translation*]

I'm never quite sure whether someone is English-speaking or French-speaking just by their name.

[*English*]

I'm going to assume that you are capable of both. The floor is yours for the next five minutes.

[*Translation*]

Rémi Moreau (Managing Director, Association of Home Appliance Manufacturers): Mr. Chair and members of the committee, thank you for inviting me to appear today as part of your study of Bill C-267.

My name is Rémi Moreau, and I am vice-president and managing director of the Association of Home Appliance Manufacturers Canada, or AHAM Canada. We represent more than 150 companies that manufacture 90 per cent of the major appliances, small appliances and floor care products shipped for sale in Canada.

Our industry employs nearly 25,000 people, supports another 15,000 jobs across the country and contributes approximately $7.8 billion to the Canadian economy each year. Appliances are at the heart of our homes.

Our members have long been committed to providing safe, efficient and repairable products that meet consumers' expectations. We share the repairability goals behind this bill. Our concerns are about how to achieve them.

● (1645)

[*English*]

Number one, our industry already supports repair. Our members make instructional materials available so that consumers can safely do simple repairs themselves. Our members make close to 75% of replacement parts available to consumers. The rest are parts for complex repairs or repairs that pose a real safety risk to someone without proper training. When an in-home service request is made for a major appliance, manufacturers successfully repair more than 90% of the products.

Consumers also have choice. Statistics Canada counts more than 3,400 businesses in personal and household goods repair across the country, many of them small, family-owned operations. Many manufacturers also give independent servicers access to parts and repair information.

Number two, safety must come first. Appliances are complex machines. They use high-current electricity, natural gas and propane, high-speed motors and sealed systems. Many now contain flammable refrigerants or lithium-ion batteries. A repair done incorrectly can cause a fire, a gas leak or an electric shock, often inside someone's home. Unauthorized access to firmware can also disable critical safety functions or leave a connected appliance vulnerable to hackers. Any durability or repair framework must put consumer safety and security first.

Number three, Bill C-267 would duplicate existing efforts. Provinces already regard this area as within their jurisdiction. Quebec and Manitoba have passed right to repair laws. Alberta and Saskatchewan are well into consultations. Ontario and Nova Scotia have seen bills tabled. At the federal level, Bill S-4 would expand energy efficiency standards to include durability. Adding another federal framework on top of all this creates risk of duplication, contradiction and confusion for consumers, retailers and manufacturers. It would also impose a new regulatory burden on businesses at a time when the government has made reducing red tape a priority.

Number four, the framework would benefit from manufacturer input. The bill would set standards for minimum useful life and parts availability but leaves the details to be defined later. It requires consultation with the provinces and consumer groups but not with manufacturers, who know best how these products are designed, built and repaired. At a minimum, the bill should require manufacturers to be consulted.

Number five, Canada-only rules raise cost and reduce choice. Canada and the United States have built an integrated North American appliance market supported by aligned regulatory frameworks. Even a small deviation in standards or testing requirements can force manufacturers to redesign products, duplicate testing or meet conflicting requirements for the same product. Those burdens add cost and complexity, but they do not deliver a better appliance. At a time when affordability is top of mind for Canadian families, harmonization is one of the most effective tools we have to keep appliances' prices down. Canada-specific requirements for useful life labels, guarantees or parts availability risk higher prices and fewer products on Canadian shelves.

Part guarantees also have practical limits. A modern appliance relies on hundreds of components, often from 50 or more suppliers. Manufacturers cannot always predict which part will fail or control disruptions in their suppliers' operations. Mandating guarantees would require much larger inventories, which would raise costs and risk waste from parts that are never used.

Number six, durability and energy efficiency must be balanced. Manufacturers must meet mandatory energy efficiency standards by law. Major appliances are about 50% more energy-efficient today than in 2000, according to Natural Resources Canada. That progress depends on advanced technologies, such as variable speed motors, electronic controls and sensors, which can be more complex to repair than older, simpler designs. An older appliance that still works may look like a durability success story, but it can be using far more energy at a real cost for consumers and the environment.

