



**REPORT OF THE SPECIAL COMMITTEE ON
THE MODERNIZATION AND IMPROVEMENT
OF THE PROCEDURES OF THE HOUSE OF
COMMONS**

Bob Kilger, M.P.

Chair

June 2003

SPECIAL COMMITTEE ON THE MODERNIZATION AND IMPROVEMENT OF THE PROCEDURES OF THE HOUSE OF COMMONS

(37th Parliament – 2nd Session)

CHAIR

Bob Kilger

VICE-CHAIRS

Don Boudria
John Reynolds

MEMBERS

Libby Davies
Norman Doyle
Michel Gauthier
Monique Guay

Loyola Hearn
Stan Keyes
Dick Proctor
Werner Schmidt

OTHER MEMBERS WHO PARTICIPATED

Rick Borotsik
Marlene Catterall
Gerald Keddy
Chuck Strahl
Paul Szabo

STAFF OF THE COMMITTEE

Audrey O'Brien
Diane Diotte
Clerks of the Committee

James Robertson
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THE SPECIAL COMMITTEE ON THE MODERNIZATION AND IMPROVEMENT OF THE PROCEDURES OF THE HOUSE OF COMMONS

has the honour to present its

FOURTH REPORT

ORDERS OF REFERENCE

Thursday, November 28, 2002

ORDERED: - That a special committee of the House be appointed to consider and to make recommendations on the modernization and improvement of the procedures of the House of Commons;

That the Members of the committee shall be the Deputy Speaker, the House Leaders and the Caucus Chairs of each of the officially recognized parties, provided that substitutions may be made from time to time, if required, in the manner provided for in Standing Order 114(2);

That, notwithstanding any Standing Order, the Chair of the committee shall be the Deputy Speaker and the Vice- Chairs shall be the Leader of the Government in the House of Commons and the House Leader of the Official Opposition;

That the committee shall have all of the powers granted to standing committees in Standing Order 108, as well as the power to travel inside and outside Canada;

That the committee shall not adopt any report without the unanimous agreement of all the Members of the committee;

That the committee may make recommendations for changes to relevant statutes and, if it does so, such recommendations shall be deemed to have been made pursuant to an Order adopted pursuant to Standing Order 68(4); and

That the committee shall present its final report no later than Wednesday, April 30, 2003.

Thursday, February 27, 2003

Order of Reference of November 28, 2002 amended as follows: That the last paragraph provide that the Committee shall present its final report no later than Friday, June 13, 2003. (See Second Report of the Committee adopted on February 27, 2003)

The Special Committee on the Modernization and Improvement of the Procedures of the House of Commons has the honour to present its

FOURTH REPORT

INTRODUCTION

- 1 Pursuant to its order of reference from the House of Commons dated Thursday, November 28, 2002, as extended by an order of the House dated February 27, 2003, the Committee is pleased to report as follows.
- 2 The Committee was appointed “to consider and to make recommendations on the modernization and improvement of the procedures of the House of Commons.” Chaired by the Deputy Speaker of the House of Commons, Bob Kilger, M.P., its membership consists of the House Leaders and the Caucus Chairs of each of the officially recognized parties. The establishment of the Committee followed a debate in the House of Commons that was held on November 20 and 21, 2002 on proposals for modernizing and improving the procedures of the House.
- 3 The Committee has built on the work of the first Special Committee on the Modernization and Improvement of the Procedures of the House of Commons in 2001. That Committee’s Report, which was tabled in the House on June 1, 2001, and adopted on October 4, 2001, contained 26 recommendations, including numerous amendments to the *Standing Orders of the House of the Commons*.
- 4 The task of modernizing and improving the procedures and practices of the House, however, is never complete. The parliamentary system is not static. It is remarkably vibrant and resilient, being adaptable and responsive to changing needs and demands. We must continually review and evaluate how we do things, and determine whether our rules and practices are adequate to meet our needs. The composition of the House of Commons, the number of recognized parties, and the experience of Members will all affect how the chamber operates. Parliamentary history and traditions are important, but outmoded practices must give way to modern procedures. Procedural reform in a parliamentary democracy is an on-going process, and is characterized by evolutionary development, rather than radical change.
- 5 Parliamentary reform is a much-discussed topic in the House of Commons and among Parliamentarians. The Committee had no shortage of proposals for change that had been raised in debate in the House, by members of our caucuses, by academic observers, by the media, and by others. We encourage this on-going dialogue, which we view as healthy. We respect the interest and concern shown by

Members on all sides on questions relating to the reform and modernization of the House of Commons, and we have been guided in our deliberations by the deep responsibility we feel toward our colleagues and the institution.

- 6 We are at an important junction in the history of the Canadian House of Commons. Many of the Members of the House have significant parliamentary experience and familiarity with our procedures and practices. This collective expertise is relatively unusual in recent Canadian political life, and creates new challenges and opportunities. It means that many Members have ideas and proposals, and the Committee has had the benefit of all of these before it in its discussions. While we have not been able to agree to as many of them as we would have liked, we are confident that these ideas will continue to circulate and be discussed, and may well come to fruition in the future.
- 7 The Committee's order of reference – like that of its predecessor – required that the any report be adopted by unanimous agreement of all members. We believe that this is desirable for meaningful change, as parliamentary reform is best achieved where there is consensus and all-party agreement. While this may, of course, mean that change is more difficult and may take longer to achieve, in the final analysis, we believe that it results in stronger and more viable reform. The requirement for unanimity has meant that on a number of issues, recommendations were not possible; by the same token, on some issues the members of the Committee have compromised and worked toward achievable solutions that reflect our differing interests.
- 8 It should be emphasized that there has been a remarkable degree of agreement, and shared concerns. While we may not always agree on the nature or causes of problems – or of the solutions – we have attempted in this report to recommend changes that we believe will improve the House and the work of its Members. All members of the Committee are committed to the institution of Parliament, and to the importance of the House of Commons as central to our democratic form of government. Obviously, the interests of government Members differ from those of opposition MPs; and, among the opposition parties, there are variances based on traditions, culture, size, and other factors. In the course of our deliberations, we have, nevertheless, had respectful and useful discussions, as we have tried to convince each other of our proposals, or argued against other propositions.
- 9 The principles and objectives that were enunciated in the Report of our predecessor Committee continue to be relevant: “There is a general desire to re-assert the pre-eminence of the House of Commons, and increase its effectiveness and efficiency. Members want to increase the accountability of individual Ministers and the Government as a whole, and increase the opportunities for parliamentary influence

in the legislative process. There is a feeling that individual Members of the House of Commons need to be empowered, and the role of the Speaker, as the servant of the House and its spokesperson, enhanced. A balance needs to be achieved between the Government's interests in implementing its legislative agenda, and the Opposition's interests in questioning and criticizing the Government. Similarly, other competing interests need to be reconciled, such as the inevitable tensions between individual Members and their parties, and between the chamber and its committees, to name but two. Parliamentary debate should be enhanced, by creating opportunities for more meaningful dialogue and increasing the relevance of the parliamentary processes. Members want and need to take advantage of the opportunities afforded by new technologies. Procedural rules should accord with the practices that have developed, and should be responsive to modern conditions and requirements. Time is a valuable commodity in the House of Commons, and needs to be used wisely."

