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# Standing Committee on Government Operations and Estimates

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Chair: Mr. Kelly McCauley





## Standing Committee on Government Operations and Estimates

Monday, December 4, 2023

• (1835)

[English]

**The Chair (Mr. Kelly McCauley (Edmonton West, CPC)):** I call this meeting to order.

Welcome to meeting number 93 of the House of Commons Standing Committee on Government Operations and Estimates. Pursuant to Standing Order 106(4), the committee is meeting to resume consideration of requests for contracts between the federal government and electric vehicle battery manufacturing companies.

I will remind you not to put your earpieces next to the microphones. This causes feedback and potential injury to our valued translators.

When the meeting was adjourned on Friday, we were debating an amendment moved by Mr. Sousa. We are resuming debate on the amendment.

I see already that Mr. Masse has his hand up.

**Mr. Brian Masse (Windsor West, NDP):** I'm waiting for translation, Mr. Chair, so maybe take me off the list for now. I have something coming, but the translation is not ready. Maybe you could go to the next speaker.

**The Chair:** Sure.

**Mr. Brian Masse:** Thank you, Mr. Chair.

**The Chair:** Mr. Kusmierczyk, before I go to you, we will recognize and say hello to Ms. Shanahan, one of our OGGO alumni.

Welcome back. We'll move away from you now and go back to Mr. Kusmierczyk.

Mr. Kusmierczyk.

**Mr. Irek Kusmierczyk (Windsor—Tecumseh, Lib.):** Thank you, Mr. Chair.

I'm delighted to be here with our committee mates. I welcome some of the new members to this illustrious committee, the mighty OGGO. I'm sure we're going to have an interesting, enlightening and illuminating discussion. Two out of the three would be good. It's a friendly discussion, I would say. That's really important.

Nonetheless, this is an obviously important issue. The stakes here are significant. That's why we're having discussions that, at times, can be a little heated. This is serious business we're talking about here, and there is a lot on the line. I think that's why, again, these discussions are sometimes difficult. The debates are sometimes difficult. At the same time, that's the reason we've been meeting on these issues for many hours last week as well as this week. I

believe we have a six-hour meeting scheduled this evening. We know this is a serious issue in which all sides are taking a great interest.

I want to pick up on some of the commentary from last week. The importance, really, of what is at the heart of this debate that we're having here today is balance. That is really what this issue and debate is about. It's balance, and what we are trying to balance. We are trying to balance, on the one hand, the sharing of as much information as we can with Canadians to live up to that standard of being an open government with, at the same time, ultimately protecting the interests of Canada.

I know my colleague from Windsor West had a chance, just as I did, to serve as a city councillor on Windsor's city council. He served there for many years. He left a legacy there. He was in many ways a pioneer. He blazed the trail for those who came after him, including me, for which I am grateful.

I know that, as city councillors, we all had to find a balance between those two polarities of transparency, and at the same time protect the interests of the country. In that case, they were the interests of the municipality.

When you look at the city of Windsor and you look at most municipalities in Ontario... I believe there was a study that was done. Every year statistics are published. Most municipalities in Ontario meet in camera probably 20% of the time. That's what the statistics normally say. Those are confidential meetings. Those are meetings that are carried out behind closed doors. Decisions are made by the mayor and city council.

As city councillors we had numerous important meetings that dealt with sensitive issues. Again, about 20% of our time was spent in camera. Some of those issues were sensitive. For example, when we had an economic development partnership, a deal or an agreement, some of that information was not made public. Some of that information was kept in camera.

City council also went in camera for even minor issues. I was sitting in camera when a parking lot was being transferred. Ownership was being transferred of a parking lot worth less than \$100,000. We met in camera to discuss the disinvestment and dispossession of that parking lot. It underscores and highlights that, again, like I said, we discussed a spectrum of issues in camera at city council.

• (1840)

Surely a lot of those issues are quite minor compared to what we're talking about here—what's at stake here—which is a \$6-billion investment in my community in Windsor. It's 2,500 well-paying jobs for local, Canadian, unionized workers. There's a lot at stake here. It underscores why we're being so careful and cautious with this discussion as we try to find that balance and to strike that balance.

When you look at city councils, even, that are dealing with a whole panoply of issues of various importance, significance and sensitivity, there's a municipal act that governs what is a justifiable basis for a closed meeting.

I want to read a little bit here from a company's website that deals with open government and the Municipal Act and closed meetings at the municipal level. The article from Nelligan Law states:

While municipalities are legally required to ensure their meetings are open to the public, there is provision in the Municipal Act 2001 for certain forums to be private. However, municipalities must assess very carefully whether the limited exceptions to go "in camera" apply.

That's really important when you're looking at that. To read what some of those types of issues are—

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** I have a point of order, Chair. This is obviously irrelevant.

• (1845)

**The Chair:** Will you get to the amendment eventually, Mr. Kusmierczyk?

**Mr. Irek Kusmierczyk:** Absolutely. I think that's what our goal is, but what I'm trying to establish here is that, even at the municipal level, there is an understanding that you have to balance transparency and accountability, again, with protecting the interests, whether it's the corporation, the City of Windsor or Canada, the country of Canada. I think it's really important for us to understand that, because it's a part of the discussion that I think has been left out.

If you look at the Ontario.ca website, the Government of Ontario website, you see a subheading titled "Balancing transparency and confidentiality". This is provincial. It says there:

As discussed previously in this chapter, it is a good practice to conduct business in a transparent and accountable manner and that municipal meetings be open to the public, subject to certain exceptions.

In other words, municipalities are encouraged to consider openness and transparency to be appropriate in most circumstances, including when making decisions about whether or not to close a meeting.

Then it goes on to say, and this is important:

There will be times, however, in the course of business where information should, or even must, be kept confidential.

Here you have the Province of Ontario, the provincial government, talking about the need to balance those two competing interests.

Then it goes on to say, under the headline "Closing a meeting":

A meeting or part of a meeting may be closed to the public if the subject matter being considered is....

