

*Question of Privilege*

**Mr. Reid Scott (Danforth):** I wonder if I could ask Your Honour whether it would be in order for a member at this time to move a motion granting permission to the hon. member for Yukon, the Prime Minister, the Minister of Justice and the Postmaster General to appear before the Dorion commission and give such evidence as they think would be useful. The hon. member for Greenwood has drafted such a motion, and I would be prepared to second such a motion if it were moved.

**Mr. Speaker:** Anything dealing with the rights and privileges of members is of great importance, certainly in my estimation and I believe in the estimation of all members. It is the duty of the Chair also to make sure that these rights and privileges are fully protected. I do believe, in view of its importance, I should take the matter into consideration over the week end. It may be that the proper procedure is as indicated, but I think this step should be carefully checked before Monday. Then I can perhaps suggest or communicate with members as to the correct procedure. In principle it seems to me the matter is important.

**Mr. Andrew Brewin (Greenwood):** In order for Your Honour to be able to consider the matter, I should like to put before the house for your consideration a formal motion that this house give special leave to the hon. member for Yukon, the Prime Minister, the Minister of Justice, the Postmaster General and any other member who is invited to attend before the Dorion commission to do so, and to refer to any matter that has been in debate in this house.

**Mr. Scott:** I should like to second that.

**Mr. Nielsen:** I should like to be the second order of that motion.

**Mr. Speaker:** Order, please. I wonder if I could have that motion. If there is unanimous consent I do not believe we need to waste much time.

**Some hon. Members:** Agreed.

**Mr. Speaker:** It has been moved by the hon. member for Greenwood and seconded by the hon. member for Yukon—

**An hon. Member:** It is in good French.

**Mr. Speaker:** I must advise the house it is not in French but is in hard to read English.

**Mr. MacEachen:** Mr. Speaker, I am rising on a point of order.

[Mr. Nielsen.]

**An hon. Member:** The motion must be put first.

**Mr. Speaker:** It has been moved by the hon. member for Greenwood—

**Hon. A. J. MacEachen (Minister of Labour):** Mr. Speaker, I rise on a point of order. The only basis upon which this motion could be introduced at this point or put to the house would be a decision by Your Honour that this raised an immediate question of privilege. Otherwise there is no basis for putting the motion before the house. I think it is quite improper at this stage to establish on very shaky precedents the necessity of this particular motion.

I suggest the hon. member for Yukon is correct in stating that the authorities say that a member cannot appear before such an inquiry without special leave, provided the hon. member is to be questioned about the proceedings and debates of the house. But I do not think it has been established that he will be questioned about the regularity of our proceedings or the nature of the debate in this house. He will be questioned, no doubt, about matters which have been discussed within this house, but they will be matters within his own knowledge and, I would suggest, matters relating to an interview he had which is not part of our proceedings or debates. So I submit that in the circumstances it is not clear that leave is required.

It is for these reasons that I suggest Your Honour's ruling should be made after some consideration, because an important precedent might be involved. If it is ultimately established by yourself that the point raised by the hon. member for Yukon is valid—and I do not believe it is—then the next step would be to establish how leave is granted, whether a special resolution of the house is required. Ministers of the crown regularly ask for leave to do certain things in this house. For example, there are certain documents which are tabled under the standing orders or by statute. Before any other documents can be tabled the leave of the house is required. How do we seek leave? We do so simply by getting up and saying "May I have leave to table these documents". The house grants leave, and it could do so in precisely the same way to the hon. member for Yukon, I submit, without the necessity of a resolution in a formal way.

My purpose in rising now is to suggest that a ruling on this matter should be held over until Monday so that the important procedural questions involved can be considered on their merits. If, following your studies, it is necessary to have a resolution, then the