

*Administration of Justice*

I am hoping that as a result of what I can do we shall be able to get out of the impasse in which this house now finds itself. I make no apology to anybody for taking this course—and I trust I can have a little more silence on the benches opposite.

**Some hon. Members:** Oh, oh.

**Mr. Lambert:** Well, I find the continual stumbling and bumbling that is going on opposite me is not conducive to debate.

What I propose, in all sincerity, is to express a valid objection that cannot be passed over without serious damage to the right of parliament to deal with its own privileges. After all parliament is not the executive, and the executive is not parliament. This issue is of such importance that it should appeal especially to those who may feel they should not behave as rubber stamps, and their number includes many of those opposite who have been here long enough to have sat on the opposition benches. I am merely making myself an echo of the sentiments they expressed on many occasions, and I think they are more honourable men for having expressed such views. I also, having sat on the government side and then with the opposition, assert that self-same right.

It is an issue which concerns hon. members to my immediate left. When I consider the remarks made by the hon. member for York South (Mr. Lewis); when I consider the remarks made by the hon. member for Burnaby-Coquitlam (Mr. Douglas); and when, in particular, one recalls how a legislator of very respected memory in this house fought with force and courage along with the hon. member for Winnipeg North Centre (Mr. Knowles) to protect the rights of parliament during the pipe line debate, I am just wondering what Mr. Coldwell would say now in the face of this executive order.

The hon. member for Medicine Hat dealing with this question yesterday pointed to the remedy open to the house, that is, the privilege of moving a motion once a *prima facie* case had been established. And he objected because no motion had been made. Well, Mr. Speaker, you and I know we had a long discussion over the nature of a motion which I put forward. You know there is an honest difference of opinion, a difference which is not all that broad. But efforts were made to put forward an acceptable amendment.

I would invite the hon. member for Medicine Hat to consult the record; he was

[Mr. Lambert.]

not here during a large part of this debate. I will say this. Within the terms of the rules of this house governing questions of privilege; also within our amended rules, my hon. friend from Calgary North and others have done what they could to get a motion before the house so that we might make progress with this matter. If the hon. member would consider these efforts I think he would agree that every attempt was made to put forward a motion. I do not think anyone can be faulted because the motion he put forward was ruled out of order on procedural grounds. Now I intend to move a motion which I trust, Mr. Speaker, will be in order. I do not make any charge in my motion. It is a motion designed to deal with the objection raised by the hon. member for Medicine Hat, an objection which is in the minds of many members both on this side and on the other side of the house at the present time.

I think the hon. member for York South gave his approval to the course which will be the substance of my motion, one which is based on a suggestion made by my hon. friend from Kamloops. It is a motion designed to bring about a consensus between the course decided upon by the executive and that which this house may wish to take. As the hon. member for Medicine Hat pointed out, the terms of the order in council constitute a challenge to the rights of parliament and an invasion of its privileges. I say that we, individually and collectively, must always stand fast against such an infringement. We must always preserve our privileges.

I therefore move, seconded by the hon. member for Queens:

That the terms of reference of order in council P.C. 1966-482 dated March 14, 1966 and tabled in this house on March 14, 1966 be referred to a special committee to be composed of seven members of this house and that such special committee be empowered to sit at such times it deems necessary to examine the said terms of reference and to report what revisions and amendments it may recommend to this house for decision by 2:30 p.m. on Thursday, March 17th, 1966.

**Mr. Speaker:** Have hon. members any comments to make in connection with this proposed motion; principally on the point of order rather than on the admissibility of the proposal?

**Hon. A. J. MacEachen (Minister of National Health and Welfare):** I should like to confine my remarks exclusively to the regularity of the motion which has been put before the house by the hon. gentleman who has just resumed his seat, limiting my observations to