

*Privilege—Mr. Nielsen*

not want, switchers exercise a discretion which they should not have, in my view, whether or not they want to acquire it.

Some of the old guidelines still seem to apply. All the other microphones go off if the Speaker rises. I can see no problems with that at all. Indeed, it is an electronic compulsion to be seated. There is nothing wrong with that.

Second, no questioner on this side has his microphone turned on unless actively vocally recognized by the Speaker. However, the Speaker at one time called upon a minister to reply to a question. You will recall that this aspect was discussed in connection with the previous incident. But this no longer happens. If two ministers want to rise, they have to sort themselves out. Indeed, this happened last Friday when two ministers rose simultaneously and stood for quite some time before the Minister of Regional Economic Expansion (Mr. De Bané) finally was the chosen one by mental telepathy. This is not a great problem.

● (1520)

A problem does arise if a minister rises to answer a question put to a backbencher, whether that question be put to a backbencher on either side of the House—because there are backbenchers who act in a certain capacity where questions are perfectly proper to be put to them. It is evident that the switchers simply keep to the practice—and I emphasize that the switchers are now keeping to the practice—*vis-à-vis* cabinet ministers, of allowing the floor to the most senior person desiring to respond. In my submission, that is the exercising of a discretion by the switchers which should be exercised by the Chair. This practice might be appropriate within cabinet, but in my submission it is completely inappropriate between a cabinet minister and a committee chairman.

Therefore, because a backbencher is very unlikely to try to outlast a minister in asserting his right to the floor, particularly if the minister's microphone light goes on and his does not, we have a serious procedural decision being made by someone who is not trained in procedure, indeed by someone who is not even an officer of the House, let alone the individual occupying the Speaker's chair to whom that discretion is exclusively reserved at the special request of all hon. members of this House.

I emphasize that members have reposed their confidence in the occupant of the chair. They have not reposed their confidence, perfectly competent though they may be, in those who operate the electronic controls in this House. That responsibility belongs to the occupant of the Speaker's chair and to no one else.

The independence of committees as a result is threatened. But even more important, the equality of members is erased. A great discrepancy between the prerogatives of the government and those of the opposition is brought into being, and I want to highlight some examples.

If the Speaker does not personally make a choice but allows the situation to sort itself out with the microphone operator deferring, in cases of doubt, to seniority, does this mean that, first, any time a committee chairman rises he can be superseded

by any occupant of the treasury benches, however much the question concerns the work of the committee rather than the work of the House?

Second, does it mean that a cabinet minister can seize the floor even if it is an opposition committee chairman who has been asked a question?

Third, does it mean that at any time a committee chairman is asked a question, any cabinet minister can take the floor if he is also concerned with the subject matter?

Logic would seem to compel an affirmative answer to all of those questions. If these advantages are to go to the government side through the growth of what I conceive to be an unwarranted growth of the microphone precedent—and perhaps we have not been alert enough in this House to have seen it happening because it has been happening by stages—are there to be any corresponding advantages accorded by the switchers to the opposition side? That is what it comes down to.

For instance, if I might parallel the previous hypotheses that I put to the Chair, will senior frontbenchers be able to rise and put questions cutting off backbenchers without the need to be recognized by the Chair, simply because they are closer?

Second, will the Leader of the Opposition (Mr. Clark) automatically be recognized for a question any time it is the Progressive Conservative Party's turn for a question and have his microphone turned on without the need for Madam Speaker to say anything?

Third, will the Leader of the Opposition, the Opposition House leader or a senior frontbencher be able to answer a question put to an opposition committee chairman if the question affects party policy or House strategy?

Logic would seem equally to compel a negative answer to all of these questions. Therefore, it is clear that the inequality between members and their right to recognition has been evolving slowly and I submit must be reversed by this House.

I believe this is a serious question for all members outside the cabinet, one which will lead to serious difficulties for members and for this House as a whole if it is not examined. I believe discrimination among members which has developed should be carefully examined by the Standing Committee on Privileges and Elections. Therefore, if you find a *prima facie* case of privilege—and I would certainly suggest that the circumstances, never having been considered by members, or by the House, perhaps it might commend itself to a decision that there is such a *prima facie* case here—I would move that the matter of the guidelines provided to those persons switching on the microphones in the House of Commons allowing members to speak—and to be heard, I might add—and the question of whether all hon. members are treated equally when they seek the floor, be referred to the Standing Committee on Privileges and Elections to enable that committee to investigate the adequacy and the appropriateness of those guidelines, and report thereon to the members of this House.

I should also say that for some time I have been concerned about the operation of electronic *Hansard* by means