It actually spells out what the issues are that are grounds for closed meetings or confidentiality. The first one is "the security of the property of the municipality or local board". The second one is "personal matters about an identifiable individual, including municipal or local board employees".

I would say that one of the concerns of looking at these contracts of these companies is that we want to make sure we're protecting certain sensitive information on "personal matters about an identifiable individual". I think we have to be very careful to safeguard that important information.

It goes on to list "a proposed or pending acquisition or disposition of land by the municipality or local board". A couple of things are pertinent here. It's what I mentioned before. Even for something as small as a parking lot worth \$50,000, the city would go in camera to discuss it, even on an issue as seemingly trivial as the disposition of a \$50,000 parking lot. Again, there are grounds and justification in the Municipal Act of Ontario for exactly that.

When you're talking about this agreement with the contract, you have to also be aware that the City of Windsor is very much a partner to this agreement with Stellantis and LG. The City of Windsor and my council colleagues there, past and present, made a very bold move when the City of Windsor decided to put significant resources into the deal and the agreement. The City of Windsor is absolutely a player in this. They are the ones that assembled the land.

It needs to be emphasized that it was the City of Windsor that assembled the land for that battery plant. They absolutely are a partner to this agreement, so we have to be careful also to make sure that, in that contract, there is not information that not only would in any way be injurious obviously to NextStar or to workers, but that also would in any way disclose information that is sensitive information that the City of Windsor might consider important as well.

Those are the things we have to look at.

The Government of Ontario goes on to say that other grounds for confidential meetings are "labour relations or employee negotiations". Again, that is something that is important too.

• (1850)

Another point is "litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board". Next is "advice that is subject to solicitor-client privilege, including—

**Mr. Garnett Genuis:** I have a point of order, Mr. Chair.

**Mr. Irek Kusmierczyk:** —communications necessary for that purpose".

**The Chair:** We have a point of order, Mr. Kusmierczyk.

Mr. Genuis, go ahead.

**Mr. Garnett Genuis:** The member is reading out policies for municipalities around what information can be discussed in camera and has done that for some time.

What we're debating at this committee is making public the contracts this government has signed—contracts worth over \$40 billion. The public deserves to see that information. His long trek down memory lane is obviously in no way relevant to what we're supposed to be talking about.

**The Chair:** Thanks, Mr. Genuis.

**Mr. Ryan Turnbull (Whitby, Lib.):** I have a point of order, Mr. Chair.

I would say that the member seems to be making a cogent argument about the balance of confidentiality and transparency. It seems to me to be highly relevant to the debate at hand.

**The Chair:** Thanks, Mr. Turnbull.

Mr. Kusmierczyk, did you want to speak for yourself, or continue with Mr. Turnbull?

**Mr. Irek Kusmierczyk:** No, I support my line of argument—

**The Chair:** I understand what you're getting at. I would ask that you please come back to the amendment, at least notionally.

Thanks.

**Mr. Irek Kusmierczyk:** For sure.

Again, just to continue on, because I think it is important to highlight again, as my colleague mentioned, that there is a balance we're trying to strike here. I'm trying to utilize the provincial government and also the municipal government—the other two levels of government—to highlight the fact that, even in their worlds, in their operations, in their work, clearly there are circumstances where information is not made public to protect the interests of the organization, to protect the interests of residents or to protect the interests of...whether it's the province, the municipality or, in our case, the interests of Canadians.

Not only is there a philosophical or cultural understanding that there is that balance, which really has been around for hundreds of years—this is not something that is new; the Municipal Act has developed over time—but there is a framework. I think that's what I'm trying to point to, that this isn't something that is simply a part of our culture or values. It certainly is part of our culture and part of our values as Canadians to make that balance and be pragmatic, but what I'm trying to underscore here is that there is also a structure. There is actually a policy structure around the balancing of confidentiality and transparency, which is, again, at the heart of why we're here. It's why we're debating this. We're trying to get this balance absolutely correct. Again, it's important to highlight for Canadians that there is an absolute precedent from the provincial and the municipal level.

Here's another example that I wanted to highlight. Again, if you go down the list of the Province of Ontario, what information can be kept confidential? It says here, "information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them".

Even when information is being shared by a third party, whether it's another government or whether it's another organization, in confidence, there are mechanisms in place and there is an expectation in place. There are mechanisms in place and expectations in place that the information will remain confidential.

It goes on, and this is the really important one. This is the one that I really wanted to highlight because I think it really gets to the heart of the issue. Again, this is on the Province of Ontario's website. It says meetings can go in camera, can be confidential, under the following circumstances:

a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization....

That encapsulates, perfectly, what is at stake here and why, on this side of the table, we feel it is important to speak up and stand up for the interests of Canada, again, because there is so much at stake. I want to read it again, because I think it's important.

a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization....

I have one last point here because I think this one is even more important. It's shorter. It's only two sentences but I think it's really important. It says, "a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value".

● (1855)

This is very important, because, again, even in a provincial government, you have not only a culture of confidentiality—which appears in the way the government governs itself—but also the structure, legislation and policy around it, meaning that it's very purposeful. It's not happenstance. It's purposeful.

Mr. Chair, I know I have regaled you with this information. I hope that, one day, you're on *Jeopardy!* and this helps you answer the Final Jeopardy! question.

With that, I will yield the rest of my time to my colleague Brenda Shanahan.

**The Chair:** I'm afraid you don't have that right. Mrs. Atwin is next.

Actually, it's Mr. Bains and then Mrs. Atwin in the speaking order.

**Mr. Parm Bains (Steveston—Richmond East, Lib.):** I'll strike my name, Mr. Chair.

**The Chair:** Okay.

Mrs. Atwin, we were promised something interesting. I hope you can provide that where Mr. Kusmierczyk didn't.