- 10 In undertaking its deliberations, the Committee reviewed developments in provincial legislatures and other Parliaments. Particular attention was paid to the United Kingdom, including the new Scottish Parliament, and Australia. Members of the Committee travelled to these Parliaments, where they met with Parliamentarians, procedural clerks and other staff, and other persons to discuss elements of their systems. Members were impressed with the range of parliamentary reform initiatives in other countries. This exchange of experiences and procedures was an invaluable experience. We in Canada share a common parliamentary heritage, having inherited it from Westminster, but we have moulded it to our own federal state and circumstances. We saw many interesting developments that are worthy of consideration in assessing the future of the Canadian House of Commons.
- 11 Other Parliaments have borrowed ideas from us, and we gained valuable insight from seeing their operations. In some cases, seeing how other legislative bodies work has confirmed our view that our procedures are best suited to our needs, and we have developed rules that are preferable. In other cases, what works well in other systems would not necessarily be appropriate or applicable in ours. Nevertheless, all members of the Committee benefited greatly from the comparative experiences.

PRIVATE MEMBERS' BUSINESS

- 12 The Committee devoted considerable time at the outset of its work to the issue of Private Members' Business. This has long been a source of controversy to many Members of the House, and evaded satisfactory reform. The existing procedures

had been developed as a result of recommendations of the Special Committee on Standing Orders and Procedures (the Lefebvre Committee) and the Special Committee on Reform of the House of Commons (the McGrath Committee) of the early 1980s. That system, while a vast improvement over the previous one, had ceased to meet the expectations of many Members, and there was a general consensus that serious changes were required, but little agreement on precisely what those changes ought to be.

- 13 The 2001 Special Committee on the Modernization and Improvement of the Procedures of the House of Commons deferred to the Standing Committee on Procedure and House Affairs on the issue of Private Members' Business. That Committee, and its Subcommittee on Private Members' Business, did a great deal of preliminary work on the issue of reforming the procedures, although final agreement evaded the members.
- 14 Accordingly, the first priority for this Committee was to re-visit the issue of Private Members' Business, and considerable time and energy were devoted to this topic. The Committee's First Report, which was tabled in the House on February 20, 2003, set out the basic procedures that were agreed to by the Committee. Subsequently, on February 28, 2003, the Committee tabled its Third Report, which contained the amended Standing Orders regarding Private Members' Business. These were implemented on a provisional basis beginning on March 17, 2003, for one year or until the end of the Second Session of the 37th Parliament, whichever shall first occur. Copies of our First and Third Reports are annexed as Appendix A to this Report.
- 15 The basic elements of the revised system are that all eligible Members of the House should have at least one opportunity to present a private Member's bill or motion during the course of a Parliament, and that all of these items should be voted in the House after two hours of debate. The much-criticized selection process of the old system has been replaced by much more limited and objective criteria of non-votability, together with appeal mechanisms to protect the interests of Members. Various minor changes were included in the package. The new system appears to be working well, and the Committee expects that the House will be in a position to assess its success at the end of the trial period. As with any new procedure, new and unexpected developments can occur, and much depends on the goodwill of Members and their willingness to try to make the system work. It would be unfortunate if filibusters or other procedural tactics were used with respect to Private Members' Business, either in the House or committee, so as to distort or undermine the operation of the new rules.

TECHNOLOGY

- 16 One of the underlying themes of the Committee's deliberations has been the opportunities afforded by new technologies. Many of the proposals for reform rested on technological changes and possibilities. The predecessor of the Committee recommended that the administration of the House of Commons proceed with the plans for enhanced use of technology for the House, its committees, and its Members. We believe that considerable progress has been made in this regard, and the Members are increasingly receptive to technological changes.
- 17 One of the exciting developments has been the Chamber Technology Infrastructure Project. In June 2000, the House of Commons administration asked that Public Works and Government Services Canada (PWGSC) be approached to fund the replacement of the existing technology infrastructure in the House of Commons chamber as part of the Long-Term Renovation Program. The current technology in the chamber, which was introduced in 1978, was reaching the end of its life expectancy. Accordingly, to avoid progressive decline of service levels, replacement of the existing audio and television broadcast system was required. New technical systems will ensure continued high service levels, deliver improved sound and image quality, and provide the foundation for future services and applications.
- 18 PWGSC agreed to include such a project as part of the Program, and the House is now ready to proceed with the project which is scheduled to begin in the summer of 2003. It is critical that the House take advantage of the physical access that will be provided during the implementation of this project so as to put in place during this construction phase all the elements of a basic infrastructure to allow for the evolution and development that can reasonably be expected in the next few years. The House must take advantage of this summer's work to put in place the basic wiring that might be required to implement future decisions, so the work involved will only have to address implementation of an already existing potential rather than a revamping of the infrastructure itself.
- 19 Again in an effort to capitalize on this project, while replacing the existing technology, the House can ensure that several other on-going requirements are addressed. These include providing a wireless interpretation system for special events; updating the simultaneous interpretation system in the galleries; installing a new sound system to accommodate the unique acoustical properties of the Chamber; providing new consoles for sound interpretation; and installing the infrastructure to meet possible future needs (such as electronic voting).

- 20 The implementation of these changes will be in two phases. Phase 1 – to be completed during the summer of 2003 – includes the following components:
- (a) Wireless simultaneous interpretation (SI) system for special events: For special events in the chamber, chairs are placed for guests in the centre of the chamber floor and behind the Members' desks in the east and west aisles so a wireless SI system will provide enhanced access to interpretation on those occasions.
 - (b) New television broadcast camera infrastructure: The installation of a new television broadcast camera infrastructure will deliver better views of Members, improved camera coverage, better coverage of the galleries and reduce the safety hazard caused by the position of several cameras.
 - (c) Possible connectivity at each Member's desk: Phase 1 could also provide for the installation of a new data network that will bring data connectivity to each MP's desktop. This requires an AC power source at each desk.
- 21 Phase II – to be carried out during the summer of 2004 – will entail the following items: a new sound system; a sound reinforcement system; new consolettes; new simultaneous interpretation for the galleries; new consoles to support simultaneous interpretation; and an electronic voting infrastructure.
- 22 A prototype Member's desk has been built to demonstrate the proposed design of the Members' desktops required to provide power and network connectivity. This prototype was demonstrated to the members of the Committee, and no changes to the design have been proposed. While wireless technology is currently used by many Members, and may become the norm over time, considerable use is also made of laptop computers. Their use in the chamber does raise concern in the minds of some Members, who would prefer that Members focus on the speeches and business of the House. Like many other legislative bodies, however, we permit the use of laptop computers in the chamber. It is, therefore, logical to facilitate this further by providing Internet connections.

The Committee recommends that connections to the services of the Parliamentary Precinct network be made available to Members in the House of Commons chamber.

