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Chair: Mr. Peter Fonseca



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• (0905)

[English]

The Chair (Mr. Peter Fonseca (Mississauga East—Cooksville, Lib.)): I call this meeting to order.

Welcome to meeting number 147 of the House of Commons Standing Committee on Finance.

Pursuant to the House of Commons order of reference adopted on Wednesday, May 22, 2024, and Standing Order 108(2), the committee is meeting to discuss Bill C-69, an act to implement certain provisions of the budget tabled in Parliament on April 16, 2024.

Before we begin, I would like to ask the members and other in-person participants to consult the cards on the table for guidelines to prevent audio feedback incidents.

Please make note of the following preventative measures in place to protect the health and safety of all participants, including the interpreters. Only use a black, approved earpiece. The former grey earpieces must no longer be used. Keep your earpiece away from the microphone at all times. When you are not using your earpiece, place it face down on the sticker placed on the table for this purpose. Thank you to all for your co-operation.

Today's meeting is taking place in a hybrid format pursuant to the Standing Orders. In accordance with the committee's routine motion concerning connection tests for witnesses, I'm informed that all witnesses have completed required connection tests in advance of the meeting.

Actually, this is not exactly correct, members. There may be witnesses or officials who need to come on if you have any questions, and they would be tested at that time. There are too many of them available to us. It will be done when they are asked to come before us.

I would like to make a few comments for the benefit of the members and witnesses.

Please wait until I recognize you by name before speaking. For members in the room, please raise your hand if you wish to speak. For members on Zoom, please use the "raise hand" function. The clerk and I will manage the speaking order as best we can, and we appreciate your understanding in this regard. Also, all comments should be addressed through the chair.

I'd like to provide the members of the committee with a few comments on how the committee will proceed with the clause-by-clause consideration of Bill C-69. As the name indicates, this is an

examination of all the clauses in the order in which they appear in the bill. Pursuant to the motion adopted by the committee on Tuesday, May 28, 2024, all clauses for which no amendment was submitted will be considered and voted on first, although I believe that there have been some discussions and that may change somewhat at the beginning, when members are able to pull out some of those clauses.

We'll follow that with the clauses with amendments. I will call each clause successively, and each clause is subject to debate and a vote. If there are amendments to a clause in question, I will recognize the members proposing them, who may explain them.

In addition to having to be properly drafted in a legal sense, amendments must also be procedurally admissible. The chair may be called upon to rule amendments inadmissible if they go against the principle of the bill or beyond the scope of the bill—both of these were adopted by the House when it agreed to the bill at second reading—or if they offend the financial prerogative of the Crown.

Amendments have been given a number on the top right corner to indicate which party submitted them. There is no need for a seconder to move an amendment. Once moved, you will need unanimous consent to withdraw it. During debate on an amendment, members are permitted to move subamendments. Approval from the mover of the amendment is not required. Subamendments must be provided in writing. Only one subamendment may be considered at a time. The subamendment cannot be amended. When a subamendment is moved to an amendment, it is voted on first. Then another subamendment may be moved, or the committee may consider the main amendment and vote on it.

Pursuant to the motion adopted by the committee on Tuesday, May 28, 2024, if the committee has not completed the clause-by-clause consideration of the bill by 5 p.m., all remaining amendments submitted to the committee shall be deemed moved. The chair shall put the question forthwith and successively, without further debate, on all remaining clauses and proposed amendments as well as each and every question necessary to dispose of the clause-by-clause consideration of the bill and all questions necessary to report the bill to the House.

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

I thank the members for their attention and wish everyone a productive clause-by-clause consideration of Bill C-69.

As I said earlier in my remarks, members, there are many witnesses. I believe there are about 70 or so who are available if members have questions, but they would have to come, many of them, online via video conference and they would have to be tested to get them going.

Now we will get started.

• (0910)

Mr. Ryan Turnbull (Whitby, Lib.): Chair, could I make a comment?

The Chair: Yes. Go ahead, PS Turnbull, before we get into it.

Mr. Ryan Turnbull: I know you made mention of this in your opening remarks.

We discussed how we would deal with all clauses that have no amendments on them. We also discussed, as a group, how members could identify any clauses that needed to be picked out, which they may want to either speak about or vote against. Because we discussed that motion, I want to put it out there that it was decided by the committee. I put that on the record, I think, when I moved the motion that programmed our time together.

Out of respect for members and wanting to ensure we stick to what we agreed, I want to bring that to your attention. I'm hoping we can move, with a semblance of order, obviously, through the unamended clauses. I think what we might start with is picking out any clauses that members have already identified as ones they either want to vote against or speak about. Those, obviously, can't get grouped together if we're going to do some things in groupings.

I'm not sure if we're going to have unanimous consent to group some of the clauses, but I'm assuming we may.

The Chair: Thank you, PS Turnbull.

I now look to MP Ste-Marie.

[*Translation*]

Mr. Gabriel Ste-Marie (Joliette, BQ): Thank you, Mr. Chair.

Welcome to all the senior officials who are with us today.

My question related to what Mr. Turnbull said. If we want to know what clauses a vote is being requested for, even if there are no amendments, does that mean that you want me to make a list of the ones I am requesting debate or separate votes for? Should I do that now or when we get there?

Also, I obviously agree with grouping all the others together.

The Chair: Thank you, Mr. Ste-Marie.

[*English*]

I also have MP Davies to speak about this.

Mr. Don Davies (Vancouver Kingsway, NDP): Yes.

Thank you to Mr. Turnbull for raising that. I think that represents what we said.

I can identify a few. The NDP has some amendments around division 31 of part 4. These entail clauses 322 to 333.

The Chair: MP Davies, I'm going to stop you there. We'll do the room and capture all of those.

Mr. Don Davies: Okay.

The Chair: It will be easier for the legislative clerks to put—

Mr. Don Davies: You don't want me to mention—

The Chair: I do want you to, but we can make sure. Once we do that, we'll get yours and MP Ste-Marie's. I don't know if the Conservatives have some. I don't know if the Liberals have some.

Are we ready to go on that, members—listing the clauses?

Okay, I see a thumbs-up from MP Ste-Marie.

MP Davies, thank you for that.

We'll get a list, now, of all those clauses.

• (0915)

Mr. Don Davies: I'm not sure I can be totally comprehensive, but these are the ones I think we have. First is division 31 of part 4, clauses 322 to 333. These are the ones that amend the Food and Drugs Act. We have amendments to some of those clauses, specifically—

The Chair: I'm going to stop you for one second.

MP Davies, you were reading some of the clauses that have amendments, and we have those.

Mr. Don Davies: By the way, we should just speak in terms of clauses, I guess. You don't need a division. Is that right?

The Chair: Right.

Mr. Don Davies: Okay. I have amendments to clause 326, clause 327 and clause 328. Those are my amendments. However, they fall within a section that embraces clauses 322 to 333 inclusive. I intend on potentially voting against some of those clauses, even though I'm not amending all of them.

It's funny. The ones that I'm going to vote against come up before the ones I'm amending. I think we should set aside.... Well, I'm not sure how we're going to handle it. I'm just identifying for you that those are the clauses I intend to speak on and vote against, as they include some of those I'm amending.

The Chair: The main thing here is that the legislative clerks understand the sequence of how we're going to go and if it works, but thank you.

Mr. Don Davies: It may just work anyway because, if clause 322 comes up, which I'm not amending, I may just vote against it, so we could be able to go sequentially.

I have one other area, which is around clause 386.

The Chair: Wait one moment. We're going to stop for a second. I'll come back.

The recommendation is that I would read the list—which is how I was going to start—of all of the clauses that are not being amended. Then, as we go through the list, we will look to pull out whichever ones need discussion. Is that what you're looking for?

Mr. Don Davies: I'm sorry, Mr. Chair. Are you going to read the list of clauses that are not being amended? That's almost the entire bill. Wouldn't it be faster to read...? I mean, hundreds and hundreds of clauses, which you're about to read out, are not being amended. What's the purpose of reading those out?

The Chair: We have grouped those clauses. We have grouped them all.

Let me just do this first part, members. Then I'll stop, and you'll see where we are.

Pursuant to the motion adopted by the committee on May 28, 2024, we will first consider and vote on all clauses for which no amendment was submitted. There were no amendments submitted for clauses 1, which is the short title, 2 to 37, 39 to 79, 81 to 122, 117 to 122, 125, 126 to 130, 131 to 146—

Mr. Jasraj Singh Hallan (Calgary Forest Lawn, CPC): I'm sorry, Mr. Chair. We do have some amendments between clauses 111 and 130.

• (0920)

The Chair: Just a moment....

I'm back. As I was going through the list, MP Hallan, I got to clause 112, and then I said, "117 to 122". What was between clauses 112 and 117 was not captured, and there is an amendment.

Mr. Jasraj Singh Hallan: I'm sorry. Can you repeat that again? You missed between clauses 112 and 117.

The Chair: Yes. I'm just reading the ones that did not have amendments. The ones that members submitted amendments for were not captured in this, so they are outside of these numbers.

I'm saying many numbers here. At times, I'm giving you an individual clause. At other times, I'm grouping those clauses.

Let me start from the beginning. It's not a problem. I know there are a lot here.

There were no amendments submitted for clause 1, which is the short title, clauses 2 to 37, clauses 39 to 79, clauses 81 to 112, clauses 117 to 122, clause 125, clauses 126 to 130, clauses 131 to 146, clauses 148 to 155, clause 159, clauses 161 to 196, clauses 199 to 202, clauses 205 and 206, clause 208, clauses 210 to 212, clauses 214 and 215, clauses 218 to 220, clauses 222 to 226, clauses 228 to 247, clauses 249 to 268, clause 270, clause 272, clauses 274 to 290, clauses 293 to 320, clauses 322 to 325, clauses 327 to 385, clauses 387 to 393, clauses 395 to 401, clauses 403 to 405, clauses 407 to 409, clause 411, clauses 413 to 437, clauses 439 and 440, clauses 442 to 444, clauses 446 to 460 and clauses 462 to 468.

Those are all of the clauses that did not receive amendments from members.

I see a hand up. I have MP Ste-Marie, and then I'll go to PS Turnbull.

MP Ste-Marie.

• (0925)

[*Translation*]

Mr. Gabriel Ste-Marie: Mr. Chair, thank you for making the list of clauses that will not be amended. They include clauses 17 and 37, on which I would like us to have a discussion and a separate vote.

I also see that amendments are being proposed to clause 38, but not clause 39. I would like there to be a separate vote on clause 39 as well.

In part 4 of the bill, division 16, concerning consumer-driven banking services, includes clauses 198 to 227. There are amendments for those clauses. I would like to speak to clause 197 and have separate votes on clauses 197 to 227. Amendments are proposed to some of those clauses; for the clauses that have no amendments, I would like a separate vote. I also want to speak generally about clause 197.

I support my colleague Mr. Davis concerning clause 322. In division 31 of the bill, which contains clauses 322 to 333, I would like there to be discussion on clause 322 and possibly separate votes on clauses 322 to 333, even though some of those clauses have amendments.

I hope what I said was clear.

The Chair: Thank you, Mr. Ste-Marie.

[*English*]

We are going to have the legislative clerk repeat those numbers so that we are clear and everybody has those.

Ms. Émilie Thivierge (Legislative Clerk): Thank you, Mr. Chair.

[*Translation*]

Mr. Ste-Marie, I have noted clauses 17, 37 and 39, clauses 197 to 227, and clauses 322 to 333.

Is that correct?

Mr. Gabriel Ste-Marie: That is correct.

[*English*]

The Chair: I have PS Turnbull and then MP Lawrence.

Mr. Ryan Turnbull: I didn't catch what the legislative clerk said.

Could you repeat those numbers again? I just want to scribble them down here.

Ms. Émilie Thivierge: Yes, it is clauses 17, 37, 39, 197 to 227 and 322 to 333.

The Chair: I have MP Lawrence and then MP Davies.

Mr. Philip Lawrence (Northumberland—Peterborough South, CPC): Thank you, Mr. Chair.

I don't have a list of numbers, but I'm a little confused about the process here, because I don't understand why we don't just go through it sequentially. We're going to have to pause, because we have three opposition parties and one government. There are a million different iterations that could happen, and one of us has to be able to raise a flag and say that the Bloc, the NDP and the Conservatives are all going to not support this.

Going through it sequentially is the only way that sort of makes sense to me. Then, at that point, we're going to have a recorded division. We'd want to talk about it at that point and, presumably, there would be some discussion. The Conservatives expect to be very collaborative in this meeting, to be clear. I just think that moving it through sequentially will save us a lot of time.

We can go through these groups and then someone can raise a flag and say, "I want to talk about this" or "three of the opposition parties are going to vote against it". I would say, let's just go through this sequentially. We'll agree to the groupings. Like I said, we want to be collaborative. It's just that this process is going to be really cumbersome.

The Chair: As the chair, I go by what the committee had agreed to in the motion. This is kind of what was given to me, so this is what I brought forward.

I'm going to MP Davies and then PS Turnbull.

Mr. Don Davies: I have just two things. One is that the clerk just read out the sections of the Bloc, but I'm not sure.... What about those numbers? What am I to do with those numbers that were just identified? These are clauses that what...? Is it that the Bloc wants to speak to...?

The Chair: I'll let the Bloc speak to that.

MP Davies has just asked about the numbers, the clauses you referenced.

[*Translation*]

Mr. Gabriel Ste-Marie: For each of the clauses indicated, I would like there to be conversations and possibly votes.

• (0930)

[*English*]

Mr. Don Davies: They're not clauses that are going to be amended. I don't understand. Are these clauses to be amended or to be voted against or just to be talked about?

The Chair: One second, please. I'll allow MP Ste-Marie to explain.

Could you just explain the clauses that you've asked to have pulled that did not have amendments?

[*Translation*]

Mr. Gabriel Ste-Marie: What I understood about the method the committee chose is that all of the clauses you identified on which there are no amendments could be agreed to together on division. I therefore made a list of clauses that I would like to remove from that long ballot so they can be discussed separately in more detail and, in some cases, so I can request a separate vote.

Because I identified some divisions by their corresponding clauses, it includes clauses with amendments. For example, division 16, which deals with the open banking system, starts at clause 197. When we get to that clause, I am going to want to speak to that entire division, but that division contains clauses with amendments. As Mr. Davies said earlier regarding division 31, we have to speak to the first clause in a division to be able to state our position, have a discussion, make decisions, and, possibly, vote on certain clauses separately.

So my intention is to take the clauses in question off the big ballot of clauses that could be agreed to together on division.

[*English*]

The Chair: It sounds to me like MP Ste-Marie wants either a debate or a vote on those specific clauses.

Members, I'll just let you know that the motion you put forward, that you adopted, was to do it this way. That's why we've put it together this way.

I'll go to PS Turnbull and then to MP Chambers.

Mr. Ryan Turnbull: Maybe I can just clarify. I know this seems a little bit unwieldy, but I think we're going to benefit from this once we get organized. I think we're just about there. Bear with us, colleagues.

What you've done, Chair, is listed all of the clauses that you had grouped together. Committee members are now picking out ones that need to be separated out of those groupings, because there either needs to be a bit of a debate, or there's a separate individual vote. Also, in Mr. Davies' case and in a couple of cases, I think you've identified a couple of amendments that you're going to move from the floor. You've identified those clauses. That's why those have to be separated out from any groupings.

I'm really glad to hear Mr. Lawrence say that we're all going to work together collaboratively today to get this done. I'm really happy about that.

Mr. Chair, you had read out clauses 2 to 37 as having no amendments, but we now know that the Bloc on clauses 17 and 37 need separate votes so they can speak to those. Obviously, that grouping needs to now slightly change. It would be clauses 2 to 16 and then it would be 18 to 36.

I think that's what this enables us to do. It then will enable us to move quite quickly, I would think, based on those groupings. I'm hoping that we'll be able to vote through them fairly quickly, because nobody has a comment, nobody has an amendment and nobody needs to speak to any of those groupings. That will speed us up and I think get us out of here earlier, hopefully, today. I'm sure everybody will want to work as efficiently as possible.

I think it's just getting organized here at the beginning. I think the time is well spent. We're just about there. Let's stick to it. It's what we agreed on, and I would prefer to stick with what we agreed on.

Thank you.

The Chair: Thank you, PS Turnbull.

I have MP Chambers.

Mr. Adam Chambers (Simcoe North, CPC): Maybe we're all talking about the same thing, but I'm a bit confused. What's the intent after we go through the list?

Are we not just going to start right now and say clauses 2 to 37 have no amendments, then Mr. Ste-Marie says number 17, so we go to clauses 2 to 16 and pass them on division, and then we go to Mr. Ste-Marie?

Why don't we just go through it and start?

Mr. Ryan Turnbull: We're just about to do that, aren't we? Now that we have all of the numbers...?

The Chair: All of those clauses that were part of what I just read out that had no amendments would all be dealt with at once. Then we would move right—

● (0935)

Mr. Adam Chambers: I think that's a misunderstanding.

In order to keep the spirit of the motion adopted by the committee, we are to deal with all of the ones that are unamended first, but not all in one vote. We'll go through them. All of the unamended ones are first, unless someone has something to say about it, in which case, we'll stop, pause, pass the group of clauses up to that one, and then go on to the next one. Is that right? I think that's the only way it's going to work.

