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Chair: Mr. Sean Casey



Standing Committee on Health

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• (1100)

[English]

The Chair (Mr. Sean Casey (Charlottetown, Lib.)): I call this meeting to order. Welcome to meeting number 96 of the House of Commons Standing Committee on Health.

Today's meeting is taking place in a hybrid format, pursuant to the Standing Orders.

In accordance with our routine motion, I'm informing the committee that all remote participants have completed the required connection tests in advance of the meeting. Everyone in the meeting is participating virtually with the exception of Madame Vignola. She and I are in the room in Ottawa.

Pursuant to Standing Order 106(4), the committee is meeting to consider a request by members of the committee to undertake a study concerning a contract between Medicago and the Government of Canada.

The floor is open.

Go ahead, Dr. Ellis.

Mr. Stephen Ellis (Cumberland—Colchester, CPC): Thank you very much, Mr. Chair.

Happy new year to everyone. Yes, I have grown a moustache since you last saw me—just to clear up any confusion there may be.

That being said, the reason we're here today is a much more serious topic. It is the topic of the \$150 million paid to Medicago and Mitsubishi by the Liberal government.

The concern that the Conservatives and, I believe—I will not speak for Madame Vignola—the Bloc share, because they did sign our letter of concern pursuant to Standing Order 106(4), is the fact that, when we read the redacted contracts that we've been provided with as a matter of public availability, what we don't see there is the reason why \$150 million was provided to Medicago. What we heard from the Minister of Health and the president of Medicago was that this was a requirement under the advance purchase agreements or something similar to that.

When you read the redacted contracts, very clearly that is not there. Therefore, the concern that we have is this: Is there a problem with the veracity of the testimony given before this committee by the minister and by the president of Medicago, or is the problem related to the fact that the unredacted copies of the contract, among other valuable items to which we at this committee have not been

privy, may potentially shine light onto this very serious loss of \$150 million?

With that being said, we thought it important, on an urgent basis, to get everybody back. We all know the story of what has gone on here. Medicago had a partnership with Philip Morris International. Because of the WHO's framework on tobacco that was also signed by Canada, the WHO rejected the vaccine created by Medicago because, of course, Philip Morris International was one of the partners associated with the development program.

The difficulty that happened thereafter is not only that the federal government provide Medicago with \$173 million in start-up costs, but that when Medicago closed, 600 jobs were lost in Quebec. The WHO rejected the vaccine, which Canada really wanted to give to the COVAX program, which is an entirely different story. Canada was the only developed country that took vaccines from the COVAX program because of our slow start with respect to getting domestically produced vaccines.

Therefore, what we were left with was the fact that, indeed, no vaccines were produced by Medicago in spite of the fact that multiple millions of dollars were provided to that company by the Trudeau Liberals in conjunction, perhaps, with their NDP partners. That being said, we do know very clearly that no vaccines were delivered, and Canadians were then on the hook for the full bill with nothing to show for it.

Thereafter, of course, Medicago closed its operations. Strangely enough, what happened then was that suddenly, in a very thick tome put out by public accounts, we saw a curious heading called "Losses of public money due to an offence, illegal act or accident". In a four-inch tome, three-quarters of the way down, this \$150 million was buried without any explanation. Because of that, we brought the president of Medicago and the Minister of Health to the committee, which sadly did not shed any light on the particular problem. That, of course, sent us home to review the contracts and to try desperately to understand why another \$150 million was paid.

• (1105)

When the president of Medicago appeared at committee, he also stated very clearly that his company owned the building, owned the machinery inside and owned the intellectual property. Some of those things have changed since. That being said, that was his contention last spring. Here we are now, having the taxpayers of Canada on the hook for over \$300 million.

I'll be perfectly transparent here. There is an unverified story that says that the parent company of Medicago, Mitsubishi—a multi-billion dollar, multinational company—paid \$40 million back to the Government of Canada. Once again, it becomes unclear why that happened.

What we're asking for here on behalf of the taxpayers of Canada is clarity so that they can understand why their hard-earned tax dollars, in a fiscal environment that has seen inflation soar to 40-year highs, a fiscal environment in which we see them being \$200 away from insolvency every month and a fiscal environment that sees mortgage costs having doubled and rent having doubled.... They are unable to put food on their tables and a roof over their heads. Also, as we see in Alberta, they're barely able to keep the heat on.

Those are the reasons why we find it incredibly necessary to call an urgent meeting of the Standing Committee on Health to hold all of those people to account for the actions associated with this particular loss of \$300 million-plus of taxpayers' hard-earned money.

To that end, we have a motion to put forward to this committee. I'm happy to read it out. It's rather lengthy. I move:

That, pursuant to Standing Order 108(1)(a), this committee order the production of unredacted copies of the vaccine supply contract between the Government of Canada and Medicago Inc. dated November 13, 2020, and, the committee order the production of all contracts between Medicago Inc. and the Department of Innovation, Science and Industry, under the Strategic Innovation Fund regarding the development of the COVID vaccines and the capital investment in Medicago's manufacturing plant, and the committee order the production of all contracts between the Government of Canada, Medicago and the Aramis regarding the transfer of ownership of the former Medicago plant and the transfer of the intellectual property of Medicago's COVID vaccine, further, the committee agrees to a study, of at least six meetings, to examine these contracts, and that the following witnesses be invited:

- (a) Mark Holland, Minister of Health;
- (b) François-Philippe Champagne, Minister of Innovation, Science, and Industry;
- (c) Assistant to the Deputy Minister of the Strategic Innovation Fund, Department of Innovation, Science and Industry;
- (d) Officials from the Public Health Agency of Canada;
- (e) the President of Medicago;
- (f) the President of Aramis; and
- (g) any other witnesses deemed relevant by the committee;

and, that the standing committee prepare a report with its findings for the House.

I have that. I can email it to the clerk if that's helpful. It could then be distributed.