**Some hon. members:** Oh, oh!

**The Chair:** I have Mrs. Atwin, then Mr. Masse and then Mrs. Shanahan.

**Mrs. Jenica Atwin (Fredericton, Lib.):** Thank you, Mr. Chair.

I'll yield my time as well.

Thank you.

**The Chair:** I'm sensing where we're going here.

Mr. Masse, will you also yield your time to Mrs. Shanahan?

**Mr. Brian Masse:** Yes.

Thank you, Mr. Chair. As usual, you are ahead of the game.

**The Chair:** It's like I have a crystal ball or something.

Mrs. Shanahan, welcome back to OGGO. It's up to you.

**Mrs. Brenda Shanahan (Châteauguay—Lacolle, Lib.):** Thank you very much, Mr. Chair.

I see that everyone is waiting with bated breath for what I now have to say.

It's a pleasure for me to say to the committee that I would like to withdraw the amendment that is currently under discussion.

I think the chair may need to ask for unanimous consent to do so.

**The Chair:** There are a couple of things.

Mrs. Shanahan is subbing in for Mr. Sousa, whose amendment this is. She is asking for UC to withdraw the amendment.

Do we have consent to withdraw the amendment?

**Mr. Garnett Genuis:** Mr. Chair, why don't we just vote on the amendment?

**The Chair:** I will ask one last time.

If you wish not to, just say no.

**An hon. member:** No.

**The Chair:** Now we can continue with the amendment, or we can just have a quick vote. I think I know where we're going on this.

Are we prepared to vote on the original amendment?

**Mr. Rick Perkins (South Shore—St. Margarets, CPC):** I want to chat a bit about this amendment.

**The Chair:** Actually, we have started the vote, Mr. Perkins.

**Mr. Rick Perkins:** Have you started the vote, Mr. Chair?

**The Chair:** I just said we're going to the vote.

**Mr. Rick Perkins:** You just said it, but—

**The Chair:** Colleagues, if someone wishes to say a point of order or something else, please speak up then, not after the fact. It puts me in a difficult position.

[*Translation*]

**Mrs. Julie Vignola (Beauport—Limoilou, BQ):** Mr. Chair, I know the vote has been called, but I'd like to know whether we're voting on the withdrawal of the amendment or on the amendment itself.

• (1900)

**The Clerk of the Committee (Ms. Aimée Belmore):** The vote is on Mr. Sousa's amendment.

[*English*]

**Mr. Rick Perkins:** I have a point of order.

I thought you said we'll go to a vote unless someone else wants to speak.

**The Chair:** It seemed pretty clear that we were going to a vote, Mr. Perkins, but I understand.

**The Clerk:** Let me be clear. This is not to withdraw the amendment. The vote is on Mr. Sousa's amendment to the main motion.

It is five nays and five yeas.

**The Chair:** I vote no.

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

**The Chair:** We are now back to the original motion. There is no speaking list. Can we vote on the original motion?

(Motion as amended negated: nays 6; yeas 4 [*See Minutes of Proceedings*])

**The Chair:** Go ahead, Mr. Masse.

**Mr. Brian Masse:** Thank you, Mr. Chair.

I have a new motion I'd like to table now. I know it's being circulated electronically. I hope it's getting through. I can read the motion in and start from there, but I'll leave myself in your hands.

**The Chair:** Please read it in...slowly.

**Mr. Brian Masse:** Yes. Some of this is familiar, but there are some parts, which were appropriately pointed out by you, Mr. Chair, that made it very awkward to do a subamendment to the motion. We've accommodated the changes. I move:

That, an order do issue for the production of copies of any contract, memorandum of understanding, or any other agreement between the Ministers and departments directly related to the implementation of the contracts agreements including, but not limited to, all provisions relating to the hiring or use of foreign workers and concerning language requirements and language of work, and

(a) Stellantis N.V., LG Energy Solutions, Ltd., NextStar Energy Inc. or Volta Energy Solutions Canada Inc., related to the construction of an electric vehicle battery facility in Windsor, Ontario—

There is a whole list of them here.

• (1905)

**Mr. Garnett Genuis:** I have a point of order, Chair.

The NDP members had long said they supported transparency for this contract. They just flip-flopped and voted—

**Mr. Irek Kusmierczyk:** Mr. Chair, that's not a point of order.

**Mr. Garnett Genuis:** Let me finish—

**The Chair:** I'll decide, but thanks for the advice from the sidelines.

**Mr. Garnett Genuis:** You've talked a lot here, Mr. Kusmierczyk.

**Mr. Irek Kusmierczyk:** It's not a point of order.

**Mr. Garnett Genuis:** The NDP members have just completely contorted and flipped themselves over to vote with the government to bury these contracts. Now, they're proposing, apparently, a new motion, which is to try to save face in the midst of this cover-up.

We don't have copies—

**Mr. Irek Kusmierczyk:** Mr. Chair, this is not a point of order. It's not appropriate, Mr. Chair.

**Mr. Garnett Genuis:** —of that motion. The member is saying he's reading it out, but he's very clearly not starting from the beginning.

**Mr. Irek Kusmierczyk:** Mr. Chair, my colleague will... Mr. Chair. I have a point of order.

**Mr. Garnett Genuis:** This is a—

**The Chair:** Let me interrupt for just one moment, Mr. Genuis.

Mr. Kusmierczyk—

**Mr. Irek Kusmierczyk:** This is clear. This is black and white.

**The Chair:** —let him finish and then you can speak.

I'm going to follow up on another issue on this.

**Mr. Irek Kusmierczyk:** After the amendment, he will have the time to argue whether he is for or against it. This is not the time, Mr. Chair. It's a point of order.

**The Chair:** Get to the point, Mr. Genuis. Then, I'm going to—

**Mr. Garnett Genuis:** Mr. Chair, I'm very familiar with the rules. I would like to know what this motion is. We have not received a copy of it. He's—

**Mr. Irek Kusmierczyk:** On a point of order, Mr. Chair, he's reading the motion—

**Mr. Garnett Genuis:** Can you respect the chair, Mr. Kusmierczyk? I've been recognized and you haven't.

**The Chair:** Mr. Kusmierczyk, let him finish his point of order. Then I will chime in on the issue and we can continue.