The Chair: MP Chambers, it was to be a vote on all of them that were not to be amended, and we would just be done with them.

Mr. Adam Chambers: We're going to have one vote for...

Mr. Ryan Turnbull: It's for clauses 2 to 16.

Mr. Adam Chambers: Okay, that's right. I agree with that.

I thought he was saying one vote for all of them.

Mr. Ryan Turnbull: No, of course not.

Can I clarify, Chair?

The Chair: Yes.

Mr. Ryan Turnbull: My understanding is that from clauses 2 to 16, there's no—

Mr. Adam Chambers: It's on division. Let's go.

Mr. Ryan Turnbull: Yes, we could do that on division, exactly. Then from 18 to 36, we can—

Mr. Adam Chambers: Okay. That's agreed.

Mr. Ryan Turnbull: Exactly, but we needed to know what clauses needed to be pulled out of those groupings.

The Chair: The way that the motion was written, and how we have it here, is that it would be that all those that did not have any amendment... You could change this, you know, but it's those that did not have unanimous consent. No, I'm sorry. All of those that were not amended would have been voted in one vote. That's how it was going to go.

All of those that I had read out—of course, now some have been pulled—would have been in that one vote. They would have been dealt with, and then we would have gone to all of those that were not voted on.

Mr. Philip Lawrence: I understand what the chair's saying, but I think we have UC to proceed sequentially.

I appreciate it, Ryan, and it's not a bad practice to flag the ones in advance, but we're not going to waive our right to...if something comes up there.

Like I said, Ryan, there's nothing to worry about. We're here to be collaborative, to get our objections on the record but to move forward with this.

The Chair: All right. Am I hearing unanimous consent to do it the way we've done it in the past?

Where we can group them, we'll group them.

Mr. Ryan Turnbull: I think what we're saying is that we're going to follow the process that we've identified and the Conservatives may, from time to time, say that for a grouping we've just decided on, they want to speak to one of those in the package or... I don't know.

No, I don't give unanimous consent to change the way we've agreed to operate based on the motion. I don't give unanimous consent for that. I think Mr. Lawrence is saying....

I'm not putting words in your mouth. What I thought I heard you say—and you can correct me if I'm wrong—is that the Conservatives are not waiving their right. If they do want to speak to a clause in one of those groupings, they can flag it when we get to that point. Then they can break that one out and speak to it. I get that.

Mr. Philip Lawrence: The go-around, Peter, is easy. We flag them all and then we get to the same place.

We don't want to be like that, quite frankly. We just want to go ahead by groupings. We're going to flag the numbers that are already flagged, but we're not waiving our right to flag as we go.

Mr. Ryan Turnbull: We're going to start with 2 to 16 then. Is that right?

Mr. Philip Lawrence: We're all sort of agreeing, but in a weird way.

The Chair: We're starting with clauses 2 to 16 because we've been informed by MP Ste-Marie that he wants to speak to clause 17.

I'm going suspend.

● (0935)

(Pause)

● (0942)

The Chair: We're back, and I think we have things kind of clear right now and in order.

We're going to start with clause 1, the short title, and clauses 2 to 16. We're grouping those.

Mr. Philip Lawrence: We have a big moment here.

(Clauses 1 to 16 inclusive agreed to on division)

(On clause 17)

The Chair: I believe MP Ste-Marie would like to speak to clause 17.

[Translation]

Mr. Gabriel Ste-Marie: Thank you, Mr. Chair.

Part 2 of the bill makes big multinational corporations subject to a minimum effective tax rate of 15% on their profits so they stop using tax havens in order to pay less tax and so they no longer evade their duty to obey the law. The effect of clause 17 is to exempt shipping companies from the 15% minimum tax, which would allow fleets to continue using tax havens and not pay tax.

Personally, I would call that “the Paul Martin clause”. I am opposed to it. I do not want us to give shipping companies a free pass. I want them to pay their fair share of tax like the other multinationals.

That is why I am asking that we vote on this clause and I encourage you to reject it.

The Chair: Thank you, Mr. Ste-Marie.

[English]

Is there any further debate on this?

Did you ask for a recorded vote or just a show of hands?

[Translation]

Mr. Gabriel Ste-Marie: Yes. As I said, I am asking that we vote on this clause.

[English]

The Chair: We'll have recorded vote, please.

(Clause 17 agreed to: yeas 10; nays 1)

The Chair: Now we will go to our next grouping, which is clauses 18 to 36.

(Clauses 18 to 36 inclusive agreed to on division)

(On clause 37)

• (0945)

The Chair: Go ahead, MP Ste-Marie.

[Translation]

Mr. Gabriel Ste-Marie: Thank you, Mr. Chair.

This is a long clause in Bill C-69 that creates the tax credit for clean hydrogen. In fact, when we look at the details of this clause, we see that it is a made-to-measure subsidy for the oil and gas industry, the gas industry, to produce hydrogen. In our opinion, this is not a transition plan; it is a plan to support an industry composed of corporations that are already extremely profitable and simply pay their profits to their shareholders. We think the purpose of a transition plan is not to subsidize the gas industry, including the hydrogen industry, in this case.

I am therefore asking for a roll-call vote. I am going to vote against this clause, and I urge my colleagues to do the same.

Thank you, Mr. Chair.

[English]

The Chair: How would you like to—

[Translation]

Mr. Gabriel Ste-Marie: Mr. Chair. As I said, I am asking for a roll-call vote.

[English]

The Chair: Could we have a recorded vote, please?

(Clause 37 agreed to: yeas 9; nays 1)

The Chair: On clause 38, there's amendment CPC-1. Would you like to move that?

An hon. member: Yes.

The Chair: I do have a ruling, members.

Bill C-69 seeks to amend the Income Tax Act by providing a refundable tax credit for certain activities related to clean technology manufacturing property. The amendment attempts to add to the list of qualifying products by including equipment used for helium production, which would expand the tax credit provided in the bill.

As *House of Commons Procedure and Practice*, third edition, states on page 772, “Since an amendment may not infringe upon the financial—

Mr. Ryan Turnbull: I have a point of order.

I apologize for interrupting you, Chair, but my understanding was that we were still saving all of the amended clauses for after. This is a change to the process, which we just agreed on. I felt as though we finally got there in terms of our process, and then we jumped into an amended clause.

The Chair: Thank you, PS Turnbull.

We will go back, and we will come back to clause 38.

(On clause 39)

[Translation]

Mr. Gabriel Ste-Marie: Thank you, Mr. Chair.

Clauses 38 and 39 relate to the clean technology investment tax credit, which is in fact another subsidy for the oil and gas industry. These corporations do not need subsidies. They are extremely profitable. The transition plan should not include more subsidies for oil companies.

I am therefore asking for a roll-call vote and I am going to vote against this clause.

Thank you, Mr. Chair.

[English]

The Chair: We will have a recorded vote on clause 39.

(Clause 39 agreed to: yeas 7; nays 4)

The Chair: Now we're grouping clauses 40 to 79.... I'll go to the members. Shall I group clauses 40 to 196? No.

Okay. I'll read each of them. Members, let me know.

The group includes clauses 40 to 79, 81 to 112, 117 to 122, 125, 126 to 130, 131 to 146, 148 to 155, 159 and 161 to 196.

(Clauses 40 to 79, 81 to 112, 117 to 122, 125, 126 to 130, 131 to 146, 148 to 155, 159 and 161 to 196 agreed to on division)

The Chair: Thank you for that.

To our legislative clerks who put that all together so quickly, thank you.

We now start with debate on clause 197. I believe that is the next clause you referred to, MP Ste-Marie.

• (0950)

[*Translation*]

Mr. Gabriel Ste-Marie: Yes, exactly.

[*English*]

The Chair: We are on clause 197.

[*Translation*]

Mr. Gabriel Ste-Marie: Mr. Chair, division 16 creates the skeleton of the consumer-driven banking services project, or open banking system. This division consists of clauses 197 to 227. There are several proposed amendments to some of those clauses. I propose that we vote now on the ones on which no amendment is proposed, and I would ask my colleagues to vote against them.

[*English*]

The Chair: MP Ste-Marie, I'm sorry, but I'm going to have to interject. I just have to go to the legislative clerks. There may be....

There is already an amendment on clause 197, so we will get there when we go to all the clauses with amendments.

[*Translation*]

Mr. Gabriel Ste-Marie: In this case, is there a proposal to amend clause 198? Yes, there is.

[*English*]

The Chair: No. The next one without an amendment is clause 199.

[*Translation*]

Mr. Gabriel Ste-Marie: Exactly.

I will continue where I left off.

I would ask the members of the committee to vote against this entire division.

It is important that the government legislate concerning the open banking system. We have been waiting years for this legislation, because it is necessary. Business is being done without proper legislation.

The time the government has taken to pass legislation is deplorable. The provisions of the budget implementation bill tabled this spring are not definitive. The government tells us that division 16 represents the skeleton, the infrastructure of the law, and all the details will be coming in the fall.

When we look at the skeleton, however, the infrastructure of the framework being proposed, we see that it has major problems in several respects. The government has not done its homework properly. If we adopt this structure, this base for the framework, we will be looking at major problems down the road.

I am asking the government to withdraw division 16, hold consultations, work on this bill over the summer, and come back in the fall with a more complete bill.

This division has multiple problems.

First, the choice to give the Financial Consumer Agency of Canada responsibility for the framework is a serious mistake. The group of agency representatives testified at the committee and demonstrated that they lack both understanding of and familiarity with the open banking system, as well as lacking expertise with that system.

This is not really a criticism, because this is not the fundamental role the agency should be playing. It would be much wiser, for example, to assign the management of this kind of framework to the Office of the Superintendent of Financial Institutions, which is already familiar with the ecosystem and the financial institutions, whether under federal or provincial jurisdiction, such as credit unions or the Alberta Treasury Branch financial institution, ATB Financial, which are under provincial jurisdiction.

The body responsible for the framework in the bill has no expertise at present for properly framing the act, and that expertise is not something that can be developed quickly. So there would be constant problems.

Second, the government has decided that management of the framework would be handled solely at the federal level. This would not be a shared jurisdiction in accordance with the division of powers. For example, consumer protection agencies are under provincial jurisdiction. However, under what is proposed in the bill, that would become a federal jurisdiction. Ottawa would be appropriating powers.

The officials clearly gave us to understand that if a financial institution under provincial jurisdiction, such as a financial co-operative or a credit union, wanted to compete with the Bay Street banks, it would have to ask the province to waive its power to legislate about the open banking system in order for them to be under federal jurisdiction. The provinces will never agree to that. This would mean creating a two-tier open banking system. That would give the Bay Street banks a big advantage and put financial institutions under provincial jurisdiction at a big disadvantage. That is unacceptable.

Is this surprising? No. Every time the Department of Finance passes legislation concerning the banks, it always benefits the Bay Street banks at the expense of the other financial institutions. That is unacceptable. That is what is being proposed holus-bolus in the skeleton, in the structure, in the framework. This fall, it will be very complicated to unravel what is being done here right now.

Third, there are a lot of fuzzy points in the proposed measures, the framework. It will never work properly. Which one, the Autorité des marchés financiers or the Financial Consumer Agency of Canada, will be supervising it? The Financial Consumer Agency of Canada was not even able to answer that question.

We do not have the division of powers. In Quebec, the Consumer Protection Act is subject to the Civil Code, and it has been that way since the conquest. The central government and the Crown have always followed that law. Under what is being proposed, however, they would be exempted from it, and that would lead to very serious problems.

This job has been really badly done.

• (0955)

I am therefore asking the government to remove this division, do its homework, talk to its provincial counterparts, and hold consultations. That way, we would come back this fall with a better bill—in just a few short months from now.

We expected that the industry would be able to regulate, supervise and check what is done in terms of technological standards. However, the standards for the industry are going to be established by the Financial Consumer Agency of Canada. There are serious problems.

Mr. Williams, the member for Bay of Quinte, has done a lot of work in favour of the open financial market. He has actually introduced his own bill, one that my party and I could agree on.

In the case before us, a number of amendments on this subject have been proposed by the Conservatives. I believe this has been done in order to better reflect Mr. Williams' vision. However, all of this rests on a defective framework, a framework that presents significant problems and will never work properly, so I suggest that this division be rejected in its entirety. The same is true for the amendments, because the base will never work.

Colleagues, if we pass this division as it stands or is amended by the proposed amendments, there will be problems and discord and discontent. The regulatory body will not have the expertise it needs to do its work properly. We are going to have problems if there is a two-tier financial system. We are also going to have to backpedal in the fall or later.

If we reject this division and ask the government to redo its homework over the summer, we will avoid a lot of problems. Otherwise, there are going to be problems throughout the process until we end up backpedalling.

I therefore invite my colleagues to vote against this clause and all the clauses in division 16, out of respect for credit unions, financial co-operatives and provincial jurisdictions and a concern for efficiency. That will mean we get a competent regulatory body that does not have to learn it all—it will take years to learn it all—and is able to talk to the agents, the actors on the ground.

I understand that the financial technology industry wants us to go fast. This has been dragging on for years, and we have to act. If we pass what we have before us, however, it will not be in place any faster. We will have to wait until the fall.

We should introduce a more complete and more serious bill in the fall, and send division 16 back to the government.

Mr. Chair, I request a roll-call vote on all of the clauses in this division.

• (1000)

The Chair: Okay.

Thank you, Mr. Ste-Marie.

[*English*]

Is there any further debate?

Go ahead, MP Davies.

Mr. Don Davies: Thank you.

I'd like to speak very briefly to this to set forth the position of the New Democratic Party.

I want to thank my colleague Mr. Ste-Marie for raising those concerns.

Generally we are very supportive of the concept of open banking, the idea that we want more competition in the financial services sector and the idea that the consumer should be firmly in control of their own data.

To clarify that, data should be made more easily transferable at the direction of the consumer so that the consumer can shift their money, resources and investments around. It is not only good for consumers; I think it will foster greater competition in the markets.

At the same time, I think that Mr. Ste-Marie makes some important points. It does strike me that there's a lot of work to be done in this sector. One thing I'll say is that one of the negative consequences of this committee's spending a lot of time discussing non-essential issues in the last couple of weeks is that it curtailed the amount of time we could have to hear from witnesses. One of the big deficiencies is that we did not hear from the credit union movement outside of Quebec.

I want to thank Mr. Ste-Marie for making sure that we heard from Desjardins, but I'm left wondering what the position of the credit union community is outside of Quebec across the country. We did not have the benefit of their testimony.

I would think that they would be supportive of these because, really, right now, the big five banks have a stranglehold on investments, and the purpose of open banking, which I understand many other countries in the world are ahead of Canada on, is to make sure that people have the ability to move and be in control of their data from the big five banks. I would imagine that the credit union community is in favour of that.

I just want to conclude by saying that I'm sympathetic to the concerns that Mr. Ste-Marie raises, particularly the one about jurisdiction in Quebec. I'm concerned about whether or not we have a fit-for-purpose body to enforce these regulations, but I do think overall that what's more important is to get open banking established in this country.

This may be imperfect. I'm hoping that maybe by the fall economic statement or by the next budget, which will be happening in 10 or 12 months perhaps, we'll have an opportunity to make refinements.

I think that we all here at this table see the benefits of open banking, but we all want to get it right. We will support this attempt to get open banking started with the proviso that there are concerns and issues that I think we're going to have to be revisiting over the next year and years ahead to refine the system to make sure that it works in the way that we all intend it to.

Thank you.

The Chair: Thank you, MP Davies.

I have a speakers list. I have MP Lawrence and then MP Dzerowicz.

• (1005)

Mr. Philip Lawrence: I will be relatively brief, because Mr. Davies said pretty much everything I was going to say.

It sounds like every party around the table supports the concept of open banking for greater competition, transparency and, hopefully, lower prices for consumers.

We, too, are challenged a little bit with the way this has been conducted. Specifically, I don't think I'd be doing my job as a member of the official opposition to not level a couple of criticisms. We are years behind many other advanced economies with respect to our open banking legislation, and all we've proposed so far is a framework, a flawed framework.

The government already had options put in front of it, including, as Gabriel Ste-Marie said, from Ryan Williams when they said that they supported wholeheartedly the concept of open banking, consumer banking and consumer-led banking. However, we do find challenges, as Mr. Davies and Mr. Ste-Marie have stated, particularly given the amount of time this government has had and the number of resources they've invested, presumably, in investigating and putting together this legislation.

Thank you.

The Chair: Thank you, MP Lawrence.

Go ahead, MP Dzerowicz, please.

Ms. Julie Dzerowicz (Davenport, Lib.): Thanks so much, Mr. Chair.

I just want to say a huge thanks to Mr. Ste-Marie. I think he's made some very thoughtful comments, and I very much appreciated hearing them.

As someone who's been asking about open banking for many years now, I have confidence that our officials have been studying this, have been looking at it and have been trying to make sure that they've put forward a proposal that is right.

I feel very confident that we have an excellent proposal before us, and that's within this bill. I will very much be supporting it.

Nothing is ever perfect, so I agree with Mr. Davies that, if there are things that we need to adjust as we go along, let's do so.