Those are the concerns. I've tried to be fairly concise in outlining them. I know we haven't been at committee for a while, so I thought it germane to bring forward those issues and to make sure that the millions of people watching understand clearly why we need an urgent meeting to discuss the loss of funds and the requirements that are moving forward to understand very clearly where the \$300 million went—with incredible transparency.

We ask this committee to consider this motion.

Chair, I will stop there. I apologize for not being there. I was on an airplane this morning. I sat on the airplane for an hour and then, I guess, they decided that I didn't need to be in Ottawa with you, Mr. Casey. I do apologize for not being there, but there was no flight out of Halifax to get me there.

• (1110)

With that, I will leave it. Please give me instruction if you would like me to email that to the clerk.

The Chair: First of all, I'm also sorry that you're not here, Dr. Ellis, but it's a real pleasure to see you on screen.

Feel free to send that to the clerk. I believe it would be in order for us to briefly suspend to allow people to have a look at it and determine their next steps. Next up on the speakers list is Mr. Perkins, and then it's Dr. Hanley. If we could, we'll just suspend for five to 10 minutes to make sure everybody has a copy of the motion in both official languages.

I will say this: Based on hearing the motion, Dr. Ellis, it is in order. I just want everybody to have a look at it. Then we can continue the debate with Mr. Perkins.

Mr. Rick Perkins (South Shore—St. Margarets, CPC): Mr. Chair, I think my office has just emailed it to the clerk for ease of distribution.

The Chair: Thank you, Mr. Perkins.

We stand suspended for 10 minutes.

• (1110)

(Pause)

• (1120)

The Chair: I call the meeting back to order.

Everyone has now received an email copy of the motion in both official languages.

We will proceed with the speakers list, beginning with Mr. Perkins.

Mr. Rick Perkins: Thank you, Mr. Chair.

Happy new year, everyone. It's good to see you all. I too intended to be there in person, but I had the same flight issues as Mr. Ellis.

I would like to begin with this, particularly for those who aren't following and are maybe not as familiar with the issue as members around the table are. In November 2020, the Liberal government of Canada signed, within five days, two contracts with a firm called Medicago, based in Quebec City. It was majority-owned by Mitsubishi Chemical, the largest company in Japan and the 43rd-largest company in the world, with minority owners Philip Morris, the tobacco giant. They signed two contracts from two different government departments.

The first contract was a contract from the industry department, known as ISED. Their minister, Minister Champagne, has the title of Minister of Innovation, Science and Industry. They signed a contract to develop a non-mRNA COVID vaccine. Part of that contract was also a contract to provide capital upgrades to the plants. Primarily, the money was to develop a vaccine that was not yet developed or invented. That contract at the time was worth more than \$220 million.

Five days later, the Liberal government of Canada signed another contract with Medicago to purchase the vaccine that had not yet been invented. That vaccine contract stated that the initial batch would be for 20 million doses, at a cost of approximately \$30 a dose or \$600 million, if the vaccine were invented and managed to get through all the approval processes.

Medicago did invent such a vaccine, made from a derivation of the tobacco plant. It received Health Canada approval in February 2022. By this time, the Government of Canada had purchased several hundred million doses already of alternative vaccines from other global providers. Shortly after that, in December 2023, Mitsubishi bought the entire company. About six weeks later, they shut Medicago down, putting more than 400 people in Quebec City out of work.

The president of Medicago appeared before this committee at the time and said, under questioning, that Medicago owned all the intellectual property that was paid for by the taxpayer to invent this vaccine. They were in “negotiations”, they said, as did Minister Champagne, when questioned about who owned the intellectual property that taxpayers had paid for and that the government had never received a vial of. While they contracted for 20 million doses, by the time it got Health Canada approval the government no longer, according to the Minister of Health's testimony before this committee before Christmas, needed that vaccine.

We have a situation here that may be confusing to people. Just shortly after the Minister of Health appeared before this committee, the government made an announcement, on December 8, on a settlement with Medicago. The settlement was that Medicago would pay back \$40 million of the \$220-million contract signed with the Minister of Industry.

That contract actually ended up being \$173 million, I think, spent out of the \$223 million. They were paying back \$40 million of that. The minister's press release says that was mainly to deal with the capital investments to renovate the facility in Quebec City. It wasn't about a payment supposedly to get back the intellectual property. They also announced in that, though, that Medicago was being generous. They were going to give the plant to a group of local managers, along with the vaccine intellectual property that Canadian taxpayers had paid for.

- (1125)

They were generous in saying that Canadian taxpayers paid for the development of that vaccine, so they were going to give it, for one dollar, to Aramis, a new company that would take over the assets of the plant and the intellectual property, made up principally of former employees of Medicago in Quebec City.

The big kicker in that announcement was that, in addition to all of that, the government was going to pay Mitsubishi Chemical, the largest company in Japan, \$150 million. The questions at the time were what that \$150 million was for, and whether it was a penalty because we didn't buy the actual 20 million doses of the vaccine.

Officials from the health department—Ms. Jeffrey and Minister Holland—when they were before the committee, called this \$150 million an “advance payment” out of the vaccine purchase contract. That's the term they used. In fact, the president of Medicago, who was before this committee shortly after that—I think it was the week after that—used the exact same term: \$150 million for an advance payment. The money is gone. It's a sunk cost. It was an advance payment for the purchase of the 20 million doses of the vaccine of which the government never received a single vial.

This contract—a public, redacted contract—was released to the public accounts committee. I've gone through that contract. The term “advance payment” is nowhere in that contract. There is no clause in that contract for an advance payment. What it does say, in the redacted version in article 8, is that payment will be made in accordance with the basis of the payment schedule in annex B.

When you go to annex B—it's an interesting annex to read—it says that payment gets received only when the delivery, and there's a delivery schedule, of the vaccine is actually in the hands of the Government of Canada. Then the cheque gets cashed. There is no discussion in this contract and no commitment for an advance payment—nothing.

Do you know what the kicker of that annex B is? It's article 4 of annex B, which is the right to reduce the quantities. It says that the Government of Canada, under 4(a), may give written notice to the contractor to reduce the number of doses ordered by Canada. Clearly, the Government of Canada went from 20 million to zero. Under 4(b) of that annex, the contract says that if Canada gives notice pursuant to (a) above, the contractor will have no claim for further payment—no claim.

