

rule has been part of our Standing Orders the Chair has only occasionally been obliged to select motions for debate on a supply day.

The task is perhaps not as daunting as the parliamentary secretary suggests. It is not so much impossible as unenviable. As I pointed out earlier, there are certain criteria which the Speaker uses in evaluating the supply day motion when more than one has been filed.

Speakers in the past have tried to announce to the House as soon as they are able what motion will be selected for the supply day, but this may not always be satisfactory given that notices can be filed up to the very last minute, that is, up to six o'clock in the evening prior to a supply day or five o'clock on a Friday thus leaving little time for members to prepare for a debate.

While the Speaker can be sympathetic to the pressures exerted on members who routinely have to come into the House with speeches on short notice, there is little that the Chair can do except to enforce the rules as they are written and as they have been applied for two decades since the rules of supply have been changed.

[Translation]

I hope that this explanation of the rules relating to opposition day motions and notice has been helpful to the parliamentary secretary and to the House and I thank the member for giving me the opportunity to clarify the matter.

\* \* \*

[English]

## PRIVILEGE

### GOVERNOR IN COUNCIL APPOINTMENTS—SPEAKER'S RULING

Last Monday, on December 4, the hon. member for Victoria rose on a question of privilege to bring to the attention of the Chair and the House a matter which he asserted constituted a contempt of Parliament.

The matter related to the announced appointment of several members of the Security Intelligence Review Committee including the chairman of that committee. According to the hon. member the appointments were made in violation of the statutory requirement for consultation between the Prime Minister, the Leader of the Opposition and the leaders of all other recognized parties in the House.

## Privilege

Because the consultation was in the form of a letter written two days before the announcement was made, the hon. member for Victoria claims that the consultative process was not adequately followed and that the actions amount to a contempt of Parliament.

[Translation]

The hon. Minister of Justice (Mr. Lewis) claimed that there was no question of privilege. He argued that the consultative process was followed in that the Prime Minister solicited the advice of the Leader of the Opposition and also the Leader of the New Democratic Party. The Minister also indicated that the hon. member for Victoria ought not to be raising this issue since the statute refers only to consultation between the head of government and the opposition party leaders of the House. The Minister went further to suggest if the member for Victoria truly felt that appointments were invalid in law, that "he would have to argue that in another court or in another forum."

Other hon. members also contributed to the discussion of the question. Let me express my appreciation to all hon. members for their presentations on this issue.

[English]

In ruling let me begin by saying that a question of privilege must involve some restriction upon rights and immunities historically claimed by the House and enjoyed by all members collectively and individually in the performance of their duties. In my view the matter of the process to be followed by law in the appointment of certain officials does not infringe on any of those rights and cannot therefore constitute a question of privilege.

Does the complaint involve a contempt of Parliament? A contempt must in some measure at least suggest a disregard for the rightful authority and dignity of Parliament. The provisions of the law in this case make no explicit reference to Parliament.

Section 34(1) of the Canadian Security Intelligence Service Act describes a process which is to be followed antecedent to the appointment of certain officials. The process involves, as I have already mentioned, certain specific individuals—the Prime Minister and the leaders of the recognized opposition parties of the House. Parliament is not directly implicated in this process and therefore I would be reluctant to agree that a question as to the adequate compliance with the provisions of the appointment process in the act could amount to a