

Point of Order

My question of privilege is: What right did a Canada Post employee have to make the decision as to whether or not my flyers should have been delivered? As indicated, I have been unable to obtain a satisfactory response from Canada Post regarding who made this erroneous decision, why it was made and what action has been taken to ensure that such an incident does not recur since this action did seriously hamper my ability to service my constituents properly.

If you deem that I do have a question of privilege, Mr. Speaker, I will make the appropriate motion.

Hon. Harvie Andre (Minister of State and Leader of the Government in the House of Commons): Mr. Speaker, first I have to indicate that I have not had any prior information from the hon. member with respect to this matter. Therefore, I cannot respond in detail and I would certainly welcome the opportunity to look into the matter before giving that response.

I should indicate a couple of things. The Board of Internal Economy, in co-operation with the post office, with respect to the referendum campaign did indicate to all members that there were certain time constraints. Any brochures to be delivered had to be in the hands of the post office so many days in advance of expected delivery because of the fact that under the labour contracts there is a limit as to how much each letter carrier can take with him or her at any particular time and it takes time to put them out.

Bear in mind there are possible rational explanations that do not, as the hon. member suggests, deal with the notion that somebody at the post office deliberately tried to obstruct the hon. member. That is an accusation I find hard to believe. I certainly want to have an opportunity to look into it before accepting the facts the hon. member alleges.

Mr. Sergio Marchi (York West): Mr. Speaker, I use the same question of privilege raised by my colleague from Parkdale—High Park who mentioned to me at the close of Question Period his intention to rise on a question of privilege.

I am not sure about the circumstances in my riding. I wish to simply let the House leader and the Chair know that when looking into that matter I also had approximately 5,000 flyers that were not delivered during the referendum campaign.

It may have been a case of the system being overwhelmed or a situation perhaps where something was

overlooked. One would hope so but I simply wish to provide that information to the Chair. We looked into the situation and we are not sure what the answer was. There were 5,000 flyers which were not delivered to a number of public forums held in the riding.

I also believe that that service is a very important one to our citizens. Perhaps it should be looked into so that we can avoid these mishaps in the future.

Mr. Speaker: The hon. member for Parkdale—High Park and the hon. member for York West have advised the House of a certain situation in Canada Post.

The hon. government House leader has indicated he would like a chance to consider the matter further. For now I am going to leave it at that and I am sure the hon. government House leader will get back to the Chair if that is appropriate. I do not think I should make any further comment until I hear a little more.

* * *

POINT OF ORDER**STATUTORY ORDER—SPECIAL ECONOMIC MEASURES ACT**

Mr. David Dingwall (Cape Breton—East Richmond): Mr. Speaker, earlier this day I asked guidance of the Chair with regard to the statutory order, consideration of a motion made pursuant to subsection 7(2) of the Special Economic Measures Act.

At that time, the parliamentary secretary made an intervention to the effect that he believed it to be *ultra vires*. We did have some discussions thereafter but there was no clear understanding of his viewpoint from my perspective or vice versa.

I wish to seek the guidance of the Chair as to the procedural acceptability of the statutory order. The parliamentary secretary was not arguing procedure. In my view he was arguing a position in law concerning the constitutionality of the issue at question.

I suggest and respectfully submit to the Chair it is not the role of the Chair to decide on the constitutionality or the substance of the particular matter. All that the Chair must do pursuant to the Standing Orders is to look at the procedural aspects.

Very briefly section 7 of the act in question provides that when regulations are tabled 50 MPs may sign a notice calling for revocation or of amendment to the regulations and for the timely debate and disposal of such a motion.