

their remark so we could carry on with questioning. They refused.

Subsequently, the government members indicated they were going to introduce a motion asking for all the testimony to be struck if they did not withdraw the testimony. At that point I again asked if they would not please remove the offending remarks so we could carry on with the questioning. Again they refused.

At that point the government members gave me the written motion insisting that the testimony be struck from the record and we adjourn the committee. The hon. member who brought up the point of order then offered an intervention and also asked the witnesses to withdraw the remarks so we could carrying on with questioning. They refused. The Liberal member in response to the motion in the committee made a very eloquent intervention. He too asked if they would not withdraw the remark. They refused.

• (1515)

At that point we then read the motion as presented by the government members. For a third time I asked the individual witness if he would not please remove his remark. He looked at me and said to call the question. I put the question and the motion carried. At that point the committee asked the witnesses to leave and adjourn the hearing until the next witnesses showed up half an hour later.

To the best of my knowledge that is an accurate summary of the events of yesterday afternoon. I hope that helps in your deliberations, Mr. Speaker.

Mr. René Soetens (Ontario): Mr. Speaker, I too want to want to speak on this question of privilege.

I believe that the privileges of the House and the privileges of all members of this House were being protected when I put that motion yesterday in committee.

In fact, the recollection the chairman of the committee has presented today is very close to the recollection I have. The only addition I would make is that the Liberal member who indicated he had never seen such action did not in fact see it last night either.

Privilege

The fact of the matter is that this committee has been functioning under the Standing Orders and under Standing Order 116 which states:

In a standing, special or legislative committee, the Standing Orders shall apply so far as may be applicable.

I refer to Standing Order 117 which says:

The Chairman of a standing, special or legislative committee shall maintain order in the committee, deciding all questions of order subject to an appeal to the committee;

In fact there was a motion put. That motion was put to protect the interests of all members of Parliament. I would refer to Beauchesne's sixth edition, citation 33 under "Privileges of the House" which states:

The most fundamental privilege of the House as a whole is to establish rules of procedure for itself and to enforce them.

Citation 34 says:

The power of the House to enforce its rules extends not only to Members and others admitted within the precincts of Parliament, but also to members of the general public who may interfere with the orderly conduct of parliamentary business.

I would suggest that is exactly what happened yesterday with the witness who appeared before the committee.

I refer as well to citation 77 of Beauchesne's relating to freedom of speech because the member, as the chairman of the committee has pointed out, made some rather inflammatory comments about members of Parliament. Citation 77 clearly states:

Freedom of speech does not mean that Members have an unlimited or unrestrained right to speak on every issue. The rules of the House impose limits on the participation of Members—

Having asked that member to limit his comments, he so refused on numerous occasions including requests that I extended. If it goes any further than that, extensions of privileges within committees is dealt with on page 27 of Beauchesne's sixth edition. Citation 106 states:

Many of the privileges of the House extend also to its committees. They may exclude the public from their meetings and commonly do so, particularly while considering their reports to the House.

I suggest that although we were not considering a report to the House, we had every right by that section to exclude the evidence and the witness who had presented.

I also refer to citation 107 which states:

Breaches of privilege in committee may be dealt with only by the House itself on report from the committee.