**Mr. Garnett Genuis:** You can read out municipal policies that have nothing to do with this some other time, but—

**The Chair:** Please, Mr. Genuis, can you return to the point?

**Mr. Garnett Genuis:** Yes, Chair.

Mr. Masse was very clearly not reading from the beginning of the motion. We need the full text of the motion, ideally in writing. He's provided no notice of it. He's not obliged to do that, but we need to be able to have the full text of the motion.

The NDP members just defeated our call for transparency for the disclosure of the contracts. They could have proposed an amendment. They didn't—

**Mr. Ryan Turnbull:** That is not a point of order.

**Mr. Irek Kusmierczyk:** Mr. Chair, this is beyond the pale.

**Mr. Garnett Genuis:** We need to see the text of the motion.

**The Chair:** He is mostly correct on that.

I am just going to chime in. I will let Mr. Masse continue, but we're going to go no further. We're going to suspend afterwards because I do believe that, procedurally, it might be out of order.

I will let you just read it in, and then we are going to suspend immediately after. We will not continue with other points of order or anything else.

Go ahead, Mr. Masse.

**Mr. Brian Masse:** That's fair enough, Mr. Chair.

I was on section (b):

(b) the Volkswagen Group, Volkswagen AG, Volkswagen Group of America, Inc. or PowerCo SE, related to the construction of an electric vehicle battery facility in St. Thomas, Ontario;

(c) Northvolt AB, Northvolt North America, Northvolt Batteries North America Inc. or Cubery, Inc., related to the construction of an electric vehicle battery facility in Saint-Basile-le-Grand, Quebec;

(d) Ford Motor Company, Ford Motor Company of Canada, Limited, EcoProBM Co., Ltd., EcoPro Innovation Co., Ltd., EcoPro Global, EcoPro Co., Ltd., ECO-PRO, Eco CAM Canada Inc., EcoPro CAM Canada General Partner Inc., SK On Co., SK ie technology Co., Ltd., SK Inc., SK Innovation Co., Ltd., SK Engineering & Construction Co., Ltd., Sunlake Co., Ltd. or EcoPro CAM Canada, LP, related to the construction of an electric vehicle battery materials production plant in Bécancour, Quebec; and

(e) Umicore Rechargeable Battery Materials Canada Inc., Umicore SA/NV or Umicore Canada Inc., related to the construction of an electric vehicle battery materials production plan in Loyalist Township, Ontario; and an order do issue for copies of all Labour Market Impact Assessments, including the applications for them, prepared in relation to the construction of an electric vehicle battery facility in Windsor, Ontario, provided that when these documents are received by the clerk:

This is a new section (f). It's section (f) right now, but it's replacing the old section (f). It says:

(f) that the departments and agencies tasked with gathering these documents—

**Mr. Garnett Genuis:** I have a point of order, Mr. Chair.

There is no old section (f). This is not an amendment. This member voted against the previous motion. There is no old section (f). He seems to be reading parts of a new motion without reading the whole motion.

**The Chair:** I realize that, and as I mentioned, it may very well be—and I've been discussing this with our clerk—completely out of order. I'm just going to let him finish reading it. Then we will suspend, and the clerk and I will come back with a ruling.

You may very well be right, Mr. Genuis, but we're just going to let him finish speaking.

• (1910)

**Mr. Brian Masse:** I won't reference those elements. I was just doing that out of courtesy for members so that they could follow along.

It continues:

(f) that the departments and agencies tasked with gathering these documents be redacted according to the Access to Information Act with the exception that all companies must fully disclose and make publicly available to correct any misinformation the following:

1. the number of foreign workers who will be building the plants, involved in equipment installation, technology transfer, training, and operations;
2. the number of Canadian temporary/construction jobs to be created and how many permanent production positions are to be create as part of the contract guarantees;
3. the steps that will be taken to prioritize the employment of Canadians for building the plants and equipment installation;
4. that redacted versions of these documents shall be deposited with the Clerk of the Committee within three weeks, in both official languages;
5. that information related to the above specific areas not available in the contract be provided by the above mentioned companies to the committee in writing—

Then there are some more sections:

(g) that the committee invite the CEOs of Stellantis N.V., LG Energy Solutions, Ltd., NextStar Energy Inc. to answer questions;

(h) that the committee call on the government to immediately continue to work with all the companies mentioned in the motion to develop training and job opportunities for Canadian workers for construction, to equipment installation/operation, technology transfer, production; and

(i) that the committee submit an access to information request to ask the Information Commissioner to complete a third party review of the redactions to ensure a complete process and report back to the Committee for an in camera meeting.

**The Chair:** As I mentioned, we are going to suspend.

• (1910)

(Pause)

• (1940)

**The Chair:** Colleagues, thank you for your patience. I know you want to get at this before the vote starts.

After much discussion, yes, sir, we will rule the new motion in order.

Mr. Masse, it is in order. You have the floor. I see Mr. Genuis and Mr. Perkins.

Go ahead, Mr. Masse.

**Mr. Brian Masse:** Thank you, Mr. Chair, and thank you for the indulgence of the committee and for the opportunity to speak to the motion here.

It's a very important issue, and what I've realized over the last number of days and actually weeks is how this issue is not helping anyone, whether you're in the auto industry, whether you're actually investing in the projects or whether you're here on Parliament Hill. We have become entrenched in a spot that I think is not going to be helpful for any particular party or organization, and more importantly for Canadians, so I've been trying to work at finding a compromise.

There are things that you do in politics where you can compromise without compromising your principles. That's what my motion, to me, is about. Coming from an auto town, I've seen how every job matters and I've witnessed, also, jobs being taken and lost to other people in other countries because they have gone forward with competitive practices or are blatantly buying some of those jobs, whether it be Alabama, other parts of the United States or Mexico. I've seen the travesty that has taken place when generations of families lose their incomes and their opportunity to have a chance to better their lives and, more importantly, to contribute to their communities and have gainful employment.