[*Translation*]

In closing, AHAM and its members support the goal of providing Canadians with repairable products. To achieve that goal, however, any approach must put safety first, avoid duplicating existing provincial and federal initiatives, remain aligned with the North American market and include manufacturers in consultations.

We are ready to work with the committee, the government and all stakeholders to make that happen.

Thank you for your time. I would be happy to answer your questions.

The Chair: Excellent. Thank you very much, Mr. Moreau.

[*English*]

Mr. Courchesne, I'm going to go to you next for up to five minutes.

Maxime Dorais (Co-Executive Director, Union des consommateurs): I'm going to start.

[*Translation*]

Mr. Chair and hon. members, allow me to introduce myself. My name is Maxime Dorais, co-executive director of the Union des consommateurs. I am accompanied by William Courchesne, who is an attorney and consumer protection analyst with the organization.

I would like to point out that our participation in these proceedings is made possible in part by funding from the office of consumer affairs, which the government has announced will soon be abolished. This program has enabled us to publish a comprehensive study on connected cars and repair issues, which Mr. Threadgill has just discussed with the committee.

I would like to thank hon. Xavier Barsalou-Duval for inviting us to appear before the committee to share our comments on Bill C-267.

Allow me to briefly introduce Union des consommateurs. We represent 16 consumer advocacy associations, primarily in Quebec but also in Ontario. Our mission is to promote and defend the rights of Canadian consumers, with a special focus on low-income households.

In addition to conducting research and raising public awareness, particularly through the media, Union des consommateurs initiates class-action lawsuits to support consumers and advance their rights. For example, you may have heard about Air Canada, which appeared before the Supreme Court last Friday.

The organization supports the bill's overall objective. Electronics and essential household appliances represent significant expenses for households, particularly those with modest incomes. The manufacture and sale of appliances that last longer and can be repaired when they break down should be encouraged. That, in itself, is the starting point. Durability and repairability are economic, environmental and consumer protection issues.

I now turn the floor over to my colleague William Courchesne.

● (1650)

William Courchesne (Lawyer, Analyst, Consumer Protection Policy and Regulation, Union des consommateurs): Good afternoon.

Members of the committee, although we strongly support the principle behind this bill, as my colleague indicated, we would like to draw your attention to a few points that, in our view, deserve clarification as the future framework is developed.

First, the concept of useful life must be clarified. More specifically, it is important to define “functional appliance”. An appliance may continue to operate while offering significantly reduced performance or losing certain important features. Take the example of a phone whose battery no longer holds a charge properly or a television whose picture quality has deteriorated considerably. The framework should specify the criteria for determining whether an appliance is truly functional from the consumer's perspective.

Second, useful life should include the period during which an appliance can reasonably continue to be used through proper maintenance or repair. The first breakdown should not automatically mark the end of an appliance's useful life. Such an approach would be consistent with the goals of sustainability and repairability pursued by the bill.

Third, we recommend that the federal framework fully recognize the right to repair. This includes the availability of replacement parts at a reasonable price and access to diagnostic tools, software updates, and the technical information necessary for repairs and consumers' ability to choose their own repair provider.

Fourth, we believe that Canada should draw on international best practices to establish a repairability index and a durability index. Consumers currently have limited information to compare devices on these aspects before making a purchase. Uniform and transparent indices would promote more informed choices and encourage competition regarding the quality, durability and repairability of appliances.

Lastly, we believe that the future federal framework must serve as a baseline standard for protection without undermining existing provincial initiatives. Provinces must be able to continue to adopt more protective measures when necessary.

In conclusion, Union des consommateurs supports Bill C-267 and calls on the committee to ensure that the future federal framework is ambitious, focused on consumers' needs and robust enough to ensure appliances last longer and can be repaired and consumers have the information they need to make informed choices.

