

the Standing Committee on Transport, obviously you recognized the government House leader as opposed to a member of his own party. Of course, the chairmen of committees do not function as representatives of Parliament. They function as representatives of the committees themselves, and their responsibilities are to the committees. It would have been an absurd situation, for example, if the hon. member for Annapolis Valley-Hants (Mr. Nowlan), instead of posing a question to the chairman of the Standing Committee on Transport, posed a similar question to me relating to the discussions which the standing joint committee is currently undertaking on the entire question of VIA Rail and the government's cutbacks and it would have been possible for the government House leader to intercede and prevent me from responding to a question related to my activities as chairman and to the activities of the committee.

Consequently, I wanted to raise this question at the earliest opportunity because the implications for the entire functioning of the committee system, the implications for my responsibility as chairman of the standing joint committee, and the implications for all Parliament, are very profound indeed if the government House leader or other members of the ministry are able to wrest the floor away on issues not relating to their conduct but to the conduct of a standing committee.

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

**Mr. Pat Nowlan (Annapolis Valley-Hants):** Madam Speaker, I will be very brief because many points have been covered by my colleague, the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty). But, with respect, I should like to expand upon a point he barely touched upon. What happened today was certainly unusual, to say the least, and frankly has implications which strike at the very integrity of the committee system. The point my hon. friend mentioned about cabinet members versus members of committees, I will not repeat ad nauseam, but we see from day to day ministers deferring to the Prime Minister (Mr. Trudeau) and the Prime Minister deferring to a minister in answering questions, because of cabinet responsibility. This is a very well-accepted practice.

What happened today was not cabinet responsibility. A minister of the Crown, the President of the Privy Council (Mr. Pinard), in effect deferred or tried to control a duly-elected chairman of a committee of the House of Commons, which is an entirely different matter. This is why I think it is important to review, as we are doing right now, what happened today in order to establish the correct procedure forever in a day so that it will never happen again.

It is my submission that chairmen of committees may, as ministers, answer or not answer questions. I give the member full credit for finally answering the question in the very frank and direct way in which I knew he had to answer. He did not have to answer the question, but having answered it, that is fine. The only person who could replace the duly-elected chairman in effect is the vice-chairman, not a minister of the Crown.

*Point of Order—Mr. Beatty*

I would hope you, Madam Speaker, would look at and review what happened today so that we will never again be faced with this fundamental embarrassment to hard-working members of the Standing Committee on Transport who wanted to have a chance to participate in substance, albeit within a very short period of time.

I am almost prepared to conclude my remarks, but we all know—and I know as well as any member because I have been in the House as a member of the Standing Committee on Procedure and Organization for almost 15 years—that there are many members who feel that committees are a complete charade. From time to time chairmen and vice-chairmen, on substantive matters such as transport, try to do a good job with their standing committees because the issues are important. What happened today destroys integrity and puts the chairman in an almost incredible position, making it difficult for him to maintain his authority in the standing committee whenever, if ever, it meets again.

● (1510)

**Hon. Yvon Pinard (President of the Privy Council):** Madam Speaker, everyone in the House knows that our parliamentary practice comes from Westminster. The hon. member would have us believe that we are not respecting that parliamentary practice because of our attitude during question period. May I refer you, Madam Speaker, and, with respect, my learned hon. colleague, to Erskine May, nineteenth edition at page 327 where questions to the Speaker, questions to ministers and questions to unofficial members are discussed. The relevant passage reads as follows:

On 17 March 1944, Mr. Speaker ruled privately that a member may not seek by means of a question to the chairman to interfere in the proceedings of a select committee by suggesting a particular subject for inquiry (although such subject fell within its order of reference).

*[Translation]*

It seems to me, Madam Speaker, that this reference clearly disposes of the substantive question. Subsidiarily, I should like to make three comments: first of all, the questions put to the chairman of the Transport Committee were directly related to the order of business in the House, because if such a reference or the reference suggested by my colleagues opposite had been made to the committee, the committee would have had to report within a given time, and the report would have been the subject of a motion of concurrence, and thus might have been a subject for debate in the House.

However, as I have indicated in my replies, we had no intention of gagging the opposition, and I certainly do not feel guilty, because at least twice, up to now, the opposition has been able to deal with the matter on an opposition day, once with a vote of non-confidence in the government and on Monday of this week, when a motion for concurrence of a committee report dealing with the matter was introduced. I also indicated that the opposition still has four days until December 10, and that it will be perfectly free to select one or several of these days to reopen the debate on the matter.