

HOUSE OF COMMONS

Thursday, February 27, 1975

The House met at 2.00 p.m.

THE ROYAL ASSENT

[English]

Mr. Speaker: I have the honour to inform the House that a communication has been received from Government House which is as follows:

Ottawa, February 27, 1975

Sir,

I have the honour to inform you that the Right Honourable Bora Laskin, P.C., in his capacity of Deputy Governor General of Canada, will proceed to the Senate chamber today, the 27th day of February, at 5.45 p.m. for the purpose of giving royal assent to certain bills.

I have the honour to be,
Sir,
Your obedient servant,
André Garneau
Brigadier General
Administrative Secretary to
the Governor General

ROUTINE PROCEEDINGS

[English]

PRIVILEGE

MR. REID—ATTENDANCE OF MEMBERS OF HOUSE OF COMMONS BEFORE SENATE COMMITTEES—RULING BY MR. SPEAKER

Mr. Speaker: Order, please. On Wednesday, February 19, last the Parliamentary Secretary to the President of the Privy Council (Mr. Reid) rose on a question of privilege regarding the matter of members of this House appearing before committees of the other place to make representations to them on legislation which has gone through the stages of consideration in this chamber. The matter was raised subsequently and the question that was put by the hon. parliamentary secretary was whether a member can go to the other place and raise doubts about a piece of legislation on which this House of Commons has already taken a stand.

● (1410)

It seems to me that the hon. parliamentary secretary has raised two questions: first, can a member appear before a

committee of the other place? I suppose that amounts to a question of whether a member of this chamber can be prevented from so doing. On examining the precedents that were cited, and the Standing Orders, I can find nothing which bears directly upon the point of an hon. member of this House voluntarily appearing before a Senate committee. In any case, the precedents which would appear to offer some assistance are very early precedents which seem to me to have been overridden by usage common to the practices of this House since 1946, whereunder ministers have appeared in assistance of legislation and members have appeared in assistance of their own bills.

While exceptions are provided in this case under the Standing Orders of the other place, they are not referred to in the Standing Orders of this chamber. Accordingly, whatever precedents there were which might have supported the proposition that a member of this chamber could have been prevented from appearing before a committee of the other place seem to have been overridden by recent practices. Accordingly, I am not able to conclude that there is any authority whereunder the Chair could prevent such a thing being done by a member of this chamber.

The second question is whether, in so doing, a member can cast doubts upon legislation that has already been dealt with in this chamber. It seems to me that is hypothetical. No suggestion is made that such an event has taken place and no specific evidence of any occurrence is offered in support of such an allegation. In fact, no motion or inquiry seeking any action on the part of the Chair is appended to the hon. member's question of privilege. I would therefore conclude that no evidence is offered to support the contention that in any recent or specific case a breach of the privileges or Standing Orders of this House has taken place, and therefore I cannot find that a *prima facie* question of privilege is involved.

I should add, however, that much of the comment that was made in the course of the discussion—which was very long—on this very important point was valid. I refer, for example, to the remarks of the hon. member for Winnipeg North Centre (Mr. Knowles) to the effect that it is a curious anomaly that the other place takes such a grave view of this matter, sufficient to inscribe in its Standing Orders the punishment and penalties that ought to be visited upon one of its members who might condescend to come to this place and appear before this House or its emanations, but it takes a different attitude toward the presence of members of this chamber appearing before that chamber or its committees.

In addition, I am troubled by the fact that a committee of the other place having received, in any particular proceeding, one member of this chamber as a witness, it might find it most awkward to refuse others who wanted to