

Broadcasting

Mr. Speaker: I thank the hon. member for his comments but, with respect, perhaps I should point out to him that they did not refer very much to the procedural difficulty with which I am faced. In fact, it may be that the comments of the hon. member substantiate the suggestion I have made that it is difficult for the House to consider by way of petition a matter over which jurisdiction has specifically been referred by parliament to another body.

These are the precedents which have been quoted from time to time in the House in similar circumstances in the past. I am sure hon. members will appreciate that in relation to petitions, which is a very ancient and historical right, the Chair must exercise all care and attention to ensure that petitions, when they are in order and acceptable from a procedural standpoint, should be given an opportunity to be considered and referred, if necessary, to the appropriate committee. But I must tell the hon. member, with the greatest respect, that I do not see how I can overlook the precedents, to which I should like to refer briefly.

I refer hon. members to a precedent reported on page 163 of the Journals of the House for Thursday, February 16, 1956. It was ruled that the petition was irregular in that it did not set forth a case in which the House had jurisdiction to interfere, since parliament had vested in the Governor in Council and in the Minister of Transport the exclusive authority to approve and issue licences for the operation of private television stations. That ruling also referred to a citation from May's Parliamentary Practice, 15th edition, at page 814. That citation is brought forward into the 18th edition at page 795.

A more recent precedent is recorded on page 2921 of *Hansard* for June 7, 1972. I would also refer hon. members to Dawson's Procedure in the Canadian House of Commons, page 241, which I might read briefly:

A petition must, of course, relate to a matter over which parliament has control. In a federal country this stipulation limits at once the range of subjects which may be raised. The House will not receive a petition relating to a matter which has been delegated to another body. Ever since 1874 when it gave the courts its privilege of judging controverted elections, the Commons has refused to receive petitions which related to such electoral problems. On a more recent occasion a matter which had, by statute, been allocated to a public corporation was judged to be beyond the authority of the House and a petition which requested interference by the House was rejected.

In the petition now before us the petitioners complain that certain recommendations of the House were not implemented by the Canadian Radio-Television Commission. The recommendations in question are contained in the second report of the Standing Committee on Broadcasting, Films and Assistance to the Arts presented to the House on July 16, 1973. The report recommended that consideration be given to the advisability of certain action being taken by the CRTC. It seems clear to me that the grievance has reference to a matter over which jurisdiction has been delegated by parliament to the CRTC. In this respect I suggest it is not open to the Chair to disregard the well established practice of the House and the precedents to which I have referred.

I appreciate the position of the hon. member and his suggestion that this is a matter which ought to be considered either by the House or by a committee of the House. I respectfully suggest to him, however, that the procedure

[Mr. McGrath.]

which should be adopted should be some procedure other than a petition. With regret, I can assure the hon. member, after having given the matter much thought and consideration I find I have to rule that the petition cannot be considered.

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, I rise on a point of order with respect to the petition, not with respect to your ruling. Standing Order 67(8) says:

No debate shall be permitted on the report but a petition referred to therein may be read by the Clerk of the House at the Table, if required.

I suggest, in view of the discussion of this petition that has taken place and in view of the general interest in it, that its full text should be placed on the pages of *Hansard*. If the Clerk of the House will read the petition, that will put it on *Hansard*, or perhaps the House might consent to it being inserted in *Hansard* as if the Clerk had read it to us.

Mr. Speaker: The suggestion made by the hon. member for Winnipeg North Centre may be acceptable to the House by consent. It must be appreciated, however, that, in view of the ruling of the Chair the petition is not before the House. It has not been received and, therefore, if it has not been received it cannot be read. There are precedents to support this suggestion. At the same time, I understand that there is general interest in the matter. I judge this to be so from the questions that have been asked and the debate that has taken place in past days and weeks. If there is consent, I am sure that from the point of view of the Chair there would be no difficulty about requesting the unanimous consent of the House to have the petition inserted in *Hansard* as though it had been read. Is this agreed?

Some hon. Members: Agreed.

[*Editor's note: The petition referred to above follows.*]

TO THE HONOURABLE THE COMMONS OF CANADA
IN PARLIAMENT ASSEMBLED

THE HUMBLE PETITION of the undersigned Canadians, resident in Canada, who now avail themselves of their ancient and undoubted right thus to present a grievance common to your petitioners in the certain assurance that your honourable house will therefor provide a remedy,

SHEWETH:

THAT, on the 24th July 1973, your honourable house was pleased to concur in the Second Report of the Standing Committee on Broadcasting, Films and Assistance to the Arts, presented to your honourable house on the 16th July 1973, as by reference to the *Journals* of your honourable house will more fully appear;

THAT your honourable house, in so concurring, recommended that consideration be given to the advisability of taking whatever action is necessary to accomplish, inter alia, the following objectives:

- (a) that the Canadian Radio-Television Commission pass regulations which will provide that advertising must not be directed exclusively to children; and
- (b) that the Canadian Radio-Television Commission require the deletion of advertising directed to children from American programming distributed on the Canadian cable systems.

THAT, on the 16th October 1973, the Canadian Radio-Television Commission (hereinafter referred to as the "CRTC") publicly announced that the Canadian Association of Broadcasters had amended, effective the 1st October 1973, the Broadcast Code for Advertising to Children, and that