

from carrying out their mandate "to examine and inquire into all such matters as may be referred to them by the House" as stipulated by Standing Order 108(1).

Our capacity as elected representatives is to be ever vigilant and to protect the interests of our electors. The statutory laws which are in force, those which have been adopted by Parliament as a whole, are meant to be respected and serve no purpose if they are ignored. To quote the hon. member for Scarborough—Rouge River, "a right which cannot be enforced is no right at all". The fundamental question that remains to be answered is whether the Standing Committee on External Affairs and International Trade has been interfered with because it had to wait 32 months before being formally seized of the Order in Council.

The Chair has reflected seriously upon this matter. I have examined very carefully the circumstances surrounding this particular case and the argument presented by the hon. member for Scarborough—Rouge River. I note that the hon. member stated that the correspondence in question has been between counsel for the Standing Joint Committee for the Scrutiny of Regulations and officials from the Department of Finance. It appears that the matter relating to the punctual tabling of these types of Orders in Council lies more appropriately with the committee, at least at the present time. If the committee senses that a contempt has occurred it is within its power to report this fact to the House. Once the House is in receipt of such a report, it can take appropriate action.

[*Translation*]

Until the Committee has reported on this matter, it could be argued that the House should not be dealing with the particular circumstances of this case. It may be that the Committee is in the process of taking some action or that it is contemplating doing so in the future.

In the view of the Chair, this would be an appropriate way of dealing with this matter for the moment, since the committee has already initiated work in this area and may want to continue its review of this matter. As a result of its work, the Committee may want to report to the House recommending an action for the House to

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take or it might want to report on what it sees as a contempt, at which time the matter may once again come before the House. Without the benefit of the committee's view on this whole matter, I am reluctant to rule that prima facie a contempt of the House exists at this time.

[*English*]

I wish to add however a cautionary comment. Since 1985 Standing Order 32(5) was amended to read as follows:

Reports, returns or other papers laid before the House in accordance with an act of Parliament shall thereupon be deemed to have been permanently referred to the appropriate standing committee.

I have to say—I think I probably speak for the House—those responsible to meet any deadlines for the tabling of documents in the House of Commons provided for in the Statutes of Canada should reflect carefully about the possible consequences of any delay. I thank hon. members for their assistance in this matter.

Mr. Dingwall: Mr. Speaker, on a point of order, I begin my remarks by saying that I am not questioning the ruling of the Chair. What I am seeking is some sense of clarification so that I and members in the House will fully understand the consequences of this particular decision. I ask the guidance of the Speaker in directing me to either the proper authorities or reviewing the facts. I did not have a chance to read the documents since the Speaker is the only one who has them.

Am I to understand that when there is an obligation on the part of the member of this House to table a document and there is a breach of that obligation which affects the rights and privileges of all members of Parliament, not just members of Parliament from one particular party, that amounts to a non-compliance by the minister in question?

• (1520)

My question for the Speaker is if these elements have been answered in the affirmative—yes, there was an obligation; yes, there was a breach; yes, the privileges of the member have been breached because he was not able to get the document—that would seem to me to be