That is something that we are recovering with these agreements. There is a lot of debate about the value of the agreements and there's a lot of debate about the industry in itself, but the reality here is that you are either in the game or you're not. There are one or two things.

In Canada, for those who aren't aware, we used to have a national auto policy, the Auto Pact. The Auto Pact was drafted and created and led to our being number two in the world in auto assembly.

The Auto Pact, when we signed the NAFTA agreement, was challenged by Japan. Japan then took us to the WTO and we lost that. The Auto Pact was about getting us guaranteed market access into the United States. We lost that competitive element. We went from number two in the world to 10, and we've recovered a little bit from that for automotive assembly. In fact, we used to have national corporate head offices in Canada. We don't have those anymore at all.

The motion here is to deal with the investment strategies that are going on. I have long called for an auto policy that was more predictable and is really born of CAW, now Unifor—Jim Stanford and others—which actually had a component element that sought to use employment hours and investment as the primary indicators of why an investment would be worthwhile and also to deal with the United States. Often people talk about the United States as being the capitalist-centric part of the world, but I witnessed them, over the years, throwing money from the state level, from the federal level, from the municipal level, to basically decimate our industry.

With these projects there have been a number of different issues that have come out and a lot of different numbers that have flown around, and that's not helpful. What I'm asking for in this motion is to go through a process that would be the normal process for when there is going to be an access to information request, a redaction of documents and so forth, but with a caveat to have some extra accountability by Parliament. Also some new information would be provided that is not in those documents. Some of those numbers that have been floated around from the companies and from others will not be in the documents that we would procure, whether they be redacted or not redacted.



This motion is going to address that because, really, what people care about right now and what municipalities and others have to focus on is how many foreign workers are going to come to Canada. There are two different forms or sets that are taking place. There are those who are building the facilities that we have and creating those facilities. Those are the building trades jobs that are very important. Second to that, there are also the operations and the development of those jobs, which is a process where you will actually have foreign workers. Sometimes they're Americans. Sometimes they're Mexicans. In this case, in my community, it's going to be South Koreans who will be coming over to help us set up operations. That's because we don't have some of that capacity.

Do I think we could have done a better job of training and upgrading for those things? Yes. Have we done it? No. Canada does not have a national strategy anymore when it comes to employment. We used to have Human Resources Development Canada in the old days. Then it became Service Canada, and now it's up to each province to determine how their training takes place.

That's a bigger debate for another time, but the reality is that I do not want people coming to my community feeling that they're not welcome. That is not helpful for the community. It is not helpful for those individuals and those families. If we're going to get long-term employment out of that, then we need to make sure that there's a trusted process and that people know what they're in for. That includes taxpayers from all across Canada, and it includes the local people. We want this to be as successful as possible at this point in time.

- (1945)

The reality is that some of these deals are happening. They're being constructed right now. Do we make it worse or better at this point? I believe transparency should be out there, for both the number of workers who will be there and the expectations about that number. This will build public confidence to do things better.

I even mentioned the fact that we could have been dealing with this earlier. We could turn, perhaps, some of these advantages even more to our favour if we make investments, for example, in housing and make sure that, later on, it's not-for-profit housing. There are other creative things that can take place if we move forward.

Other parts of this motion talks about getting specifics from the companies—things that were not provided or mentioned in writing. These will come to the committee. That's another part of the plan that will be tabled here. It will also provide, again, more documentation than either redacted or unredacted documents will. We will then have an opportunity to have the CEOs come to this committee to explain and talk about the investments they're making, and what these mean to our communities. That will be a positive environment to be part of. There will be an opportunity for members of all political parties to ask the tough questions they believe are necessary for Canadians. I think it's also an opportunity for the companies to talk about, specifically, how they view their investments as a partnership with regard to this issue.

We will also talk about another issue that I am a little disappointed in. It's that the committee call on the government to continue, with the companies, to put some better benchmarks out there for creating jobs, training and opportunities.

What happens, perhaps, out of this.... If we get in front of this now and get a motion or at least a process in this committee and not continue to stall here for different reasons.... I'm not going to cast negative elements on it. If workers in Windsor, at the first plant, and those in other parts of the country—other people in other communities that may eventually get battery plants and such facilities—get that training and experience.... What if they also come to Windsor, learn some of these skills and have opportunities? Perhaps we can get out in front of this more and reduce the need for foreign trade workers, because they're also going to be needed. There's a short supply for everybody. If we can do more of that training, perhaps we can reduce or reverse some of those potential things.

Lastly, I want to mention—and I know it's not a perfect solution—that I would ask the Information Commissioner. We can either do it through an ATIP.... I don't know. The question somebody raised with me was whether we can do that through the committee here, or whether we have to do it as individuals. I'm open to learning about that element. The point is that we would come back to an in camera meeting. We'd have a third party look at what the company redactions would be. Then we would see the normal government process for redactions. We'd be able to go in camera and find out whether or not there are problems with it, whether there was accountability and whether there will be some challenges to it.

For those reasons, I've put together this motion. I'm hoping it has enough elements to give the public some more confidence, at least, in where we need to go.

I'll conclude with this, Mr. Chair. I'm very appreciative of the fact that I'm a guest of this committee. I appreciate the fact that we've already put a lot of time into this. What I'm worried about—I think it's the worst of all solutions—is us sitting here, until the holiday season and beyond, filibustering. Meanwhile, we're not showing any type of movement towards finding a solution. The investment opportunities in our country will not only be seized to some degree but also under further scrutiny. There'll be no clarity at all about the terms and conditions for the jobs, leading to more confusion and public debate.

The jobs here are significant. The country's auto investment is significant, because it also leads to transferable technology and other types of innovation.