- 23 The Web Broadcast of Parliamentary Proceedings on the Parliamentary Internet Site is another initiative that the Committee wholeheartedly supports. The Committee was approached for its approval to proceed with the launch of the *ParlVU* service to the public and make the televised proceedings available on the Parliamentary Internet site.

- 24 In 1977, the House of Commons became the first legislative body to televise its proceedings. Gavel-to-gavel proceedings of the House of Commons are now broadcast live across the country and viewed by more than 1,000,000 Canadians each week. The Canadian Radio-television and Telecommunications Commission (CRTC) has recognized that the House of Commons proceedings are “vital to the public interest and an important part of the Canadian broadcast system”.
- 25 Currently CPAC (the Cable Public Affairs Channel), in partnership with the House of Commons, broadcasts Chamber proceedings live and televised committee proceedings on a delayed basis to its cable and satellite affiliates across the country. The House has two committee rooms permanently equipped for the televising and broadcast of committee proceedings. The televised proceedings are also broadcast live within the Precinct via the Parliamentary Television Network, and live video feeds are made available to members of the Parliamentary Press Gallery. The audio of all public committee meetings is broadcast on the Parliamentary Radio Network across the Precinct, and live audio feeds are made available to members of the Parliamentary Press Gallery.
- 26 The House of Commons proceedings, in partnership with CPAC, are broadly available in both official languages to the Canadian public through cable and satellite broadcast, but because of the existing technical and regulatory framework supporting the broadcast of parliamentary proceedings, they are sometimes made available to viewers in either French or English only. The Commissioner of Official Languages has recommended that the House of Commons “ensure the right of members of the public to access televised public debates in their preferred official language.” The House of Commons has done everything in its power to make the proceedings available in both official languages, and the web broadcast of proceedings demonstrates its continued commitment to making them available in both official languages as widely as possible.
- 27 At its meeting of November 27, 2002, the Board of Internal Economy gave its approval for the House to proceed with preparation of the infrastructure for launching the *ParlVU* service to the public. At the time, the Board also concluded that the Special Committee on Modernization and Improvement of the Procedures of the House of Commons would be the ideal forum for considering the project in further detail, and referred the project to the Committee for consideration of the proposal as part of its consultations on parliamentary reform.
- 28 With the beginning of the fiscal year, and as approved in the Report on Plans and Priorities for 2002-2003, the House administration has proceeded with the establishment of the infrastructure to support delivery of *ParlVU* to the

parliamentary Internet site. *ParlVU* is a service for carrying live televised parliamentary proceedings from the Commons chamber and two committee rooms, and the live audio from all public committee meetings, via the parliamentary websites. The listener may choose to listen to the English, French or floor audio. The development and launch of the *ParlVU* service to the Parliamentary Precinct has provided the basis for the live streaming environment on both the Intranet and the Internet.

- 29 Today legislatures across Canada and abroad are broadcasting their proceedings on the Web as a way to allow for greater visibility and public access. Prior to the launch of the *ParlVU* service to Members, a pilot phase was carried out to assess its technical performance fully and to obtain user feedback, and is now in a position to provide several services:
- (a) Live webcast of the Chamber proceedings: Currently CPAC provides live gavel-to-gavel coverage of Chamber events. The live webcasting would support the House of Commons' ability to provide Canadians with access in the language of their choice.
 - (b) Live webcast of the televised committees: Currently CPAC shows the televised committees when the House is not sitting. The live webcasting would provide real-time access to the Canadian public who wish to view committee proceedings as they take place.
 - (c) Live webcast of the audio of non-televised committees: The proceedings of non-televised but public committee meetings are available to listeners in the Parliamentary Precinct via the FM network (and now via the Intraparl site). The live webcasting would provide a new service to the Canadian public, who could listen to the proceedings of non-televised committees as they take place.
- 30 The Committee views favourably the introduction of the web broadcast of parliamentary proceedings on the Parliamentary Internet Site.

The Committee approves the launch in the autumn of 2003 of the *ParlVU* Service to the public via the Parliamentary Internet site. The *ParlVU* service will carry the live televised parliamentary proceedings from the Commons chamber and two committee rooms via the Parliamentary Internet site. The Committee also supports making the live webcast of the audio of non-televised public committee meetings available as part of the *ParlVU* service to the public.

- 31 Some Members have expressed concerns about the Parliamentary Public Site not being as user-friendly as it could be. Web publishing is an art, and continues to evolve. As this website is a joint venture of the House of Commons, the Senate, and the Library of Parliament, we strongly encourage them to work together to make it as accessible and informative as possible.
- 32 The Committee also considered a proposal regarding the filing by electronic means of motions and questions. We believe that this is a logical and desirable development. It will assist Members as they will not have to physically sign and deliver documents, and will be able to do certain work from their constituencies. It should also minimize time delays, duplication and mistakes as the electronic text will be capable of being immediately inserted in the appropriate places. At the same time, the Committee is conscious that appropriate verification systems be instituted – these could include encrypted electronic signatures of Members or passwords for filing. We believe that the Journals Branch of the House of Commons can develop the appropriate policies so that this can be introduced in the autumn of 2003.

The Committee supports the electronic filing of notice of motions and written questions with the Journals Branch of the House of Commons, subject to the development of verification protocols.

DEBATE

- 33 At present, Standing Order 74(1)(a) provides for 40-minute speeches by the first three speakers at second and third reading of government bills. This is a lengthy period of time, which is seldom required. The Progressive Conservatives and NDP have also long argued that this rule was developed at a time when there were only three recognized parties in the House, and that it is unfair to the third and fourth opposition parties.
- 34 Members of Parliament strongly endorse the exchange of views that results from the question and comment period following speeches, particularly at second and third reading of government bills. Accordingly, the Committee has agreed to replace the 40-minute speeches at second and third reading with 20-minute speeches, followed by a 10-minute question and comment period.

The Committee recommends that Standing Order 74(1) be amended as follows:

74. (1) Unless otherwise provided by a Standing or Special Order, when second reading or third reading of a government bill is being considered, no

Member except the Prime Minister and the Leader of the Opposition shall speak for more than:

- a) twenty minutes if the Member is the first to speak on behalf of a recognized party in the first round of speeches;**
- b) twenty minutes following the first round of speeches, if that Member begins to speak within the next five hours of consideration;**
- c) provided that, following the speech of each Member made pursuant to section (a) or (b), a period not exceeding ten minutes shall be made available, if required, to allow Members to ask questions and comment briefly on matters relevant to the speech and to allow responses thereto; and**
- (d) ten minutes if a Member speaks thereafter.**

35 Members were favourably impressed with the use of a count-down clock in the Australian House of Representatives. This allows speakers to quickly know how much time they have remaining. There was considerable discussion among members of the Committee on the desirability of introducing such a clock in the House of Commons. Some members are concerned that its use would be too rigid, and that flexibility and discretion on the part of the Chair must be preserved. Concerns were also expressed over who would be responsible for activating the clock, what the repercussions would be if it were not activated at the appropriate time, and how to handle interventions or interruptions during speeches. At the same time, there does appear to be a general feeling that it would be useful to Members to know when their speaking time is drawing to a close. A count-down clock, or some other system, could be used to assist Members in this regard. The Clerk of the House is investigating what systems are available, and it is hoped that a change could be put in place for the autumn. Suitable consultations will have to be conducted with the House Leaders and Members of the House.

