

on the "Notice Paper." At page 304 of Bourinot's Fourth Edition it is stated: "Questions of privilege have precedence over other matters when they appear among the notices of motion."

What the Chair must decide is whether certain propositions set forth in the proposed motion constitute a *prima facie* question of privilege in the light of our practice. The Chair must of course make a decision on the evidence at hand which in the present instance is a notice of motion filed by the honourable Member for St. John's East.

May I for a moment examine with honourable Members the proposals set forth in that Motion. To begin with, it proposes the referral of one general and two specific propositions to the Standing Committee on Privileges and Elections. It would ask the Standing Committee to determine the general proposition as to whether it is the privilege of a Member of a Standing Committee of the House to call a meeting of members of a committee for the purpose of electing a chairman and a vice-chairman.

Honourable Members will agree that this is by no means a new question. It has been generally understood for many years that such power does not rest in every individual member of a standing committee. It is particularly so, it seems to me, when the committee has received no order of reference from the House. In that regard I should like to refer honourable Members to *Hansard*, pages 4071 and 4072 of October 28, 1963 where the very same question was dealt with by the then Speaker who said: "The Government Leader in the House, who followed the honourable Member for Medicine Hat and who was careful to state that he had not made any study of the question, declared that he had "no doubt it has been the custom that these committees be set up at the suggestion of the government whip as a convenience", but he added other comments which are not in accord with the conclusions of this memorandum.

Perhaps we can leave it at that, with the further suggestion that as the procedure is not clearly defined in our standing orders, this might be a matter that could very well be studied in the committee on procedure.

Obviously the practice today would appear to be the same as that of 1963. If there was no *prima facie* question of breach of privilege in 1963, which was the decision of the Chair, it is difficult to understand that a new privilege has been created in some way since then.

The enactment in itself of Standing Order 17(2) does not create a new procedure for the consideration of *prima facie* question of privilege. The true and conclusive test in giving priority to a motion of privilege is that a *prima facie* case be first established.

I suggest it is open to any Member to call attention to the listing of the position of his motion on the Order Paper. Indeed, the honourable Member for St. John's East did so today. In this regard his point of order was quite well taken and within his right. I suggest to the House this is the way to proceed; that is, the notice having appeared where it appeared on the Order Paper, it was left to the honourable Member to raise the matter as a point of order for the consideration of the Chair.

The first specific proposal as stated in the motion is whether there was a breach of the privilege of the Member for St. John's East in the failure of his effort on December 2, 1969 to call a meeting of the Standing Committee on Regional Development under Standing Order 65(2).