

No. 6

JOURNALS

OF THE

HOUSE OF COMMONS

OF CANADA

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OTTAWA, THURSDAY, OCTOBER 30, 1969.

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11.00 o'clock a.m.

PRAYERS.

A question of privilege having been raised by the honourable Member for Hillsborough (Mr. Macquarrie) with reference to the distribution of a document by the Office of the Minister of Communications.

RULING BY MR. SPEAKER

Mr. SPEAKER: I have studied the notice which I received from the honourable Member in accordance with the requirements of the rules. I looked into precedents and I am now in a position to indicate to the House whether I consider that there is a *prima facie* case of privilege, since this has to be determined before the motion can be put in a formal way to the House.

It may be useful at the beginning of the session for me to stress once again, as I have tried to do in past sessions, the very nature of parliamentary privilege. Privilege has been defined as the sum of the fundamental rights enjoyed by each House of Parliament collectively and by Members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals. In the seventeenth edition of May's Parliamentary Practice at page 43 we find the following: "When any of these rights and immunities, both of the Members, individually, and of the assembly in its collective capacity, which are known by the general name of privileges, are disregarded or attacked by any individual or authority, the offence is called a breach of privilege, and is punishable under the law of Parliament."

Parliamentary privilege as a separate part of the common law includes the following special rights and immunities available to Members of Parliament: "...freedom of speech, in the sense of immunity against suits in defamation;