

Question of Privilege

The matter must be raised at the earliest opportunity. A matter of privilege which claims precedence over other public business should be a subject which has recently arisen.

The older rulings applied a further condition, that a matter to secure precedence must be one of urgency. But this condition seems to have been waived, and later Speakers have satisfied themselves with insisting that a matter should be raised at the earliest opportunity.

A matter which occurred during the recess was refused precedence as a matter of privilege because it was not raised at the commencement of the session.

Similarly a matter concerning an article in a newspaper published on 6 May was refused precedence because it was not raised till the 14th and a speech reported on a Saturday because it was not raised until the following Tuesday. On the other hand, when special circumstances justified it, the Speaker has permitted a member to raise a matter on the day following the date of issue of the newspaper containing the article complained of.

These citations show how strict are our rules and precedents in connection with the necessity of raising a matter at the earliest possible opportunity.

The hon. member knows, as all hon. members know, that we have any number of precedents on this very important point. I have one before me, reported in *Hansard* of May 10, 1966, at pages 4923-24. On that day the hon. member for Québec-Montmorency raised a matter referring to a broadcast of the C.B.C. on May 5. The Chair ruled as follows:

Since this involves a matter which, according to the hon. member himself, goes back to Thursday last, I do not feel the question of privilege has been raised at the earliest opportunity. For this reason, I cannot find that a question of privilege exists in the circumstances.

The hon. member knows this question has been raised on a number of occasions in the current session. In particular the hon. member for Halifax (Mr. Forrestall) raised this very matter in connection with a proposal for adjournment under standing order 26 on September 7 last, and on August 30, 1966 a number of questions were asked by the hon. member for Vancouver East and the right hon. Leader of the Opposition.

It is obvious that this matter has not been raised in the form of a question of privilege at the earliest possible opportunity. For this reason I must rule, not on the question of whether there is a prima facie case but on the point of order as to whether this matter has been raised at the earliest opportunity, and I suggest to the hon. member that he has not satisfied this requirement.

Mr. Nugent: Mr. Speaker, may I be heard on that point of order? I regret that it had not occurred to me to give the Chair—

[Mr. Speaker.]

Mr. Speaker: Order, please. I suggest to the hon. member that this is a very simple point. I see no purpose in reopening the question. I do not want to be unfair to the hon. member. He has a matter which he considers of great urgency and I recognize, with him, that it is a matter of considerable importance. But to the Chair this is such an obvious point, namely that a matter has to be raised at the earliest opportunity, and it is one on which we have had any number of precedents. It has been raised by the hon. member for Halifax and the right hon. Leader of the Opposition. I do not think the matter can be reopened at this time as a question of privilege.

Mr. Nugent: I am sure I can satisfy the Chair that this is the earliest opportunity, and I should like to be heard on that point. I submit to Your Honour that the only point that has occurred to you so far is the lapse of time, and I should like to very briefly present to you argument in support of my contention that this is my earliest opportunity, by relating the facts.

First, I was not a member of the committee. Second, this is a very, very serious matter and a very important matter. It is a charge against a minister of the crown, that cannot be raised lightly. It is true there have been several references in this house to the Landymore testimony, but the minister has always given explanations which might or might not cover the situation.

Therefore, Mr. Speaker, the only time I had an opportunity to check into this matter was when I became aware of the facts and convinced of the facts so that I had proof of statements made. Only at that time was it possible for me to raise the matter, bearing in mind the responsibility of a member not to raise such matters lightly and without investigation. I came into possession of evidence in this case only last week end when I went to Halifax and heard Admiral Landymore swear positively to the facts so that there was, then, evidence.

Some hon. Members: Oh, oh.

Mr. Nugent: It was at that point, and only at that point, that I had satisfied myself with regard to the possibility of raising this matter in the house.

Mr. Speaker: I appreciate the hon. member's anxiety to express his point of view on the point of order as to whether he raised the question at the earliest opportunity. My suggestion to him and my submission to the house is that it is not the sense of the rules