

I originally asked that I have an opportunity to rise on a question of privilege. I think, having reconsidered that, I am rising on a point of order. I want to just a few moments to explain my point of order.

There seems to be a misplacement on the Order Paper of a motion which I submitted yesterday. The motion reads as follows:

That it be an Order of this House that Les McIlroy, Chief of Staff to the Minister of Finance, Bill Pristanski, Chief of Staff to the Solicitor General, and Phil Evershed, Chief of Staff to the Deputy Prime Minister attend at the Bar of the House when Orders of the Day are reached in the sitting of the House following the day on which this Order is made, for the purpose of providing information to the House concerning the receipt of information about the improper and unauthorized possession and distribution of budget material and the manner and time in which members of the Cabinet were provided with this information;

That the aforementioned persons bring with them such papers and records as may be required for these purposes; and

That the Clerk and Sergeant-at-Arms of the House take all necessary actions to ensure compliance with this Order.

I recognize that the Leader of the Official Opposition (Mr. Turner) also presented a similar motion referring to other individuals.

In my letter to the Journals Branch yesterday, I specified that it was pursuant to Standing Order 67(p) that I gave notice of this motion, and that Standing Order reads as follows:

67.(1) The following motions are debatable:

(p) such other motion, made upon Routine Proceedings, as may be required for the observance of the proprieties of the House, the maintenance of its authority, the appointment or conduct of its officers, the management of its business, the arrangement of its proceedings, the correctness of its records, the fixing of its sitting days or the times of its meeting or adjournment.

I cannot think of a more important motion concerning the maintenance of the authority of the House than one seeking to determine whether the responsibility for making decisions of government is held by Members of Parliament and Ministers of the Crown or public servants.

It has been ruled that motions relating to certain of these categories, specifically the business of the House, are the sole prerogative of the Government. However, I cannot find any records where a motion to call witnesses to the bar has become the sole prerogative of the Government. If you reflect upon those occasions when

*Point of Order—Mr. Riis*

the House has considered motions to call individuals to the bar, Mr. Speaker, I submit that you will find that the privilege of moving such a motion has not been restricted to Ministers of the Crown. Indeed, in the few instances where the House has called someone to the bar, it has frequently been on a motion of an opposition Member.

In 1873, for example, several such motions were made; sometimes by Liberals, sometimes by Conservatives, and at least once by Prime Minister Macdonald.

In one example on June 7, 1894, during a Conservative Government a motion to call witnesses to the bar was moved by the Chief Opposition Whip, Mr. Edgar. It was moved without notice and the House adopted the motion.

A decade later when Liberal Sir Wilfrid Laurier was Prime Minister, a prominent Conservative rose on privilege and moved that a journalist whom he considered libellous be called to the bar. Although he rose on privilege and not during Routine Proceedings, it is interesting to note the observation of Sir Wilfrid Laurier who said: "Mr. Speaker, the motion of the honourable gentleman is undoubtedly according to the rules of the House, one which is altogether within his right to move and have adopted by Parliament".

Yet it seems that this same type of motion is not within our rights as opposition Members to move and have adopted by Parliament during regular House time. I have not yet been able to find a previous instance where a serious motion to call a witness to the bar has been denied through being relegated to Private Members' Business, especially after Private Members' Business has evolved to a tag-end hour of debate of little force or effect.

It is unfortunate on one hand to have such old precedents on this issue. The House, I realize, has not been forced to consider such dramatic and unusual steps to learn the truth of the matter. There is a perception that the precedents from the early years of the Canadian House of Commons are not necessarily relevant today. Some feel it was a different world in those days, a different relationship between Parties, a different type of Parliament and with different rules.

I hope that you, Mr. Speaker, will find that the fundamental question has not changed. There has been no change to the rights of the House of Commons and to