With that, I'll say thank you for your indulgence regarding some of the confusion around what's taken place to try to find a solution. I appreciate this opportunity.

Thank you, Mr. Chair.

- (1950)

**The Chair:** Thank you, Mr. Masse.

Mr. Genuis.

**Mr. Garnett Genuis:** Chair, there's not a lot that surprises me in this place, but I am quite shocked, frankly, by the approach the NDP has taken.

Here's where we are.

The federal government is planning on spending over \$40 billion on these various subsidies. Information has come out that these subsidies are in many cases going to fund foreign replacement workers—not creating paycheques for Canadians but supporting foreign replacement workers.

As a result of a lack of transparency around these contracts and concerns about how this spending of Canadian tax dollars is going to bring in foreign replacement workers instead of creating good jobs here in Canada, Conservatives have sought transparency from the government. We've tried to get copies of the contracts. We believe the shareholders, the taxpayers, who are the people who are paying these subsidies, and the workers who are affected by them deserve to see the contracts.

We signed the required letter and brought this committee together. At the time, we had the support of the other opposition parties, saying that these contracts should be made public. That is a principled position that, I think, is widely supported by Canadians and especially supported by workers. We stand with workers. We believe that creating good jobs for Canadian workers is critical. The government has an obligation to be transparent in these cases about a public subsidy and about what the impact of that subsidy is going to be in terms of workers and jobs.

After Liberal filibustering to block that motion, we just had the NDP fold at this committee. After grand statements by Mr. Masse on transparency and supporting workers, the NDP folded like a cheap suit and voted against our motion. We just had a vote on our motion to require the disclosure of these contracts. The Liberals have been filibustering, and they ended their filibuster. Our motion came to a vote, and the NDP, despite saying it supported the motion and despite the fact that we had incorporated a number of its amendments refining the language, voted against it.

So much for transparency, and so much for workers. A bit of pressure from the Trudeau Liberals in the form of a filibuster leads the NDP to change its position, abandoning all other stated principles.

What do we have before us? We have this motion from Mr. Masse that says a parliamentary committee should file an ATIP.

Mr. Chair, as news for anybody watching, any member of the public has a right to file an ATIP. Parliamentary committees have a constitutionally protected unfettered right to send for documents and to set their own timelines in the process. We don't have to go through the long-drawn-out and, frankly, as a result of this government's actions, increasingly troubled and broken ATIP process. We can send for an order for the production of documents, and this committee has an unfettered right to request those documents.

After a bit of pressure from the Liberals, the NDP position is, "We're not going to order the production of these documents. We're not going to make them public. We're going to have a parliamentary committee file an ATIP request."

**Mr. Ryan Turnbull:** I have a point of order, Chair.

**Mr. Garnett Genuis:** What a debasement of the rights and roles of parliamentary committees. What a disgrace.

**The Chair:** Go ahead, Mr. Turnbull.

**Mr. Ryan Turnbull:** I was on the procedure and House affairs committee when we studied the effects of yelling into microphones on interpreters, and I just feel for them. They get acoustic shock. There have been many reports of that. The member is clearly animated at the moment. I understand he's totally capable of making his arguments.

That's all fine and dandy, but I would just ask—

**The Chair:** I'm going to interrupt you. We would be advised—

**Mr. Ryan Turnbull:** Perhaps you could remind the member—

**The Chair:** Mr. Turnbull, I have the floor. We would be advised by our translators if there was a volume issue. I appreciate your concern, but we would be advised and we're fine.

Go ahead, Mr. Genuis.

**Mr. Garnett Genuis:** Thank you, Mr. Chair.

I want to have utmost respect for the interpreters, but I will take my lead from you in terms of that, as opposed to a member across the way. If there's anything I should do to moderate my approach, I will adjust accordingly.

In the meantime, we have a Conservative motion ordering the production of these documents to provide workers with the transparency they need. That motion was defeated on an NDP flip-flop, and then they put up this fig leaf to defend their flip-flop by saying, "Maybe the committee should file an ATIP request."

Consistently, we've seen that the NDP, despite saying they stand for workers, will give in to any kind of pressure from the Trudeau Liberals. I don't know if we should be, as a result of this, sending for the unredacted versions of the NDP-Liberal coalition deal to find out what exactly the nature of the leverage that they have is, but I am surprised and I am disgusted that the NDP would fold up so quickly.

It was not as if we were in the midst of some intractable filibuster situation. The debate on the main motion that the Conservatives had proposed had collapsed. We were into a vote and all that had to happen was that the opposition members had to stand behind their stated positions. All of the opposition parties had spoken and had said they supported the main motion that was on the floor from the Conservatives, which already included amendments from the Bloc and the NDP.

If they had all simply stuck to their positions, we would have ordered the production of these contracts. The NDP, however, have abandoned their stated principles, abandoned transparency and abandoned workers, but we're going to give them one more chance.

We're going to give them one more chance by moving an amendment to this motion that actually sets it back on the right track. I hope that the NDP will hear from Canadians, will hear from the workers whom they pretend to represent and will reconsider the importance of honouring the principle of transparency.

I want to add, in the first line, the words, “and upon receipt immediately post on its website copies” so that the first sentence would now read, “That, an order do issue for the production of and upon receipt immediately post on its website copies” and so on and so forth.

In the section titled “new (f)”, I will strike the words “and agencies tasked with gathering these documents be redacted according to the Access to Information Act with the exception that all companies must” and also strike the words “to correct any misinformation”, so it would simply read, “that the departments fully disclose—

• (1955)

**Mr. Brian Masse:** I have a point of order, Mr. Chair.

I remember the member chastising me for using “new (f)”, and I just want to remind him that he probably shouldn't refer to “new (f)” again.

**Mr. Garnett Genuis:** It literally is written in the text of the motion that was distributed. It doesn't make any sense to me, but the member moved a motion which has the term “new (f)”.

