

HOUSE OF COMMONS

Friday, March 26, 1971

The House met at 11 a.m.

PRIVILEGE

MR. HORNER—REGULARITY OF ALL-NIGHT SITTING BY COMMITTEE ON AGRICULTURE

Mr. Speaker: Order, please. At the opening of Wednesday's sitting the hon. member for Crowfoot rose on a question of privilege in relation to an all-night sitting of the Standing Committee on Agriculture. In the course of his remarks the hon. member suggested that he was prepared to propose a motion in the following words:

That the question of the validity and regularity of the sittings of the Standing Committee on Agriculture, which began at 8 p.m. in the afternoon of Tuesday, the 23rd of March, 1971, and continued thereafter until 7.30 a.m. o'clock in the forenoon of the 24th of March, 1971, and of the proceedings at such sittings be referred to the Standing Committee on Privileges and Elections.

At the opening of his comments the hon. member asserted that when the Standing Committee on Agriculture was called at 8 p.m. "there was a firm intention by the government members on that committee to sit until the committee was exhausted." It might be that the hon. gentleman in the main rests his submission on that assertion, but I suggest to him that prolonged sittings of the House and of committees are not unknown in our parliamentary history.

It seems to me that the length of the sitting is a matter for determination by a majority of the members then present when we are dealing with a committee meeting. The situation is, of course, different in the House where the Standing Orders provide for specific hours of sitting and these cannot be extended or changed except under the Standing Orders or by unanimous consent. The hon. member recognizes that a meeting of a committee may be terminated at any time by the adoption of a motion to adjourn.

The hon. member then touched upon the responsibility of the Chair in relation to the hours of attendance of the respective officers and clerks of the House, and I may say that it is a responsibility of which the Chair is very conscious. It must be said, however, that prolonged hours are an ever-present and a built-in condition of service in the House. As hon. members know, the hours of the House may be, and are, altered at a moment's notice under the provisions of Standing Order 6(5)(a). A different procedure is used for such a purpose in a standing committee, but the principle remains the same.

• (11:10 a.m.)

The hon. gentleman also stated that, prior to eight o'clock the clerks employed in the Standing Committee on Agriculture were all notified that there was to be an

all-night sitting and, having been duly notified, arranged among themselves to work in two shifts, some to work up to midnight and others to carry on until the committee adjourned. That may be so, but again I suggest that notwithstanding any notification which may have been given to the committee staff, a majority of the members present in a committee at any given time are in a position to decide when the committee shall terminate its sittings.

The hon. member then suggested that a committee should be regularly adjourned from day to day and went on to say that the committee has not been regularly adjourned for a long time. It seems to me that, because of the informality in most cases in committees, the pure form of adjournment may not be observed in every case, but again I suggest that no committee meeting can be adjourned unless a consensus, or the general consent of a majority of the members then present, is obtained.

There remains the reference of the hon. member to proper decorum in the committee and, in specific terms, the hon. member's observation that food was sent in to the committee room while the proceedings were under way. I am in full agreement with the hon. member that standards of decorum should be observed in committees just as they are in the House. On the other hand, it should be pointed out that committee proceedings are by their very nature conducted in a much less formal fashion. For example, smoking is allowed in committees. I suspect that on hot days there have been occasions when hon. members have removed their coats, and I suspect also that coffee and other liquids are consumed from time to time. I feel it is essential that there should be standards, but again I observe that proceedings in committees are more relaxed in nature and that the same requirements which we feel must be observed in the chamber are not so strictly enforced when hon. members sit as committees of the House of Commons. Having said all this, I would add that the observations of the hon. member are generally applicable to proceedings in all committees.

The one grievance which stands out is that relating to the length of the sitting in question. I have to reiterate in this regard that, although it may be most unusual, this in itself does not affect the regularity of the proceedings of the committee. The committee was authorized by the Standing Orders to make a decision to continue in session; this decision could be made and obviously was made by a majority of members of the committee.

I might add that I have often expressed serious reservations about the regularity or advisability of having the proceedings of one committee investigated by another standing committee of the House, be it the Committee on Privileges and Elections. I have serious doubts as to the effectiveness of such a procedure.