

HOUSE OF COMMONS

Friday, November 30, 1962

The house met at 11 a.m.

BUSINESS OF THE HOUSE

ERROR IN LISTING OF BUSINESS ON ORDER PAPER

Mr. Speaker: I note that the gremlins have been at work again and that there is an unfortunate transposition at the top of page 3 in the order of business as listed on today's order paper. There has been a reversal in the positions of public and private bills, and therefore those items which have precedence from five to six o'clock should be public bills, not private bills as indicated. This transposition appears in both the English and French versions, so the gremlins were quite impartial.

PRIVILEGE

MR. KNOWLES—NON-COMPLIANCE WITH ELECTIONS ACT BY GOVERNMENT APPOINTEES

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, I rise on a question of privilege. We as members of the house are governed by certain statutes, the provisions of which we must comply with, and one of those statutes is the Canada Elections Act. Nevertheless we have been informed in the house in recent days that certain candidates in the last election, who are also required to comply with the provisions of the Canada Elections Act, have been appointed to certain positions, and a sessional paper, No. 1B, tabled yesterday, indicates that two of these persons, namely Mr. Creaghan, who is now a judge of the county court in New Brunswick, and Senator O'Leary, are in violation of the Canada Elections Act in that they have not filed their election expense returns.

My point of privilege is that the law should apply to all who are candidates in a general election, not only to those who are elected, and that the Prime Minister should have looked into this matter before these appointments were made.

Right Hon. J. G. Diefenbaker (Prime Minister): In so far as the first statement is concerned, Mr. Speaker, I am in agreement, but the Prime Minister has no responsibility to see whether or not candidates comply with the law.

Mr. Pickersgill: On the question of privilege, Mr. Speaker—

Mr. Speaker: Order. The hon. member has raised a question of privilege, and I do not think we can carry on any discussion of the subject matter of the privilege without there being a motion in that regard. Before we could have a general discussion on this point the hon. member would have to make a motion, if the point is indeed one of privilege. I believe the matter he has raised is rather novel, and I would hesitate to give a snap judgment on whether he has a question of privilege or not. It may be a grievance. But again I would reserve decision as to whether there is a question of privilege, because to my mind there can be no question of a discussion thereon unless there is a motion, and there cannot be a motion unless the Chair does recognize that there is a prima facie case of privilege.

[Later:]

On the orders of the day:

Hon. J. W. Pickersgill (Bonavista-Twillin-gate): I wonder if I might ask the Prime Minister whether it is his intention or the intention of anyone in the government to report to the recently appointed judge of a county court in New Brunswick the reported infraction of the law, with a view to making sure that the judge, like other citizens, complies with the law.

Right Hon. J. G. Diefenbaker (Prime Minister): Mr. Speaker, in so far as compliance with the law is concerned, that is a matter for each individual. Certainly what has taken place here today will come to the attention of the judge.

SIR WINSTON CHURCHILL

FELICITATIONS ON 88TH BIRTHDAY ANNIVERSARY

Right Hon. J. G. Diefenbaker (Prime Minister): Mr. Speaker, I ask for the indulgence of the house to make a motion which I intend to present and ask the Leader of the Opposition to second. Today is the birthday anniversary of Sir Winston Churchill—

Some hon. Members: Hear, hear.

Mr. Diefenbaker: —a member of the privy council of Canada. I saw him first in the fall