We had the Minister of Health and officials, and we had the president of Medicago appear before this committee, saying that the \$150 million was a payment for a clause that does not exist. In fact, in the contract, it contradicts that and says that the Government of Canada owes no money if it reduces the payment.

What is the payment for? It's either, as the minister said in committee.... He never read the contract before he paid the \$150 million. He said, in response to my question, that he hadn't read the contract when he signed off on sending the largest company in Japan \$150 million. If it's not that—because he didn't read the contract and he swore it was an advance payment that was in here, and the president of the company said it was an advance payment—they both misled this committee. They misled a committee of Parliament.

Dr. Ellis's motion says that there is such contradiction here that we need to do a study and get to the bottom of this. We need the Minister of Industry to come to this committee and explain why he either paid out over \$173 million of taxpayer money to develop a vaccine that he didn't own and didn't put in the contract provisions, or have the smarts to put in the contract, that he owned. He also then may have been involved in a discussion—because he said publicly that he was in a discussion—with the company on the terms of repayment of this and the intellectual property. They came, clearly, to another deal that said that the government was going to give the company \$150 million of taxpayer money on a clause that doesn't exist in the purchase agreement.

We need to see the contracts from the strategic innovation fund that the Department of Industry signed and the contract to develop this vaccine. We need to see whether or not there is an advance payment in there. Obviously, there is no advance payment for a vaccine that didn't exist.

• (1130)

We need to recall the Minister of Health and the president of Medicago to explain why they claimed there was a clause in this contract for the purchase of a vaccine that does not exist, and why they didn't abide by the contract, which says the Government of Canada doesn't owe any money if no vaccines are ordered and we reduce the quantity.

What is it? It looks to me like the Government of Canada is one of two things. Either it's totally incompetent because no one ever read the contract and they just accepted it and wrote the cheques, or it actually paid for the intellectual property twice. It paid \$173 million to Mitsubishi to develop this vaccine and now it's paying another \$150 million for, apparently, technology we already own.

What's the basis for that \$150 million?

The only way we're going to get to the bottom of it is if the contracts under the SIF program that were signed by the industry minister are made public, if the unredacted version of this contract is made public and if the contracts signed between Medicago, Mitsubishi, Aramis and the Government of Canada in this December 2023 deal, which paid the \$150 million, are made public. We can then find out why taxpayers have paid over \$300 million for a vaccine that never produced a single, commercial vial for taxpayers in Canada.

This is a massive scandal. I don't believe it's a political scandal in the sense that I... There may be Liberals involved, but to me, it looks like a massive incompetence scandal on the part of these Liberals, yet again, who don't read the contracts they sign and don't read the payments of cheques of taxpayer money that they send to large, global companies.

This is outrageous to me. If this committee does not have a vote for the motion that's here, it's voting for a cover-up. It's voting to cover up the Liberal incompetence on pissing away \$300 million of taxpayer money when there was no contractual requirement to do so. It's incompetence, stupidity and government waste.

What's the reason? What's the reason that ministers came before this committee and claimed they were compelled to give that \$150-

million payment for a contract, a clause and a term that do not exist? Either they were intentionally misleading this committee, or it was sheer incompetence.

I can't believe that people would be so dumb as to give out \$150 million to the largest company in Japan without reading the contract and without verifying in the contract that it requires them to do so—which it does not.

I call on members to vote for MP Ellis's motion so that this committee can get to the bottom of this \$300-million scandal of this Liberal government.

Thank you.

• (1135)

The Chair: Thank you, Mr. Perkins.

We'll go to Dr. Hanley, please.

Mr. Brendan Hanley (Yukon, Lib.): Thank you.

Good morning to everyone.

I've certainly been waiting with bated breath to see why we are being called out of our constituency time two weeks before Parliament begins and what the urgency is behind this study. I'm not sure I'm any further enlightened now than I was, in light of the Medicago study that is actually still ongoing and still open, and also in light of the Standing Order 106(4)s that have been called in other committees. I think there are some tactics going on. Frankly, I'm quite worried about whether or not we will see progress in the studies that we as a committee have already committed to—chiefly, the women's health study and the opioid study that, as I understood, we had an agreement to pursue.

We are all for transparency. In that light, I do have some amendments to propose. I am not in favour of spending six meetings further on this when we have already had meetings on Medicago. It has already been before public accounts. If there is a desire to view contracts, then I think we can support that, but we're not in favour of further derailing the incredibly important studies we have on the docket waiting to go when we actually come back into session the week after next.

In that light, I would like to move an amendment, if you will indulge me. We will circulate this in English and French. The amendment would delete the words after “dated November 13, 2020” and add the following to the motion:

and that, when these documents are received by the clerk, they be available at the clerk's office for viewing by committee members only, for one week to be designated by the committee no later than 30 days following the receipt of the contracts, under the supervision of the clerk and that no personal mobile, electronic or recording devices of any kind be permitted in the room that week; and that no notes be taken out of the room.

To be clear, because I know this is a fairly substantial change, the motion would read as follows:

That, pursuant to Standing Order 108(1)(a), the committee order the production of unredacted copies of the vaccine supply contract between the Government of Canada and Medicago Inc. dated November 13, 2020, and that, when these documents are received by the clerk, they be available at the clerk's office...

It continues that it would be for committee members only, and so on.

That is the amendment I'm proposing. It has been sent to the clerk. Thank you.

• (1140)

The Chair: Thank you, Dr. Hanley.

Is it the will of the committee to suspend briefly to have a look at the amendment before continuing debate?

An hon. member: Yes.

Mr. Rick Perkins: Can I ask a point of order?

The Chair: Go ahead on your point of order, please, Mr. Perkins.

Mr. Rick Perkins: Mr. Hanley's amendment essentially guts my motion—or Dr. Ellis's motion, I should say—and totally changes the nature and intent of the motion. I'm not sure it's in order.

