

## HOUSE OF COMMONS

Tuesday, June 9, 1970

The House met at 2 p.m.

### PRIVILEGE

#### MR. HALES—REMARKS BY PRESIDENT OF PRIVY COUNCIL CONCERNING CHAIRMAN OF PUBLIC ACCOUNTS COMMITTEE

**Mr. A. D. Hales (Wellington):** Mr. Speaker, I take this opportunity to rise on a question of privilege. It concerns the improper and incorrect remarks made by the hon. member for Rosedale (Mr. Macdonald), the President of the Privy Council, concerning myself as Chairman of the Standing Committee on Public Accounts and the members of that committee. These remarks were made in my absence and I therefore raise the matter at the earliest opportunity available to me. I might say, Your Honour, that I was attending to a very pleasant duty, that of our son's graduation.

The question is whether these remarks constitute a breach of privilege and contempt of the House by the hon. member for Rosedale. As you know, Mr. Speaker, it is my honour to be Chairman of the Standing Committee on Public Accounts and the third report of that committee is presently on the order paper awaiting concurrence. The House may either concur in the report or reject it.

The hon. member for Rosedale spoke of that report during the debate on the opposition motion yesterday and of myself as chairman of that committee. In part he said, as recorded on page 7864 of *Hansard* for June 8, 1970:

The chairman of that committee is a member of the opposition. If the member for Dartmouth-Halifax East is going to censure someone in this regard, he should censure the presiding officer of that committee. I do not intend to do so.

If the minister had stopped there and had said no more I would not have risen on a question of privilege. But he went on to say, and this is what gives rise to the question of privilege:

I hope other committees of the House will not indulge in the same practice which was condoned by the hon. member for Wellington in allowing an attack on individual public servants.

Your Honour, I did not condone that any more than any other member of that committee.

**Some hon. Members:** Hear, hear!

**Mr. Hales:** It was a unanimous report presented to the House, and the minister has no right to point his finger at me and say that I condoned that practice.

**Some hon. Members:** Hear, hear!

**Mr. Hales:** I believe this is a reflection on the committee and on myself as chairman of that committee. As such it is a breach of the privileges of the House and, specifically, a breach of Standing Order 35.

• (2:10 p.m.)

The precedents are clear and therefore I do not propose to do more than refer Your Honour to pages 123, 124 and 125 of *Erskine May's Parliamentary Practice*, seventeenth edition. Among the precedents found to constitute contempt and breaches of privilege are reflections on the character of the Speaker and accusations of partiality in the discharge of his duty, reflections upon the conduct of the chairman of committees, reflections upon the impartiality of the chairman of ways and means, reflection upon the conduct of the chairman of a standing committee. I do not propose to take the time to read all of Standing Order 35 but simply to quote this very important part:

No member shall speak disrespectfully of...nor use offensive words against either House, or against any member thereof. No member may reflect upon any vote of the House, except for the purpose of moving that such vote be rescinded.

The hon. member for Rosedale, by his words reflected upon the vote of every member of the Standing Committee on Public Accounts.

Upon Your Honour ruling that there is a prima facie breach of privilege I shall move, seconded by the hon. member for Cardigan (Mr. McQuaid):

That the matter be referred to the Standing Committee on Privileges and Elections.

**Hon. Donald S. Macdonald (President of the Privy Council):** Mr. Speaker, I thank the hon. member for Wellington for having given me