That concludes my remarks. Thank you for your attention. I'll now turn the floor back to my colleague.

Maxime Dorais: I'd just like to say a few words in closing to caution the committee about pressure from the manufacturing and retail industries, which will likely be numerous and persistent during the development and implementation of the new framework. In fact, that has already begun, as we've just heard.

We've seen that of late in Quebec, with threats of massive price hikes and doomsday scenarios involving loss of profitability and closures, all in response to what is entirely and simply normal, namely, durable products that can be repaired, rather than what we're seeing today, namely, poorly designed products that are more fragile and difficult, if not impossible, to repair. This may be done deliberately by manufacturers so that the only possible solution is to buy new appliances, or so that manufacturers can generate higher profit margins, particularly through the sale of extended warranties. Ultimately, public trust is undermined, and this serves as a selling point for these extended warranties, which, by the way, are sold at a very high price.

I therefore urge the committee to stay the course despite the headwinds from the industry, because the priority is to protect consumers who, as we have said, must get their money's worth.

Thank you for your attention. We can now answer your questions.

● (1655)

The Chair: Thank you, Mr. Courchesne and Mr. Dorais.

[*English*]

Ms. Centivany, the floor is yours for up to five minutes.

Alissa Centivany (Associate Professor, Faculty of Information and Media Studies, Western University, As an Individual): Thank you.

Good afternoon, Mr. Chairman and esteemed members of the committee.

My name is Alissa Centivany, and I'm an associate professor at the faculty of information and media studies at Western University, where I work on technology, policy, law and ethics. I have a J.D. specializing in intellectual property law and a Ph.D. in information science. Over the last decade, a principal area of my research has been repair, interoperability and durability. I also engage in advocacy on these issues, and I'm co-founder and executive director of the Canadian Repair Coalition.

I'd like to start by commending the committee on taking up these challenges that impact all Canadians and cut across all sectors, all industries and all jurisdictions. A coordinated whole-of-government approach is our best chance for making meaningful change, and this bill represents an important incremental step toward that work.

Durability and repairability are increasingly undermined by a host of factors, including design choices, business strategies, constraints on access to materials and information, laws and various social factors. This bill reflects progress on some of those impediments, particularly with regard to moving towards setting national standards for minimum useful life and planned obsolescence, mandating the duration of software support and ensuring that some of the asymmetries consumers face regarding access to necessary parts, tools and information and the true cost of ownership are recalibrated.

I'd like to foreground a few points for further consideration, starting with two high-level remarks around the overall orientation of the bill, followed by several more granular considerations.

My question starts out with why there is the narrow focus on consumer electronics and essential home appliances. Barriers to repair and durability of products cut across all industries and sectors, so I'd like to see the scope expanded to cover more things. Even if we stick to a focus on everyday Canadian consumers, why not extend the framework to cars and mobility devices and equipment, assistive devices that Canadians depend on? I'll give a quick example.

The Public Interest Research Group found that in any given year, 93% of wheelchair users needed their equipment serviced, and many repairs take seven weeks or longer. For almost two months out of every year, wheelchair users are stuck, unable to go about their daily activities or fully participate in the world. Are wheelchairs covered by this bill? It's not clear to me that they are. This is just one example of many showing how barriers to repair and durability are not merely matters of cost and convenience. They're also matters of justice, human rights and basic respect for human dignity.

Second, I'd like to challenge the bill's relatively narrow focus on techno-solutionist fixes to what is in fact a sociotechnical problem.

Promoting durability and repairability demands a more fulsome promotion of integral social actors, social factors and social values and a deeper understanding of what breakdown, durability, interoperability and repair mean and why they matter.

Now I have a few more granular points, which I'll deliver rapid fire in my remaining time.

RID principles should guide the framework. We should ask if this product's design, sale, use and disposal are consistent with repairability, interoperability and durability. In addition to the useful life of products, the framework should include provisions for convivial decay so that when a product does reach the end of its useful life, its materials can be harvested and repurposed.