Australia is already on version three of their open banking, so I would say let's get on with it. I do have a lot of confidence in our officials and that we have an excellent proposal here.

Thank you.

The Chair: Thank you, MP Dzerowicz and all of you, for that debate.

Members, that was the debate.

Now we're going to be voting on clauses 199 to 202, 205, 206, 208, 210 to 212, 214, 215, 218 to 220, 222 to 226, 228 to 247—

[*Translation*]

Mr. Gabriel Ste-Marie: No, Mr. Chair.

I agree with grouping the clauses in division 16 on which there are no amendments, but I request a roll-call vote for each of clauses 197 to 227, even the ones on which there are no amendments.

[*English*]

The Chair: It's been requested that we have a separate vote for clauses 199 to 226, so we're going to have a separate vote for each clause.

I have MP Davies.

Mr. Don Davies: Thank you, Mr. Chair.

I'm wondering if the analyst can help by referring us to the page number in the budget, because that's very difficult to find. We're referring to clauses, but the word "clause" does not appear in the bill. I think, when we say "clause", we mean article or section, so it's hard to find. It's tiny.

Could we be directed to a section we're going to vote on?

The Chair: MP Davies, it's division 16.

Mr. Don Davies: Even that is hard to find.

The Chair: Maybe we can get the page number.

While we're looking for that page number, go ahead, MP Ste-Marie.

• (1010)

[*Translation*]

Mr. Gabriel Ste-Marie: Mr. Chair, if it will save us time, we can vote on the clauses in division 16 that have no amendments together. Personally, I want a vote on division 16, so I thought that was what you were doing before me speaking, a few minutes ago. For example, we could vote on clauses 199 to 202, 205, 206, 208, 210 to 212, 214 and 215 together, instead of voting on each clause separately.

The Chair: Thank you, Mr. Ste-Marie.

[*English*]

I think that's what I read out, but I probably had more in there.

MP Ste-Marie is referring to division 16.

The page, MP Davies, is 525.

MP Ste-Marie has requested that we call the vote for the entire division 16, so we'd be voting on clauses 199 to 202, 205, 206, 208, 210 to 212, 214, 215, 218 to 220 and 222 to 226.

MP Lawrence.

Mr. Philip Lawrence: We're going to go to a recorded vote on all those sections.

The Chair: Yes—grouped all together, all those clauses. It has none of the clauses with amendments in there.

Mr. Philip Lawrence: I sincerely bring this to the committee. I don't believe that we've done a division on groups of sections before. I don't know if we've done a recorded vote with respect to large groups like that.

I have some challenges, from a democratic principle, with regard to our doing a recorded vote on large sections of clauses there.

The Chair: It would have to be by unanimous consent, MP Lawrence.

Mr. Philip Lawrence: Does no one else have concerns?

We're okay.

The Chair: All right.

Members, I read out the clauses that we will be voting on right now.

(Clauses 199 to 202, 205, 206, 208, 210 to 212, 214, 215, 218 to 220 and 222 to 226 agreed to: yeas 10; nays 1)

The Chair: Members, now we are looking to group clauses 228 to 247, 249 to 268, 270, 272, 274 to 290 and 293 to 320.

(Clauses 228 to 247, 249 to 268, 270, 272, 274 to 290 and 293 to 320 agreed to on division)

The Chair: As requested by MP Ste-Marie and MP Davies, we'll have debate and votes on clauses.... We going to start with clause 322. We're going to go through clauses 322 to 325 and then clauses 327 to 333.

MP Ste-Marie.

• (1015)

[*Translation*]

Mr. Gabriel Ste-Marie: Thank you, Mr. Chair.

I do not have a firm position on division 31; I am not an expert in this area. We heard from several witnesses with opposing opinions and it is hard to take a position.

Some groups of witnesses said too much power is being given to the minister to do what the minister already has the power to do. Others said it is important to give the minister those powers in order to ban nicotine-containing products intended for sale. This evening, I received a letter from the Quebec Coalition for Tobacco Control saying that in order to combat tobacco use among youth in Quebec, we have to vote in favour of clauses 322 to 333. However,

a lot of experts told us that what is proposed in division 31 is not the right way to achieve that objective. So opinion is divided.

Mr. Chair, I would like to remind the government again that these provisions should not have been proposed in a mammoth 660-page bill that amends a multitude of laws; this should have been proposed in a separate bill that the Standing Committee on Health could have studied by questioning experts in the field and taking the time needed. I am still going to listen to the arguments made by my colleagues, like Mr. Davies, but I am ill-equipped to make a good decision on the subject.

Right now, the letter from the Quebec Coalition for Tobacco Control is weighing heavily in my decision, so I may well vote in favour of these clauses. However, I object to how the government has gone about it, in order, I would say, to evade this fundamental question.

[*English*]

The Chair: Thank you, MP Ste-Marie.

I have MP Davies to speak.

Mr. Don Davies: Thank you.

I want to speak just briefly to it. This is one of the few parts of the entire bill that we have concerns about.

First of all, I want to just state for the record that I was the health critic for the New Democratic Party for eight years, and in that time I was a passionate and strong proponent of tobacco-control measures. To me, the marketing to Canadians of a highly addictive carcinogen is something of first-order importance, and the propensity of the tobacco industry to find ever-more creative ways to find nicotine-delivery systems to hook the next generation of Canadian youth on their products is stunning.

Therefore, I want to state for the record that I am fully in favour of strong, robust and effective control on nicotine pouches and frankly on every kind of mechanism that big tobacco tries to utilize to continue to market their products to us.

By the way, I'm going to say again that, due to a lot of filibustering in this committee, we were not able to hear from a lot of witnesses, and I think that needs to be said for the record. I'm left to guess a little bit at the policy reasons behind this, because we never really did hear a strong, cogent argument from the government. However, what I've read in the media from the Minister of Health is that he would like these powers so that he could regulate nicotine pouches. The other example that was given, I think, for this committee was to facilitate emergency shortages of necessary products, and the example given was baby formula.

This section purports to give powers to the Minister of Health to, on his own belief, whether he or she is certain or not, basically make any decision that he or she wants to on whether or not a product is sold in Canada, including if it's used off-label or if it was originally intended for animal use. It also would allow the minister, just on his or her belief, whether or not he or she is certain, the power to exempt any product whatsoever from the provisions of Health Canada. Third, it would allow the Minister of Health to approve any product that he or she wanted to, if it had been approved by a foreign regulatory body.

To me, then, besides questions like what this has to do with dealing with medications that are targeted at animals, what mischief are we trying to get at there? I'm left guessing. However, what I will say, as I hone in on this and bring this to a close, is that these powers are too broad. The discretion of the minister is unlimited.

I was a lawyer in a different life, and I've been in Parliament for almost as long. I've never seen a section of an act that says that a minister of the Crown can act whether or not they are certain. I've never even seen that language.

Finally, I want to just comment briefly on the insertion of this in a budget bill. Now, again, I'm an equal-opportunity critic. I was here when the Harper government used omnibus bills in a very major way, and they started the practice of amending all sorts of legislation that had nothing to do with Canada's fiscal or economic issues, and they crammed them into a budget bill as a way to get quick passage.

Sometimes you can put extra things in a budget for various reasons. I think that may be used to some degree by a wise and judicious government if it has to legislate something quickly and if it's not too controversial. However, the habit has developed in this Parliament for governments to legislate, in all sorts of areas, issues that have nothing to do with this and that require further study. After criticizing the Harper government, the Liberal government came to power in 2015 saying they would not use omnibus bills. I guess being in opposition, as they were through that time, they saw the problems with those from an opposition point of view.

• (1020)

I'll just name a couple of the problems. I think my colleagues would agree, and some of my colleagues in the Conservative Party have commented on these. I think the Bloc Québécois and my colleague Monsieur Ste-Marie said this very well. Issues that require further study and stakeholder input at an appropriate committee are things that we are robbed of. It simply doesn't happen. We have a massive bill the size of a phone book—for anybody who can remember what a phone book was—and we didn't hear from a lot of the stakeholders about this.

In this latest budget the government amended legislation concerning natural health products with Vanessa's Law. They slipped that in the budget bill. They changed the definition of “therapeutic products” to include natural health products, which has huge ramifications for the natural health products industry, and that was done without any proper study.

In my view, while I'm extraordinarily sympathetic to the rationale behind this—I think it's well-intentioned, and I think the government is seeking powers here to do some good things—they're killing an ant with a sledgehammer. The legislation should be surgical, it should be targeted and it should amend the appropriate legislation, which, in my view, would be the Tobacco and Vaping Products Act or some other legislation. It should go to the health committee. They should hear from a broad array of stakeholders. They should study this bill, and then they should—

• (1025)

The Chair: MP Davies, I apologize. I'm going to interrupt because the bells are ringing. It is for a quorum call.

If we have UC, we can continue, members. Is that okay?

Some hon. members: Agreed.

The Chair: Okay.

MP Davies, I apologize.

Mr. Don Davies: Thank you.

Thank you to my colleagues for the unanimous consent.

I'll bring this to issue to a close.

I think the putative reasons given for this should be passed after that process, but to use a bit of a pejorative, slipping it in a budget bill is not the proper way to legislate. These powers amount to “let the minister do whatever they want if they think it's needed”. That is not an appropriate way to legislate powers, no matter how salutary or desirable the examples given might be.

For those reasons, particularly when we talk about products that go through a very rigorous process of being approved in Canada by Health Canada, this would allow the minister to exempt that, or to approve it if the FDA said yes or if any product is used off-label.

We had a little tiny flavour of the implications of legislating an area of off-label use. We know that many health professionals, from physicians to traditional Chinese medicine practitioners, use products off-label all the time, and they are regulated. They're regulated by the provinces and they're regulated by their professional bodies. To allow one minister of the Crown the discretion to change that on his or her belief, even if they're not certain, is not a wise legislative process. I just want to set that out.

I have some amendments. Perversely, I'm going to be seeking to amend these sections, and then I'll be voting against them. The reason for doing that is that, if they are going to pass—and I don't know what my colleagues are going to ultimately decide on this—then I at least want some guardrails and parameters in these sections. However, I will be urging my colleagues to vote against these sections because they are just far too broad and there just aren't sufficient guardrails.

My last point will be this: I heard the Minister of Health say that no health minister would use these powers in an unreasonable or irresponsible way. As the Muslims say, “Trust in Allah, but tether your camel.” I don't trust that. I don't think we should rely on giving unlimited unilateral powers to a single cabinet minister on the assumption that they will just never do it.

I could take a bit of a critical shot and say that I sat on the health committee with people who may be potential health ministers in this country in the future. I'm not so sure I would want to give powers to them—not these broad powers.

This is where I will conclude. People will remember when we had shortages, say, of childhood pain medication, like acetaminophen. We had shortages of ventilators, and we had shortages in this country of baby formula. There are ways that exist now in cabinet to use emergency measures, but there are two important guardrails. One is that it gets the approval of cabinet. The second guardrail is that those emergency measures are time-derated. Those are two important guardrails that exist now and I think ought to be at least considered if we're going to be making a change to that. I don't see those guardrails in this legislation.

Thank you for indulging me. I have only a few things I'm going to speak to in this budget. This is one of them, so I wanted to give a fulsome explanation of why I'm concerned about this area while being very sympathetic to the underlying issues that appear to underpin it.

Thank you, Mr. Chair.

The Chair: Thank you, MP Davies.

I have MP Ste-Marie. Then I have PS Turnbull.

[*Translation*]

Mr. Gabriel Ste-Marie: Thank you, Mr. Chair.

I am very sympathetic to all of the arguments made by our colleague Mr. Davies. They are of real concern and they align strongly with my values, my principles and my positions.

Again, I object to the approach taken here.

I received a letter this evening. I had told you that it came from the Quebec Coalition for Tobacco Control, but it was signed by several groups.

I want to take the time to read it to you so it can contribute to our consideration. I reiterate: I object to the process. I will not have the time needed to hear all the experts and reach a considered decision, because the government should have dealt with the subject in a separate bill so we have the time to do things properly.

I am going to read you this letter, which was sent to me as my party's finance critic and to my colleague Luc Thériault, health critic and vice-chair of the Standing Committee on Health.

The groups that signed the letter are the Quebec Lung Association, the Quebec Coalition for Tobacco Control, the Quebec Council on Tobacco and Health, the Heart and Lung Foundation, and the Canadian Cancer Society. Its purpose is to support clauses 322 to 333 of Bill C-69, so it could not be clearer. I will begin reading it.

We hereby wish to express our firm support for enacting clauses 322 to 333 of Bill C-69 amending the Food Drugs Act. These provisions are crucial for protecting Canadian youth against new tactics being used by the tobacco industry, which could make nicotine products popular among young people.

The shameless marketing by Imperial Tobacco of new flavoured nicotine pouches ("Zonnic") last fall exposes major weaknesses in the present rules governing nicotine replacement therapies that are authorized as natural health products.

Unlike the historical marketing of NRTs, Imperial promoted its "Zonnic" brand in a way that makes these pouches attractive to young people, in particular by using images of trendy young people in social contexts, catchy slogans and exotic flavours (such as "tropical breeze"), in candy-like packaging.

Unsurprisingly, a number of organizations have observed that young Canadians are interested in this new product. They include the Ordre des pharmaciens du Québec which stated in January that "in pharmacies where they are floor

stocked, they seem to be very popular, particularly among younger people." That is what prompted the Ordre to recommend that all pharmacists operating in the province keep these products behind the counter.

A few weeks later, the Government of British Columbia stepped in to limit behind-the-counter sales to pharmacies.

The other provinces are leaving it to the federal government to establish guidelines for the sale and promotion of these types of nicotine products and at present, the federal legislation governing tobacco products and vaping products has no power to regulate nicotine pouches, like most new (and future) products containing nicotine that the cigarette manufacturers are working on.

That is why we want to point out to you and the members of your party how advisable and how urgent it is for it to be able to protect young people against products like these. In fact, it is important to prevent any industry that manufactures over-the-counter nicotine products from starting a new wave of nicotine dependence as vaping did among young people, which would be a complete public health fiasco. This youth health disaster is the direct result of far too permissive initial oversight.

A tobacco manufacturer marketing "Zonnic" pouches (supposedly intended for quitting smoking) through convenience stores—except in Quebec—changes things and calls for urgent action by the Minister of Health. The proposed amendments would enable the minister to prevent the tobacco industry from exploiting the various loopholes in the regulatory scheme for natural health products.

• (1030)

In its present version, clauses 322 to 333 of Bill C-69 let the federal Minister of Health step in quickly to regulate the sale, promotion and flavouring of nicotine pouches and other nicotine replacement therapies, or NRTs, to prevent undesirable use of these pouches that could harm users' health. An example is use by individuals who are neither smokers nor vapers but for whom the marketing kindled their curiosity about trying them recreationally.

It is important to note that the ministerial powers introduced by C-69, in clauses 322 to 333, do not operate to remove any natural health products from the market; rather, they allow the Minister of Health to introduce guidelines for the sale of products where the marketing of the products involves health-related issues and concerns.

In those cases, sale in general would be allowed, but be conditional on compliance with certain criteria for which there would be consultations. In the cases that concern us, nicotine pouches and other natural health nicotine products that might emerge, these amendments represent an appropriate proactive mechanism for better oversight of products that create one of the most powerful dependencies in the world, in addition to other risks to physical and mental health, particularly in young people.

To conclude, as a health group that has fought against smoking and nicotine dependence for decades, particularly among youth, we urge you to support these amendments, which solidify the existing measures in Quebec and extend them to the other provinces.

Sincerely ...

The letter is signed by the groups.

Mr. Chair, I have taken up a lot of time reading the letter in its entirety. It is a letter signed by groups that promote health and oppose tobacco use, in which they use very strong language. As I said, I did not have time to hear every party with an interest in the division we are considering—that would have enabled me to reach a clear conclusion—because of the way the government has gone about it, to which I object. This is not the right approach; it is not the right way to do things.

Mr. Davies raised a lot of very important and very strong arguments and asked a number of questions about the minister's extended powers. This is a matter of considerable concern. Personally, I have to decide among the various points made by the various witnesses, the arguments made by Mr. Davies, and, I imagine, the ones Mr. Turnbull will be making. As well, I also have this letter, which contains some powerful arguments. Since I am not an expert in the matter, I choose to base my judgment on the associations I trust: the Quebec Lung Association, the Quebec Coalition for Tobacco Control, the Quebec Council on Tobacco and Health, the Heart and Lung Foundation, and the Canadian Cancer Society.

In light of the letter and the arguments made by those groups, I am going to vote for the clauses mentioned and possibly—very probably, even—for the suggested amendments, if they are moved. That has not been an easy decision to make and I object to how the government has handled this.

Thank you, Mr. Chair.

● (1035)

The Chair: Thank you, Mr. Ste-Marie.

[*English*]

Now I have PS Turnbull.

Mr. Ryan Turnbull: Thanks, Chair.

I'll just make some brief comments.

I want to thank Mr. Davies for bringing the amendments forward. I think they're welcome.

