

Privilege

children to symbolize unity and peace and respect for our varied peoples and varied regions. We want it to fly over a land whose beauty and richness will be protected, to be enjoyed by future generations.

[Translation]

We are Canadians!

Some hon. members: Hear, hear.

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[English]

PRIVILEGE

STANDING COMMITTEE ON FINANCE

Mr. Speaker: On a question of privilege, the hon. member for Nickel Belt.

Mr. Gauthier: A point of order, Mr. Speaker—

Mr. Speaker: I indicated that those who had questions of privilege put them aside on the clear undertaking that I would hear them immediately after the tributes to the flag. I think I am bound by that.

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, I rise on a question of privilege of which I have given you notice. It arises out of a meeting of the finance committee this morning. With your indulgence, Mr. Speaker, I would like to present the evidence, very briefly, for why I think there is reason to rule that there is a *prima facie* case of a breach of my privileges as a member of Parliament.

This morning the finance committee met to consider Bill C-62, the proposed GST legislation. At the sound of the gavel the chair of the committee, the member for Mississauga South, recognized the member for Edmonton Northwest, who moved that we go immediately to orders of the day.

At this point my colleague, the member for Esquimalt—Juan de Fuca, and myself protested. We called for points of order and, when these were ignored, I asked to be recognized on a question of privilege. I tried to get the chair's attention but the chair ignored my request to be recognized on a question of privilege. Instead, the chair moved to a clause by clause examination of the bill.

I continued to protest and the chair then asked one of the clerks of the committee to get the Sergeant-at-Arms

to have me removed from the committee. I am not privy to what the clerk told the chair, but the request was not carried through and the chair then suspended the meeting for a break. After a 15-minute break, the chair reconvened the committee and I asked to be recognized on a question of privilege. Again the chair refused to recognize me and said that he had something to say and adjourned the meeting.

I feel that my privileges have been breached on two counts. First, Standing Order 48(1) states:

Whenever any matter of privilege arises, it shall be taken into consideration immediately.

According to Beauchesne's Fifth Edition, Citation 81:

By its nature, a question of privilege is of such importance that it may be raised at any time and S. O. 17—

Standing Order 48 as well.

—makes provision for the precedence of a question of privilege over all other business of the House. A question of privilege arising out of proceedings in the Chamber, during the course of a sitting, may be raised without notice.

I think my privileges as a member were breached on numerous occasions as the chair of the finance committee refused to recognize me when I asked to raise a question of privilege. Second, the chair of the committee threatened to have me removed from the finance committee without having the power to do so. I cite Standing Order 117 which states:

The Chairman of a standing, special or legislative committee shall maintain order in the committee, deciding all questions of order subject to an appeal to the committee; but disorder in a committee can only be censured by the House, on receiving report thereof.

And Beauchesne's, Citation 609, states:

A committee has no authority to punish one of its members or other person for an offence committed against it, as by disorderly words or contemptuous conduct; for example, when a witness refuses to testify, or prevaricates. The committee may only report such offences to the House for its censure.

I think the chair did not have the power to threaten to have me removed. That is a decision that could only be decided by an appeal to the House, and only the House can censure me.

In conclusion, the bill that was before the committee is one of the most sensitive that has come before this House and this country. With the extensive use of closure, committees are one of the few places left where members of Parliament can call the government's actions into account. Even this is now being undermined by