The scope and purview of the act should be expanded in addition to what I've already mentioned. I encourage the committee to recognize that these issues are connected to safety, security and sovereignty. For example, in recent days, there have been reports of AI agents exploiting critical PHP vulnerabilities on websites to weaponize so-called smart consumer devices and home appliances. John Deere agricultural equipment was also attacked. We can reasonably anticipate that cars, critical infrastructure and all of our computerized things are at risk. Software updates, security patches and design changes are needed to promote security, safety and sovereignty.

The framework should ensure that manufacturers cannot contract out of their responsibility by using warranty terms to exclude repair. We could look to federal legislation in the U.S. such as the Magnuson-Moss warranty act, as well as Quebec's Bill 29, as examples.

In addition, the federal government can do more to ensure that consumers understand the true cost of ownership before purchase. This could include repairability and durability scores and a national database on warranty claim information so that consumers can anticipate what's going to break, when, whether it's within the warranty term and what the cost might be.

● (1700)

Finally, at the provincial level, the framework should ensure that consumer advocacy groups and experts are consulted regarding implementation and enforcement. I might recommend creating a cause of action and standing to bring claims in small claims courts or otherwise lower the barriers to enforcement for consumers. The framework should make it clear that ultimate responsibility for durability and repairability lies with the manufacturers rather than retailers. The framework should include provisions that prevent manufacturers from off-loading their responsibility to the sellers of their products.

Thank you for your attention. I look forward to your questions.

The Chair: Thank you very much.

Colleagues, again, because we ran late in the first round, we won't have the final two slots.

[*Translation*]

Mr. Groleau, you have the floor for four minutes.

Jason Groleau: Thank you, Mr. Chair.

Mr. Moreau, welcome. Thank you for being here.

In your remarks, you mentioned that Bill C-267 would require you to offer more guarantees and keep more parts in stock for your manufacturers. Families in the Beauce region want appliances that are reliable but affordable. Aren't you concerned that this might drive up prices?

Rémi Moreau: Yes, of course.

One of our main concerns is precisely the fact that this bill could drive up the cost of household appliances. After all, Canada imports household appliances. There is only one manufacturer in Canada, located near the Toronto area.

I would therefore say that alignment with the United States is absolutely essential for the sector and for Canadians. If new industry standards specific to Canada are adopted, this alignment with the United States will break down. That means appliance manufacturers will have to manufacture appliances designed specifically for Canada. However, on a global scale, Canada is a very small market. If appliances have to be manufactured specifically for Canada, this will result in higher prices for Canadians and, undoubtedly, reduced availability of certain appliances.

Jason Groleau: Have you met with the bill's sponsor, the member for Bourassa, to discuss this issue?

Rémi Moreau: Yes, of course. We met with the member recently. We had a very productive meeting. The member said he wanted to work with the industry.

However, members of the committee may have read the letter I sent to each member yesterday to clarify, to some extent, our position on the bill and to point out that there would indeed be a price increase for Canadians. There is no doubt that this will be the case if the bill is passed.

Jason Groleau: Have you conducted a study on this? How much would that amount to?

Rémi Moreau: Are you referring to prices?

Jason Groleau: Yes. What will the increase look like, as a percentage?

Rémi Moreau: That's a good question. Unfortunately, I don't have that information because as an association, we don't have any involvement in our members' pricing strategies. Our members compete fiercely with one another. As such we don't have a specific answer.

However, generally speaking, if we have to manufacture appliances according to standards specific to Canada, there's no doubt that this will lead to higher prices for Canadians.

Jason Groleau: Thank you very much.

Mr. Dorais or Mr. Courchesne, earlier I talked about a fellow citizen by the name of Karine who had a problem, and I'd like to hear your thoughts on this. She bought a high-end refrigerator in 2019. She paid $4,000 for it. Now, a part is no longer available, and the supplier and the store say they're not to blame and keep passing the buck.

