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JOURNALS

OF THE

HOUSE OF COMMONS

OF CANADA

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OTTAWA, FRIDAY, MARCH 11, 1966.

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11.00 o'clock a.m.

PRAYERS.

The House resumed consideration of the question of privilege raised by the honourable Member for Calgary North (Mr. Harkness), concerning certain remarks made by the Minister of Justice (Mr. Cardin).

RULING BY MR. SPEAKER

Mr. SPEAKER: Yesterday the honourable Member for Calgary North (Mr. Harkness) raised a question of privilege affecting the Minister of Justice (Mr. Cardin).

Yesterday I referred honourable Members to citation 104(5) of Beauchesne's fourth edition which determines the Chair's responsibility in such instances.

I also pointed out that even where a *prima facie* case of privilege exists it does not necessarily follow that a subsequent motion will be accepted by the Chair. I further stated yesterday that the matter of privilege put before the Chair related to the propriety of action or words of the Minister of Justice. The closing words of my ruling were as follows: "I can come to no other conclusion than that the motion as drafted now cannot be accepted by the Chair because it is too general in terms and, according to precedents, does not specify the charge levelled against the Minister."

I also referred honourable Members to Bourinot's fourth edition, at page 162, as follows: "A reference to a committee is no doubt the proper procedure in all cases in which there are reasonable doubts as to the facts of the course that should be pursued, especially when it is necessary to examine precedents or witnesses."

From the earliest days of our parliamentary history, the only motion that has been moved and accepted in such cases is one to refer the matter of the alleged breach of privilege of this house to the Committee of Privileges and Elections. I believe that in 100 years of Canadian parliamentary practice, there has never been an exception to this procedure.