

mittee's report on Bill C-62, the goods and services tax bill.

The hon. member recalled that on March 21, the actions of the chairman of the Standing Committee on Finance, the hon. member for Mississauga South, were raised in the House as a possible breach of privilege. These were dealt with by the Chair in the ruling of March 26.

The hon. member indicated that since the committee's report and evidence was now formally before the House this was the appropriate time to challenge the procedural acceptability of the report which he alleges is based on irregular proceedings.

In his comments the hon. member for Kamloops addressed a number of serious issues. Many other hon. members from both sides of the House also presented strong arguments on different aspects of the situation. As your Speaker, I am aware of the deep concern surrounding this matter and the events which transpired in the finance committee on the night of March 20, 1990.

One side of the House argues that while the opposition has the right to oppose, the government has the right and indeed the responsibility to govern and to advance its legislative agenda. From that perspective the parliamentary secretary to the government House leader contended that the chairman of the finance committee had the obligation to maintain order by ending an opposition filibuster and so permitting the committee to consider and vote on each clause of the bill and to report the bill back to the House as it had been mandated to do.

The other side of the House argues that the majority has the right to govern, but that right is not absolutely unfettered. As the hon. member for Kamloops and others have argued, through the rules it has adopted for the conduct of business, the House itself places certain limitations on the right of the majority and so ensures that the rights of the minority are protected. They contend that certain actions taken by the chairman of the finance committee were in violation of these established rules and that the report of the committee should therefore be ruled procedurally irreceivable thus firmly establishing a precedent whereby committee chairman cannot make arbitrary rulings.

### *Point of Order*

Your Speaker is acutely aware of the sensitive nature of the questions raised by this case and of the message which this ruling will send to other committees, both in this Parliament and future Parliaments.

I ask hon. members to bear with me as I give you the perspective of the Chair on the procedural implications of the case before us.

[*Translation*]

First, a comment which I made in my ruling on March 26 at page 9756 of *Hansard* bears repeating:

The Speaker has often informed the House that matters and procedural issues that arise in committee ought to be settled in committee unless the committee reports them first to the House. I have, however, said to the House that this practice is not an absolute one and that in very serious and special circumstances the Speaker may have to pronounce on a committee matter without the committee having reported to the House.

[*English*]

For the record I wish to indicate that the finance committee has not reported on an alleged breach of privilege or on some other irregularity. It simply reported Bill C-62 with amendments.

The Chair must again reiterate that under normal circumstances the House is only seized with matters occurring in committees when those matters are reported to the House. I refer hon. members to Citation 76 of Beauchesne's Fifth Edition and to illustrate this practice to the report of the Aboriginal Affairs and Northern Development Committee tabled on April 28, 1987.

However, as I explained on March 26, 1990, the Chair is prepared to deal with extraordinary situations which may occur in committees without a formal report on the occurrence.

First, let us deal with the primary practical issue the Chair is being asked to resolve, namely, whether or not the report of the Standing Committee on Finance on Bill C-62 is receivable. I have carefully reviewed the arguments presented by the hon. member for Kamloops and the comments made by the hon. member for Kingston and The Islands and the hon. member for Edmonton East. I have examined as well a ruling referred to by the Hon. Member for Kamloops, a ruling which was made some 70 years ago pertaining to the authority of the Speaker to go back to the proceedings of a committee in order to judge whether a report is in order. On July 1,