



November 21, 2012

Honorable Senator Bob Runciman
The Senate of Canada
Ottawa, Ontario
K1A 0A4

Subject: C-290 - An act to Amend the Criminal Code (Sports Betting)

Honourable Senator Bob Runciman

We would like to address some comments that have been made recently in relation to Bill C-290, *An act to Amend the Criminal Code (Sports Betting)*, introduced by Joe Comartin, MP for Windsor Tecumseh, and sponsored in the Senate by the Honorable Senator Bob Runciman.

Some concerns have been raised over the process by which this bill made its way through the House of Commons. The contention is that this bill did not follow the proper legislative process. We would like to address this false assertion and reaffirm that Bill C-290 followed the normal, rigorous legislative process for a Private Members' Business bill.

C-290 was debated at second reading on November 1, 2011. During the debate, all MPs had the opportunity to express themselves on this bill. This opportunity was seized by NDP MPs Joe Comartin (Windsor-Tecumseh) and Brian Masse (Windsor-Ouest), Conservative MPs Robert Goguen (Moncton-Riverview-Dieppe) and Brent Rathgeber (Edmonton – St. Albert) and Liberal MP Sean Casey (Charlottetown). Following these interventions, because no other member rose to speak, the Speaker put the question to the House.

This is the normal procedure anytime debate collapses on a bill. The bill can be adopted or rejected at that point, or a recorded division can be requested by any 5 members in the House. In the case of C-290, there was not a single MP from any party who expressed their opposition to the bill being read a second time and referred to committee.

During the committee study, any MP could have submitted their concerns on the bill, or encouraged the committee members to recommend that the House not proceed with the bill. No member availed themselves of this opportunity and the bill was passed by committee, once again without opposition.

Members had a third opportunity to express themselves at the report stage on March 2, 2012. Indeed, as prescribed in the Standing Orders, when a bill comes back from committee and there are no amendments, the Speaker automatically puts the question at report stage. Once again, the bill passed through this stage without any opposition.

The debate at third reading provided a fourth chance for members to examine and debate the bill. Once again, representatives from all three recognised parties took the opportunity to address the bill. All other members had the chance to give a speech on the bill at this point, but they did not – and for a fourth time, the bill was passed by members of the House without opposition.

It has also been suggested by some that Bill C-290 circumvented the normal rules of the House by way of unanimous consent. Again, to be clear, this was not the case. Once debate on the motions at second and third reading had concluded, the Speaker put the question and the House expressed its will. Never during the debates on C-290 did any MP move a substantive motion to ask the unanimous consent of the House.

Finally, it has also been asserted that it is unheard of for Private Members' Business to go through all the steps without a standing vote. Since the beginning of this Parliament, at least two bills from opposition MPs passed through all stages in the House of Commons without a standing vote. This was the case for C-278, *An Act respecting a day to increase public awareness about epilepsy*, from the Liberal MP for Halifax-West, Geoff Regan, as well as Bill S-201, *An Act respecting a National Philanthropy Day*, from Liberal Senator Terry M. Mercer. This was also the case for Bill C-313 from Patricia Davidson and for motion M-319, from Royal Galipeau. These 4 Private Members' Business items all passed through the legislative process of the House without a standing vote.

Thank you, Honourable Senator Bob Runciman, for your attention to this matter. We hope that this helps assure you that the House made its unopposed decision on this bill with the benefit of full debate that was not in any way curtailed by extraordinary procedural moves. The will of the House is clear, and our hope is that the Senate will make its judgement on this bill based on its merit, not on the false assertions of some that the House made its judgement in undue haste.



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