

Privilege—Mr. Fulton

[English]

I would say to the Hon. Member for Churchill and the Hon. Parliamentary Secretary that this is certainly a matter in respect of which the Chair can say, despite the deep and long history, which makes it very unwise for the Chair to unilaterally change the practice, the House should consider the practice again; and if the House wishes to make changes, it is perhaps time to consider doing so.

I thank both Hon. Members for their interventions.

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● (1010)

PRIVILEGE

UNANIMOUS REQUEST BY STANDING COMMITTEE

Mr. Speaker: Ordinarily the Chair does not like to proceed with a ruling if the Hon. Member who has raised the matter is not in the Chamber. However, I hope the Hon. Member for Skeena (Mr. Fulton) and other Hon. Members will forgive me doing so this morning because it is the last day before the summer adjournment.

I am now ready to rule on the question of privilege raised yesterday by the Hon. Member for Skeena. He gave a most lucid account of a sequence of events that took place in the Standing Committee on Environment and Forestry, a sequence of events which resulted in the failure to implement a resolution adopted by the committee.

The Hon. Member claimed that the departmental inaction he described impeded him in the fulfilment of his duties and therefore infringed his privileges. Hon. Members will remember that in that case there was a unanimous committee decision to ask a number of government departments to form a committee to proceed to consider and do certain things which the committee wished them to do. As at the date on the application of the question of privilege yesterday, no action had been taken by the departments mentioned to fulfil the unanimous motion of the committee.

The Hon. Parliamentary Secretary to the President of the Privy Council (Mr. Lewis), while arguing that the Hon. Member for Skeena did not have a valid question of privilege, nevertheless expressed his sympathy with his colleague's frustration. The Chair can also sympathize with Hon. Members who in trying to get things done find themselves frustrated by the bureaucratic process. We must, however, recognize that the bureaucracy also has its point of view and when it fails to act there may sometimes be good reasons for it.

However, this is not a matter for the Chair to judge. The Chair can only address the claim of privilege. The practice and precedents in a case of this kind are very clear. The Chair cannot deal with a matter arising from the proceedings of a committee unless the committee makes a formal report to the

House, except, I suppose, in some very exceptional circumstances to which I have alluded at another time.

The Hon. Parliamentary Secretary to the President of the Privy Council referred to Citation 76 of Beauchesne's Fifth Edition and to various rulings of the Chair which support the well established principles concerning privilege in relation to committee proceedings. I myself gave a ruling on December 16, 1986, which was consistent with the practice I have indicated. I must therefore rule that the complaint raised by the Hon. Member for Skeena does not fall within the limits of privilege, but this need not deter the Hon. Member from pursuing it by other means.

ROUTINE PROCEEDINGS

[Translation]

PETITIONS

GOVERNMENT RESPONSE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to Petitions Nos. 332-2499, 332-2500, 332-2586, 332-2589 and 332-2630.

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[English]

STATUTES OF CANADA

REFERENCE OF DRAFT BILL TO STANDING COMMITTEE

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I am pleased to table, in both official languages, a copy of the Government's proposals to correct certain anomalies, inconsistencies, archaisms, and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes of Canada.

There have been consultations and I believe that if Your Honour seeks unanimous consent to refer this draft Bill to the Standing Committee on Justice and Solicitor General you will find that such consent exists.

Mr. Speaker: The Hon. Minister has made a proposal and indicated that there is consent.

Hon. Bob Kaplan (York Centre): Mr. Speaker, I have received a copy of the Bill. I have had a quick look through it and I agree, on behalf of the Official Opposition, with the procedure proposed by the Minister of Justice.

Mr. Speaker: The Hon. Member for Churchill.

Mr. Murphy: It is okay.