36 Members of the Committee also support the suggestion that portable lecterns be available for the use of Members when speaking in the House. In some legislative chambers, a despatch box is available at the Table for the use of the Prime Minister or Ministers when addressing the chamber. In the Canadian House, we have individual desks, and the idea of speaking from a fixed point does not arise. Nevertheless, Members often have speaking notes, and frequently pile books up to make a substitute platform on which they can place their papers. The Committee believes that it would be more convenient and becoming if portable lecterns were made available upon request.

The Committee recommends that portable lecterns be available in the House of Commons for the use of Members when speaking.

PETITIONS

- 37 The right to petition Parliament for the redress of grievances is an ancient remedy, which can be traced back to the origins of Parliament in its judicial guise in the Middle Ages. The “modern” form of petition – addressed to Parliament, drawn up in prescribed manner, usually dealing with public grievances – developed in the seventeenth century. In Canada, provisions for petitions (long a feature of pre-Confederation legislative assemblies) have always been part of the written rules of the House of Commons. The rules adopted in 1867 were somewhat expanded in 1910, and operated without substantial modification for some 76 years. Starting in the immediate post-Confederation periods, an extensive body of practice began to build, resulting in a collection of form and content requirements which were not codified in the Standing Orders but which had to be met in order for a petition to be acceptable to the House.
- 38 The McGrath Committee made several recommendations intended to clarify the rules relating to petitions, to promote uniformity in their presentation, to ensure their receivability as to content, and to provide guidelines as to form and petitioners’ signatures. In 1986, the House adopted amendments to the Standing Orders based on these recommendations. While there have been minor changes to the Standing Orders regarding petitions since 1986, the procedure has remained largely unchanged, although the number of petitions present has increased dramatically. The Report of the 2001 Special Committee on the Modernization and Improvement of the Procedures of the House of Commons noted that various technical requirements for petitions have evolved which often constitute traps for the unwary. The Report recommended that, while certain basic parameters must be respected (such as the rules regarding the prayer for relief and technical format and requirements), the requirements should be loosened and simplified.
- 39 Accordingly, the Committee reviewed the existing rules and requirements for petitioning the House of Commons. We were guided by a desire to simplify these requirements, and avoid rules that could not be justified or which unnecessarily complicated the petitioning process. The Committee is recommending revised requirements as follows (with the changes shown in bold):
- (a) **That certification be granted to petitions even though the text of the prayer does not request a specific action.**
 - (b) That certification not be granted to petitions that contain improper, disrespectful or unparliamentary language.
 - (c) **That certification be granted to petitions even if they are addressed to the Government or a Minister or a Member.**

- (d) That the minimum number of 25 signatures with addresses be maintained, although **wording would be added to deal with the situation of persons who do not have a fixed address.**
- (e) That certification not be granted to petitions containing appendices or attachments.
- (f) That certification not be granted to petitions containing some names that are not original signatures but are either written by someone else, photocopied or printed.
- (g) **That certification be granted even if the full prayer is not shown on every sheet, so long as the subject-matter is indicated.**
- (h) **That certification be granted even when petitions call for the expenditure of public funds.**
- (i) That certification not be granted if the prayer does not ask Parliament to take some action within its authority.
- (j) That certification not be granted if some signatures or addresses are not written directly on the petition but are pasted or transferred on.
- (k) That certification not be granted if it is not on paper of usual size.
- (l) That certification not be granted if the text of the petition has been altered or comments added.

The Committee recommends that Standing Order 36 be amended as follows:

36. (1) Prior to presentation, the Clerk of Petitions shall examine all petitions, and in order to be presented, they must be certified correct as to form and content by the said Clerk.

(2) In order to be certified, pursuant to section (1) of this Standing Order, every petition shall:

- (a) be addressed to the House of Commons, the House of Commons in Parliament assembled, the Government of Canada, a Minister of the Crown or a Member of the House of Commons;**
- (b) contain a clear, proper and respectful prayer which may call for the expenditure of public funds;**
- (c) be written, typewritten or printed on paper of usual size;**
- (d) be free of alterations and interlineations in its text;**
- (e) have its subject –matter indicated on every sheet if it consists of more than one sheet of signatures and addresses;**

- (f) contain only original signatures and addresses written directly onto the petition and not pasted thereon or otherwise transferred to it; and**
- (g) contain at least twenty-five signatures from persons other than Members of Parliament and, where the signatories have a fixed place of residence, their addresses.**

(3) Members presenting petitions shall be answerable that they do not contain impertinent or improper matter.

(4) Every Member presenting a petition shall endorse his or her name thereon.

(5) A petition to the House may be presented by a Member at any time during the sitting of the House by filing the same with the Clerk of the House.

(6) Any Member desiring to present a petition, in his or her place in the House, may do so on “Presenting Petitions”, a period not to exceed fifteen minutes, during the ordinary daily routine of business

(7) On the presentation of a petition no debate on or in relation to the same shall be allowed.

(8)(a) Every petition presented pursuant to this Standing Order shall forthwith be transmitted to the Ministry, which shall, within forty-five days, respond to every petition referred to it; provided that the said response may be tabled pursuant to Standing Order 32(1).

- 40 The Committee also notes that in the 2001 Report, an important change was introduced to Standing Order 39(5)(b) regarding written questions, whereby if the government does not respond within the prescribed 45-day period, the failure to answer is referred to the appropriate standing committee. The committee is required to meet within five days to investigate the delay and to report the matter to the House. This procedure has had to be resorted to on a few occasions. Its presence in the Standing Orders, however, has had a salutary effect, in that it encourages Ministers and departments to comply with the timelines and requirements in the Standing Orders. The Committee believes that a similar procedure should be available in the case of government responses to petitions, although we are proposing that this rules be introduced for a trial period of one year only.

The Committee recommends that the following change, for a one-year trial period, be made to the Standing Orders of the House of Commons to deal with the situation where a government response to a petition is not tabled in the House of Commons within 45 days:

(b) If such a petition remains without a response at the expiration of the said period of forty-five days, the matter of the failure of the Ministry to respond shall be deemed referred to the appropriate Standing Committee. Within five sitting days of such a referral the Chair of the committee shall convene a meeting of the committee to consider the matter of the failure of the Ministry to respond.