**The Chair:** Why don't you go ahead, Mr. Genuis.

**Mr. Garnett Genuis:** Maybe that could be corrected in a subsequent amendment.

The revised section which says “new (f)” on the page—but likely was supposed to say (f)—should now read, “that the departments fully disclose and make publicly available the following:” Also I would also strike, in 4, “that redacted versions of”, and then strike (i) regarding submitting the access to information request.

I believe that these changes give effect to the principled Conservative position that we believe that when taxpayers' money is involved in these contracts.... It's tens of billions of dollars. We're talking about thousands of dollars per Canadian family going into these subsidies. Canadians who are paying this money deserve access to this information. They deserve to know what the impact is on them and what the impact is on workers.

This amendment gives the NDP a chance to flip-flop back to the right position.

**The Chair:** Mr. Genuis, can I interrupt very quickly?

I understand you've provided both languages for the amendment. Are you fine if we distribute it right now?

**Mr. Garnett Genuis:** Yes.

**The Chair:** Perfect. Continue, sir.

**Mr. Garnett Genuis:** The NDP said initially that they were with us in favouring transparency and supporting workers. They flip-flopped. In their earlier vote, they were against transparency for workers.

We're giving them a chance, with this amendment, to flop back and to recognize that, when thousands of dollars per Canadian family are on the line, when public subsidies are going into companies that are using those subsidies to hire foreign replacement workers instead of creating good jobs here in Canada, Canadians deserve to see what is in those contracts.

Our amendments restore the original language that was used. I think it is the right and appropriate approach. It gives the NDP and all members a chance to actually stand with workers.

There's an important principle here, Mr. Chair. In a minority Parliament—in any Parliament, frankly—committees should exercise the powers they have to send for documents, to hold powerful people accountable, to challenge the executive and to deliver meaningful results.

What we have right now is a desperate, flailing government that is profoundly unpopular and responsible for untold misery across this country. They are sustained in their position not by persuasion and not by openness or argument. They are sustained by a secret backroom deal that leads to constant concessions from the NDP. We have, in effect, an NDP-Liberal government, where spending is out of control and we see crime, chaos and disorder escalating.

We have a Prime Minister, it's worth remembering, who said eight years ago that sunlight “is the best disinfectant”. He said that he wanted to lead a government that was open by default. Now we have not only a Liberal government that's against openness and transparency, but we also have the NDP doing their dirty work by helping to hide these contracts and this information.

Their fig leaf of cover for it is to say, “Let's request an ATIP. Let's go through the ATIP process.” The member doesn't need this committee to do an ATIP. If the member for the NDP wants to do an ATIP request, he can go online just like any other citizen and file an ATIP request and ask for this information to be provided. If he hasn't used the ATIP process in a while, he will find that the government will stonewall, delay and do everything it can to avoid actually providing the information.

This is where, on critical issues of public interest, parliamentary committees should have the courage to exercise their powers. We have an NDP-Liberal government now that is shutting down that transparency. I hope that the NDP will reconsider. I hope they will flop back to their original position, after flip-flopping once, and support our amendment, which will lead to the full disclosure to the public of these contracts.

Again, we don't want MPs, by themselves, looking at these things in a dark room. We don't want, as Mr. Sousa and now Mr. Masse have proposed, restrictions and limitations constraining the ability of people to actually know what happened here. We believe in what the Prime Minister used to say about the value of sunlight, openness and transparency. It's time that these contracts be disclosed.

Mr. Chair, I'll leave my comments there.

I believe that Mr. Perkins is next. I look forward to hearing what he has to say.

● (2000)

**The Chair:** Thank you for trying to take over, but I'm afraid it's Mr. Kurek, not Mr. Perkins.

Go ahead, Mr. Kurek.

**Mr. Damien Kurek (Battle River—Crowfoot, CPC):** Have no fear, Mr. Chair. I don't think there's any reason to be afraid.

Although I am not a regular member of this committee, I am a member of the ethics committee. What I find so incredibly disappointing is that you have at every turn, every committee, the Liberal government propped up by the NDP, and a willingness to do everything imaginable to cover up, shirk responsibility and hide behind procedure, behind whatever it takes to keep answers from being made public.

This goes far beyond politics. Over the last number of years we have seen a profound erosion of trust in our national institutions take place, a profound erosion of trust that has led many Canadians to question not just how their tax dollars are being spent—that's an age-old political question—but also every aspect of whether or not government can be trusted.

One of the most disappointing things—and I think I speak for many Canadians on this—is that, although the Liberals talked big about transparency prior to their election and they continue to peacock that they care deeply about it, when it comes to action, they fail every step of the way.

To ensure that I keep this brief, I won't go through the many examples that I could point out of where that has been the case, of how they have truly talked out of both sides of their mouths. I've seen members of this committee misrepresent what the committee is trying to accomplish here.

Chair, if I may, just to ensure members of this committee, I will read from the book that governs the work we do here, which is known as Bosc and Gagnon. I'm reading specifically from *House of Commons Procedure and Practice*, third edition, 2017. I'll quote for the benefit of all in the committee here, so that they will remember that they first serve their constituents by the power of the supremacy of Parliament in our system. That's important, because I think we see that members—specifically of the Liberal Party but also those of the NDP as my colleague, Mr. Genuis, outlined—seem to be quick to serve their political masters as opposed to the purposes that we have to serve Canadians.

I will quote from page 137:

The only limitations, which could only be self-imposed, would be that any inquiry should relate to a subject within the legislative competence of Parliament, particularly where witnesses and documents are required and the penal jurisdiction of Parliament is contemplated. This dovetails with the right of each House of Parliament to summon and compel the attendance of all persons within the limits of their jurisdictions.

It goes on to say, interestingly, how the only individuals who committees are not able to compel to attend committee—and this extends to the production of documents—are “the Sovereign, the Governor General, Lieutenant Governors, Members, Senators, officers of another legislature or persons outside of Canada.”