The Chair: Thank you.

I think it's a good idea for us to suspend, both for you to have a look at it and for me to take advice on Mr. Perkins' point of order.

Thank you.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): I have a point of order as well.

If you decide that the amendment is in order and we proceed with that, I just want to make sure that those who have their hands up to speak... There's no real way, when you're virtual, to reput your hand up. I just want to make sure we maintain the speaking order.

Thank you, sir.

The Chair: That would be my intention. After the suspension, if we are dealing with debate on the motion, the speaking order doesn't get cancelled or start over again.

We stand suspended.

• (1140)

(Pause)

• (1145)

The Chair: I call the meeting back to order.

After consulting with the clerk, I rule the amendment to be in order. Mr. Perkins makes a valid point that the scope of the motion is substantially reduced by the amendment. It isn't unusual for witness lists to be impacted by an amendment. The amendment continues to remain consistent with the spirit of the motion, which is the production of documents. I, therefore, rule it in order.

Next up on the speaking list—

Mr. Rick Perkins: Mr. Chair, I have a point of order.

While I respect the advice that you've been given, I don't agree with it. Dr. Ellis's motion talks about releasing these important contracts publicly and talks about making sure that all of the contracts are available and open so that we can expose this. The amendment says that we're going to keep it secret. That's the opposite of what the motion says. The motion is about open and transparent contracts. Putting the contracts in a situation where nobody except the committee members can see them, where we can't talk about them,

we can't do anything on their confidentiality and nobody in the public sees them, is actually the complete opposite of this motion.

I challenge the chair on your ruling.

• (1150)

The Chair: Thank you, Mr. Perkins.

There is a motion to challenge the ruling of the chair. That is not debatable, so we'll go straight to a vote.

The question for the committee is this: Shall the ruling of the chair be sustained?

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

The Chair: The amendment is in order. The debate is on the amendment, and Mr. Davies has the floor.

Mr. Don Davies (Vancouver Kingsway, NDP): Thank you, Mr. Chair.

Happy new year, everybody. I hope everybody had a chance for a restful and festive holiday season. I'm looking forward to joining you all in Ottawa as well.

I have a number of things to say.

First of all, when Mr. Ellis was talking about this 106(4), I think he made a reference to the Bloc signing the 106(4). The implication was that the NDP did not sign it. One thing that needs to be clarified for the record is that the NDP never saw this motion. We were not given an opportunity to sign it or not sign it.

Mr. Ellis sent a request for me to look at whether we would entertain a 106(4) motion on the BTNX data issue, not on Medicago. For anybody listening, it has to be clear that we were not invited to see this motion in advance or given a chance to support it or not.

Second, I want to say for the record that this is, once again, an opportunity for me to express my grave disappointment in both the Conservatives, frankly, and the government for opposing the NDP's motion moved at this committee to amend legislation that would have produced an independent public inquiry into all matters of the government's handling of the COVID pandemic under the Inquiries Act. Somewhat shamefully, I watched the Conservatives sit on their hands and abstain, which allowed for my motion to be defeated. We would have had legislation before the House right now that would be close to setting up such a commission, which would look not only at Medicago but at every vaccine contract.

When the Conservatives come to this committee and talk about transparency and disclosure, Canadians need to know that they prevented that very disclosure and transparency from happening, broadly speaking, on the COVID pandemic entirely. That is a contradiction that needs to be stated for the record.

The NDP's position on how the government handled the COVID pandemic and how it deal with health-related matters is that we have been pro-transparency from the very beginning. We believe that taxpayers have a right to know how their money is spent, and that parliamentarians have a duty to probe and hold the government accountable.

I remember Prime Minister Trudeau's statement when he was elected in 2015 that he believed in a government that was "open by default". I think that's a wise way to approach it. As a starting point, we should be very open and transparent even when hard and embarrassing information and mistakes are exposed—arguably, particularly when errors are made. It's important that we have an open airing in a democracy.

Having said that, I can appreciate as well, having sat through many debates on this.... I moved a motion in the last Parliament to have disclosure of all the vaccine contracts. To the Conservatives' credit at that time, with my colleague Michelle Rempel Garner and other Conservatives, we joined together to seek and obtain vaccine contracts.

Through that process, we were all made aware that totally unredacted contracts for commercial arrangements from the government are delicate matters. I can appreciate that there can be certain commercial sensitivities. An example is price. When you have commercial vendors dealing with the government and multiple competitors are competing, they probably don't want their internal pricing structure to necessarily be known by their competitors. I understand the need for some redaction.

I will say that I think that concept has been overrelied upon by this government, and that's been unfortunate. I think too many things have been held back under the guise that they're commercially sensitive when they really aren't, so we have to be careful to strike that balance.

Moving to this motion here, I have to agree with my colleague Dr. Hanley in that I fail to see the urgency in this. A 106(4) meeting is a particular type of vehicle that's used to upset the regular schedule that's been agreed upon. To me, as a responsible parliamentarian, it's used when an urgent matter of national importance requires our committee's attention.

• (1155)

I would point out that we do have an open Medicago study and that this motion could have been moved at any time during that or during our regular sittings. I don't really understand why we're here on a Friday during our constituency weeks, as Dr. Hanley mentioned, talking about getting a contract. The issue is done. The contracts are there. They're not going to change this week or a week or two from now. We're talking about contracts that were signed several years ago, so I don't see the urgency.

The other thing I wanted to mention is that I think there's a line to be drawn between health issues and procurement issues. When I read this motion.... I didn't get a chance to study it in detail obviously because we got it only this morning, but when I read the motion that was originally put before us and as amended, it is deeply delving into issues of procurement, intellectual property and financial transactions. We are the health committee. There is an industry committee. As has already been pointed out several times, the Medicago contract was sought and obtained at the public accounts committee, so we have multiple committees that are looking at this.

