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JOURNALS

OF THE

HOUSE OF COMMONS

OF CANADA

OTTAWA, TUESDAY, JANUARY 12, 1971

2.00 o'clock p.m.

PRAYERS

Mr. SPEAKER: At the opening of yesterday's sitting of the House, the honourable Member for Peace River rose on a question of privilege relating to proceedings before the Standing Committee on Health, Welfare and Social Affairs. The honourable Member took exception to instructions issued under the authority of the Chairman of that committee to the effect that only certain persons would be invited to give evidence before the committee when it considered Bill C-180. These instructions were transmitted by letter over the signature of the Clerk of the committee.

It should be noted at the outset that the conduct of the Clerk has not been questioned by the honourable Member since he was obviously acting under instructions received from the Chairman. The question is to determine whether the Chairman's action constitutes a *prima facie* case of privilege.

As honourable Members well know, committee proceedings are the responsibility of the committees themselves. Indeed, Citation 324(1) of Beauchesne's 4th Edition states that it is irregular to refer to the proceedings or to

the evidence taken in a committee; such discussions can take place in the House only when a committee report has been received and is before the House for consideration. The honourable Member for Peace River suggested that the Chairman of the committee had no right to decide on his own what witnesses should be called by the committee of which he is the presiding officer. In this respect, the honourable Member is quite right. Only the committee, by a majority, can make such a decision. The honourable Member for York East speaking to the question of privilege claimed he had acted according to instructions received from the steering committee. This was questioned by the honourable Member for Vancouver-Kingsway (Mrs. MacInnis). Obviously the issue should be resolved by the committee itself rather than by the House or by referral to another committee.

The Standing Committee on Health, Welfare and Social Affairs will meet in due course and will be free to adopt whatever procedure it may deem appropriate in the circumstances for the calling of witnesses, including, if it so wishes, a procedure different from that suggested in the