- 41 One of the great successes of the new Scottish Parliament, in the view of many, is its petitions system. Members of the Committee who visited Edinburgh were impressed with how this operates. Not all of its elements are readily transferable to the Canadian House of Commons. One interesting innovation, however, is the development of a system for petitions to be signed and filed electronically. This mechanism ties in with recent discussions about e-democracy and e-consultation by parliamentary committees, and, in particular, the initiative of the Subcommittee on the Status of Persons with Disabilities of the Standing Committee on Human Resources Development and the Status of Persons with Disabilities in this Parliament.
- 42 The Committee believes that an electronic petition option should be permitted. Clearly, there are a great many details to be worked out – including whether electronic petitions should be accommodated on a parliamentary server or website; how petitions will be submitted for posting and accepted (presumably under the sponsorship of a Member); how electronic “signatures” are to be verified; when such petitions are to be closed off; and so forth. We believe that petitions should continue to be presented in the House of Commons by a Member of Parliament, and that the form and substance requirements for electronic petitions should be comparable to those for traditional petitions. The Committee requests that the Clerk develop options and a proposal for electronic petitions, for submission to and approval by the Standing Committee on Procedure and House Affairs.

The Committee recommends the development of a system for electronic petitions, in consultation with the Standing Committee on Procedure and House Affairs.

FINANCIAL PROCEDURES

- 43 The Report of the 2001 Special Committee on the Modernization and Improvement of the Procedures of the House of Commons proposed that the Leader of Opposition, after consultation with the leaders of other opposition parties, could select two sets of Main Estimates per year, which would each be considered in Committee of the Whole for up to five hours. The purpose of this process is to encourage a more meaningful examination of the Main Estimates, and confirm the financial oversight role of the House of Commons. While there were some initial difficulties, this process appears to be working well. Nevertheless, we believe that some fine-tuning is desirable. We are recommending that instead of the usual 20-minute speeches, these sessions should comprise 10 minute speeches, followed by five minutes of questions and comments. We note that the 10 minutes should be a maximum. It should also be open to a Member to use his or her time to ask a series of questions; in this case, the Member, having indicated the intention to do so, would be able to use the entire 15 minutes for questions and answers. Moreover, the order and rotation of speakers should reflect the proportional representation of the recognized parties in the House. The total time for this examination of the Estimates will be changed from five hours to four. We believe that these changes will encourage more give-and-take, and facilitate an exchange of views.

The Committee recommends that Standing Order 81 be amended as follows:

81. (4) In every session the main estimates to cover the incoming fiscal year for every department of government shall be deemed referred to standing committees on or before March 1 of the then expiring fiscal year. Each such committee shall consider and shall report, or shall be deemed to have reported, the same back to the House not later than May 31 in the then current fiscal year, provided that:

(a) not later than May 1, the Leader of the Opposition, in consultation with the leaders of the other Opposition parties, may give notice during the time specified in Standing Order 54 of a motion to refer consideration of the main estimates of no more than two named departments or agencies to committees of the whole, and the said motion shall be deemed adopted and the said estimates shall be deemed withdrawn from the standing committee to which they were referred. Notwithstanding the provisions of Standing Orders 28(2) or 38(5), on any day appointed for the consideration of any business under the provisions of this section, but in any case not later than May 31, consideration of the main estimates of the said department or agency shall be taken up by a Committee of the Whole House at the conclusion of the adjournment proceedings or, if taken up on a Friday, at the conclusion of Private Members' Business, for

a period of time not exceeding four hours. During the time provided for consideration of estimates pursuant to this paragraph, no Member shall be recognized for more than fifteen minutes at a time and the Member shall not speak in debate for more than ten minutes during that period. The fifteen minutes may be used both for debate and for posing questions to the Minister of the Crown or a Parliamentary Secretary acting on behalf of the Minister. When the Member is recognised he or she shall indicate how the fifteen minutes is to be apportioned. At the conclusion of the time provided for the consideration of the business pursuant to this section, the Committee shall rise, the estimates shall be deemed reported and the House shall immediately adjourn to the next sitting day;

- 44 The report of the 2001 Special Committee on the Modernization and Improvement of the Procedures of the House of Commons included a recommendation for written notice of an opposition motion on an allotted day. It was brought to the Committee's attention that this amendment does not make allowance for notice of such motions during an adjournment of the House where the first day back is designated an allotted day. To remedy this, it has been proposed that the Standing Orders be amended to allow notice of opposition motions on an allotted day to be given and included in the *Notice Paper* issued prior to the return of the House. The Committee believes that this would be a sensible change.

The Committee recommends that Standing Order 81 be amended as follows:

81. (14)(a)(i) Written notice of an opposition motion on an allotted day shall be filed with the Clerk of the House not later than one hour prior to the opening of the sitting on the day preceding the allotted day, and the Speaker shall read the text of the motion at the opening of that sitting and shall indicate whether the motion is one that shall come to a vote pursuant to section (16) of this Standing Order.

(ii) Notwithstanding section 14(a)(i) of this Standing Order, when an allotted day is designated for the first or second sitting day following an adjournment provided for in Standing Order 28(2)(a), written notice of an opposition motion may be filed with the Clerk in conformity with Standing Order 54(2).

- 45 Various proposals have been made to review and amend the Business of Supply, and the government's projected annual expenditures or "estimates." Many Members of the House, and other commentators, have expressed dissatisfaction with the current system, whereby considerable amounts of public money are authorized to be spent without adequate scrutiny or accountability. This is a complex subject, and clearly the deficiencies are not readily remedied.

- 46 The Committee reiterates that parliamentary committees should take their responsibilities under the estimates process very seriously, as an important component of their oversight functions. They should regularly devote the necessary time and energy to fulfil their functions in this regard. We note that the Australian Senate appears to have developed a very high-profile and effective system of reviewing government estimates. The Committee also understands that the Subcommittee on the Estimates Process of the Standing Committee on Government Operations and Estimates is currently looking at these issues, and will be making recommendations shortly. We await this report eagerly, and we expect that all Members will continue to look for ways to make the estimates process more meaningful and satisfactory. We do note a concern that two of the recognized parties in the House of Commons are not represented on this Subcommittee, which we feel is unfortunate, and a departure from the usual practice that committees and subcommittees should reflect the composition of the House, and, in effect, operate as a microcosm of the chamber.

OTHER MATTERS

- 47 Concerns have also been expressed about the difficulties experienced by some committees in obtaining the attendance of Ministers at meetings. The Committee notes Ministers' attendance at committees should be a priority, and every reasonable effort should be made to respond favourably to such invitations.
- 48 Concerns continue to be expressed that government and ministerial announcements regarding legislation or policies, are increasingly made outside the House of Commons. While this is by no means a recent phenomenon, it continues to be a source of irritation. The Committee wishes to reiterate the comments made in the 2001 report of the Special Committee on the Modernization and Improvement of the Procedures of the House of Commons with respect to the making of government announcements in the House of Commons. In that report, the Committee recommended that the Government make greater use of Ministerial Statements in the Chamber whenever possible and that the House Leaders be advised in advance of these statements, and amended the ordinary daily routine of business to facilitate ministerial statements with respect to government bills that are introduced in the House.
- 49 It is important that more ministerial statements and announcements be made in the House of Commons. In particular, topical developments, or foreseeable policy decisions, should be made first – or, at least, concurrently – in the chamber. Ministers, and their departments, need to be encouraged to make use of the forum provided by the House of Commons. Not only will this enhance the pre-eminence

of Parliament, but it will also reiterate the legislative underpinning for governmental decisions. While we recognize that not all announcements will be made in Parliament, it is important that more of them be made in this setting.