The question I have in my mind is whether this is a good use of our time as the health committee, particularly, as I will talk about in a moment, given the competing priorities, because we can't deal

with everything. We have to prioritize our issues. Is this motion to have Minister Champagne, who's not even the minister responsible to this committee, come before us as we delve into commercial transactions and fiscal issues around procurement, as important as they are...?

I will grant that to Mr. Perkins. I want to commend him for the deep dive he's done on this. He appears extremely knowledgeable about this. He's clearly read the contracts in great detail. It's not that they're not important. The issue is whether or not this committee, as the health committee, is the proper venue for that. I find myself being unpersuaded.

I want to talk about the competing priorities. We have a women's health study that's under way. That's never been studied by this committee. Fifty per cent of the Canadian population and all of the health issues that pertain to that 50% are currently the subject of this study. That would have to be postponed.

Second, we have the opioid overdose crisis. Quite rightly, we listened to several filibusters before Christmas by Conservatives who went on and on at length about how critical the opioid overdose crisis is and how massively important it was that we get to that right now, so much so that they moved and we agreed to disrupt the schedule of the women's health study by interjecting meetings of the opioid overdose study. By the way, I want to commend Dr. Hanley for moving it. It was his motion to put the opioid overdose crisis before this committee.

We have many other issues of momentous importance to health in this country, including indigenous health and including the fact that millions of Canadians can't see a family doctor. We have a nursing crisis. We have issues of all types. We have a diabetes crisis. We have many issues to talk about.

In my mind I'm thinking, do I want to devote six meetings to delving into the ministry of innovation's dealings with a foreign company on how they handled the fiscal arrangements and the transfer of intellectual property? I find myself saying that it doesn't meet my priorities, nor does it jibe with what I'm hearing from my constituents about what they want to see from their health care system.

Fiscal probity is important. Financial accountability is important. Nobody wants to see waste. I think the Conservative motion is very good at raising the importance of those issues, but public accounts is looking at this. The committee for industry and innovation can look at this as well. To me, I think that's the more appropriate place for it.

I find myself unclear as well about what exactly has not been disclosed, because the Medicago contract was disclosed in largely unredacted form, if not unredacted form. I think Dr. Hanley's motion, if I'm not mistaken and I may be, replicates the conditions that surrounded the disclosure of the Medicago vaccine contract at public accounts.

• (1200)

Mr. Perkins read some very pertinent, I think, sections of that contract that gave us the information we need. I mean, there's an issue, I suppose, of whether the answers given by the ministers and the president of Medicago are consistent with that or not, but that's not an issue of disclosure. That's an issue of, I guess, politics and satisfaction of answer. The information is there. It's revealed. Mr. Perkins was reading it, so I'm not quite clear what information remains unknown from the Medicago vaccine contract.

I also want to say that Mr. Perkins, in his last intervention, said something about the fact that the amendment made by Dr. Hanley isn't consistent with this, or that it somehow gags us. I don't read anything in Dr. Hanley's motion that says we can't speak about it. There's nothing in there that says that, after reading that contract, we can't come and speak publicly about it or raise it at this committee. The amendment says, "that, when these documents are received by the clerk, they be available at the clerk's office for viewing by committee members only, for one week to be designated by the committee no later than 30 days", and that it be "under the supervision of the clerk and that no personal mobile, electronic or recording devices of any kind be permitted in the room". That means you can't take pictures of it. You also can't take notes "out of the room". That just means you can read it and you can talk about it. You just can't take it.

I would assume that this is because we as committee members will be allowed, even under this amendment, to read the full and unredacted version of the contract and will be able to speak about it. What we don't want to do is disclose that, because we will be seeing, I would imagine, commercially sensitive information.

I just want to say for the record that it's an interesting point in history. If the time ever comes when there is a Conservative government, I will remember this day very clearly and make sure that any future Conservative government reveals full and unredacted versions of all the commercial contracts they have with all vendors with the federal government. We'll see if that happens. I did serve under majority and minority Conservative governments, and I can tell you that this was absolutely not the position of any Conservative government or Conservative member of Parliament that I ever saw. It was quite the opposite, actually.

I think the amendment is a measured amendment. It allows us to see the unredacted version of the contract, which I think is a good thing. It allows us then to see whether there's anything in the redacted versions that might cause us to want to schedule more time or recall a minister.

I want to say again, six meetings...? Nothing I've heard today would warrant devoting six meetings to this—that's the better part of a month in parliamentary calendar terms—when we don't even really know if the unredacted versions will indicate anything particularly profound or untoward. Maybe it will, but what I'd like to do is move in a measured fashion, read the contract and see the unredacted version. Then we can decide as a committee, if we want to, or individually, whether we think there's anything that is worth putting back before the committee to study.

Again, what I'll be looking for as well is whether or not I think this is more of an issue for finance or procurement or industry, or

whether it's a matter that ought to occupy the health committee's attention at this time, given the very pressing, urgent and frankly fatal issues facing many Canadians while we talk.

I'll conclude with this: Do Canadians want us to be getting on with the opioid study, where families right now have loved ones who are dying today—if I'm not mistaken about the number, seven people will die in Canada today from the opioid overdose crisis—or do they want us to be delving into the minutiae of an intellectual property transfer between several companies and the government when other committees are seized of the matter and are more properly mandated to deal with them?

• (1205)

I would rather deal with the matters of life and death, and health—pure health—that are before this committee, as opposed to grandstanding to try to embarrass the government in many different ways. I support the amendment, and I'll be voting in favour of it.

The Chair: Thank you, Mr. Davies.

[*Translation*]

Mr. Paul-Hus, you have the floor.

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Thank you, Mr. Chair.

It's sad to hear what my NDP colleague is saying. We don't know why the NDP is always trying to prevent the truth from coming out in any way possible. It's quite clear that this is about the government's management during a pandemic and the awarding of contracts. Yes, awarding contracts is generally the responsibility of a department, but it was Health Canada that ordered these vaccines, and the Department of Health was responsible for managing that money. So there is a connection with the Standing Committee on Health in that regard.

