

The honourable Minister of National Health and Welfare (Mr. MacEachen) raised a point of order to the effect that the proposed amendment was founded upon evidence given before a royal commission, that, by virtue of the ruling previously made by Mr. Speaker, the proposed amendment was out of order, that it had no meaning and no relevance unless it hinged upon evidence before a royal commission, and as Mr. Speaker ruled previously, the kind of discussion proposed thereby would be irregular and improper.

And a debate arising on the said point of order;

RULING BY MR. SPEAKER

MR. SPEAKER: I wish that a ruling that I had made could bring finality to any matter in this House. I have some doubts whether I will ever achieve that. Honourable Members realize, as I indicated earlier this afternoon, that to some extent we have a conflict between the precedents to which I have referred. Certainly there is a conflict in the House this afternoon between the authorities cited. It is not easy to reconcile rulings which have been made in the past, but I have expressed the thought that I believe that as a general rule the principle by which we should be guided is that Parliament is supreme; that it is only in extreme cases where we might consider our debates are limited in some way in light of certain considerations, including the fact that certain questions have been referred to a royal commission.

This principle is in accordance with the authorities I have cited. It is certainly sustained very strongly by the ruling of Mr. Speaker Michener. However, I thought that at that time I should bring to the attention of honourable Members the fact that there is a limitation, and a very narrow limitation, to the general rule that no reference should be made in the course of our discussions to evidence given in any proceeding before a royal commission or inquiry. The reason, of course, is that we would not want to have a parallel inquiry going on in the House at the same time as that now being carried out in another forum.

However, having taken that into account, I still believe that the rule to which I referred a moment ago applies, namely that this type of question is not really *sub judice* but that it can be discussed here.

When I made my ruling a moment ago I said that there is much merit to the suggestion made by the honourable Member for Peace River that certain matters, decisions or bits and pieces of evidence which come out in the course of a hearing might not be of the essence of the matter which is before a royal commission or inquiry, and because of this we should not be precluded from discussing certain matters. I do not want to reduce this to the absurd, but, for example, if in the course of his evidence a witness said that it was raining, or that it was not raining, we could not come to the conclusion that we could not discuss the weather in the House of Commons. In other words, there is a limitation to this. We cannot eliminate from our discussion in the House any evidence that is presented before a commission.

In my opinion the type of subject-matter contained in the motion presented by the honourable Member for Royal is collateral to the main issue. It does not refer to the essence of the evidence, but rather to knowledge, acquired from evidence, of what is considered to be a collateral issue, namely the manner in which certain information was given by, or obtained from, the R.C.M. Police.

When there is doubt in the mind of the Chair, I believe there is an obligation on the part of the Speaker to give the benefit of whatever doubt there may be in his mind to the honourable Member who wishes to discuss such a matter in this Chamber. I feel that on the basis of the authorities that I