- 50 The Committee believes that the Standing Orders should be amended to provide that if a Member fails to appear for an Adjournment Debate, there will be a penalty. In such a case, the adjournment notice of the Member should be removed, and the Member will lose his or her opportunity to raise the matter during the Adjournment Proceedings.

The Committee recommends that Standing Order 38 be amended as follows:

38(2)(a) No matter shall be debated during the thirty minutes herein provided, unless notice thereof has been given by a Member as provided in Standing Order 37(3) or 39(5)(b). No debate on any one matter raised during this period shall last for more than ten minutes.

(b) When notice has been given pursuant to Standing Orders 37(3) and 39(5)(b) and the matter is not taken up during the time provided pursuant to paragraph (a) of this section, the notice shall be deemed withdrawn.

- 51 The Report of the 2001 Special Committee on the Modernization and Improvement of the Procedures of the House of Commons proposed that Take Note debates be regularized. The topics are agreed upon following discussion among the House Leaders, and suggestions arise from a number of different sources. A suggestion was received from the Hon. Charles Caccia, P.C., M.P., on behalf of the Chairs and Executive Secretaries of Parliamentary Associations, regarding the creation of more opportunities for the House to consider inter-parliamentary and international affairs. The Committee feels that parliamentary associations should be encouraged to make requests for Take Note debates on issues of importance or issues on which they have reported to the House as a result of their activities.
- 52 With respect to delegated legislation, proposals have been made that Members be advised of the pre-publication of draft regulations. We note that, as of April 5, 2003, the *Canada Gazette* is available on-line, and the Government House Leader has indicated that he has asked officials in the Privy Council Office to ensure that Parliamentarians are made aware of these new developments. The Committee encourages the development of systems to ensure that the House and Members are made aware of the pre-publication of draft regulations. With respect to the statutory disallowance procedure, the Committee notes that Bill C-205 is presently before the House of Commons.

- 53 A number of the proposals for parliamentary reform that were considered by the Committee deal with the onerous and conflicting demands on Members of attending the House and committees, while performing the myriad of other duties and functions expected of a Member of Parliament. Concerns were expressed, for instance, regarding the proliferation of committees and subcommittees. This contributes to difficulties of attendance, and means that some Members, especially from the smaller parties, are required to serve on several committees. While there were no clear solutions, the members of the Committee feel that this is an area for concern for all Parliamentarians. We all believe that important and useful work is done on parliamentary committees, and we do not want this to be compromised. We are also concerned with the toll that this can take on the workload and health of Members.
- 54 **The Committee recommends that the Clerk of the House be authorized to make necessary editorial and consequential alterations to the Standing Orders.**

A copy of the relevant Minutes of Proceedings (Meeting No. 16) is tabled.

Respectfully submitted,

Bob Kilger, M.P.
Chair

APPENDIX A

FIRST AND THIRD REPORT

The Special Committee on the Modernization and Improvement of the Procedures of the House of Commons has the honour to present its

FIRST REPORT

Pursuant to its Order of Reference from the House of Commons dated November 28, 2002, the Committee has considered the subject of Private Members' Business, and has agreed to recommend the following new procedures:

1. At the beginning of a Parliament, there shall be a draw of the names of all Members of the House to determine the *List for the Consideration of Private Members' Business* – the draw will include the names of all Members, including members of Cabinet, Parliamentary Secretaries, Chair occupants etc.
2. The names of Members who are ineligible shall be automatically dropped to the bottom of the *List*. The names of Members who subsequently become eligible, or who are elected in by-elections, shall be added to the *List*, provided that their order shall be determined by a draw if more than one Member becomes eligible on the day.
3. The *List for the Consideration of Private Members' Business* shall continue for the duration of the Parliament, and shall continue from session to session, notwithstanding prorogation. (After the first *List* is exhausted, a new draw of all Members will be held.)
4. Eligible Members will retain the right to present as many motions and introduce as many bills as they wish, as is currently the case.
5. At the beginning of a Parliament, an Order of Precedence of 30 items will be established based on the order of names appearing on the *List for the Consideration of Private Members' Business*. Thereafter, it will be replenished whenever the number of remaining items in the Order of Precedence falls below 15.

6. In order to be able to obtain a spot on the Order of Precedence, a Member must have an item on the *Notice Paper* the day before the date on which the Order of Precedence is established or replenished. At least 24 hours' notice will be given to enable Members to get items on the *Notice Paper*.
7. If a Member has more than one item on the *Notice Paper*, he or she must advise the Clerk of Private Members' Business of the item to be placed on the Order of Precedence; in default of which, the first item standing in the Member's name shall be deemed selected.
8. The existing Sub-committee of the Standing Committee on Procedure and House Affairs will be continued: its membership shall consist of one Member from each recognized opposition party, two from the Government party, and a chair from the Government.
9. Forthwith after the establishment or replenishment of the Order of Precedence, the Sub-committee shall meet to consider the items that have been placed on the Order of Precedence to determine whether they should be declared non-votable (allowing sufficient time for an appeal to the House).
10. The Standing Committee on Procedure and House Affairs shall develop a list of criteria for making items of Private Members' Business non-votable, and shall table a copy in the House for information purposes.
11. Unless a Member opts to have his or her item non-votable, all items on the Order of Precedence shall be votable, provided that the Sub-committee may decide, by majority vote, that an item on the Order of Precedence shall not be votable, in which case its report shall briefly set out its reasons.
12. Where the Sub-committee votes to make an item non-votable, it shall forthwith table this report with the clerk of the Standing Committee on Procedure and House Affairs, and within five sitting days of such tabling by the Sub-committee, the sponsor shall have a right to provide written arguments and to appear before the Committee to explain why the item should be votable. The Committee shall then vote on whether to adopt the Sub-committee report that the item not be votable, and if the report is adopted it shall be forthwith tabled in the House of Commons.
13. In the event that the Committee tables a report not to make an item votable, the sponsoring Member will have the right to appeal to the House. The appeal (a motion that the item be votable) must be in writing and signed by the sponsor and five Members representing at least four of the recognized parties in the House. The appeal must be tabled with the Speaker within five sitting days of the presentation of the report from the Committee. The Speaker, after certifying the appeal is in compliance with the Standing Orders, will cause a vote by secret