In addition, we always have a habit in Canada of managing in a vacuum, and no one is ever held accountable. We always end up passing the buck somewhere else. Billions of dollars are being spent and it always ends in a wild goose chase. We have an opportunity here to shed light on these events. I believe that my NDP colleague should support the position of the Conservatives and the Bloc Québécois so that we can find out more about this issue. Public funds have disappeared. As my colleague Mr. Perkins mentioned, this is not necessarily a scandal, but a matter of management incompetence. That's why we want to know more clearly what happened with this contract and the reasons why things are being hidden from us.

Now, we have to know where we're going. We discussed the amendment proposed by our Liberal colleague and the NDP has spoken. I'm trying to keep track of where we're going. I personally believe that this issue is extremely important. It's urgent that we get to the truth. As I said, I come from Quebec City, and this happened in Quebec City. I can say publicly that, initially, we were very pleased that Medicago had facilities and was developing vaccines here. However, the first scandal happened. After the government spent \$173 million, the Mitsubishi Chemical Group Corporation said it was all over and it was leaving. After that, we learned that another \$150 million had been paid out, but we didn't get any more details. We found out by happenstance when looking through the Public Accounts of Canada.

I think we're at the stage where we need to shed light on this matter in order to find out what happened and to understand why the money was paid where it was paid and why it's not being reimbursed, like it was in Quebec. The Government of Quebec granted advances and loans and said that they would be 100% paid back. Why did the Government of Quebec manage the money sent to Medicago effectively and why is the money being reimbursed, whereas in Canada we can't go any further and they always find ways to dodge the question and never answer it?

• (1210)

The Chair: Thank you, Mr. Paul-Hus.

[English]

Next is Dr. Powlowski, please.

Mr. Marcus Powlowski (Thunder Bay—Rainy River, Lib.): I think we want to get to the vote, but having said that, I'm sufficiently ticked off about this that I want a couple of minutes to speak about it.

Yes, this is an important matter. How the government spends public money is important, and that's why we're willing to vote with the opposition so we are able to look at the contract. So be it. Go ahead. However, to bring this forward as a Standing Order 106(4) motion, I think, is a real abuse of process. That's for something that's urgent.

These are contracts that are at least two years old. I remember, and those of us who sat on HESA throughout COVID will remember the fact that we had long discussions about the release of the contracts at that time. This is two years later. These are contracts that are already being made available to another committee, yet some Conservative, in the middle of the night, woke up with this brain wave, "Oh my God, what happened with those contracts that we haven't seen? Let's call back the HESA committee to discuss this right now."

Is that really more important than, for example, the opioid study? I'd be far happier to be sitting here and talking about the opioid crisis, which the Conservatives were talking about over the last number of weeks. With Don's number, the number six came up. The Government of Canada website states there are 22 deaths per day. Is that worthy of calling back HESA? No, it doesn't seem to be, not for the Conservatives. They'd rather bring up this issue of the contracts and procuring contracts because that's more urgent.

How about the women's study? How about the things that we studied, like recommendations on breast cancer screening? I don't know...thousands of women die every year in Canada from breast cancer. You would think that maybe that would be something we should urgently talk about, but no, that's not urgent either. What's urgent are these contracts that are two years old.

I think it's a real abuse of process that we're called back to discuss this. Is this more important? Should we put aside all those other things to study this for six sessions? No, it is absolutely not. You guys should be embarrassed for making this motion.

The Chair: Thank you, Dr. Powlowski.

Next is Ms. Atwin.

Mrs. Jenica Atwin (Fredericton, Lib.): I'll cede my time, Mr. Chair.

The Chair: Thank you, Ms. Atwin.

Ms. Gladu, go ahead, please.

Ms. Marilyn Gladu: Thank you, Mr. Chair.

First of all I want to clear up some of the misinformation and disinformation I've heard so far. The public accounts committee is not looking at this issue. It is seized with other issues. As I understand it, the industry committee is busy looking at the sustainable green fund scandal, the problems with Bill C-27—the privacy bill—and the Stellantis contract scandal, so it is also not looking at this.

I'm extremely concerned with the pattern of behaviour I see with medical contracts. We have this Medicago one, where clearly there were two contracts and there's been a \$150-million payment to Mitsubishi that isn't mentioned anywhere in anything that we've seen, so that's questionable. This is on top of things like the Frank Baylis "let's spend \$172 million to buy ventilators but never use them". Then, where do we get the money back or sell those ventilators to do something...? These kinds of things are happening all the time.

When the ministers come we always hear that they didn't read their emails and they weren't aware of the details of the contract. There are electronic bank records that go with every one of these transfers, so I don't accept that we can't get to the bottom of where this is.

I would also call... When the Liberals say they want to have transparency, but then they bring an amendment like what they've brought, which is to say, "Okay, you can come and look at it, but you can't take pictures of it and you can't record it." That puts us in the situation where, yes, we see it, and as Mr. Davies has correctly said, we can talk about it. However, as soon as we say, "Well, the contract said this, and this is a problem", then the NDP will line up, as they always do, with their Liberal partners and say, "No, it doesn't say that." Again, the public has no way of knowing what the truth is because there's no transparency at all.

I propose a subamendment to the amendment that's been made. The subamendment would take out some of the wording within the amendment. It would be "that, when these documents are received by the clerk, they be available to committee members no later than 30 days following the receipt of the contracts." That would be it.

I will mail that to the clerk so that he has it in both official languages.

• (1215)

The Chair: Thank you, Ms. Gladu.

For clarity...

Ms. Marilyn Gladu: It is a subamendment to the amendment.

The Chair: I understand. You're suggesting that we add, after the word "only", where in the second line it has "viewing by committee members only", the phrase "not later than 30 days". Is that right?

Ms. Marilyn Gladu: The subamendment would delete the phrase "at the clerk's office for viewing by". That would go away. Also, after "committee members only", we would delete "for one week to be designated by the committee". That would be deleted. It would keep in "no later than 30 days following the receipt of the contracts". Then the part that reads "under the supervision of the clerk and that no personal mobile, electronic or recording devices of any kind be permitted in the room that week; and that no notes be taken out of the room" will be deleted.