What are your thoughts on that? Do you think it's normal that replacement parts for a refrigerator worth $4,000 are no longer available after six years?

William Courchesne: I'll start by saying that no, we don't think that's normal, even though, as you said, it's a fairly common reality.

As other speakers have said, there should be a way to strengthen the law and ensure that its enforcement is backed by penalties that are worth consideration. I think that's one of the things that needs to be done.

Alternatively, we believe the solution is to establish a minimum product life period as was recently done in Quebec with the performance warranty, which ensures that a product can be repaired if it breaks prematurely within the minimum life period.

As such, we believe that establishing minimum useful life standards is indeed a good solution.

● (1705)

Jason Groleau: Bill C-267 does not provide for liability. Do you think it should provide for liabilities and penalties?

William Courchesne: Absolutely. As Alexandre Plourde said earlier, it's important to ensure compliance with the law. If industries have no reason to comply with the law, they won't. It's therefore important to have sufficiently robust penalties to encourage industries, retailers and manufacturers, among others, to comply with the law and to punish those who don't.

Jason Groleau: Thank you.

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

[*English*]

Ms. Church, the floor is yours for four minutes.

Leslie Church (Toronto—St. Paul's, Lib.): Thank you, Mr. Chair.

Thank you to all of our witnesses today. It's been a very enlightening conversation.

I wanted to ask a question, actually, of Mr. Courchesne.

You mentioned a reliability and durability index. I wanted to give you an opportunity to expand on that as an international best practice and maybe explain to the committee the types of information presented in that index that we should look to here in Canada.

[*Translation*]

William Courchesne: Yes, of course.

That has already been done in other countries, including France, which started with a repairability index and ultimately opted for a durability index. The index takes several factors into account, including the availability of parts and repair information, and this allows consumers to compare products and promotes a certain level of competition among manufacturers and retailers. Retailers will want to sell products that can be repaired easily and are more durable, because Canadians will no doubt choose products that last the longest to protect their wallets, even if, as the industry says, this results in a slight price increase. In fact, a study by Equiterre shows that Canadians and Quebeckers are prepared to pay a little more for products that are more durable and repairable.

[*English*]

Leslie Church: Thank you.

Tanveer Shahnawaz (Beaches—East York, Lib.): Thank you to my colleague for splitting the time.

My question is for Professor Centivany.

I'm curious. If you don't mind diving a little deeper into the RID, an acronym you had there, could you explain the interconnectedness of those three components a bit more?

Alissa Centivany: Sure. It's repairability, interoperability and durability. For me, I see these three aspects as being interrelated. We can think about things like extending the useful life of our products and making sure that we engage in habits of consumption that are sustainable and that aren't wreaking havoc on the environment, that we're not just throwing away things and filling up our landfills, and so on and so forth.

Repairability, obviously, is about being able to fix things. Durability is about being able to buy good-quality products that are fixable, perhaps, or have components that can be changed or parts that can be replaced. Interoperability is about being able to buy replacement parts from a different supplier that work with what you already have.

All three of these elements, I think, are really critical to a comprehensive federal strategy on repair or durability. When I frame my work and my research in this area, it's important to acknowledge the connection between all of these different aspects.

Tanveer Shahnawaz: Thank you very much.

The Chair: That's wonderful.

[*Translation*]

Mr. Barsalou-Duval, you have the floor for four minutes.

Xavier Barsalou-Duval: Thank you, Mr. Chair.

I'd like to start by discussing the closure of the office of consumer affairs with witnesses from Union des consommateurs, which they raised at the beginning of their remarks.

Mr. Dorais and Mr. Courchesne, you mentioned that your presence here today was made possible by funding from this organization, but that going forward, you would no longer be able to make this kind of representation. Could you tell us more about that?