I want to express the intent of the proposed amendments in budget 2024 that amend the Food and Drugs Act. They all attempt to address and prevent unintended and harmful uses of therapeutic products. One example is preventing addictive nicotine replacement therapies from being marketed to youth. Obviously, this is a major concern that we share when we see youth taking up those new replacement therapies and being the target of marketing campaigns.

The intent of the measures was always to give the Minister of Health the authority so that he or she, in the future, can review all available evidence and base any decisions on well-founded reasons before using the new legislative authorities. That was the intention.

I also recognize that Mr. Davies has formalized that within a set of amendments, adding reasonable grounds to some of the important clauses here in the bill. That's welcome, because it further makes explicit what was intended. I think those are things that the government members will be supporting, and we appreciate the amendments.

To Mr. Ste-Marie's points, I'll just say generally that it was too bad we didn't have as much time to hear from witnesses. There were quite a lot of committee resources that went into a fairly extensive debate and filibuster, which went on for a while. I'm glad we got past that and we're now moving forward, but it's regrettable that there wasn't a bit more witness testimony for him to hear from additional witnesses. We empathize with him on that.

I think, as he knows, these are welcome adjustments, giving the minister some authorities and powers that are needed to crack down on these activities that target youth.

Thanks very much.

● (1040)

The Chair: Thank you, PS Turnbull.

I do have MP Lawrence to speak.

Mr. Philip Lawrence: Thank you very much.

I must say that I was taken by Mr. Davies' remarks. They were quite poignant, and I might even dare to say “cutting” at points, with respect to granting additional powers.

I would be of a mind to agree with most of what Mr. Davies said, if not everything. Conservatives take a dim view of giving ministers additional unlimited power.

Quite frankly, it wouldn't take much, other than a review of QP in the last couple of QPs, to see that giving the current Minister of Health unlimited power—an individual who, in an absolutely wacko rant, wanted to trap Canadians in their cars for 10 hours on road trips—is not a good idea.

The Chair: Thank you, MP Lawrence.

Thank you, members, for that debate.

We're now voting on clauses 322 to 325 and 327 to 333.

Mr. Don Davies: I would like a recorded vote.

The Chair: This is a recorded vote on clauses 322 to 325 and 327 to 333.

An hon. member: In a block...right?

The Chair: Yes.

MP Davies.

Mr. Don Davies: I think my amendments were erroneously put on only clause 326 when they actually amend clauses 326, 327 and 328.

The Chair: Let me suspend for a second so the legislative clerk can check on that.

● (1040)

(Pause)

● (1051)

The Chair: We're back. Can I just get everybody's attention?

Thank you, MP Davies, for that help to put things in order here.

Members, right now we're voting on clauses 322 to 325 and 329 to 333, and that will do it for us.

I'm just looking around, members. Is it on division or do you want a recorded vote?

MP Davies wants a recorded vote.

Mr. Don Davies: Can I just double-check with the clerks or the analysts?

I had not thought clauses 329 to 333.... Are those not being amended? Okay.

The Chair: Okay. It's a recorded vote—

An hon. member: I'm sorry, but I didn't catch that.

The Chair: MP Davies asked if there were any amendments to clauses 329 to 333. There are not.

Again, we're voting on clauses 322 to 325 and 329 to 333.

(Clauses 322 to 325 and 329 to 333 agreed to: yeas 6; nays 5)

The Chair: Now, members, we are grouping clauses 334 to 385, 387 to 393, 395 to 401, 403 to 405, 407 to 409, 411, 413 to 437, 439, 440, 442 to 444, 446 to 460 and 462 to 468.

MP Davies, go ahead, please.

Mr. Don Davies: There are a number of provisions, which concern the changes to the immigration and refugee provisions, that we would like to vote against. I'll read off the sections. I think they may have been covered, Mr. Chair, but stop me if you exempted them. I have clauses 391, 397, 400, 401, 403, 404, 405, 408, 411, 422, 427, 433, 434 through to 437, 439 and 440.

• (1055)

The Chair: We'll put those together first, so we're going to suspend for a couple of minutes, just to make sure that those are taken out of the ones that we are grouping together.

• (1055)

(Pause)

• (1110)

The Chair: We're back.

I want to thank the legislative clerks again for all their hard work. They have taken out from the groupings I mentioned the clauses that MP Davies wanted removed.

I will now cite all the clauses that we'll be voting on, with those removed. They are clauses 334 to 385, 387 to 390, 392, 393, 395, 396, 398, 399, 407, 409, 413 to 421, 423 to 426, 428 to 432, 442 to 444, 446 to 460 and 462 to 468.

That is what we are voting on now, members.

(Clauses 334 to 385, 387 to 390, 392, 393, 395, 396, 398, 399, 407, 409, 413 to 421, 423 to 426, 428 to 432, 442 to 444, 446 to 460 and 462 to 468 agreed to on division)

The Chair: MP Davies, we now have all the clauses that you had requested be separate.

MP Davies.

Mr. Don Davies: Mr. Chair, for efficiency's sake, I would propose that we group all the sections that I've identified and have one recorded vote on all of them.

The Chair: Perfect. Thank you very much for that.

Members, I will read out all of the clauses that MP Davies has requested. We are putting them in as a group.

MP Ste-Marie, I apologize. I didn't see your hand. Please, go ahead.

[*Translation*]

Mr. Gabriel Ste-Marie: I agree that we should have a recorded vote on these grouped clauses, but I would like to speak to them and ask a few questions.

Mr. Chair, should I ask my questions now or let you read out the clauses you've grouped together?

[*English*]

The Chair: MP Ste-Marie, I will read out the clauses in the group. Then there will be an opportunity for debate. You and other members could speak to them individually or as a whole.

Mr. Don Davies: I have a point of order, Mr. Chair.

The Chair: MP Davies.

Mr. Don Davies: It could be an error or it could be just a turn of phrase, but Monsieur Ste-Marie used the word "amendments". These are not being amended. I want to make sure he's clear. We're separating these out for special votes.

[*Translation*]

Mr. Gabriel Ste-Marie: I apologize for that.

[*English*]

Mr. Don Davies: Does that change his opinion?

The Chair: MP Ste-Marie, just so you are aware, these are clauses for a vote. There are no amendments here.

I have MP Hallan.

Mr. Jasraj Singh Hallan: I'm sorry, colleagues, but for clauses 334, 335, 368 to 379, 380 to 382—

• (1115)

The Chair: MP Hallan, we carried those on division when we voted on those before we got to MP Davies.

Mr. Jasraj Singh Hallan: Okay. I didn't realize that. That's fine.

The Chair: Okay.

Members, we are going to MP Davies' group. I'll read out the group. If there is debate, you can debate, and then we'll get to a vote.

The clauses we would be voting on are clauses 391, 397, 400, 401, 403 to 405, 408, 411, 422, 427, 433 to 437, 439 and 440.

I do see a hand up.

Go ahead, MP Ste-Marie.

[*Translation*]

Mr. Gabriel Ste-Marie: Thank you, Mr. Chair.

I now understand that the clauses designated here aren't amended. My previous comment was unclear, and I apologize for that.

These clauses concern amendments to the Immigration and Refugee Protection Act. Some witnesses told the committee that there were some serious deficiencies here. My colleague Alexis Brunelle-Duceppe, who sits on the Standing Committee on Citizenship and Immigration and is the Bloc Québécois' immigration critic, told me that this division was very poorly drafted and that the government had made a bad job of it.

I'd like to know if Mr. Davies or Ms. Kwan, who is online, could tell us why the clauses mentioned are a problem. That would help us decide how to vote. I will very likely vote with the NDP members on these clauses in view of the discussions I've had with my colleague Mr. Brunelle-Duceppe.

[*English*]

The Chair: Thank you, MP Ste-Marie.

I did see a hand go up, MP Lawrence.

I don't know if MP Davies also would like to speak, but MP Lawrence has the floor.

Mr. Philip Lawrence: Thank you.

You have my apologies, Mr. Chair. I know you read them slowly, but I didn't quite catch them. What are we voting on here, which clauses, again?

The Chair: I'll repeat them.

These are clauses 391, 397, 400, 401, 403 to 405, 408, 411, 422, 427, 433 to 437, 439 and 440.

Mr. Philip Lawrence: With my apologies to my colleague, Mr. Ste-Marie, which ones does he have objections with?

[*Translation*]

Mr. Gabriel Ste-Marie: Mr. Chair, Mr. Davies in fact said that he wants to vote against all these clauses, which are part of the division on immigration. I'd like to get an explanation from Ms. Kwan, who is the NDP immigration critic. My colleague Mr. Brunelle-Duceppe, who's also an immigration critic, works closely with Ms. Kwan. However, I believe the entire division is problematic.

As I understand it, Mr. Davies intends to vote against these clauses. Once I've heard an explanation from Ms. Kwan or Mr. Davies, I'll very likely vote against them as well.

The Chair: Thank you, Mr. Ste-Marie.

[*English*]

Does that—

Mr. Philip Lawrence: I'll also cede to Ms. Kwan if she wants to speak.

The Chair: I have MP Davies.

MP Kwan, would you also like to speak to these?

• (1120)

Ms. Jenny Kwan (Vancouver East, NDP): I could certainly...

The Chair: Okay. I have MP Davies, and then if you'd like, I will go to you.

MP Davies.

Mr. Don Davies: Mr. Chair, I was just going to suggest that. I see my colleague is here, so I'll cede to Ms. Kwan. Is it okay, with the indulgence of the committee, to remain here while Ms. Kwan speaks?

The Chair: Yes.

Mr. Don Davies: Okay. Thank you.

(On clause 391)

The Chair: Go ahead, MP Kwan.

Ms. Jenny Kwan: Thank you very much, Mr. Chair. I appreciate that.

For this section, the one we're talking about is clause 391 on page 624. This basically sets up changes in IRPA in the BIA to accommodate a new consideration of claims or, if you will, a pre-screening process. This is sort of the first component. There are other sections that are related to this, which the NDP will be amending in an attempt to make it better.

First off, the NDP doesn't actually support setting up this pre-screening process. In our estimation, effectively, the government is duplicating resources to do a prescreening process before a claim goes to the IRB. It's not necessary, from my perspective, and it's a waste of resources. There are a number of different provisions related to that, which set up the process we will be attempting to amend. This is on division 38.

When we get to division 39 on the detention issues, I will have something more to add.

The Chair: Thank you, MP Kwan.

Are there any other members?

Mr. Lawrence.

Mr. Philip Lawrence: With these sections, especially if the Bloc and NDP are voting a certain way, our vote becomes the linchpin. We may not be voting the same way on every one in this grouping, so Conservatives would ask for a clause-by-clause vote. This is not to be non-collaborative, but because our vote could change the outcome.

The Chair: What's been asked for is a clause-by-clause vote on these clauses. We will start with clause 391.

Mr. Philip Lawrence: On division.

Mr. Don Davies: I asked for a recorded vote, but I would defer to my colleague Ms. Kwan on that.

Ms. Jenny Kwan: I would prefer to have a recorded vote, if we may.

(Clause 391 negatived: nays 6; yeas 5)

(Clause 397 negatived: nays 6; yeas 5)

(Clause 400 negatived: nays 6; yeas 5)

(Clause 401 negatived: nays 6; yeas 5)

(Clause 403 negatived: nays 6; yeas 5)

The Chair: Shall clause 404—

• (1125)

Mr. Adam Chambers: Mr. Chair, I have a point of order.

We may be willing to group these up until clause 412 and have a recorded division.

The Chair: Thank you, MP Chambers.

Because there are some clauses in between that have amendments, we can do clauses 404, 405, 408 and 411. We could group all of those.

Mr. Jasraj Singh Hallan: Can we do clauses 413 to 432 inclusive as well?

The Chair: No. Those are not part of it.

What we're voting on right now, members, are clauses 404, 405, 408 and 411.

Is that on division?

Mr. Jasraj Singh Hallan: No, it's a recorded vote.

[*Translation*]

Mr. Gabriel Ste-Marie: Mr. Chair, I see that Ms. Kwan has raised her hand.

[*English*]

The Chair: I'm sorry. I did not look at the screen and I missed that.

MP Kwan, you had your hand up. I apologize.

Ms. Jenny Kwan: Thank you very much, Mr. Chair.

I believe that, if these clauses are defeated, the amendments would not apply. Clauses 403 to 411 inclusive are NDP amendments, but they would only be applicable if these clauses were not defeated. If the vote is to defeat all of these clauses, the amendments would not apply.

Does that make sense?

The Chair: MP Kwan, right now, the clauses that we cited, and that I spoke on and said we would be voting on, are clauses that do not have any amendments.

Ms. Jenny Kwan: That's correct.

I think the comment was made that there is a willingness to group all of these clauses up until clause 411 and do an on-division vote. If that's the case, amendments NDP-23, NDP-24 and NDP-24.1 would not apply. We would not be moving those amendments if all of these clauses are defeated. That is to say, if the committee wishes to proceed with doing an on-division vote up to clause 411, that would be fine and I won't move those amendments.

Does that make sense?

• (1130)

The Chair: MP Kwan, when we get to the amended clauses, you can move them at that time, or you can decide not to move them at that time.

Mr. Ryan Turnbull: I have a point of order.

Could we suspend for a moment to get organized here? I feel like we're going off the rails on this. It's just for a quick minute or two.

The Chair: Okay, we'll suspend. Let's get back in order again.

Where we left off, we had just voted on clause 403. That's where we are.

Thank you.

• (1130)

(Pause)

• (1155)

The Chair: We're back.

To recap where we left off, we had just voted on clause 403.

The Chair: We're on clause 404.

[*Translation*]

Mr. Gabriel Ste-Marie: Mr. Chair, may I speak?

[*English*]

The Chair: MP Ste-Marie.

[*Translation*]

Mr. Gabriel Ste-Marie: Thank you, Mr. Chair.

I'd like to ask Ms. Kwan a question.

Before the committee suspended earlier, she told us that rejecting the clauses we're getting ready to vote on might limit the impact of her amendments.

So I'd like to know what position she suggests that the committee adopt. Should we vote for or against these clauses?

The Chair: Thank you, Mr. Ste-Marie.

[*English*]

MP Kwan.

Ms. Jenny Kwan: If the committee members vote against these provisions, which the NDP intends to, then when we get to the amendment stage, we will withdraw those amendments because they won't be necessary anymore. Those amendments were drawn up in the event that these clauses were passed. This is in relation to the asylum seekers component.

When we get to the detention component, there are provisions that the NDP will vote against, and then we will have NDP amendments to go through, which are NDP-26.1 and also NDP-27.1.

Because the structure of your system is that we can't do the clauses where there are amendments, we have to deal with them separately, which is different from the system I'm used to. If these get defeated, then it's not necessary to move the amendments, but on the detention piece, amendments will be necessary.

Does that help?

The Chair: Does that help, MP Ste-Marie?

I think he's frozen.

MP Ste. Marie, you're frozen. You are smiling; it caught you in a good freeze there.

We can get to these, and, MP Kwan, when we get to those that have amendments, we'll then have an opportunity for that.

PS Turnbull.

Mr. Ryan Turnbull: I wanted to clarify something with regard to what Ms. Kwan said. When we do get to division 39, where I think some of the amendments that the NDP will propose apply, in terms of the number of clauses that relate to that division, we'll be working on the ones that are unamended first. We're hoping to have her support on those because, otherwise, as she said, the amendments she's proposing might not apply because the division will not hang together.

I wanted to put that out there because it is a different process from what perhaps some other committees do. With her not having been involved in all the conversations with Mr. Davies, I wanted to make Ms. Kwan aware of that so she's 100% clear.

I hope that's helpful, and it was brought forward with the intention of being helpful.

• (1200)

The Chair: Thank you, PS Turnbull.

That was for MP Kwan, if you didn't capture that.

We'll suspend.

• (1200)

(Pause)

• (1238)

The Chair: We're back and we're glad that MP Ste-Marie is in his constituency office. He's safe, secure and the system is working well. That's all good and we're glad.

I have some hands up before we go to where we were.

We have MP Ste-Marie and then PS Turnbull.

[Translation]

Mr. Gabriel Ste-Marie: Thank you, Mr. Chair.

Mr. Chair, I'd like to thank you and the members of the committee for your indulgence. I'm really sorry, but the laptop I use starts to overheat when I participate, by video conference, in a meeting lasting more than two hours. I had to restart my device, but the Zoom app that I use to join you didn't work properly. I nevertheless managed to connect from another computer, and everything seems to be working now.

In the meantime, I understand that Mr. Turnbull, the parliamentary secretary, has negotiated with my colleague Mr. Brunelle-Duceppe, our immigration critic.

Mr. Chair, I want to inform you that the Bloc Québécois will vote for clauses 433 to 441, knowing that the NDP's amendments relating to them will be adopted. That's the Bloc Québécois' position.

Once again, I apologize to all committee members and senior officials.

• (1240)

[English]

The Chair: The clauses you were speaking to are the ones with amendments. We'll get to those after we get through the clauses that did not have amendments.

Thank you, MP Ste-Marie for that.

PS Turnbull.

Mr. Ryan Turnbull: My understanding is that some of the clauses in division 38 have been struck from the bill, based on the committee members' votes before the suspension.

I understand that committee members have voted that way. It's all good for us, but I would just ask for unanimous consent to remove and withdraw division 38 entirely from the bill, as all committee members that I've spoken with, as far as I understand, are for removing that.