Basically, it ends up being, "that, when these documents are received by the clerk, they be available to committee members no later than 30 days following the receipt of the contracts."

The Chair: Thank you. That amendment is in order.

Do we need some time to see that, or are we ready to continue? Does anyone require a suspension to have a look at the wording?

Mr. Rick Perkins: I think we're good. Keep going.

Mr. Don Davies: Mr. Chair, I'd like a suspension for five minutes. I like the process of sending it to us in writing so that we have it all in front of us in writing.

Mr. Majid Jowhari (Richmond Hill, Lib.): I agree.

The Chair: I'm inclined to agree with Mr. Davies.

We're suspended for five minutes.

• (1215)

(Pause)

• (1220)

The Chair: I call the meeting back to order.

[Translation]

Mrs. Vignola, you have the floor on the subamendment.

Mrs. Julie Vignola (Beauport—Limoilou, BQ): Thank you very much, Mr. Chair.

The Bloc Québécois signed the letter requesting a meeting pursuant to Standing Order 106(4), but we weren't aware of the notice of motion introduced pursuant to Standing Order 108(1).

The \$150 million that was given to Medicago is under quite a mysterious heading in the Public Accounts of Canada. When I myself asked a question about this at a previous meeting, I was told that it was considered an accident. My questions are somewhat similar to those of all my colleagues, because we need to get answers. Is the Standing Committee on Health the best place to get those answers? That's a good question.

I will digress for a moment to talk about women's health. There are 700 diseases affecting women that are misdiagnosed because there have been no or few studies on women's morphology and women's health. I have family members right now who are fighting breast cancer. I think it would be worthwhile to know the source of this cancer and how to better prevent it. You have to have a doctor first, and I don't have one. I'm not the only one in society who has that problem.

Let's go back to Medicago. There are questions about the circumstances, the guarantees and the process that was followed. Why was that process used? If Mitsubishi had not abandoned Medicago, would we be talking about it now, or would we simply accept the fact that investments were made to increase Canada's vaccine procurement capacity? I don't have the answer to that. Did Canada take a risk that it shouldn't have taken? I don't have the answer to that. Did the fact that Canada is sometimes asked to show more flexibility than a private company lead us to want to conduct this study? I don't have the answer to that.

What was the \$150 million used for? Research and development costs a fortune. Was that money used for that? Was the \$150 million used, for example, to try to speed up the construction of the production plant that was planned in Quebec City? I don't have the answer to that. It's the least we can do to get answers about what was done with the money that taxpayers entrusted to the government.

As far as the amendment and the subamendment are concerned, it always bothers me to hear that we can consult documents, but not talk about them. It's all well and good to have the truth, but if we can't reveal it, we can't reassure taxpayers, which is always of great concern to me. Whether the truth is good or bad, whether everyone likes it or not, is another debate. It's important to me that taxpayers know what is being done with their money, these taxes that we also pay.

So a lot of questions need to be answered. Is the Standing Committee on Health the best committee to do that? Since we've been talking from the outset about revelations in the Public Accounts of Canada, should the motion be referred to the Standing Committee on Public Accounts? Do we need to think about our own procedures as well? I'm throwing all these questions out and thinking out loud, without any filters.

Mr. Chair, if the amendment were to pass, would it necessarily mean that members would not be allowed to discuss what they read in public?

• (1225)

The Chair: Thank you, Mrs. Vignola.

[English]

Mr. Majumdar, go ahead, please.

Mr. Shivaloy Majumdar (Calgary Heritage, CPC): Thank you.

You know, I was listening to our NDP and Liberal colleagues talk about being inconvenienced by being brought before this committee to explain how \$150 million of lost money through pure government incompetence is not, somehow, a priority for my constituents. They're telling me this is important. They're drowning under a cost-of-living tsunami and a mortgage meltdown coming their way at the speed of a freight train, and this government, this coalition, is not interested in revealing the transparent facts around their incompetence of over \$150 million.

The carbon tax has been making life absolutely intolerable. I'm in Calgary. You have all seen the weather we have to deal with here, so don't tell me and lecture me about why this is not a priority for my constituents.

I wanted to respond very clearly to some of the pablum I was hearing from some of our colleagues around the table.

I think it's important to proceed to a vote. I defer my time to Dr. Ellis.

The Chair: That's fortunate because the next person on the speakers list is, in fact, Dr. Ellis.

You have the floor, sir.

Mr. Stephen Ellis: Thanks very much, Chair.

Can you just refresh the committee's mind here on whether there more speakers after me, sir?

The Chair: I have Mr. Perkins, who's followed by Mr. Davies, and that is the complete speakers list at this time.

Mr. Stephen Ellis: Great. Thank you very much.

You know, it's interesting... We have a country that's falling apart. We have a health care system that is crumbling before our eyes. As mentioned, there are 22 people dying every day from opioids. Therefore, bringing a motion forward with respect to \$150 million at the health committee, which directly assesses the veracity of testimony given by the Minister of Health and the president of Medicago to the health committee, makes perfect sense. What better time to do it than when Dr. Powlowski didn't want his vacation

or his time with his constituents interrupted, nor did Mr. Davies? That really makes no sense to me.

We're here to work on behalf of Canadians, and as Mr. Majumdar correctly pointed out, so many Canadians are reaching out to us. Listen, I'm sure they're reaching out to you guys and gals as well, whether you want to admit it or not, saying that they are being crushed by the fiscal irresponsibility of this government.

I find it laughable that Mr. Davies said that we didn't ask them to sign the 106(4), when he wouldn't sign a Standing Order 106(4) that was directly related to a loss of \$2 billion more because a company lied and Health Canada knew about it but accepted it as being true and moved forward anyway. Why would I ask him to sign the letter when he won't even sign one for \$2 billion? He won't sign one for \$150 million. That results, of course, in the way he votes to gut this incredible motion for transparency that was before committee here today, which Dr. Hanley correctly said in his opening remarks.... He talked very clearly about transparency and then introduced an amendment to gut the transparency. Wow—talk about hypocrisy.