Maxime Dorais: I wouldn't say we won't be able to do it at all, but it's clear that it will be more difficult and that obviously, we will have to scale back our participation. The number of consultations is going up and I think that's a good thing, but we can't assume that groups have the necessary funds and human resources to consistently provide input to the government without support from other sources.

Obviously, our mission is much broader. This is one aspect of our mission, but it's clear that research conducted by consumer groups is also essential and is directly covered under the program that is set to be eliminated. As such, inevitably, the government will lose access to in-depth research conducted by consumer organizations, and ultimately, this will not benefit consumers at all in defending their rights and advancing the legislative framework.

Yes, we are deeply concerned. More broadly, government support is available in Quebec, albeit in a limited manner, unlike in the rest of Canada where there are clear risks and organizations may quite possibly be forced to close in some provinces. That is a concern.

● (1710)

Xavier Barsalou-Duval: Thank you.

I think it's ironic that a government that claims—in this bill and in its regular statements—to be making life more affordable for Canadians is cutting off a lifeline to the very organizations that defend consumers on a daily basis.

I'd like to discuss another point with you that's more directly related to today's bill. In his opening remarks earlier, Mr. Moreau mentioned that if this bill passes, there would be a risk that consumers would have fewer choices and that this could lead to price increases.

I'd like to know whether you have seen a reduction in consumer choice or substantial price increases since Quebec's National Assembly adopted this bill.

William Courchesne: So far, we have not seen a substantial price increases for the products covered by the performance warranty, even though retailers and representatives of trade and manufacturers' associations were spreading fear, claiming that prices would skyrocket and that people would no longer be able to afford to buy appliances and the products covered. That has not happened. Perhaps the prices of these products will rise slightly eventually, but consumers are willing to make that choice.

We also believe that if the range of choices narrows, it will be to the consumers' advantage if retailers decide to stock products that are more durable and easier to repair rather than slightly cheaper products that break fast. As such, we believe more choice will be to the consumers' advantage.

Xavier Barsalou-Duval: Thank you.

Earlier, representatives from Option consommateurs said—

The Chair: Mr. Barsalou-Duval, unfortunately—

Xavier Barsalou-Duval: My time is up.

The Chair: If you start, you're going to run out of time. However, I may have a little more flexibility in the next round. Please stop here, and perhaps I'll give you some time at the end.

[*English*]

Ms. Lewis, the floor is yours for four minutes.

Leslyn Lewis (Haldimand—Norfolk, CPC): Thank you.

My first question is for Mr. Moreau.

Mr. Moreau, there are so many unknowns in this bill. It expands the requirement of durability. What type of burden would adding this durability requirement place on industry and consumers?

Rémi Moreau: There are two ways to answer that question.

The first one is that the whole argument around durability is so difficult to put numbers on. What I mean by that is that it really depends on how an appliance is used. I can give you an example. You have the exact same washer and dryer for a family of four and a couple. The family of four is going to have maybe five loads a week, and the couple will do maybe two loads a week. All of these factors come into play.

Here's another example. Think of this as two people buying the same brand of car. One does 12,000 kilometres a year, and the other one does 100,000 kilometres a year. Clearly, for the one who does 100,000 kilometres a year, the car might not last as long.

Leslyn Lewis: All of that would have to be in some sort of framework. Is it possible that this bill could lead the government through regulations imposing some sort of life-cycle emissions reporting for products? How else are you going to determine useful life?

● (1715)

Rémi Moreau: Definitely. The two things that we've noticed about this bill are that it's going to create more regulation on businesses, and it's going to increase costs for Canadians.

The reason for that, again, on the durability angle, is that durability is not a U.S. standard. If it's a Canadian-only standard, then appliance manufacturers will have to sell appliances that meet Canadian standards alone. That will increase costs to Canadians because, if you look at it from a global perspective, Canada is a pretty small market if not with the United States.

Leslyn Lewis: Thank you.

My next question is for Mr. Courchesne.