- ballot to be held of all Members of the House. There will be a period of time (48 hours) for Members to fill out their ballots, and deposit them in the ballot boxes placed on the Table (subject to verification, identification safeguards). A simple majority of those voting will make the item votable.
14. A maximum of two hours of debate will be allotted to all votable items; after the first hour of debate, the item shall go to the bottom of the Order of Precedence. One hour of debate will be available for non-votable items.
 15. Private Members' bills originating in the Senate shall be immediately placed on the Order of Precedence upon introduction and first reading in the House. All such bills will be votable unless the Sub-committee decides that a similar matter has been voted on by the House in the same Parliament. A Member of Parliament sponsoring a Senate bill will not use his/her spot on the *List*.
 16. Members have the right to request exchanges within the Order of Precedence (i.e. switch their position via the Private Members' Business Office).
 17. There shall be a Private Members' Hour every sitting day.
 18. The new procedure for Private Members' Business could be adopted on a provisional basis beginning on March 17, 2003, until the earlier of one year or until the end of the 2nd session of the 37th Parliament, as follows:
 - a) No further draw will be held under the current provisions of the Standing Orders, but a draw will be held to establish the *List for the Consideration of Private Members Business* pursuant to the Provisional Standing Orders on Tuesday, March 18, 2003;
 - b) The proceedings on the items now on the order of precedence will continue under the current Standing Orders until all those items have been disposed of by the House at their current stage. The subsequent stages of all items now on the order of precedence will be governed by the Provisional Standing Orders;
 - c) The Standing Committee on Procedure and House Affairs shall table in the House no later than March 28, 2003 the list of criteria for making items of Private Members' Business non-votable pursuant to Standing Order 91.1 of the Provisional Standing Orders;
 - d) Proceedings on all items placed on the order of precedence under the Provisional Standing Orders shall begin four sitting days after the Sub-Committee on Private Members' Business of the Standing Committee on Procedure and House Affairs has completed its consideration (no later than April 7, 2003) of the items placed on the Order of Precedence to determine whether they should be declared non-votable;

e) The Standing Committee on Procedure and House Affairs shall review the new procedures after one year of their coming into force and report any changes recommended to them to the House;

f) During the transition period and the subsequent trial period, the Speaker shall be encouraged to take all reasonable measures to facilitate this pilot project. Pursuant to Standing Order 94. (1)(a), the Speaker has responsibility for ensuring the orderly conduct of Private Members' Business;

g) In order to promote the exchange of views during debate on items of Private Members' Business that will come to a vote, the Standing Orders be amended to permit the mover of a motion to speak for up to fifteen minutes, followed by a period of five minutes for questions and comments and to speak again for a period of up to five minutes at the conclusion of the debate;

h) Standing Order 68. (4)(b) and (7)(b) shall be suspended for the duration of the provisional period.

We request the Clerk of the House of Commons to draft the necessary changes to the Standing Orders to reflect these recommendations, and will be reporting these to the House in due course.

A copy of the relevant Minutes of Proceedings (Meeting No. 5) is tabled.

Respectfully submitted,

Bob Kilger, M.P.

Chair

The Special Committee on the Modernization and Improvement of the Procedures of the House of Commons has the honour to present its

THIRD REPORT

Pursuant to its Order of Reference from the House of Commons dated November 28, 2002, the Committee presented its First Report regarding Private Members' Business on Thursday, February 20, 2003, and this was adopted by the House on the same date.

The Clerk of the House has drafted the necessary changes to the Standing Orders to reflect the recommendations contained in the First Report, and the Committee is pleased to report these to the House.

In order to implement the Committee's First Report, we recommend the adoption of this Report which contains as Annex 1, an amended Chapter 11 of the *Standing Orders of the House of Commons*, to replace the existing Chapter 11 on a provisional basis, beginning on March 17, 2003, until the earlier of one year or until the end of the 2nd Session of the 37th Parliament, as follows:

- a) **No further draw will be held under the current provisions of the Standing Orders, but a draw will be held to establish the *List for the Consideration of Private Members Business* pursuant to the Provisional Standing Orders on Tuesday, March 18, 2003;**
- b) **The proceedings on the items now on the order of precedence will continue under the current Standing Orders until all those items have been disposed of by the House at their current stage. The subsequent stages of all items now on the order of precedence will be governed by the Provisional Standing Orders;**
- c) **The Standing Committee on Procedure and House Affairs shall table in the House no later than March 28, 2003 the list of criteria for making items of Private Members' Business non-votable pursuant to Standing Order 91.1 of the Provisional Standing Orders;**
- d) **Subject to paragraph b) above, proceedings on all items placed on the order of precedence under the Provisional Standing Orders shall begin four sitting days after the Sub-Committee on Private Members' Business of the Standing Committee on Procedure and House Affairs has completed its consideration (no later than April 7, 2003) of the items placed on the Order of Precedence to determine whether they should be declared non-votable;**

- e) **The Standing Committee on Procedure and House Affairs shall review the new procedures at the end of the trial period, consider any changes recommended to them and report its recommendations to the House;**
- f) **During the transition period and the subsequent trial period, the Speaker shall be encouraged to take all reasonable measures to facilitate this pilot project. Pursuant to Standing Order 94. (1)(a), the Speaker has responsibility for ensuring the orderly conduct of Private Members' Business;**
- g) **In order to promote the exchange of views during debate on items of Private Members' Business that will come to a vote, the Standing Orders be amended to permit the mover of a motion to speak for up to fifteen minutes, followed by a period of five minutes for questions and comments and to speak again for a period of up to five minutes at the conclusion of the debate;**
- h) **Standing Order 68. (4)(b) and (7)(b) shall be suspended for the duration of the provisional period; and**
- i) **The Clerk of the House shall be authorized to make any necessary editorial and consequential alterations to the Standing Orders.**

The Committee has agreed to thoroughly review the procedures regarding Notices of Motion for the Production of Papers.

A copy of the relevant Minutes of Proceedings (*Meetings Nos. 6 and 7*) is tabled.

Respectfully submitted,

Bob Kilger, M.P.
Chair

APPENDIX B

LIST OF RECOMMENDATIONS

1. The Committee recommends that connections to the services of the Parliamentary Precinct network be made available to Members in the House of Commons chamber.
2. The Committee approves the launch in the autumn of 2003 of the *ParlVU* Service to the public via the Parliamentary Internet site. The *ParlVU* service will carry the live televised parliamentary proceedings from the Commons chamber and two committee rooms via the Parliamentary Internet site. The Committee also supports making the live webcast of the audio of non-televised public committee meetings available as part of the *ParlVU* service to the public.
3. The Committee supports the electronic filing of notice of motions and written questions with the Journals Branch of the House of Commons, subject to the development of verification protocols.
4. The Committee recommends that Standing Order 74(1) be amended as follows:
 74. (1) Unless otherwise provided by a Standing or Special Order, when second reading or third reading of a government bill is being considered, no Member except the Prime Minister and the Leader of the Opposition shall speak for more than:
 - a) twenty minutes if the Member is the first to speak on behalf of a recognized party in the first round of speeches;
 - b) twenty minutes following the first round of speeches, if that Member begins to speak within the next five hours of consideration;
 - c) provided that, following the speech of each Member made pursuant to section (a) or (b), a period not exceeding ten minutes shall be made available, if required, to allow Members to ask questions and comment briefly on matters relevant to the speech and to allow responses thereto; and
 - (d) ten minutes if a Member speaks thereafter.
5. The Committee recommends that portable lecterns be available in the House of Commons for the use of Members when speaking.