We on the government side don't want only a piece of division 38 in there, so we'd ask for unanimous consent to withdraw all of division 38.

Mr. Philip Lawrence: It doesn't make sense to have one clause floating in space, so Conservatives are agreeable to that.

The Chair: I see the Bloc is agreeable also, and the NDP...?

Mr. Don Davies: I'm sorry. I just have a procedural question.

What's the difference between withdrawing a section or simply defeating it? We've already defeated part of it.

Is there any practical or procedural implication for doing it either way?

The Chair: That's a good question.

MP Davies is asking about the withdrawing or the defeating of a section.

The legislative clerk is going to explain what was just asked for and procedurally how to do what is being requested by PS Turnbull, with unanimous consent from the members.

We're going to suspend for a couple of minutes so they can put everything in order and inform the members.

• (1240)

(Pause)

• (1248)

The Chair: Members, unanimous consent was agreed on to rescind division 38, and that is from clause 385 to 432. In doing this we rescind those that were already voted on and we would now defeat all clauses from 385 to 432. That would rescind division 38. Is that clear with all members?

Mr. Ryan Turnbull: I just want to be clear that I misspoke earlier and didn't say that there were pieces of division 38 that were actually voted through and adopted, and there were pieces that weren't adopted. The whole reason for wanting to remove the whole division is to remove those pieces that we adopted as well, because it's a whole division and it's all about improvements to the processing for asylum seekers in Canada. We would just prefer to have the whole thing gone rather than have a piecemeal version that's not going to make sense.

Thanks.

● (1250)

Mr. Adam Chambers: I have a question of procedure. If a committee votes down a section of a bill can those sections be reintroduced in another bill later?

The Chair: MP Chambers, it can be done at report stage.

Mr. Philip Lawrence: Just on that, we're rescinding our actions, but we're defeating them en masse. The government is not withdrawing those sections. We're withdrawing the votes that happened as if they never happened, and then we're just defeating that whole section. Is that the intent?

Mr. Ryan Turnbull: Yes.

Mr. Philip Lawrence: We're defeating it. Is that correct?

The Chair: You're defeating. Everybody is defeating. The only way to get rid of that division 38 is to defeat it all, and that would be from clause 385 to 432.

Mr. Philip Lawrence: It has to be UC because we're going back in history.

The Chair: Is there unanimous consent to go back to clauses 385 to 432?

Some hon. members: Agreed.

(Clauses 385 to 432 inclusive negated)

The Chair: Members, now the grouping we are at is clauses 433 to 437 and clauses 439 and 440.

Mr. Don Davies: I would request a recorded vote on the missing sections because my instructions are to vote against those.

The Chair: We are having a recorded vote on the grouping, members, of 433 to 437, 439 and 440.

(Clauses 433 to 437, 439 and 440 agreed to: yeas 10; nays 1)

The Chair: Members, now we are going to start on the clauses with amendments. We will go back to the clauses with amendments that have been submitted. The first one is 38 and it's CPC-1.

(On clause 38)

Mr. Philip Lawrence: Yes, I so move.

The Chair: Would you like to speak to it at all?

Mr. Philip Lawrence: No.

● (1255)

The Chair: Thank you, MP Lawrence.

There is a ruling.

Bill C-69 seeks to amend the Income Tax Act by providing refundable tax credits for certain activities related to clean technology manufacturing property. The amendment attempts to add to the list of qualifying properties by including equipment used for helium production and would expand the tax credit provided in the bill.

The House of Commons Procedure and Practice, third edition, states on page 772:

Since an amendment may not infringe upon the financial initiative of the Crown, it is inadmissible if it imposes a charge on the public treasury, or if it extends the objects or purposes or relaxes the conditions and qualifications specified in the royal recommendation.

In the opinion of the chair, the amendment expands the tax credit provided in the bill to a new category of qualifying property, which would impose a new charge on the public treasury. Therefore, I rule the amendment inadmissible.

Mr. Philip Lawrence: Can I challenge the chair?

No, I'm not going to challenge it, Peter. We're getting along these days. Why would I ruin that?

The Chair: Thank you for that, Phil.

I'm going have to do it again. We are on CPC-2 now.

Mr. Philip Lawrence: I'll move and motivate that if that's okay, Mr. Chair.

The Chair: Okay. You move that and then I'll read my ruling.

Mr. Philip Lawrence: I'm going to say a couple of words on the record. I won't take long.

Our allies around the world are calling for our natural gas, and natural gas, given certain alternatives, can actually dramatically reduce the amount of CO2 emissions. I would note that the People's Republic of China is a heavy user of coal. If they were to, for example, switch to natural gas, we would reduce tremendously—up to 50% of the emissions. In fact, by having the world switch from coal to natural gas, we would more than eliminate all the emissions that are produced here in Canada.

For those reasons, we would move this to include natural gas, as we believe it is a valuable transitional fuel.

The Chair: Thank you, MP Lawrence.

I do have a ruling.

Bill C-69 seeks to amend the Income Tax Act by providing refundable tax credits for certain activities related to clean technology manufacturing property. The amendment attempts to add to the list of qualifying properties by including equipment used for natural gas production, which would expand the tax credit provided in the bill.

The House of Commons Procedure and Practice, third edition, states on page 772:

Since an amendment may not infringe upon the financial initiative of the Crown, it is inadmissible if it imposes a charge on the public treasury, or if it extends the objects or purposes or relaxes the conditions and qualifications specified in the royal recommendation.

In the opinion of the chair, the amendment expands the tax credit provided in the bill to a new category of qualifying property, which would impose a new charge on the public treasury. Therefore, I rule the amendment inadmissible.

Next is CPC-3.

Mr. Philip Lawrence: I will move and motivate that, if that's agreeable to the chair.

This is related to both CPC-3 and CPC-4. It's for the inclusion of uranium and nuclear activities within the credit. Conservatives believe that nuclear is critical to our fight against climate change and also critical to helping us with our productivity issues. Nuclear has provided clean, emissions-free power with a high safety rate when done properly, which will provide affordable, clean energy for generations to come.

For that reason, we believe this amendment makes sense and will help both grow our economy and fight climate change.

The Chair: Thank you, MP Lawrence.

There is a ruling from the chair.

Bill C-69 seeks to amend the Income Tax Act by providing a refundable tax credit for certain activities related to clean technology manufacturing property. The amendment attempts to add to the list of qualifying minerals activities by including a conversion or fuel fabrication to those activities, which would expand the tax credit provided in the bill.

The House of Commons Procedure and Practice, third edition, states on page 772:

Since an amendment may not infringe upon the financial initiative of the Crown, it is inadmissible if it imposes a charge on the public treasury, or if it extends the objects or purposes or relaxes the conditions and qualifications specified in the royal recommendation.

In the opinion of the chair, the amendment expands the tax credit provided in the bill to a new category of qualifying mineral activities, which would impose a new charge on the public treasury. Therefore, I rule the amendment inadmissible.

Members, shall clause 38 carry?

(Clause 38 agreed to on division)

(On clause 80)

• (1300)

The Chair: We are jumping to clause 80 and CPC-4.

Would you like to move that?

Mr. Philip Lawrence: We will move CPC-4 for the reasons stated.

Conservatives continue to be strong proponents of the nuclear industry. We see this amendment as a significant desistance to the nuclear industry. It might be added that numerous stakeholders within the nuclear industry are big proponents and supporters of this. Certainly, even my predecessor Ms. Kim Rudd—whom we've unfortunately lost—was a huge supporter of the nuclear industry from the Liberal Party.

I would encourage our members to vote for this as a way of supporting the nuclear industry to help grow our economy and fight climate change.

The Chair: Thank you, MP Lawrence. There is a ruling from the chair.

Bill C-69 seeks to amend the Income Tax Act by providing a refundable tax credit for certain activities related to clean technology manufacturing property. The amendment attempts to add to the list of qualifying materials by including uranium, which would expand the tax credit provided in the bill.

The House of Commons Procedure and Practice, third edition, states on page 772:

Since an amendment may not infringe upon the financial initiative of the Crown, it is inadmissible if it imposes a charge on the public treasury, or if it extends the objects or purposes or relaxes the conditions and qualifications specified in the royal recommendation.

In the opinion of the chair, the amendment expands the tax credit provided in the bill to a new category of qualifying material, which would impose a new charge on the public treasury. Therefore, I rule the amendment inadmissible.

We are now on CPC-5.

MP Chambers, would you like to move this?

Mr. Adam Chambers: Yes, please, Mr. Chair.

Colleagues, notice was provided for this previously. The government has opened the door to publicly disclosing which companies or corporations take advantage of the investment tax credits. There's really no reason that we should be limiting transparency to investment tax credits. Any company that receives a tax preference from the Government of Canada, whether that's a tax credit, deduction or write-off, should be transparent if it's a corporation.

That was the genesis for this amendment. I respect that it is a much broader definition of what is proposed, but that was the reason behind the amendment.

The Chair: Thank you, MP Chambers.

I'll now give my ruling.

Bill C-69 amends several acts, including the Income Tax Act, to authorize the minister to make available to public taxpayers information relating to claims or receipts of a clean economy tax credit. The amendment seeks to expand this authorization to any tax credit.

As House of Commons Procedure and Practice, third edition, states on page 770:

An amendment to a bill that was referred to committee after second reading is out of order if it is beyond the scope and principle of the bill.

In the opinion of the chair, by expanding the authorization, the amendment goes beyond the scope of the bill as agreed to by the House at second reading. Therefore, I rule the amendment inadmissible.

[*Translation*]

Mr. Gabriel Ste-Marie: Mr. Chair, I interpret the situation differently and therefore wish to challenge your ruling.

[English]

The Chair: Members, as you know, a challenge is not debatable.

(Ruling of the chair overturned: nays 6; yeas 5)

The Chair: Is there any further debate?

• (1305)

[Translation]

The Chair: Mr. Ste-Marie, go ahead.

[English]

Then we'll have MP Chambers.

[Translation]

Mr. Gabriel Ste-Marie: Thank you, Mr. Chair.

Mr. Chambers, you submitted this amendment, and I'm eager to hear you explain it once again. It seems to me we want as much transparency as possible. We need to know what company received what tax credit. We have nothing to hide.

I think this is an extremely important amendment, and I invite all my colleagues to vote for it since it will require businesses to be more transparent.

[English]

The Chair: I have MP Chambers and then MP Davies.

Mr. Adam Chambers: Thank you, Mr. Chair.

I appreciate the support of colleagues to move this to the floor.

You'll also note that the current legislation says "may" and not "shall". That decision is left to the discretion of the minister, but I believe we should, in the interest of transparency, provide taxpayers with additional information when corporations have received tax preferences.

During the wage subsidy, we listed the corporations that had taken advantage of the wage subsidy. This is just good, transparent practice for those corporations that receive tax credits or deductions. I think, in the future, there will be good legislation to consider all preferences by the government, whether that's a write-off, a tax credit or a deduction. At least in this instance, we can take the same spirit of transparency with the investment tax credits and put it to other examples, as long as it's a corporate entity.

The Chair: Thank you, MP Chambers.

I have MP Davies.

Mr. Don Davies: I'll pass.

The Chair: That's it for the members.

Shall CPC-5 carry?

(Amendment negated: nays 6; yeas 5 [See *Minutes of Proceedings*])

(Clause 80 agreed to on division)

(On clause 113)

• (1310)

The Chair: We are on clause 113 now, members. This is CPC-6.

Would one of the Conservative members like to move this?

Mr. Philip Lawrence: I'll move that and motivate it, if that's acceptable to the chair.

Of course, Conservatives have been outspoken opponents of the escalator tax. We believe in the very basic principle of no taxation without representation. The automatic tax increase without the consent of the public is an offence to taxpayers, to all Canadians and to all voters at large as they have not consented to this tax increase.

Thank you.

The Chair: Is there anybody else on CPC-6?

MP Ste-Marie.

[Translation]

Mr. Gabriel Ste-Marie: Thank you, Mr. Chair.

My comments concern amendments CPC-6 to CPC-18, which would cancel the increases in excise taxes on alcohol and even cut the excise tax on certain items in half. We've debated this topic several times, both last fall, if I'm not mistaken, and in previous years.

Since the excise tax is levied in dollars per hectolitre, it isn't indexed to the rate of inflation, unlike HST and other taxes that are collected on a percentage basis. We've criticized this situation because inflation is running high. We managed to work with the government to limit the percentage tax increase to a figure below the rate of inflation, that is to 2%, and now we're wondering whether we should stop raising the excise tax or even lower it. Unfortunately, we didn't have a substantive debate during our study of Bill C-69 or bring in witnesses to discuss the matter, with the exception of the Quebec microdistilleries.

I'm going to speak briefly to the amendments that I'll soon be moving. The Bloc Québécois is in favour of having a substantive discussion on the excise tax, its rate and how it should be indexed. The subject should be studied since we didn't debate it enough to enable us to change the situation as radically as was suggested in the various proposed amendments.

However, the Bloc Québécois is in favour of providing some support to small artisanal producers like the microbreweries. Our party is proposing an escalating excise tax that would provide support to small producers, small local artisans, to assist help them compete with the major distilleries, which don't need as much help.

The purpose of the two Bloc Québécois amendments that I will move is to encourage small artisanal producers and to introduce an escalating tax system for microdistilleries that would be similar to the present system for microbreweries. The idea is to help and encourage small emerging players, the local artisans who operate all across the regions.

For now, apart from the amendments that I'll be moving, I will stand by the compromise we've reached to limit the excise tax rate to 2%, in other words, below the rate of inflation. I would also be open to the idea of the committee, in the course of future business, taking a serious look at the excise tax issue and inviting all the witnesses and experts we need to conduct a substantive debate and, if appropriate, bringing forward proposed amendments CPC-6 to CPC-18. For the moment, however, I will be voting against those amendments.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. Ste-Marie.

[*English*]

I have PS Turnbull and MP Sorbara to speak to this.

Mr. Ryan Turnbull: I know we have limited time today. I will speak a little bit to the whole package of Conservative amendments related to the excise tax rate. Many of these, as I understand, are identical to ones that were proposed in a previous BIA and were ultimately voted down.

Our government is proud of our support for brewers, and specifically craft brewers. We have capped the excise escalator and made cuts to the excise tax rate for craft brewers, which will provide typical craft brewers with up to \$86,952 in additional tax relief in 2024-25.

I think some of the Conservative amendments being proposed today include ones that would result in refunds on the excise tax rate paid since April 21, 2024, to those who are unlikely to pass those refunds on to consumers, so for these reasons we will be voting against the whole package of CPC amendments today.

Thanks.

• (1315)

The Chair: Thank you, PS Turnbull.

MP Sorbara, please go ahead.

Mr. Francesco Sorbara (Vaughan—Woodbridge, Lib.): Thank you, Chair, for the opportunity to speak.

With regard to the excise tax and the legislative adjustments that were done in the first session, from 2015-19, which I was a part of, and also in chairing the wine caucus, which has many members from the opposite side, and also being part of the beer caucus, if I can use that terminology in a serious sense, we worked with industry. We worked with the wine, spirits and beer industries to land at a spot where an announcement was made, supported by these very critical sectors of economy, which employ a lot of middle-class Canadians.

I wish to applaud the Deputy Prime Minister and the team for working so collaboratively and getting to a point at which the industry, the workers and the unions are happy. We capped the excise indexation rate at 2%. We also provided a good-sized tax cut to craft brewers of a certain size and also provided the wine sector with the wine sector support program for the next three years, which will see the sectors receiving a good flow of funding for growth, while driving tourism and jobs.

Mr. Chair, I'll leave it at that. I'll limit my interventions today, but I wanted to intervene on this one.

The Chair: Thank you, MP Sorbara.

MP Davies, go ahead.

Mr. Don Davies: I won't have much to say, but in addition to the comments of my colleagues from the Bloc and the Liberal Party, I think the policy we have in place now is eminently reasonable. It follows the CPI and is capped at 2%, so it's not really an additional cost for the industry. It keeps up with inflation, and the price of their products usually goes up.

I want to add only two things. The so-called “sin taxes” have always been a unique part of public policy when it comes to taxation, and that's a recognition that, while these products have a number of benefits, they also come with some harms. One harm that I think should be put on the record is that there are a number of studies now that have absolutely established a link between alcohol and cancer. I think there's a public policy rationale in making sure there's a taxation regime that makes it clear that, for the products being marketed and sold, there's also a taxation component that comes back from that to help pay for the other burdens that are placed on the public system, including the health care system.

One thing about alcohol is that it is a discretionary product. It's something people can choose either to purchase or not, and they can adjust their volumes or not as well. There's something to be said about that too.

I'll be voting against the whole suite of amendments to reduce taxes on the alcohol industry.

The Chair: Thank you, MP Davies.

I think that's it for people who want to speak on this.

Shall CPC-6 carry?

[*Translation*]

Mr. Gabriel Ste-Marie: It's negative on division.

[*English*]

Mr. Philip Lawrence: We'd like to do a recorded vote on this one.

The Chair: It's a recorded vote.

(Amendment negatived: nays 7; yeas 4 [*See Minutes of Proceedings*])

(Clause 113 agreed to on division)

The Chair: We are now at new clause 113.1.

