

HOUSE OF COMMONS

Thursday, March 10, 1966

The house met at 2.30 p.m.

PRIVILEGE

MR. HARKNESS—ALLEGED INSINUATIONS AND ALLEGATIONS BY MINISTER OF JUSTICE

Hon. D. S. Harkness (Calgary North): I rise on a question of privilege, one which affects not only myself personally but a considerable number of other Privy Councillors both in the house and outside the house. It also affects every member of the house. I intend to move a substantive motion based on this question of privilege.

The question concerns the insinuations and allegations made by the Minister of Justice in this house on Friday—

Mr. Speaker: Order. I should like to bring to the attention of the hon. member the provisions of standing order 41-A. I will read the standing order.

Unless notice of motion has been given under standing order 41, any member proposing to raise a question of privilege other than one arising out of proceedings in the Chamber during the course of a sitting shall give to the Speaker a written statement of the question at least one hour prior to raising the question in the House.

I might mention that the hon. member did give me oral notice, which was brought to my attention before I entered the house, but no written notice was given to the Chair as required by the standing order. I suggest to the hon. member that in these circumstances no question of privilege can be raised at this time.

Mr. Nielsen: Has Your Honour not received written notice on this matter from the hon. member for Winnipeg South Centre?

Mr. Speaker: This is a very embarrassing question. I myself did not receive such a notice. If the Chair could be given two minutes I will have the matter checked. This is the kind of thing which could happen even in the Speaker's office, I suppose; such a notice could have been sent without being brought to the attention of the holder of the office.

• (2:40 p.m.)

I can only say at the moment, so far as the hon. member for Calgary North (Mr. Harkness) is concerned, that he himself has brought to the attention of the Chair that before 2.30 he did not send written notice. Therefore, this applies to his case in any event; but I am having a search made in my office with regard to such written notice.

Mr. Harkness: On the point of order you have raised, Mr. Speaker, while it is quite true I did not send you the written notice an hour beforehand, I did give you verbal notice. Under the circumstances it was virtually impossible for me to send the written notice because the information which I have subsequently secured, in regard to the press conference which the minister held this morning, came to me later than that.

In view of the importance of this matter and the seriousness of the situation, and particularly in view of the seriousness of the motion, which I now intend to read:

That the Minister of Justice—

Mr. Speaker: Order, please. In so far as the hon. member's question of privilege is concerned there is no doubt whatever that no written notice was given. The hon. member called the Speaker's secretary, who relayed a verbal message later on. The Speaker has been in his office since at least eleven o'clock this morning, if not before that, and written notice could have been given at any time between then and now.

The rule is clear, and it seems to me it is designed to cover the very type of instance which the hon. member is raising at the present time. But if there were unanimous agreement between all hon. members that we suspend the operation of this rule—

Some hon. Members: Agreed.

Mr. Speaker: Well, I appreciate that some hon. members will agree to its being suspended, but I suspect others will not.

Mr. Horner (Acadia): There was no opposition to it.

Mr. Speaker: Is there unanimous agreement?

Some hon. Members: Yea.

Some hon. Members: Nay.

Mr. Speaker: I hear some nays.