Anyway, do you know what? That being said, we know there are an innumerable number of scandals. There aren't enough committees to handle all the scandals this Liberal-NDP coalition government is creating. Of course, there are not enough committees to attempt to address the fiscal incompetence that continues.

Therefore, I'm quite happy to get to a vote so that we can ask everyone here where their cards are going to be laid and what side of history they are going to choose to be on: Will it be that of competence and good fiscal management, or are they going to continue to be the costly cover-up coalition? That's the question that will be answered here today.

• (1230)

The Chair: Thank you, Dr. Ellis.

Mr. Perkins, go ahead, please.

Mr. Rick Perkins: I'll be unusually brief.

It's a simple question. I believe the Minister of Health and the president of Medicago lied to this committee about the \$150-million payment and about a clause they claim existed but doesn't exist. This committee has the responsibility to call them back and call them out on their misrepresentation to Parliament.

The Chair: Go ahead, Mr. Davies.

Mr. Don Davies: In the spirit of trying to get to the vote—I can sense we want to move forward, and I think that's a good thing—I have a couple of brief comments.

One of the problems with the subamendment by Ms. Gladu is that there would be no controls whatsoever on confidentiality, and I'm a bit concerned by that. I haven't read the whole contract, but again, when you have a commercial vendor that is tendering with the government, I think there needs to be at least some examination or possibility of ensuring that the contract isn't just floated out in public without any controls on it. I don't see those controls in the subamendment.

The issue is, as well.... I'm going to repeat again that, in my reading of this motion—and I think Madame Vignola asked this question without an answer—we can speak about it. We can share it. We just can't reproduce it. I think that's a measured step.

I would also say to my colleagues that this isn't the end of the matter. Once we read the contract, it's open, for any member of the committee who has concerns about what they see in the unredacted version, to put forth another motion if they want. Maybe the time will come when a deeper dive will have to happen. I'm just not necessarily convinced that's happened yet.

To the notion of whether this is a priority or urgent, nobody's saying that this issue isn't important or it's not even a priority. The question, I think—and I agree with Dr. Powlowski—is whether or not this was urgent. I don't think anybody can make a credible case that here, on Friday, January 19, this issue is urgent to deal with, given the context. We can debate how much of a priority it is, but I will still stand with the 20 people dying each day and the opioid overdose crisis being a bigger priority than the nuances of this contract, as important as they may be.

Finally, I want to say that my issue with Dr. Ellis.... I didn't know clairvoyance was part of his medical skills, such as to anticipate what I would or wouldn't agree to. Interestingly, when he asked me to consider a 106(4) on the other issue of \$2 billion—which, by the way, has not been established yet—my only issue was that I didn't think it was urgent. I didn't think it warranted our meeting today to discuss that. I may support it in the future or not. I don't know about his mind-reading skills, but interestingly, if his argument is that he wouldn't have the courtesy to show me this motion in advance because I didn't vote or didn't support one much larger, one might ask the question, why didn't he introduce the motion that he said he would on the much larger issue? If there's a \$2-billion scandal, why didn't he introduce a 106(4) on the \$2-billion scandal, not the \$150-million scandal? The logic there is as distorted as can be.

Anyway, I'm happy to just go to a vote on this. I think this is an important issue. I think it warrants further investigation. I'm happy to support transparency. I'm happy to support all committee members to see the unredacted version of this contract, and I'm happy to see where it goes from there. I think the attempt by the Conservatives to frame this as, if you don't support their motion with all of the issues involved—like the six meetings and involving the industry minister in all this—somehow you don't support transparency and accountability, is simply wrong. I think this is a measured step towards more transparency, and I'm prepared to support it.

• (1235)

The Chair: Thank you, Mr. Davies.

That exhausts the speakers list on the subamendment, so unless there are any other interventions we're now going to proceed with the question on the subamendment.

I just want to be crystal clear on exactly what the subamendment is. The clerk is now revising the last email that was sent out, because it included a reference to the office of the clerk, which I don't think is what Ms. Gladu moved. My understanding of the subamendment is that it would delete, after the word “available”, the words “at the clerk's office for viewing by committee members only, for one week to be designated by the committee”, and would delete, after the word “contracts”, the words “under the supervision of the clerk and that no personal mobile, electronic or recording devices of any kind be permitted in the room that week; and that no notices be taken out of the room.”

What we would be left with after the subamendment is the following, “that, when these documents are received by the clerk, they be available no later than 30 days following the receipt of the contracts.”

Ms. Marilyn Gladu: I have a point of order.

It's very close but not quite. It is, “that, when these documents are received by the clerk, they be available to committee members no later than 30 days following the receipt of the contracts.”

The Chair: Is everyone clear on the wording of the subamendment? Is the word “only” to be included in the subamendment? The word “only” is there now. Does that remain? Is it “viewing by committee members only”, yes or no?

Ms. Marilyn Gladu: There's no “only”. It's so it could be viewed.

The Chair: That word should be removed as well. That's part of the subamendment.

Ms. Marilyn Gladu: Yes. That's correct.

The Chair: Is everyone clear on the wording of the subamendment, or do you want to see...? Do you want another email with the wording that we've just discussed?

It's actually being sent as we speak.

Are we ready for the question?

• (1240)

Ms. Marilyn Gladu: Yes, I think we should call the question.

The Chair: I see nodding heads.

The question is on the subamendment. All those in favour of the subamendment, please raise your hands.

Mr. Stephen Ellis: Chair, given the confusion I think we should have a recorded division.

The Chair: We will have a recorded division.

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

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

(Motion as amended agreed to: yeas 6; nays 5 [*See Minutes of Proceedings*])

The Chair: Is there any further business?

I see Dr. Hanley.

Mr. Brendan Hanley: I move to adjourn the meeting.

The Chair: Is it the will of the committee to adjourn the meeting?

(Motion agreed to)

The Chair: Thanks, everyone. We'll see you in 10 days' time.

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