You mentioned a repairability framework. We don't know what this framework is. Is it possible that a regime of consumer purchase and repair data could be a tool that's implemented from this bill?

[*Translation*]

William Courchesne: Yes, I think it's entirely possible to have such a registry. The framework is still very vague, but we hope it will end up being more ambitious. Obviously, some details need to be fleshed out, but, yes, I think such a registry could very well be part of the framework.

[*English*]

Leslyn Lewis: Sir, you're a lawyer. Do you believe that framework and those details should go through Parliament?

[*Translation*]

William Courchesne: I think Parliament is fully capable of addressing these details.

I think lawmakers should do so while taking input from all stakeholders into consideration, but, yes, Parliament can work on these kinds of details.

[*English*]

Leslyn Lewis: Thank you.

My next question is for Professor Centivany.

I'm curious. Another witness mentioned that there are frameworks and benchmarks that are not in this bill. You discussed not wasting products. Is it possible that carbon footprint labels could be one standard that's used to promote this bill?

Alissa Centivany: I certainly think that information on the sustainability of products would be useful to consumers to understand the impacts of their purchase habits. I do agree that this kind of information could be really helpful, in addition to the repairability index and durability scores that were mentioned.

This federal register of warranty claim information could also be really helpful to consumers so that they have a sense of how long they can anticipate their refrigerator, for example, working before it breaks, whether that break tends to happen within the warranty period or just after the warranty period—as often happens to be the case—what the cost would be, and so on and so forth.

This kind of information is really where the federal government could play an important role in supporting the work of the provinces to undertake more specific regulatory efforts.

Leslyn Lewis: In this endeavour, would a digital product passport be useful in facilitating repairability and durability standards?

Alissa Centivany: I'm not really sure what you mean by a digital passport.

Leslyn Lewis: It's so that we can trace the history of the product to determine the repairability and durability over a period of time.

Alissa Centivany: Are you speaking about a product category in general, or are you speaking about the specific products that a consumer purchases?

Leslyn Lewis: I'm speaking in general.

Alissa Centivany: Tracking that kind of information generally on products could be really helpful.

This is related, so I'm just going to throw this out there. There have been a lot of questions in this panel and in the previous one about raising costs for consumers. It's really important to note that the only information that consumers really have is the price sticker, which doesn't reflect the true cost of ownership over the lifespan of the product.

All of these additional forms of information that consumers could use to make better and more informed choices for themselves would be useful.

Leslyn Lewis: It was a sticker that I was speaking of.

Thank you.

The Chair: Thank you, Ms. Lewis.

Ms. O'Rourke, the floor is yours for four minutes.

Dominique O'Rourke (Guelph, Lib.): Thank you very much, Chair Carr.

My questions are for Mr. Moreau.

Mr. Moreau, just outside the city limits, literally across the street from Guelph, is Danby Appliances. It is a very important employer. I hope everybody's hotel room and university dorm has a Danby fridge in it.

I have two questions for you about the legislation. The letter you submitted talks a lot about some of the safety considerations around currents of electricity, gas, flammable substances, high-speed motors and hermetically sealed systems. You spoke in your presentation about ion batteries or refrigerants that need to be disposed of properly.

I have a quick question. Can you speak more about safety? The bill does not reference who repairs. Should it?

We've heard a few times that the bill also says that provincial governments and consumer advocacy groups should be consulted in the creation of this framework. Would you support adding manufacturers to that list of people who would be consulted, as the framework would apply directly to manufacturers?

● (1720)

Rémi Moreau: Thank you so much for the question.

As I mentioned in my opening remarks, about 75% of parts are made available to consumers, and the rest are parts that should be handled by trained professionals. This is a Red Seal trade in Canada. For us, having any type of addition to the legislation around the importance of safety and security, and how these more dangerous components, if you will, on appliances should be handled by trained professionals, would certainly be something that we would welcome.