This is CPC-7. Would one of the members like to move that?

• (1320)

Mr. Philip Lawrence: Yes, I will move that, and I'll make my comments brief.

As in the earlier discussion, Conservatives are alone, I guess, in our belief that Canadians are already burdened enough by high taxation on a number of products—income tax, sales tax, property tax, carbon tax, various other taxes and levies—and we just want to give Canadians a break. That's why we are moving the whole suite of measures to reduce the excise tax and to let Canadians enjoy a beer in peace.

The Chair: Thank you, MP Lawrence.

Shall CPC-7 carry?

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

The Chair: Now, members, we are on to BQ-0.1. I will first look to see what MP Ste-Marie would like to do.

[*Translation*]

Mr. Gabriel Ste-Marie: Thank you, Mr. Chair.

Amendment BQ-1 is a very important amendment to the government's bill. Allow me to provide some context.

A few years ago, Australia brought a dispute case against Canada before the World Trade Organization—

[*English*]

The Chair: MP Ste-Marie, if I may interject, we're on BQ-0.1.

[*Translation*]

Mr. Gabriel Ste-Marie: Yes. Is now the right time to discuss it?

[*English*]

The Chair: MP Ste-Marie, could you read the reference number?

[*Translation*]

Mr. Gabriel Ste-Marie: Yes, just a minute.

Yesterday, the committee clerk, Mr. Roger, sent committee members a new amendment replacing amendment BQ-2. However, that amendment has been amended again. The legislative drafters went to work to come up with a new form for the amendment, which was sent to the clerk this morning. I would ask the clerk to distribute it. Its reference number will be 13152717, if I'm not mistaken.

With your permission, Mr. Chair, I can discuss it.

[*English*]

The Chair: Yes, MP Ste-Marie, we have the new version.

[*Translation*]

Mr. Gabriel Ste-Marie: Good.

This amendment replaces amendment BQ-2, which had some drafting issues. The amendment I'm moving would introduce an escalating excise tax for microdistilleries, that is, spirit producers. The object of this amendment is to introduce for microdistilleries what already exists for microbreweries and what's in place in the United States. Our goal is to enable microdistilleries, the small players and local artisans, to pay a lower excise tax rate than that paid by the major industry players to help them develop.

The association that represents microdistilleries testified on this matter before the committee. Microdistilleries are established all across Canada, in every province and virtually every region, and they are popular businesses operated by passionate artisans who put their heart into their products. Given the excise tax rate for these minor actors, which operate with very high fixed costs, it's virtually impossible for them to compete with the major players. The witness who appeared before the committee reminded us that, for every bottle sold for \$40, he earned \$12 and paid \$4 in excise tax.

This amendment would provide some support for microdistilleries. I therefore encourage my colleagues to support it.

• (1325)

The Chair: Thank you, Mr. Ste-Marie.

[*English*]

Is there any further debate on this?

There is a ruling. I will give you my ruling right now.

Bill C-69 amends several acts, including the Excise Act. The amendment seeks to amend section 1 of part 1 of the schedule of the act by adding new rates of duties for absolute ethyl alcohol contained in spirits depending on its production level.

Since paragraph (1) of the said schedule provides for a uniform rate of duties to absolute ethyl alcohol regardless of the quantity produced, the adoption of the amendment would create an incapability in the act, which renders the amendment inadmissible.

As *House of Commons Procedure and Practice*, third edition, states on pages 772 and 773:

Last, an amendment which would render a clause unintelligible or ungrammatical is also out of order.

In the opinion of the chair, the amendment is incompatible paragraph 1(1) of the schedule, and I therefore rule the amendment inadmissible.

[*Translation*]

Mr. Gabriel Ste-Marie: Mr. Chair, I challenge your ruling.

[*English*]

The Chair: There's a challenge of the chair's ruling.

(Ruling of the chair sustained: yeas 6; nays 5)

(On clause 114)

The Chair: Members, we are now at clause 114 and CPC-8.

Mr. Philip Lawrence: I will move that.

The Chair: Once you have moved that, if CPC-8 is adopted, members, just so you're aware, CPC-9 cannot be moved due to a line conflict.

Mr. Philip Lawrence: This is just a furtherance of our suite of amendments to the Excise Tax Act, which are seeking to give Canadians who happen to enjoy a beer or a drink of spirits a break on taxation going forward.

Conservatives will continue to oppose the excise tax increases. The escalator has caused enormous difficulties for our economy, for our spirit and beer sectors, in addition to raising the cost of alcohol at a time when Canadians could use a drink.

Thank you.

The Chair: Thank you MP Lawrence.

Shall CPC-8 carry?

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

The Chair: Now we're on CPC-9.

Mr. Philip Lawrence: I will move that, but my comments stand.

The Chair: Thank you, MP Lawrence.

Shall CPC-9 carry?

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

(Clause 114 agreed to on division)

(On clause 115)

The Chair: We'll now go to clause 115 and CPC-10.

• (1330)

Mr. Philip Lawrence: Once again, this is a reduction to the Excise Tax Act. The Conservatives continue to stand for lower taxes for Canadians.

The Chair: Shall CPC-10 carry?

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

(Clause 115 agreed to on division)

(On clause 116)

The Chair: We're at clause 116. This is CPC-11.

Mr. Philip Lawrence: Once again, the Conservatives are looking to give Canadians a break on their taxes, and we stand alone in that.

The Chair: Shall CPC-11 carry?

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

(Clause 116 agreed to on division)

(On clause 123)

The Chair: Members, we're at clause 123. This is CPC-12.

Would the member like to move that?

Mr. Philip Lawrence: I will move that, but I will just let it stand for what it is.

The Chair: Just so members are aware, if CPC-12 is adopted, CPC-13 cannot be moved due to a line conflict.

Shall CPC-12 carry?

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

The Chair: We're on CPC-13.

Mr. Philip Lawrence: Once again, this is part of our suite of amendments meant to, in this case, reduce the excise tax increase to zero, giving Canadians a break with respect to taxation.

I have to get one of these eventually—right?

The Chair: Shall CPC-13 carry?

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

(Clause 123 agreed to on division)

The Chair: We're at new clause 123.1, and this is BQ-1.

MP Ste-Marie, do you wish to move your amendment?

[*Translation*]

Mr. Gabriel Ste-Marie: Yes, thank you.

[*English*]

The Chair: Yes, go ahead.

[*Translation*]

Mr. Gabriel Ste-Marie: I'm going to move it and briefly explain it.

As I said earlier, a few years ago, Australia brought a dispute case against Canada at the World Trade Organization, the WTO, over the tax on wine. The dispute obviously concerned wine from grapes. However, in Quebec, wine from grapes is called “wine”, and we have another terminology for alcoholic beverages made from small fruits, maple syrup and honey.

Canada complied with the WTO decision and applied the tax to Canadian wine, but only to wine from grapes. When we looked into this matter in committee, we adopted an amendment to exempt apple cider and mead producers from the tax. However, we were unable to adopt an amendment to exempt from that tax—and so comply with the decision—producers of alcoholic beverages made from small fruits, such as strawberries, raspberries, blueberries and pears, for example, and producers of maple-based alcoholic beverages.

Australia's complaint obviously didn't concern all those producers, who are small local and artisanal producers who work hard to create high-quality regional products. We therefore want to support them and allow them the same privilege as the one the committee granted for apple cider and mead producers. That's the reason for this amendment.

I therefore encourage my colleagues to support this amendment unanimously.

[*English*]

The Chair: Go ahead, MP Lawrence.

Mr. Philip Lawrence: I'd like to say that I think this is a great idea. We have a wonderful fruit winery not from my home in Jamil Jivani's riding of Durham. They do a fabulous job, and they certainly deserve a break. Because of that, Conservatives will be supporting this fantastic amendment brought by the Bloc Québécois.

• (1335)

The Chair: Thank you, MP Lawrence.

I do have a ruling here, and I should have jumped in right after MP Ste-Marie.

The ruling is that Bill C-69 amends several acts, including the Excise Act, 2001, to add inflationary adjustment clauses. The amendment seeks to add a new category of exempted product to a clause that is not amended by the bill.

As *House of Commons Procedure and Practice*, third edition, states on page 771:

...an amendment is inadmissible if it proposes to amend a statute that is not before the committee or a section of the parent Act, unless the latter is specifically amended by a clause of the bill.

Since paragraph 134(3)(b) of the Excise Act, 2001, is not being amended by Bill C-69, it is therefore the opinion of the chair that the amendment is inadmissible.

[*Translation*]

Mr. Gabriel Ste-Marie: Mr. Chair, I must challenge the ruling of the chair once again. Please understand this is nothing personal; it's for the common good.

[*English*]

The Chair: No, I don't take it personally, but the ruling has been challenged.

(Ruling of the chair sustained: yeas 6; nays 5)

(On clause 124)

The Chair: Now we're at CPC-14.

MP Lawrence.

Mr. Philip Lawrence: This is a furtherance of our suite of amendments meant to give relief to taxpayers and to artisans across the country.

The Chair: Thank you, MP Lawrence.

Members, if CPC-14 is adopted, CPC-15 cannot be moved due to a line conflict.

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

The Chair: Now we're at CPC-15.

Mr. Philip Lawrence: I will move and motivate this.

Once again, Conservatives believe that the affordability crisis, inflation, the cost of housing and the carbon tax have driven up the costs of nearly everything, so when given the opportunity, Conservatives will continue to fight for lower prices on everything, from beer to eggs to housing and all parts in between.

The Chair: Thank you.

Shall CPC-15 carry?

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

(Clause 124 agreed to on division.)

The Chair: Now we're at new clause 125.1 and CPC-16.

MP Lawrence, would you like to move this?

Mr. Philip Lawrence: I will move that.

This is yet another effort by the worker bees of Parliament to reduce the burden on Canadians.

The Chair: Thank you, MP Lawrence.

We have a ruling on this. Bill C-69 amends several acts, including the Excise Act, 2001, to add inflationary adjustment clauses. The amendment seeks to establish new amounts of fines related to certain alcohol offences. *House of Commons Procedure and Practice*, third edition, states on page 770:

An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill.

In the opinion of the chair, this addition is a new concept that is beyond the scope of the bill as adopted by the House at second reading. Therefore, I rule the amendment inadmissible.

Now we are at new clause 130.1 and CPC-17.

Mr. Philip Lawrence: Once again, this is just a furtherance on reducing taxes on Canadians, so we'll move it. You never know. We might get a change of heart there.

• (1340)

The Chair: Members, shall CPC-17 carry?

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

The Chair: Now we're at CPC-18.

Mr. Marty Morantz (Charleswood—St. James—Assiniboia—Headingley, CPC): I move CPC-18.

The Chair: Thank you.

If you're not going to speak to that, MP Morantz, we'll go right to the vote.

Shall CPC-18 carry?

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

(On clause 147)

The Chair: We are now at CPC-19, if the member would like to move it.

Mr. Philip Lawrence: Do you want to move it?

Mr. Marty Morantz: I'll move CPC-19.

The Chair: Thank you, MP Morantz.

I do have a ruling for that, which I can give you.

Mr. Philip Lawrence: Can I give my commentary before you do?

The Chair: Do you want to give a very short—

Mr. Philip Lawrence: It will be very short.

The Chair: Okay. Go ahead.

Mr. Philip Lawrence: There has been some debate with respect to the carbon tax over the last couple of years. The Conservatives look forward to a carbon tax election where we can, once and for all, put the carbon tax to bed and make life more affordable for Canadians again.

The Chair: Thank you.

I'll give my ruling now.

Bill C-69 amends several acts, including the Greenhouse Gas Pollution Pricing Act, by providing authority, in certain circumstances, for the sharing of certain information amongst federal officials and for the public disclosure of certain information by the Minister of National Revenue. The amendment seeks to repeal the Greenhouse Gas Pollution Pricing Act in its entirety.

As *House of Commons Procedure and Practice*, third edition, states on page 771:

...an amendment is inadmissible if it proposes to amend a statute that is not before the committee or a section of the parent Act, unless the latter is specifically amended by a clause of the bill.

Since the sections of the Greenhouse Gas Pollution Pricing Act being repealed by the amendment are not amended by Bill C-69, it is therefore the opinion of the chair that the amendment is inadmissible.

Mr. Philip Lawrence: I would like to challenge your ruling.

The Chair: There is a challenge to my ruling.

(Ruling of the chair sustained: yeas 6; nays 5)

(Clause 147 agreed to)

(On clause 156)

The Chair: Now we are moving to clause 156 and amendment CPC-20.

Would you like to move CPC-20?

Mr. Philip Lawrence: Yes, we'll move CPC-20.

Along with the NDP, I believe, we have a series of amendments there to enhance this benefit to be more inclusive. We believe in the inherent importance of family physician assistants. Of course, they often do much of the difficult work of making sure we get better, so we believe the benefits bestowed in this clause should include family physician assistants.

The Chair: Thank you, MP Lawrence.

Now I'll give you my ruling.

Bill C-69 amends several acts, including the Canada Student Loans Act. The amendment seeks to add "family physician assistant" to the list of people who would be eligible for student loan forgiveness.

As *House of Commons Procedure and Practice*, third edition, states on page 772:

Since an amendment may not infringe upon the financial initiative of the Crown, it is inadmissible if it imposes a charge on the public treasury, or if it extends the objects or purposes or relaxes the conditions and qualifications specified in the royal recommendation.

In the opinion of the chair, the amendment alters the terms and conditions of the initial royal recommendation, thereby imposing a charge on the public treasury. Therefore, I rule the amendment inadmissible. This ruling also applies to amendment CPC-21, since it is consequential.

Members, I will move to NDP-1.

MP Davies, would you like to move this amendment?

• (1345)

Mr. Don Davies: Yes. Similar to the amendments moved by my friend Mr. Lawrence, I think the fate of this is foreshadowed, but I'll just motivate it very quickly.

The NDP believes that occupational therapists should be added to the student loan forgiveness program for underserved rural or remote communities along with other allied health professionals. Occupational therapists are in just as short supply. Their services are just as valued, and the principles and purposes of the forgiveness program apply, in our view, as strongly to occupational therapists as they do to the other groups the government has listed. That's why we would ask they be added.

Thank you, Mr. Chair.

The Chair: Thank you, MP Davies.

I will now give my ruling.

Bill C-69 amends several acts, including the Canada Student Loans Act, and the amendment seeks to add "occupational therapist" to the list of people who would be eligible for student loan forgiveness.

House of Commons Procedure and Practice, third edition, states on page 772:

Since an amendment may not infringe upon the financial initiative of the Crown, it is inadmissible if it imposes a charge on the public treasury, or if it extends the objects or purposes or relaxes the conditions and qualifications specified in the royal recommendation.

In the opinion of the chair, the amendment alters the terms and conditions of the initial royal recommendation, thereby imposing a charge on the public treasury. Therefore, I rule the amendment inadmissible. The ruling also applies to amendment NDP-2 since it is consequential.

(Clause 156 agreed to)

(Clause 157 agreed to)

Mr. Philip Lawrence: Was there not an amendment for that one?

The Chair: No.

Mr. Philip Lawrence: Was it not CPC-21?

The Chair: They were eliminated because of CPC-20.

Mr. Philip Lawrence: Did it eliminate all of them?

The Chair: If CPC-20 did not pass, then CPC-21 was eliminated. It was the same thing with NDP-1. NDP-2 was also taken out.

(On clause 158)

The Chair: Now we're at CPC-22.

Mr. Philip Lawrence: Given your earlier ruling, Conservatives would withdraw, with unanimous consent, CPC-22 and CPC-23.

The Chair: You can decide not to move them, MP Lawrence.

Mr. Philip Lawrence: Okay. We'll just not move them then.

The Chair: You have decided not to move them. Okay.

Members, you can always decide not to move something when it comes up.

Now we are NDP-3.

MP Davies, go ahead.

Mr. Don Davies: Mr. Chair, given your previous ruling, we will not be moving that.

The Chair: Thank you

(Clause 158 agreed to on division)

The Chair: Shall clause 160 carry?

In your notes, it may say CPC-23 and NDP-4, but again, because of what just happened, the amendments were consequential to CPC-22. That's why we don't have CPC-23 any longer. There was also an amendment that was consequential to NDP-3, so that's why we do not have NDP-4 now.

(Clause 160 agreed to on division)

(On clause 197)

The Chair: Members, we are at clause 197. This is NDP-5.

• (1350)

Mr. Don Davies: Thank you, Mr. Chair.

I will move this and speak briefly to it.

This is an amendment recommended by the Public Service Alliance of Canada, which represents our hard-working and talented civil servants in Canada. Essentially, the legislation as it's currently drafted only requires that the minister consult with the Minister of National Defence if the amount that is recalled from the pension investment board to the consolidated revenue fund is in relation to the Canadian Forces Superannuation Act. Also, the minister has to consult the Minister of Public Safety and Emergency Preparedness if the amount is in relation to the Royal Canadian Mounted Police Superannuation Act.

