

*Business of the House*

gives part of that time to the government, as it should and must do, for the proper carrying out of government business. There is more than enough time for a government which is not sloppy and slovenly and which pays some attention to cultivating the good will of the House that is necessary if it is to get its business done in adequate time.

● (2:10 p.m.)

Here we have a situation in which the House has provided time for dealing with those types of problems, such as questions of privilege and points of order, to which reference has been made by my hon. friend. This is time which the House has kept for this purpose. It is a residue of time still retained by the House to enable it to transact such business properly. I think that government members and others are under a misapprehension in this regard. Therefore I wish to call the matter to your attention, Mr. Speaker. Standing Order 17 reads as follows:

Whenever any matter of privilege arises, it shall be taken into consideration immediately.

The second part of the Standing Order reads:

Unless notice of motion has been given—

I call these words to Your Honour's attention.

—under Standing Order 42, any member proposing to raise a question of privilege other than one arising out of proceedings in the Chamber during the course of a sitting shall give to the Speaker a written statement of the question at least one hour prior to raising the question in the House.

In my submission there are three ways in which a matter of privilege may come on the floor of the House during the time of sitting of the House. One is when it arises directly during the course of proceedings in the House. A member may then rise immediately—in fact, he must rise immediately—and bring it to Your Honour's attention. The second one is when privilege arises out of matters which take place outside the House or there is some specific reason why a member cannot bring it to the attention of the House when the House is transacting its business. An hon. member then has an opportunity to bring it up upon giving one hour's notice pursuant to the Standing Order I read. The third way is by giving a notice of motion under Standing Order 42.

We must assume that words put together mean something as they are contained in the Standing Orders. Otherwise, why would it be

[Mr. Baldwin.]

said that "unless notice of motion has been given under Standing Order 42" a member may raise it in another way? In other words, there are three ways of doing it: when it comes about during the transaction of business, by giving an hour's notice to Your Honour, and by a notice of motion under Standing Order 42.

If I am correct in that, the matter is then of such signal importance that, as has been pointed out by the hon. member, it should not be relegated to the position of a private member's notice of motion. The two days' notice has been given to permit the House to become adequately acquainted with the matter and to permit Your Honour to examine the precedents and the facts so that you may decide at the proper time, not what disposition shall be made of the motion but whether or not a *prima facie* case has been raised. This is the opportunity that has been given to Your Honour by the two days' notice.

Therefore I suggest that under those conditions any hon. member has the right to make use of Standing Order 42 so that Your Honour may have the opportunity to decide if there is a *prima facie* case of privilege. If Your Honour gives effect to our proposal we will not have a full day's debate on Friday but only such debate as will or will not convince Your Honour that a *prima facie* case of privilege has been made.

May I conclude by referring Your Honour to May's Parliamentary Practice, 17th edition, 1964, in which it is written at page 378, when dealing with matters of privilege:

A matter which is postponed to suit the convenience of the House or to secure the attendance of a Member implicated, or to give the Speaker an opportunity to consider it fully does not forfeit priority when eventually raised;

That precedent would be broken if Your Honour did not give effect to the request made by the hon. member today to ensure that this notice of motion is placed where it should be for consideration tomorrow morning.

**Mr. Speaker:** If there are no further contributions to the debate on the point raised by the hon. member for St. John's East I think I should assure the hon. member for St. John's East that I will take the first opportunity available today to give very serious thought to the point he has raised and which has been supported by the hon. member for Peace River.