6. The Committee recommends that Standing Order 36 be amended as follows:

36. (1) Prior to presentation, the Clerk of Petitions shall examine all petitions, and in order to be presented, they must be certified correct as to form and content by the said Clerk.

(2) In order to be certified, pursuant to section (1) of this Standing Order, every petition shall:

- a) be addressed to the House of Commons, the House of Commons in Parliament assembled, the Government of Canada, a Minister of the Crown or a Member of the House of Commons;**
- b) contain a clear, proper and respectful prayer which may call for the expenditure of public funds;**
- c) be written, typewritten or printed on paper of usual size;**
- d) be free of alterations and interlineations in its text;**
- e) have its subject –matter indicated on every sheet if it consists of more than one sheet of signatures and addresses;**
- f) contain only original signatures and addresses written directly onto the petition and not pasted thereon or otherwise transferred to it; and**
- g) contain at least twenty-five signatures from persons other than Members of Parliament and, where the signatories have a fixed place of residence, their addresses.**

(3) Members presenting petitions shall be answerable that they do not contain impertinent or improper matter.

(4) Every Member presenting a petition shall endorse his or her name thereon.

(5) A petition to the House may be presented by a Member at any time during the sitting of the House by filing the same with the Clerk of the House.

(6) Any Member desiring to present a petition, in his or her place in the House, may do so on “Presenting Petitions”, a period not to exceed fifteen minutes, during the ordinary daily routine of business

(7) On the presentation of a petition no debate on or in relation to the same shall be allowed.

(8)(a) Every petition presented pursuant to this Standing Order shall forthwith be transmitted to the Ministry, which shall, within forty-five days, respond to every petition referred to it; provided that the said response may be tabled pursuant to Standing Order 32(1).

7. The Committee recommends that the following change, for a one-year trial period, be made to the Standing Orders of the House of Commons to deal with the situation where a government response to a petition is not tabled in the House within 45 days:

(b) If such a petition remains without a response at the expiration of the said period of forty-five days, the matter of the failure of the Ministry to respond shall be deemed referred to the appropriate Standing Committee. Within five sitting days of such a referral the Chair of the committee shall convene a meeting of the committee to consider the matter of the failure of the Ministry to respond.

8. The Committee recommends the development of a system for electronic petitions, in consultation with the Standing Committee on Procedure and House Affairs.

9. The Committee recommends that Standing Order 81 be amended as follows:

81. (4) In every session the main estimates to cover the incoming fiscal year for every department of government shall be deemed referred to standing committees on or before March 1 of the then expiring fiscal year. Each such committee shall consider and shall report, or shall be deemed to have reported, the same back to the House not later than May 31 in the then current fiscal year, provided that:

(a) not later than May 1, the Leader of the Opposition, in consultation with the leaders of the other Opposition parties, may give notice during the time specified in Standing Order 54 of a motion to refer consideration of the main estimates of no more than two named departments or agencies to committees of the whole, and the said motion shall be deemed adopted and the said estimates shall be deemed withdrawn from the standing committee to which they were referred. Notwithstanding the provisions of Standing Orders 28(2) or 38(5), on any day appointed for the consideration of any business under the provisions of this section, but in any case not later than May 31, consideration of the main estimates of the said department or agency shall be taken up by a Committee of the Whole House at the conclusion of the adjournment proceedings or, if taken up on a Friday, at the conclusion of Private Members' Business, for a period of time not exceeding four hours. During the time provided for consideration of estimates pursuant to this paragraph, no Member shall

be recognized for more than fifteen minutes at a time and the Member shall not speak in debate for more than ten minutes during that period. The fifteen minutes may be used both for debate and for posing questions to the Minister of the Crown or a Parliamentary Secretary acting on behalf of the Minister. When the Member is recognised he or she shall indicate how the fifteen minutes is to be apportioned. At the conclusion of the time provided for the consideration of the business pursuant to this section, the Committee shall rise, the estimates shall be deemed reported and the House shall immediately adjourn to the next sitting day;

10. The Committee recommends that Standing Order 81 be amended as follows:

81. (14)(a)(i) Written notice of an opposition motion on an allotted day shall be filed with the Clerk of the House not later than one hour prior to the opening of the sitting on the day preceding the allotted day, and the Speaker shall read the text of the motion at the opening of that sitting and shall indicate whether the motion is one that shall come to a vote pursuant to section (16) of this Standing Order.

(ii) Notwithstanding section 14(a)(i) of this Standing Order, when an allotted day is designated for the first or second sitting day following an adjournment provided for in Standing Order 28(2)(a), written notice of an opposition motion may be filed with the Clerk in conformity with Standing Order 54(2).

11. The Committee recommends that Standing Order 38 be amended as follows:

38(2)(a) No matter shall be debated during the thirty minutes herein provided, unless notice thereof has been given by a Member as provided in Standing Order 37(3) or 39(5)(b). No debate on any one matter raised during this period shall last for more than ten minutes.

(b) When notice has been given pursuant to Standing Orders 37(3) and 39(5)(b) and the matter is not taken up during the time provided pursuant to paragraph (a) of this section, the notice shall be deemed withdrawn.

12. The Committee recommends that the Clerk of the House be authorized to make necessary editorial and consequential alterations to the Standing Orders.

MINUTES OF PROCEEDINGS

Meeting No. 16

Monday, June 9, 2003

The Special Committee on the Modernization and Improvement of the Procedures of the House of Commons met *in camera* at 5:41 p.m. this day, in Room 253-D, Centre Block, the Chair, Bob Kilger, presiding.

Members of the Committee present: Hon. Don Boudria, Libby Davies, Monique Guay, Loyola Hearn, Bob Kilger, Dick Proctor and John Reynolds.

Other Member present: Paul Szabo.

In attendance: From the House of Commons: Diane Diotte, Procedural Clerk. *From the Library of Parliament:* James Robertson, Analyst.

Pursuant to the Order of Reference adopted by the House of Commons on Thursday, November 28, 2002, the Committee resumed consideration of its study of the modernization and improvement of the procedures of the House of Commons (*See Minutes of Proceedings of Thursday, December 5, 2002*).

The Committee considered some preliminary party proposals.

At 6:01 p.m., the sitting was suspended.

At 6:11 p.m., the sitting resumed.

The Committee proceeded to the consideration of two draft reports.

It was agreed, -- That the draft report, as amended, be adopted as the Committee's Fourth report and that the Chair present it to the House.

It was agreed, -- That the draft report on electronic voting be adopted as the Committee's Fifth report and that the Chair present it to the House.

It was agreed, -- That the researcher and the clerk be authorized to make such typographical and editorial corrections as may be necessary without altering the substance of the reports.

It was agreed, -- That the Committee print 500 copies of its reports.

It was agreed, -- That the transcript of all in camera meetings be destroyed after the reports are tabled in the House.

At 7:30 p.m., the Committee adjourned to the call of the Chair.

Audrey O'Brien

Clerk of the Committee