The NDP's amendment would require that, when an amount is recalled from the Public Sector Pension Investment Board to the consolidated revenue fund in certain circumstances currently defined under the Canadian Forces Superannuation Act, the Public Service Superannuation Act—you'll notice the addition of that—and the Royal Canadian Mounted Police Superannuation Act, the bargaining agents who represent the employees covered by pension plans under those acts be consulted.

In short, obviously, pensions and pension management are very important to workers. Frankly, pension contributions are very often exclusively, or at least in large part, the employee's deferred salary. It's their money. This would simply require that, if there's a recall of funds from the pension boards to the consolidated revenue fund, their bargaining agents at least be consulted about that. Their approval is not required, and there will not be extensive negotiations, but they should be consulted, in our view.

I would move that.

The Chair: Thank you, MP Davies.

I have MP Ste-Marie and PS Turnbull.

[*Translation*]

Mr. Gabriel Ste-Marie: Thank you, Mr. Chair.

I want to thank Mr. Davies for proposing this entirely reasonable amendment, which required more information and consultation. I'm going to vote for his amendment.

[*English*]

The Chair: Thank you, MP Ste-Marie.

I have PS Turnbull.

Mr. Ryan Turnbull: I just wanted to express our concerns with regard to this amendment as written. I made Mr. Davies aware of these comments in relation to this.

Bargaining agents already have a role as part of the public sector pension plan advisory committee and are required to be consulted on matters such as setting the contribution rates and the handling of non-permitted surpluses. This would add the requirement that every time the government recalls funds to pay for member benefits, it consults with the bargaining agents. This would go against the spirit of the measure, which is intended to clarify the administrative process. We think it would add significant new steps to it.

For those reasons, we'll be opposing it.

The Chair: Thank you, PS Turnbull.

Is there anyone else? Shall NDP-5 carry?

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

(Clause 197 agreed to on division)

(On clause 198)

The Chair: Members, we're at clause 198 and CPC-24.

Mr. Philip Lawrence: I'll move that, Mr. Chair.

This has been raised within the fintech industry and by other financial institutions. There's a concern that there is an omission for small businesses within the framework for open banking. We sought to add clarity through this amendment and would encourage all members to vote for it.

• (1355)

The Chair: Thank you, MP Lawrence.

Is there any further debate?

PS Turnbull.

Mr. Ryan Turnbull: In view of the time, I know the Conservatives have put forward a whole package of amendments related to the consumer-driven banking framework. I'm glad to see they're supportive of a regime that we're intending to stand up.

Consumer-driven banking enables consumers to securely use data-driven financial services that can help them better manage their finances and improve their financial outcomes. For example, through consumer-driven banking, people could access services that allow them to build their credit by reporting their on-time rental payments to credit bureaus, thereby making it easier to qualify for a mortgage, which is something we've proposed in our housing strategy.

However, the amendments proposed by the Conservatives are, in some cases, unnecessary and, in others, damaging to the framework we're bringing forward. For example, this amendment attempts to include small businesses in the framework, despite the fact that the bill already notes that "consumers", for the purposes of the bill, includes small businesses.

For that reason, we're opposed to the whole package.

The Chair: Thank you, PS Turnbull.

I have MP Ste-Marie and then we'll go to this. After that, we'll suspend because we have question period coming up.

MP Ste-Marie.

[*Translation*]

Mr. Gabriel Ste-Marie: Thank you, Mr. Chair.

As I said earlier, I lament the fact that the committee has adopted division 16 of the bill, which would create a consumer-driven framework for banking services. It would provide the basic structure for the open banking system, but it would be built on very poor footings. All the Conservative amendments to this division rest on a poorly constructed foundation that will collapse and create a lot of problems. For that reason, I will vote against the entire division and consequently won't support the amendments, which I think are based on an unacceptable foundation.

I would like to inform you that I will symbolically move amendment BQ-3 to clause 227.

The Chair: Thank you, Mr. Ste-Marie.

[*English*]

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

The Chair: On that, members, we will suspend at this time. We'll be back in this room at 3:30.

• (1358) _____ (Pause) _____

• (1535)

The Chair: Members, welcome back.

We left off after we had already done CPC-24.

(Clause 198 agreed to on division)

(On clause 203)

The Chair: Next we have clause 203 and CPC-25.

Mr. Philip Lawrence: We'll go ahead and move this amendment, CPC-25. These are additional safeguards that we've put in with respect to open banking, and we're hopeful that other members will support the amendment. Thank you.

The Chair: Shall CPC-25 carry?

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

The Chair: Now we'll go to CPC-26 on clause 203.

Mr. Philip Lawrence: We'll move this as well, Mr. Chair.

CPC-26 is regarding publishing information provided for in the regulations. We just want to make sure that there's additional transparency. Of course, we have witnessed over the last nine years that there's been a significant decline in government transparency, and we have not witnessed sunny ways. We would call upon the other members to vote for this to encourage greater transparency.

• (1540)

The Chair: Thank you, MP Lawrence.

I have a hand up.

Go ahead, MP Davies.

Mr. Don Davies: I'm sorry. I want to make sure that I understand this amendment. I'm not quite clear on that preamble from Mr. Lawrence. The current language says:

The Senior Deputy Commissioner must publish, in the prescribed time and manner, the prescribed information respecting consumer-driven banking.

If I understand his amendment, it's to change the "must" to "may" publish. If anything, it's making it less transparent, because right now the legislation as drafted would require the commissioner to publish the information, so I'm a little puzzled by that. How does making that discretionary increase transparency?

The Chair: MP Lawrence, do you...? No, you're good. Okay.

Thank you, MP Davies.

Shall CPC-26 carry?

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

(Clause 203 agreed to on division)

(On clause 204)

The Chair: We have CPC-27 on clause 204.

Mr. Philip Lawrence: I'll move it and just leave it as it is.

The Chair: Shall CPC-27 carry?

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

(Clause 204 agreed to on division)

(On clause 207)

The Chair: We have CPC-28 on clause 207.

Mr. Philip Lawrence: I move that and motivate this. This requires balanced membership and transparency for any committee that advises or assists the senior deputy commissioner, recommended by numerous stakeholders.

The Chair: Members, shall CPC-28 carry?

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

The Chair: We have CPC-29 on clause 207.

Mr. Philip Lawrence: Let me at least move it first, Ryan. Come on, brother. Do we want to go back to filibustering?

Some hon. members: Oh, oh!

Mr. Philip Lawrence: CPC-29 requires committee member remuneration to also follow governance best practices. We've all seen what happened in the OAG reports. We've seen numerous reports of Liberal insiders getting wealthy, and this is meant to be one of those safeguards to prevent that.

The Chair: Members, shall CPC-29 carry?

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

(Clause 207 agreed to on division)

(On clause 209)

The Chair: Members, we're at CPC-30, an amendment to clause 209.

Mr. Philip Lawrence: Yes, we'll move it.

The Chair: It's been moved.

Shall CPC-30 carry?

Go ahead, MP Davies.

Mr. Don Davies: Can I just get a clarification on this?

If I understand this, it says, the commissioner, the senior deputy commissioner or a deputy commissioner “must not hold, directly or indirectly, any interest or right in any shares of”—and here are the additional words—“any participating entity, including”.

That would modify “any financial institution”, so could I ask my Conservative colleague to explain what the rationale for this is? It sounds like it would expand the conflict of interest criteria, which may be a good thing.

The Chair: Okay. Thank you, MP Davies.

Would you like to speak to it, MP Lawrence?

Mr. Philip Lawrence: What we're seeking to do through this amendment is to clearly spell out that fintechs are included with respect to the conflict of interest provisions as well—if that helps my colleague.

Mr. Jasraj Singh Hallan: I'll just add to that. What this actually does.... Any senior deputy commissioner needs to be clear. They shouldn't have direct or indirect interest or rights to shares of any participating entity, so it's more of a conflict of interest thing.

• (1545)

Mr. Don Davies: Is that “participating entity” defined anywhere?

Mr. Jasraj Singh Hallan: It's in the act. “Entity” is defined in the act.

Mr. Don Davies: Okay. Thanks.

The Chair: Members, shall CPC-30 carry?

Mr. Philip Lawrence: We'd like a recorded vote. We need to know whether Gabriel will support it or not.

The Chair: We'll have a recorded vote.

(Amendment negatived: nays 6; yeas 5 [*See Minutes of Proceedings*])

(Clause 209 agreed to on division)

The Chair: On clause 213, we have CPC-31. Does somebody want to move it?

It's withdrawn.

(Clause 213 agreed to on division)

The Chair: On clause 216, this is CPC-32.

Mr. Jasraj Singh Hallan: We'll pull CPC-32 to CPC-34.

(Clause 216 agreed to on division)

The Chair: Now on clause 217, this is CPC-34.1.

No, that's also withdrawn.

(Clause 217 agreed to on division)

Mr. Jasraj Singh Hallan: Given the way things are going, we'll pull our CPC-35 and CPC-35.1.

(Clause 221 agreed to on division)

(On clause 227)

The Chair: On clause 227, this is BQ-3.

[*Translation*]

Mr. Gabriel Ste-Marie: Mr. Chair, I'm moving this amendment because, under this division, the open banking system framework would be solely under federal jurisdiction. However, that framework would encroach on the jurisdiction of the provinces, which would result in discrimination against financial institutions under provincial jurisdiction. At the very least, the provinces would have to accept the provisions under these clauses.

I request a recorded vote, Mr. Chair.

[*English*]

The Chair: MP Ste-Marie, I have a ruling on this.

First, Bill C-69 amends several acts. The bill provides for the coming into force of its sections 213 to 221 and 224, related to the Financial Consumer Agency of Canada Act:

on a day or days to be fixed by order of the Governor in Council.

The amendment attempts to subject all clauses of the bill that relate to the Financial Consumer Agency of Canada Act to the written consent of all the provinces before their coming into force, which is a new concept that goes beyond the scope of the bill as agreed to by the House at second reading.

As the *House of Commons Procedure and Practice*, third edition, states on pages 773 and 774:

An amendment intended to alter the coming into force clause of a bill, making it conditional, is out of order since it exceeds the scope of the bill....

It attempts to introduce a new question into it.

In the opinion of the chair and for the aforementioned reason, the amendment introduces a new concept that is beyond the scope of this bill; therefore, the amendment is inadmissible.

• (1550)

[*Translation*]

Mr. Gabriel Ste-Marie: Mr. Chair, I think your interpretation is far too restrictive and I will therefore challenge your ruling.

[*English*]

The Chair: My decision has been challenged. That's not debatable.

Clerk, can you poll the members?

(Ruling of the chair sustained: yeas 6; nays 5)

The Chair: Shall clause 227 carry?

(Clause 227 agreed to on division)

(On clause 248)

The Chair: We are on clause 248, and this is amendment NDP-6.

Mr. Don Davies: Thank you, Mr. Chair. I will move this, if I may. It's quite simple.

This budget does contain a positive provision to bring in a right-to-disconnect kind of policy, so that employees can be protected from having their work life impinge upon their private life.

Our amendment would prohibit employers or persons acting on behalf of employers from intimidating, dismissing, penalizing, disciplining or otherwise taking reprisals against employees or threatening to take such actions in relation to right-to-disconnect policies. In other words, if someone makes a complaint upholding their right to disconnect, they don't face workplace reprisals because of that.

The Chair: Okay, thank you, MP Davies.

I see MP Ste-Marie's hand up, and I also see PS Turnbull's hand up.

[*Translation*]

Mr. Gabriel Ste-Marie: Mr. Chair, I think this is a very important amendment. My colleague Mr. Davies' arguments are very good, and I think we must vote unanimously in favour of the proposed amendment.

[*English*]

The Chair: Thank you very much, MP Ste-Marie.

Go ahead, PS Turnbull.

Mr. Ryan Turnbull: Yes, I appreciate this amendment that Mr. Davies has put forward. It's important as a measure to restore work-life balance for many workers in federally regulated industries. The right to disconnect is a contribution to ensuring that there's a right to disconnect from work outside of work hours. We'll be supporting this.

Thanks.

The Chair: Thank you.

I see no further hands.

Shall NDP-6 carry?

(Amendment agreed to on division)

(Clause 248 as amended agreed to on division)

(On clause 269)

The Chair: Members, we are on clause 269, and this is CPC-36.

Mr. Jasraj Singh Hallan: The courts struck down as unconstitutional parts of Bill C-69, which we call the "no new pipelines bill". In standing up for Alberta and our low-carbon and responsible energy sector, we would like to see the Impact Assessment Act repealed altogether.

The Chair: Thank you, MP Hallan.

Okay, I'm looking around.... I will now give my ruling. Bill C-69 amends several acts. The amendment seeks to repeal the Impact Assessment Act in its entirety. As *House of Commons Procedure and Practice*, third edition, states on page 771:

an amendment is inadmissible if it proposes to amend a statute that is not before the committee or a section of the parent Act, unless the latter is specifically amended by a clause of the bill.

Since the sections of the Impact Assessment Act being repealed by the amendment are not amended by Bill C-69, it is therefore the opinion of the chair that the amendment is inadmissible.

(Clause 269 agreed to on division)

(Clauses 271, 273, 291 and 292 agreed to on division)

(On clause 321)

• (1555)

The Chair: Now we're on clause 321. This is CPC-37.

Mr. Philip Lawrence: Thanks very much. The Conservatives are pleased to move that.

Traditionally, tax accountants are allowed to go to Tax Court to advise and advocate for their clients. This will allow them, going forward, to continue this practice of representing their clients in Tax Court. It will give the opportunity for individuals who find themselves in Tax Court to be advocated for by the professional of their choice. Oftentimes accountants have an excellent degree of knowledge with respect to these tax situations and have also been following the file, sometimes since inception, and it only makes sense for them to continue this throughout the court and legal process.

The Chair: Thank you, MP Lawrence.

MP Ste-Marie, I see your hand up, but this is not debatable, because it's not admissible.

I now give my ruling to MP Lawrence and to the members. Bill C-69 amends several acts, including the Tax Court of Canada Act, to provide that “the Court under special circumstances grants leave to the party [to a proceeding who is not an individual] to be represented by a director, officer, employee, member or partner of the party” or by a lawyer in normal circumstances. The amendment seeks to provide for the party to be represented, in normal circumstances, by a tax accountant, which is a new concept that goes beyond the scope of the bill, as agreed to by the House at second reading.

As *House of Commons Procedure and Practice*, third edition, states on page 770:

An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill.

In the opinion of the chair, the amendment introduces a new concept that is beyond the scope of the bill. For the aforementioned reason, therefore, the amendment is inadmissible.

• (1600)

Mr. Philip Lawrence: Mr. Chair, I'd like to challenge that, because that's actually an incorrect ruling. It's not a new concept, whether you're being represented by a lawyer or a tax professional.

The Chair: Thank you, MP Lawrence.

I have been challenged as to the ruling. Can the clerk poll the members?

(Ruling of the chair sustained: yeas 6; nays 5)

The Chair: Shall clause 321 carry?

(Clause 321 agreed to on division)

(On clause 326)

The Chair: Members, now we're at clause 326, and this is NDP-13.

Mr. Don Davies: Thank you, Mr. Chair.

With your permission, I'd like to move this amendment. We've talked about these before. These are the provisions that would provide powers to the Minister of Health to act in a number of different situations. Essentially, my amendment would add the words “on reasonable grounds” to the Minister of Health's belief, just to put some guardrails around the exercise of his discretion, which I think is very reasonable.

The Chair: Thank you, MP Davies. I do see PS Turnbull's hand.

Mr. Ryan Turnbull: We agree with this. I think I made it clear earlier that there's a package of amendments here that the NDP has put forward, which adds “reasonable grounds”. It obviously was consistent with the intention we had, but I think it adds some additional clarity.

Thank you, Mr. Davies, for putting them forward, and we will be supporting.

The Chair: MP Lawrence.

Mr. Philip Lawrence: I'd just like to ask for unanimous consent to support NDP-13, NDP-14, NDP-15, NDP-16 and NDP-17 to support. They're all similar.

The Chair: Members, we just have to vote on what MP Lawrence has requested from the members, that unanimous consent be given. It's just that the sequence on how we have to do that is that we would need to carry NDP-13, NDP-14 and NDP-15 first, if we have the unanimous consent. Then we would have to go to clause 326 to see if clause 326 would carry. Then we can get to NDP-16 and NDP-17.

Mr. Philip Lawrence: Mr. Chair, I think we can all agree unanimously.

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

The Chair: NDP-13, NDP-14 and NDP-15 are carried with unanimous consent.

(Clause 326 as amended agreed to)

(On clause 327)

The Chair: Now we will go to NDP-16.

Mr. Davies, are you moving NDP-16?

Mr. Don Davies: Yes, I will. Also, in light of the generous position of my colleagues, I'd also move NDP-17, if we can group those at the same time, as long as it's recorded and written somewhere that the Conservatives have agreed with the NDP five times. I knew I pushed it too hard.

The Chair: That's great that you'll do that, but we need you to move one at a time, so first you'll move—

Mr. Don Davies: I'll move NDP-16, please.

The Chair: Okay, members, shall NDP-16 carry?

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

(Clause 327 as amended agreed to on division)

The Chair: Now we will go to NDP-17, MP Davies.

Mr. Don Davies: It's so moved.

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

(Clause 328 as amended agreed to on division)

(On clause 438)

The Chair: Members, clause 438 is where we are now, and we are at NDP-26.1.

