

Committee of the Whole House

BILL 27 — MONEY JUDGMENT ENFORCEMENT ACT (continued)

The House in Committee of the Whole (Section B) on Bill 27; S. Chandra Herbert in the chair.

The Chair: We're just working through a short technical issue, members. We will be with you shortly. We'll be in recess until.... Okay, we're done. I think we're ready to go then. Okay.

All right. Good afternoon, members. I call the Committee of the Whole on Bill 27, Money Judgment Enforcement Act to order. We are on clause 177. I do wish to inform the committee that the Law Clerk has made a correction to paragraph (4b) to add the missing "the" pursuant to the authority granted to the Law Clerk under standing order 94.

When the bill is next reprinted, of course, this correction will appear.

On clause 177.

M. de Jong: I want to put my comments in context. This is not a contentious section. We happened upon, during the course of the committee, a rarity. A typographical.... What we think is, apparently, a typographical error. No issue there.

As a matter of principle though.... I've just been informed of the mechanism that we are purporting to use to address that. I have to put on the record, as a matter of principle, when the committee discovers an issue with a bill before the committee, I think it should be the committee that fixes it.

I understand the use of the power of the Law Clerk to address matters after the fact. If we had discovered this a day or two or a week afterwards, I have no issue with the Law Clerk making use of the authority provided to her. But it strikes me that the obvious way for this kind of matter to be addressed, when the bill is still before the committee, is for the sponsoring minister to stand up and say: "I have to amend this section. I have to add the word 'the', and we all say: "Yay." And it's done.

[2:55 p.m.]

I think coming back into the House.... When the committee is in a position to address it and I can assure the committee that it would, there's no issue about the change that needs to be made. It's not contentious.

But I think it sets a dangerous precedent when a bill is still before the committee. For the committee to be informed, "Yes, we found a problem but the Law Clerk has dealt with it

DRAFT SEGMENT 018

I think coming back into the House when the committee is in a position to address it — and I can assure the committee that it would.... No, there's no issue about the change that needs to be made. It's not contentious, but I think it sets a dangerous precedent when a bill is still before the committee. For the committee to be informed, "Yes, we found a problem, but the Law Clerk has dealt with it in her office," I think, is setting a dangerous precedent.

For the record, I'm prepared to move the amendment to add the word "the," and it's done, and the problem is fixed. I think the committee should deal with it when it is still before the committee.

The Chair: We're just going to sit in recess for a moment. Thank you.

The committee recessed from 2:56 p.m. to 2:57 p.m.

[S. Chandra Herbert in the chair.]

The Chair: We'll come out of recess so that we can go back.

Hon. N. Sharma: I would start by commending, again, the member for finding this error, which was buried in the large bill that we had. There's another round of applause for that.

I would say that I think this is a pretty minor correction in there, and I think we do have provisions that are in place for that, for the Clerk to do it. But in the kind of....

We should just take a recess. We can draft an amendment. We can do it that way, if that's the better way to do it. It's fine with me.

The Chair: Okay, hearing that agreement, the Chair will put this House into recess until we're ready for that amendment. Thank you, Members.

The committee recessed from 2:58 p.m. to 3:16 p.m.

DRAFT SEGMENT 022

The committee recessed from 2:58 p.m. to 3:16 p.m.

[S. Chandra Herbert in the chair.]

The Chair: All right, Members. I'd like to call the committee back to order. Of course, we're here in Committee of the Whole, Bill 27.

We're looking at clause 177. The Member for Abbotsford West raised the question around a need for an amendment as opposed to using the Law Clerk's powers under Standing Order 94. We're here to deal with that now.

Hon. N. Sharma: I move that Bill 27, intituled Money Judgment Enforcement Act, be amended in clause 177(4)(b) by deleting the phrase "paid to officer" and substituting "paid to the officer."

Amendment approved.

Clause 177 as amended approved.

The Chair: That was the last we had to deal with that. I return to the Attorney General.

Hon. N. Sharma: The member asked a question of me last time we were talking about this bill, and I committed to providing an answer. I'm just here to provide that answer to close this off.

The question was whether this would be equivalent to a court-ordered sale and exempt from the property transfer tax. My team did further research on that and were able to confirm that there's no general exemption for court-ordered sales, so the property transfer tax would be applicable.

I move that the committee rise and report Bill 27 complete with amendment.

Motion approved.

The committee rose at 3:18 p.m.

The House resumed; Mr. Speaker in the chair.

Reporting of Bills

BILL 27 — MONEY JUDGMENT ENFORCEMENT ACT

Bill 27, Money Judgment Enforcement Act, reported complete with amendment, to be considered at the next sitting of the House after today.

Hon. B. Bailey: I would like to call Bill 36, please.
If we could take a five-minute recess.

Mr. Speaker: The House will be recessed for five minutes.

The House recessed from 3:19 p.m. to 3:25 p.m.