

*Conduct of Chairman of Defence Committee*

**Mr. MacInnis (Cape Breton South):** Thank you, Mr. Speaker. I am rising on a point of order. I should like to ask for some clarification or ruling in relation to the statement I made regarding what happened in the committee this morning. Having regard to the remark by the chairman of that committee to the effect that a show of hands was called, when you review what has been stated by myself and by the chairman the implication is that I lied.

If that is the case, Mr. Speaker, I would call as my only witness the Minister of National Defence, who was present, and ask him whether he supports what the chairman has said, that a show of hands was called, or that what I have said is the basic truth.

**Mr. Speaker:** Order, please. The hon. member is restating substantially the same things already said. There is obviously a disagreement of opinion as to what transpired. I am sure all hon. members have stated the facts to the best of their recollection, but essentially the situation is not changed whether it developed in one way or the other. Do hon. members not think we have considered this matter sufficiently? We have heard a question of privilege and various points of order. We have spent about 50 minutes of the time of this house on the matter. I suggest that hon. members now would want me as their servant to make a decision at this time.

Generally speaking hon. members know that by virtue of citation 324 (1) of Beauchesne's fourth edition it is irregular to refer to the proceedings or the evidence taken in a committee while that committee is sitting. This is a basic principle and it is only in extreme circumstances that the House of Commons takes it upon itself to refer to the proceedings of a committee.

A question of privilege has been raised by the hon. member for Winnipeg South Centre. It was not followed by a motion so that it would seem to me that at this point I could say there is no motion and therefore no question of privilege. However, I do consider the question raised by the hon. member to be a point of order and I will look at the situation in that light.

The hon. members for Vancouver Quadra and Edmonton-Strathcona, and I believe the hon. members for Rosthern and Halifax, suggested that this matter should be considered as an appeal from the chairman's ruling to the Chair. It might be possible to do that if there were not specific rules in our rule book providing for a situation such as this. The

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rule referred to by the right hon. Prime Minister, namely 68-A, is the one to which my attention has been drawn by my advisers. It states:

In any standing or special committee of the house questions of order shall be decided by the chairman, subject only to an appeal to the committee.

• (11:50 a.m.)

I may say that as there is no opportunity for an appeal, what can the Speaker of the house do about this situation? Not very much, I suggest. I realize it may very well be that the procedure followed was not the correct one but in view of the standing order to which I have referred I do not think it is possible for the Chair to accept an appeal from that procedure. I may say for the guidance of the committee, if it should meet again, that citation 303(3) of Beauchesne's fourth edition reads as follows:

Committees should be regularly adjourned from day to day, though the chairman is frequently allowed to arrange the day and hour of sitting, but this can be done only with the general consent of the committee.

I agree fully that this citation should apply to the committee. Whether or not it was applied it is difficult for me to determine. I have listened to the arguments advanced by the hon. member for Cape Breton South and by other hon. members, and I do not disagree with their interpretation of what actually took place. It might well be that the procedure followed in the committee was not exactly in accordance with our practice, but the remedy must be found in the committee and not in the house and I must so rule.

## PRIVATE BILLS

[*Translation*]

Fourth report of the standing committee on private bills—Mr. Loiselle.

[*Note: Text of the foregoing report appears in today's Votes and Proceedings.*]

[*English*]

## LABOUR CONDITIONS

### ANNOUNCEMENT OF CHANGES IN MANPOWER MOBILITY PROGRAM

**Hon. Jean Marchand (Minister of Manpower and Immigration):** Mr. Speaker, I would like to inform the house of changes the