• (1605)

Ms. Jenny Kwan: Thank you very much, Mr. Chair. I move amendment NDP-26.1.

I should note that, on May 13, actually, more than 80 civil society organizations, settlement agencies and religious groups wrote a very strongly worded letter to the Prime Minister about these provisions in the budget implementation act—

The Chair: MP Kwan, I'm sorry to interject, but because you're not subbed in, it has to be MP Davies who moves it.

Ms. Jenny Kwan: Oh, I thought I was subbed in. Okay.

The Chair: Yes, for NDP-26.1.... You may be subbed in, but when MP Davies is in the room, the substitution does not take place.

Ms. Jenny Kwan: I see.

Mr. Don Davies: If I leave the room, then, can Ms. Kwan...?

The Chair: Yes. MP Davies can move it, but if MP Davies doesn't move it, then MP Davies has to leave the room and MP Kwan can move it.

Mr. Don Davies: Mr. Chair, if I move it, then can Ms. Kwan speak to it?

The Chair: Yes.

Mr. Don Davies: Okay—maybe that's easier. I move that amendment.

The Chair: That is NDP-26.1. MP Davies moved that amendment.

MP Kwan, please go ahead.

Ms. Jenny Kwan: Thank you very much, Mr. Chair. I will speak to it very briefly.

As I was indicating, on March 13, over 80 civil societies, settlement agencies and religious organizations wrote a strongly worded letter to the Prime Minister with their concerns around expanding immigration detention into federal prisons.

Earlier today, the provisions around setting up this format were passed, but with that being said, this amendment is an attempt by the NDP to at least try to put some parameters within that framework, to have “high risk” clearly defined in legislation rather than leaving it up to regulation and having it be defined behind closed doors.

To that end, Mr. Chair, that's what the amendment seeks to do. The definition of “high risk” is really meant to provide some limitations around what would be deemed as high risk in this instance.

Mr. Chair, I just want to highlight a couple of elements within that. I won't, of course, read the entire amendment into the record here.

Really, we attempted to put some parameters there as to the nature and level of danger to the public the person poses related to, for example, any conviction to do with sexual offences or an offence involving violence or weapons and for the same conviction outside of Canada. As well, there are provisions with regard to pending charges for these offences. Also, we wanted to put parameters around engagement with terrorism or gang activities and such.

Mr. Chair, I think these are some of the provisions for declaring what is deemed to be “high risk” in that context.

The other thing worth noting here is that we're also adding to this with an amendment around mental health; when considering these matters, the mental health aspect of the individual should also be taken into consideration. That's written within the amendment here.

Of course, there are some accountability measures related to it, which means that when someone is to be detained, there has to be some level of accountability with respect to written notice advising the individual as such and then, of course, allowing the individual to undertake representation if they seek to do so.

That's a quick summary of where it is at in terms of trying to put these parameters in place.

• (1610)

The Chair: Thank you, MP Kwan.

I have PS Turnbull, who would also like to speak to this.

Mr. Ryan Turnbull: Very briefly, thanks to the member for bringing this forward. I think this is a good amendment that reflects the advocacy of both parliamentarians and senators, so we're happy to support this.

Thanks.

The Chair: Thank you, PS Turnbull.

I don't see anybody else.

Shall NDP-26.1 carry?

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

Ms. Jenny Kwan: Mr. Chair, could we get a recorded vote on this, please?

The Chair: It just carried. It just went through.

Ms. Jenny Kwan: Okay.

The Chair: I'm sorry, MP Kwan. I didn't get it before I asked for the vote.

Shall clause 438, as amended, carry?

(Clause 438 as amended agreed to on division)

(On clause 441)

The Chair: Now we are at clause 441 and amendment NDP-27.1.

Mr. Don Davies: It is so moved, Mr. Chair.

The Chair: MP Davies has moved that amendment. I just need to read something in here, because it has been moved.

Members, just so everybody is aware, if NDP-27.1 is adopted, NDP-28 cannot be moved due to a line conflict.

Would anybody like to speak to NDP-27.1?

MP Kwan, please go ahead.

Ms. Jenny Kwan: Thank you very much, Mr. Chair.

If I could just take a couple of moments to speak to this, this clause speaks to the sunset clause in the bill. My amendment seeks to reduce the sunset clause to two years, Mr. Chair. I hope committee members will support it.

The Chair: On NDP-27.1, PS Turnbull, go ahead.

Mr. Ryan Turnbull: Just very quickly, yes, we appreciate Ms. Kwan and the NDP's advocacy on this. We will be supporting it.

The Chair: Shall NDP-27.1 carry?

It carries.

[*Translation*]

Mr. Gabriel Ste-Marie: Perhaps it's time to request a recorded vote. Did Ms. Kwan request one?

[*English*]

The Chair: It's actually just gone through again. Nobody said anything. It's carried.

Shall clause 441 as amended carry?

It's carried.

Members, we are now on clause—

Mr. Ryan Turnbull: On a point of order, can we have a quick suspension? I think we made a bit of an error on our end.

The Chair: We are suspended.

• (1610)

(Pause)

• (1630)

The Chair: Thank you, everybody, for the time.

Yes, PS Turnbull, go ahead.

Mr. Ryan Turnbull: I apologize, colleagues, but I was a bit confused on NDP-27.1. We're moving quite quickly, I admit—and that's a good thing, of course; we're making lots of progress—but we would like to revisit the vote on NDP-27.1, and I ask for the committee's consent to do so.

The Chair: For that to be, PS Turnbull, we need unanimous consent to open clause 441, and then, of course, unanimous consent to go back to NDP-27.1.

MP Lawrence.

Mr. Philip Lawrence: Conservatives agree to UC, but when I woke up this morning I did not expect to be accused by the Liberal Party of moving their budget through too quickly.

Some hon. members: Oh, oh!

(On clause 441)

The Chair: We have unanimous consent, so now, members, we're back on clause 441 and NDP-27.1.

Does it have to be moved again? No. NDP-27.1 is reopened.

Mr. Ryan Turnbull: Can we have a recorded division?

The Chair: Go ahead, MP Kwan.

Ms. Jenny Kwan: Thank you very much.

Mr. Chair, I was just going to call for a recorded division on this.

I want people to understand what's happening here and the reason that we're revisiting NDP-27.1. It's the provision on the sunset clause, with my amendment to have a sunset clause of two years for the immigration detention provisions of this bill. However, it appears that a mistake was made: The Liberal members did not intend to support this amendment; neither did the Conservatives, so what is required is a unanimous consent motion for us to revisit this, and this is what we're doing.

The NDP—and I won't speak for the Bloc, but I know that we share the same views on this matter—want to see a two-year sunset clause. However, if we did not provide unanimous consent to revisit this, then the Liberals and Conservatives would join, in a coalition fashion, to defeat the entire amended section on the sunset clause, which we do not want.

I want to have the opportunity to then move another amendment under NDP-28 that changes the sunset clause to five years instead of two.

• (1635)

The Chair: Thank you, MP Kwan.

On that, members, we go to a recorded vote.

(Amendment negatived: nays 9; yeas 2 [*See Minutes of Proceedings*])

The Chair: Okay, so now, because it was defeated, we can go to NDP-28. MP Davies, you will have to move it.

Mr. Don Davies: It's so moved.

The Chair: MP Davies has moved that, and there is a hand up.

Go ahead, MP Kwan.

Ms. Jenny Kwan: Thank you very much, Mr. Chair.

NDP-28 is an amendment to change the sunset clause to five years with no renewal. Seeing as how NDP-27.1—we wanted to see a sunset clause of two years with no renewal—was just defeated, we now are moving forward with another suggestion, which is a sunset clause of five years with no renewal.

I hope committee members will support this.

The Chair: Thank you, MP Kwan.

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

(Clause 441 as amended agreed to on division)

(On clause 445)

The Chair: Members, we are now at clause 445, and this is BQ-4.

[Translation]

Mr. Gabriel Ste-Marie: Mr. Chair, allow me to move amendment BQ-4.

It concerns the annual reports of banks. We want more transparency. The object of amendment BQ-5, which will be moved in a moment, is to compel the disclosure of assets held in tax havens, and that of amendment BQ-4, in the spirit of green finance, is disclosure of investments made by corporations in entities that produce fossil fuels. We therefore want to increase transparency regarding hydrocarbon investments.

The Chair: Thank you, Mr. Ste-Marie.

[English]

Now I give you my ruling. Bill C-69 amends several acts, including the Trust and Loan Companies Act, to provide that “the directors of a company of a prescribed class must make available...prescribed information respecting diversity among directors and members of senior management”. The amendment seeks to add an obligation to disclose information respecting the company’s investments in entities that produce fossil fuels, which is a new concept that goes beyond the scope of the bill as agreed to by the House at second reading.

As *House of Commons Procedure and Practice*, third edition, states on page 770:

An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill.

In the opinion of the chair, and for the aforementioned reason, the amendment introduces a new concept that is beyond the scope of this bill. Therefore, the amendment is inadmissible.

[Translation]

Mr. Gabriel Ste-Marie: Mr. Chair, with all due respect, your analysis is far too narrow, and I challenge your ruling.

• (1640)

The Chair: Thank you, Mr. Ste-Marie.

[English]

My ruling has been challenged.

Clerk, poll the members.

(Ruling of the chair sustained: yeas 6; nays 5)

The Chair: Thank you.

Now we are at BQ-5.

MP Ste-Marie, go ahead.

[Translation]

Mr. Gabriel Ste-Marie: Thank you, Mr. Chair.

As you will recall, before the 2008 financial crisis, the Superintendent of Financial Institutions required that banks disclose the assets they held in tax havens and report the amount of tax that they thus avoided paying in Canada. That requirement was lifted as a result of the crisis. The purpose of this amendment would therefore be to restore the practice so that banks have an obligation to dis-

close in their annual reports the dollar amounts of their investments in tax havens.

I hope this will carry.

The Chair: Thank you, Mr. Ste-Marie.

[English]

I now give you my ruling on this one. Bill C-69 amends several acts, including the Trust and Loan Companies Act, to provide that “the directors of a company of a prescribed class must make available...prescribed information respecting diversity among directors and members of senior management”. The amendment seeks to add an obligation to disclose information respecting the company’s investments in countries recognized as tax havens, which is a new concept that goes beyond the scope of the bill as agreed to by the House at second reading.

As *House of Commons Procedure and Practice*, third edition, states on page 770:

An amendment to a bill that was referred to a committee after second reading is out of order if it is beyond the scope and principle of the bill.

In the opinion of the chair, and for the aforementioned reason, the amendment introduces a new concept that is beyond the scope of the bill. Therefore, the amendment is inadmissible.

[Translation]

Mr. Gabriel Ste-Marie: Mr. Chair—

[English]

The Chair: I'm just going to interject here, MP Ste-Marie. The bells are ringing. We need unanimous consent to continue.

Mr. Philip Lawrence: You have it.

The Chair: We have unanimous consent to continue.

Go ahead. You heard my ruling, MP Ste-Marie.

[Translation]

Mr. Gabriel Ste-Marie: Mr. Chair, the concept of tax havens isn't exactly new to Bay Street banks. So I'm going to challenge your ruling.

[English]

The Chair: My ruling has been challenged.

Clerk, could you could poll the members?

(Ruling of the chair sustained: yeas 6; nays 5)

(Clause 445 agreed to on division)

(On clause 461)

The Chair: Members, we have jumped to clause 461.

This is NDP-29.

Mr. Don Davies: I would like to move this, Mr. Chair. It's our last amendment.

In brief, this amendment would add a requirement that:

In making regulations under [the Controlled Drugs and Substances Act] that relate to any authorization or class of authorizations for supervised consumption or drug checking services, the Governor in Council must take into account the need to improve the availability and accessibility of those services, without increasing the administrative burden on service providers and operators, in order to increase the number of lives those services [have been proved to] save.

I so move.

• (1645)

The Chair: Thank you, MP Davies.

I see a hand up.

PS Turnbull.

Mr. Ryan Turnbull: I would like to thank Don and the NDP for proposing this amendment. Supervised consumption and drug-checking services help to save lives. There's no doubt. They're an important, evidence-based part of Canada's comprehensive public health response to addressing substance use-related harms in the overdose crisis.

While the goal of this measure and proposed new regulatory schemes is absolutely to improve the availability and accessibility of supervised consumption and drug-checking services across Canada, it is also the government's intent to maintain strict controls that are consistent with the public health and public safety objectives of the Controlled Drugs and Substances Act. We believe the balance between these two pieces is really important to get right, and we believe that this measure as drafted, i.e., the actual clause 461, properly reflects that balance. We don't want to tamper with that.

We'll be voting against this amendment.

The Chair: Thank you, PS Turnbull.

Is there anyone else? No?

I apologize, MP Ste-Marie. I didn't see that your hand was up.

[*Translation*]

Mr. Gabriel Ste-Marie: Thank you, Mr. Chair.

I unfortunately haven't had time to discuss the proposed amendment in any depth. We haven't brought in any witnesses or experts who could explain matters to us. I'm therefore reluctant to support this amendment.

If, at other meetings on this bill, we had heard from witnesses or experts who could have persuaded us, I would have been able to hear what they had to say, but I can't support the amendment at this stage.

[*English*]

The Chair: Thank you, MP Ste-Marie.

I have MP Lawrence.

Mr. Philip Lawrence: I have just a quick comment, just to get the Conservative position on the record.

We've seen that with the experimentation with the decriminalization of drugs, we have people dying from coast to coast in the opioid crisis. We've seen that so-called legal drugs, government-subsidized drugs, have been traded for harder and harder drugs, making the opioid crisis worse. Conservatives strongly stand against this amendment.

The Chair: Thank you.

Shall NDP-29 carry?

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

The Chair: That is defeated.

Okay, members, that's bringing us close to the end.

Where we are right now is, shall the title carry?

Some hon. members: Agreed.

Mr. Philip Lawrence: On division.

The Chair: Shall the bill as amended carry?

Some hon. members: Agreed.

Mr. Philip Lawrence: On division.

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

Some hon. members: Agreed.

Mr. Philip Lawrence: On division. Maybe next year some time....

The Chair: Members, give me one second.

We have to go back.

Shall clause 461 carry?

(Clause 461 agreed to on division)

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

Some hon. members: Agreed.

Mr. Philip Lawrence: Absolutely not.

Some hon. members: Oh, oh!

Mr. Philip Lawrence: On division.

The Chair: Members, we have gotten through Bill C-69.

Some hon. members: Hear, hear!

The Chair: Congratulations to all of you for all your hard work. Good things happen when we work together.

All right. Thanks, members.

On that, shall we adjourn?

Mr. Ryan Turnbull: Hold on, Chair. I have one quick point.

Given the fact that we've put in so many extra hours yesterday and today, could I just mention that for Thursday's meeting I would recommend that perhaps we don't meet, and instead consider meeting the following week? I think that will give us enough time to have all the meetings we had agreed to.

• (1650)

The Chair: Okay.

MP Hallan? Is this on the—

[*Translation*]

Mr. Gabriel Ste-Marie: I'd like to ask a question.

[*English*]

Mr. Jasraj Singh Hallan: Yes. It is regarding.... I wanted to ask you or the clerk a question, Chair.

We've given Mark "carbon tax" Carney ample dates to attend this committee. I just wanted to confirm whether he has accepted our gracious request that he show up, since he will be the next Liberal leader.

The Chair: I know the invitation has gone out. That's what I can tell you.

The clerk hasn't heard back.

[*Translation*]

Mr. Gabriel Ste-Marie: Mr. Chair, I'd like to ask a question that's related to what Mr. Turnbull is proposing.

We've voted on the matters we're going to study, but the government will soon be tabling its capital gains bill.

Can he tell us on what date the committee will begin considering that bill and how many meetings he thinks we'll have to devote to it?

[*English*]

The Chair: Okay. I don't know if PS Turnbull or committee members....

MP Ste-Marie is asking about the capital gains legislation that would come to us and if it has even been tabled yet—

Mr. Ryan Turnbull: Chair, I think committee members know that I can't speak to and don't know exactly when legislation will be introduced, but all members would get notice at the same time when a piece of legislation is introduced in the House.

The member probably heard that the Minister of Finance spoke to that today in question period. If he was paying attention, I think she actually said something about the timing.

The Chair: Okay. Thank you for that, PS Turnbull.

MP Davies.

Mr. Don Davies: Thank you, Mr. Chair.

I'm not only happy but deliriously relieved to not sit on Thursday.

Some hon. members: Oh, oh!

Mr. Don Davies: I'm in Vancouver. I was up at five in the morning on Friday and Monday.

We've all sat for a lot of hours in the last five days.

Could we get a notice from the clerk, very quickly, on what we're doing next week, so that we can get some witnesses in? That would be very helpful. I'm not sure what we're doing next Tuesday and Thursday, but if we could find that out tomorrow and then maybe have a deadline of Thursday to get witnesses in, it would give the clerk something that he often doesn't have, which is some time to contact witnesses to schedule them.

That would be helpful.

The Chair: Thank you, MP Davies. We'll take note of that.

Members, we are adjourned. We are not here on Thursday. We'll see everybody next week.

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