

Privilege—Mr. Forrestall

In the final analysis, it would be almost impossible for the House to say that the complaint . . .

And I take this to mean a complaint or any complaint.

. . . against government services would not qualify as a question of privilege. I hope hon. members would be unanimous that questions of privilege are not suitable for that kind of grievance.

A little later on Your Honour goes on to say:

Some of them will amount to legitimate grievances that ought to be brought to the doorstep of the minister responsible. Therefore, the only vehicle we have now is the question of privilege. If we accept a question of privilege in its classic terms as not suitable for accomplishing this objective, then we must surely begin to ask ourselves if we ought not now, in recognition of the many important areas into which members have to bring themselves, to be examining new effective and direct procedures to air those grievances that are legitimate grievances which arise outside the House but which do not qualify as questions of privilege.

I would suggest that Your Honour not comment necessarily on that ruling but to apply your own admonition, perhaps Your Honour might be better serving the needs of parliament if the Chair were to recognize that in fact we have no other method of bringing what may or may not be legitimate grievances before this chamber and before responsible ministers. Without elaborating on that, because we do not have any other vehicle, it may well be that Your Honour could again reiterate or suggest that a way out of this dilemma is a provision within the rules of the House for other methods of dealing with matters of this nature. But in the absence of that, I had no resource but to raise this question of the propriety of a senior member of the public service threatening members of a Canadian constituency, whatever their responsibility, and in fact warning and threatening them not to communicate with members of parliament.

If it is found that there is a prima facie case, I would be very pleased to move, seconded by the hon. member for Annapolis Valley (Mr. Nowlan):

That this House instruct the Minister of Transport to forthwith give a full and frank explanation of his department's and the government's policy with respect to the warning and conduct of the National Harbours Board, before the Standing Committee on Privileges and Elections.

Mr. Speaker: Order, please. The hon. member was good enough not only to give the Chair the required notice under the rules of this question of privilege, but indeed, to give within that notice sufficient detail to enable the Chair to be somewhat prepared for the argument which the hon. member has so ably put forward.

I think the hon. member has pointed out the similarity to those questions of privilege put forward a few days ago by the hon. member for Montreal-Bourassa and the hon. member for Laprairie and it is more than I could overlook. Accordingly, as I said on that occasion, the classic definition of a question of privilege does not fit circumstances in which a member in his duties outside this House finds that his scope is being restricted or attempts are being made to restrict his scope of intervention and effective work on behalf of not only his own constituents but his point of view as a member of the federal parliament. It is, nonetheless, another example of the serious problems which can arise when the scope of activity of a member is restricted in that way or when attempts are made to restrict it.

[Mr. Forrestall.]

For the moment, I feel absolutely certain that the classic definition of a question of privilege as we know it does not fit because it does not affect the right of speech of the hon. member in this House. Indeed, his right of speech in this House to complain and to raise this grievance is unquestioned. The doctrine of ministerial responsibility is very important to the parliamentary system. The minister ought to be questioned about this. Within the limits of the powers available to me I will recognize the hon. member in the question period today, and if the answer of the minister is not sufficiently expansive to satisfy him, he will receive priority treatment on the adjournment debate. That is the least the Chair can do at the present time.

It is to be hoped that the procedure committee, which has a blanket reference, might take cognizance of this very important development and try to find a way through which meaningful confrontation between the minister and the hon. member might take place. I might add that not only do I feel the classic question of privilege does not cover the situation, I am not even sure that if it were accepted as a question of privilege the result would give the member any satisfaction. A finding by this House that a question of privilege exists, or a subsequent finding by a committee that a question of privilege exists, might be the legal result but might not be very effective in remedying the situation. Surely a direct, one to one confrontation, is more effective.

Within those limits I will take all possible steps to see that the hon. member is provided with that opportunity within existing procedures.

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NATIONAL REVENUE

SUGGESTED EXTENSION OF TIME LIMIT FOR PAYMENT OF SALES TAX—REQUEST FOR UNANIMOUS CONSENT TO MOVE MOTION UNDER S.O. 43

Mr. Otto Jelinek (High Park-Humber Valley): Mr. Speaker, pursuant to the provisions of Standing Order 43, I rise to propose a motion on a matter of urgent and pressing necessity. This urgent and pressing matter is the incredible order issued by the Minister of National Revenue to business establishments to deliver their federal sales tax collections before the end of February at their own cost and expense to the government by any other means than the Post Office mails—a government run monopoly. This order is issued under threat of reprisal for late delivery of collections and is a flagrant repudiation of the law that posting in a mail drop is delivery to Her Majesty. I therefore move, seconded by the hon. member for York-Simcoe (Mr. Stevens):

That the government accept the consequences of the failure of the Post Office to deliver the mails, as Canadian citizens must, and extend the time limited for federal sales tax payments by business establishments until postal service is back to normal.

Mr. Speaker: Order, please. The House has heard the terms of the motion. It being proposed pursuant to Standing Order 43 it cannot be debated without the unanimous consent of the House. Is there unanimous consent?