We've taken the same position with Bill 15 in Manitoba. They were very receptive to our comments. We're awaiting the regulations and we're looking forward to looking at them.

Yes, on your second question, adding manufacturers in the legislation would be something that we would be very appreciative of. Clearly, I think members would agree that appliance manufacturers should be consulted as well in terms of the legislation. The member for Bourassa, when we met with him recently, was also very open to that comment.

Dominique O'Rourke: On the framework, I will shift to Option consommateurs.

[*Translation*]

How would you rank household appliances in order of importance? Which ones are the most essential, and how do you think the framework should address this issue?

Maxime Dorais: I'll start, and Mr. Courchesne can chime in.

Obviously, the most important appliances are those that ensure the kitchen functions properly and support food safety, such as refrigerators and appliances for washing clothes and keeping the home clean. Some appliances seem most essential to us. Most of the time, they're also the most expensive for Canadian households. These appliances are the top priority for households.

William Courchesne: Indeed, I think anything that meets households' basic needs is absolutely necessary. However, I think the bill could certainly be expanded to apply to other products that are just as essential, as Professor Centivany mentioned, such as wheelchairs or any other appliance or item with a mechanism that can break prematurely.

Maxime Dorais: I would add that there's the whole issue of communication devices, which people tend to forget, and the ability to communicate with the outside world, whether through a cellphone or a computer and whether for work or studies. For the most part, these communication devices are essential and can even be a matter of safety in the event of an incident.

The Chair: Thank you, Ms. O'Rourke.

Mr. Barsalou-Duval, you have 90 seconds left. Every second beyond that will put us behind schedule, and it will be your fault. You have the floor.

Xavier Barsalou-Duval: Thank you, Mr. Chair.

Mr. Moreau, I've taken note of your comment regarding the importance of including manufacturers in the consultation process. I believe this point has been raised by other committee members as well. Indeed, if this applies to you, it would make sense for you to be consulted.

Nevertheless, I'd like to come back to one point you mentioned. You said that household appliances are primarily manufactured in the United States. With that in mind, I almost feel as though opposing this bill amounts to giving American manufacturers a gift. I'm not persuaded by that argument.

However, the issue I'd like to discuss further with you is whether it's appropriate to legislate on this matter. In my view, there is clearly a federal component to this in relation to patents or copyright law, for instance. When it comes to patents, some companies patent every single component of an appliance to prevent those parts from being replicated and used to repair their products. The same thing happens in the area of copyright. For example, we have seen that access to computer code or data is not permitted for the purpose of repairing products.

As such, do you think that, at the very least, the federal government should regulate these two areas?

● (1725)

Rémi Moreau: First of all, I think it's important to address the first point you made. Indeed, not all household appliances sold in Canada are necessarily manufactured in the United States. Some are manufactured in other parts of the world, but they must meet North American standards. That doesn't mean they all come from the United States. They can come from just about anywhere, but they must comply with North American standards. Products manufactured for Europe, for example, must comply with standards specific to Europe.

As for patents, that's certainly something that could be explored further. I'll have to get back to you with an answer on that if you don't mind, but there's definitely some room for discussion.

Xavier Barsalou-Duval: Perfect.

Thank you very much for your answers. That has made some things clearer for me.

The Chair: Thank you very much.

[*English*]

Colleagues, that's going to bring us to the end of the second hour.

Thank you very much to witnesses who availed themselves to the committee today. It's an incredibly important part of the legislative process when we have witnesses and experts who can provide us with some guidance and direction on the legislation we are tasked with reviewing. We appreciate the time.

[*Translation*]

I would like to thank the witnesses who are here today.

[*English*]

Colleagues, I wish you a wonderful weekend at home.

I will just note for the Habs fans in the room that the Jets and Habs are playing in Winnipeg in the Heritage Classic this weekend, and the result of that game will certainly dictate the mood of this committee moving forward.

Voices: Oh, oh!

The Chair: The meeting is adjourned.

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