

*Privilege*

Now I will address three points. The first point is the chairperson's role. In my view he exceeded his authority, therefore impeding the privilege of the members.

The second point is procedure in committee where in my view, and in the view of many of us, the committee rules were not followed since they are *mutatis mutandis* applied by House of Commons rules in committee except for what are the exceptions in our Standing Orders and as Beauchesne's suggests in citation 569 regarding rules of the House.

Finally, I want to argue about the use of closure and time allocation. If the rules of the House apply in committee, surely only a minister or his representative, the parliamentary secretary, could use that procedure to close off debate. A minister standing in his place in the House must be the only person in the House who can move such a motion. If that applies in committee then we have to make sure that we understand the procedure.

I will speak first to the point that in our view the chairperson exceeded his authority last night. The rules of the House apply, as I said. In general we all agree that the chairperson, be it the Speaker or the chairperson of a committee, is mute. That is, he or she does not participate in debate, and if he or she cannot speak in debate in the House or in committee I ask how a member chairing a committee could introduce a time allocation motion, or a closure motion, or any motion for that matter.

As a matter of fact until I read the transcript of last night I was somewhat taken aback by that procedure. I read the comments made in committee following a comment by the member for Sudbury. She said: "I am under the impression that the reason you bring in closure is because you want to stifle debate." The chairman of the committee said: "No, it is time allocation."

So the chairperson himself validates my point by saying he is bringing in a time allocation motion. I suspect that in doing so he was trying to act for other interests, not the interests of the committee. He was trying to stifle debate by introducing something which in our view he had no business and no authority to introduce.

If one compares the motion put earlier that day by a member of the committee, it possibly indicated to the

committee that there was a disposition of the government to put in a time allocation motion. The motion put by the member for Ontario was indeed copied quite closely by the chairman at that time and put to the committee, with a small exception that no witnesses be heard.

Mr. Speaker, I put it to you sincerely that chairpersons have no authority to put a time allocation or closure motion. Having said that I will pass on to my second point.

It is our point of view that the time allocation motion put by the chairperson, the member for Mississauga South, was out of order. Not only did he not entertain points of order, and rule them out of order, but he also in our opinion had no authority to put that motion.

The procedure utilized yesterday for the chairperson to entertain motions was argued intelligently and convincingly by previous members. I thought that the arguments put to you were convincing.

• (1640 )

I refer you to Standing Order 117 and I will read it:

The Chairman of a standing, special or legislative committee shall maintain order in the committee, deciding all questions of order subject to an appeal to the committee; but disorder in a committee can only be censured by the House, on receiving a report thereof.

It is our opinion that the chairperson extended his authority last night, and went beyond what is normally the authority of the chair. If the principle is that any means justifies any end, then of course we are into difficult problems. And if anybody understands what happened in that committee, it is those who were there for the 30-odd-hours, debating points of order and trying to get reasonable arguments before the committee.

I will not prolong my points on the procedures before the committee, because without having to quote you, Mr. Speaker, which I know you would not appreciate, I think you made the point in 1984 that only the government can propose to a committee a time allocation or a closure motion. Having said that, Mr. Speaker, I would ask you to consider the arguments which have been made this afternoon, in a serious manner as usual, and report as soon as possible.