Chair, we have the ability to get answers and this committee needs to act on that. The Liberals and the NDP need to serve Canadians, not their own personal political interests.

● (2005)

**The Chair:** Let me interrupt you. We have bells ringing for a vote.

I will ask as usual if we can seek consent to continue until closer to the vote. These are the 30-minute bells.

**Mr. Garnett Genuis:** I'd like maybe five more minutes.

**The Chair:** Okay. We'll continue for five more minutes, and then we'll suspend.

**Mr. Parm Bains:** Could we have six?

**The Chair:** I'm sorry. Mr. Bains is looking for six. We'll go for six.

**Mr. Damien Kurek:** Chair, thank you for that. I'm glad to have the confidence of this committee to finish my thought before handing it over to the very capable Mr. Perkins to continue.

When it comes to the substance of this amendment, it ensures that it has teeth and that it doesn't simply skirt over the substance of what Canadians deserve answers to with regard to a massive—absolutely massive—government expenditure. We're talking thousands of dollars for every Canadian family.

Chair, I will ask to be put back on the list; however, I would simply say that we saw before how the NDP flipped and voted against the common-sense, very practical motion that we brought forward. I suspect that pressure the Liberals applied then.... I would hope they reconsider and serve Canadians, not their political masters within the Liberal Party.

**The Chair:** Before I go to Mr. Perkins, this amendment and Mr. Masse's motion, somewhere along the line I'll just ask someone to put through a change. It's asking for about three weeks, landing at about Christmas day. As much as I love to work, Aimée, I don't think would appreciate that.

Colleagues, just somewhere as changes come up, let's keep those dates in mind.

**Mr. Brian Masse:** Just for clarification we have the votes, and if we recess—

**The Chair:** We're going to go for about four more minutes. Then we're going to go.

**Mr. Brian Masse:** That's fine. I'm just wondering how much time until we get back here in time for...because we have interpreters and everybody else waiting here.

● (2010)

**The Chair:** They're staying here.

Go ahead, Mr. Perkins.

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

I'd like to say that, between the discussions in the House and the industry committee and this committee, we're at a place here that's very disappointing. We had a call, I think a fairly united call, from the opposition parties to have the contracts released. There are clauses in the contracts that give the company the right to withdraw the things that are commercially sensitive, but other than that the contract should be released.

In fact, the leader of the NDP has been up publicly calling for that from the government in question period. It's surprising to me right now that what we have before us is a motion that says what we should do is have the contracts released and then have a secret discussion at some point about what the Information Commissioner says about the contracts. I'll remind people that 44.7 billion dollars' worth of subsidies are in this between Northvolt, Volkswagen, Stellantis and Ford. The reality is that we're in this place because the government, the Liberals, don't seem to have their act together on what this does.

It started off with an announcement saying there would be, in Volkswagen... The minister actually said publicly that there would be 30,000 jobs at Volkswagen. It turns out, of course, that's not true. It was said of the contract itself that there are two contracts for each of these—a construction contract and a production subsidy contract. That wasn't true. It's about 2,700 jobs, so it's plus or minus 10 times...for the minister.

When it comes to the Stellantis contract we know that even the president of NextStar, the Stellantis company, seems to be confused. He's put out so many numbers that he qualifies to be a member of the Liberal government. He said only a week and a half ago there would be 2,300 local tradespeople to help with the construction and the installation at this plant. Now he says there are going to be 900 people coming from Korea to do that work.

Which is it? It seems like on a different day there's a different story from the company.

That's why we're calling for a little bit of truth here. The truth comes from the release of the contracts. Most of the contracts are fairly simple. I understand these contracts are not some great corporate intellectual property secret. They are contracts about how much money per battery produced the federal government will subsidize these large global players for the production of them. The IRA, President Biden's Inflation Reduction Act, sets out clearly what those subsidies are. They are that 100% of the cost of the batteries will be subsidized by the taxpayers of Canada between now and 2029. Then, in the following year, it will be 75%. Then the following year it will be 50%. The following year it will be 25%, until we're down to no subsidy in 2033. That's public. That's what's in

the IRA. That's what is mirrored in these contracts, if you're to believe what the minister said, which is that these contracts mirror that.

Having read the Volkswagen contract myself, as the only one here who's read it, I can tell you the minister is right. It does mirror the IRA numbers. The PBO also said that in committee. What you have here is, until the year 2029, in all of these contracts, the taxpayer is covering 100% of the cost of the production of these batteries. I'm shocked that any company would come here to Canada for a 100% subsidy. I don't think there's a fear that these jobs are going somewhere else, since nobody else other than the U.S. is offering a 100% battery subsidy.

I'll put it more gently. One of my heroes is Sir Winston Churchill. He famously switched parties. He went from one party, the Conservatives, over to the left side and then he went back. Do you know what he said?

He said ratting—crossing the floor in England is called ratting—is easy. Re-ratting and going back to where your ratted from, that's hard. We're giving the opportunity, as Mr. Genuis said, to the NDP to give this consideration and re-rat or go back to their original position, which was to call for the open, transparent release of these contracts so that Canadians can see exactly what it is this \$44.7 billion of taxpayers' money. That's \$4,213 per household going to these large multinationals.

• (2015)

We're very disappointed that the NDP has chosen to change its position. We're hopeful, through the debate we'll have shortly, that the NDP will listen to the logic they once agreed to, which was transparency. We know that the Liberals don't agree with that, but we're hoping the NDP will come back to their original position. The best way to ensure there are Canadian-only jobs—because the story changes every day—is for these contracts to be public.

I'll leave it there, Mr. Chair, and go back on the speakers list.

**Mr. Garnett Genuis:** I have a point of order, Chair.

I think we've exhausted the five minutes, so I'd like to move that we adjourn.

**The Chair:** We'll go to a vote to adjourn.

**An hon. member:** What are we adjourning?

**The Chair:** There is a dilatory motion to adjourn the meeting.

(Motion agreed to)

**The Chair:** We're adjourned.





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