

Privilege—Mr. Domm

mandate given to the committee to make that selection, there is a question of privilege.

I am not arguing about the rights of the committee to select and bring to a votable item four Bills, six Bills or whatever it chooses. This time five Bills were chosen, although six could have been chosen. I am arguing that the committee has to be clear in its mandate. I suggest, with all due respect, that the mandate given to the committee under the Standing Order about which I rose on a question of privilege is not clear. Let me tell you why the Standing Order is not clear, Mr. Speaker.

This whole debate started out, as pointed out by the Hon. Member for Peace River (Mr. Cooper), with two main points and about five ripple points. All are very valid points, but they are not my question of privilege. When we refer to a motion empowering a standing committee to study and report, we do not refute the fact that Parliament has always been able to do that. Everybody in this House knows that Parliament has been able to do that. Nor am I refuting the fact made by the Chairman of the standing committee that this power to refer, discuss and report is in effect now under the reform brought about by the McGrath Committee. The McGrath Committee made it possible for standing committees to initiate their own studies. I do not find any fault with that at all. That gives more power to the standing committees.

I am arguing that in the process of disallowing my motion the committee has removed that right from Parliament. It argues and states in the decision that my motion simply empowered the Justice Committee to do what it already has the power to do, namely, the authority given to it under the McGrath Committee. By giving that authority from the McGrath Report to the committee, a report endorsed by all three political Parties, I did not think, and I am sure no one in this House believed, that we were removing that right from Parliament.

All my Bills and my motions, speaking only about my own particular case, went through your office, Mr. Speaker, for acceptance as to their condition and form. I had several sent back before they went into the draw. They met the conditions. That motion asked only for the right to refer it to by Parliament's direction and be put to a vote in the House. I did not ask the standing committee to refer it to the Standing Committee on Justice and Solicitor General. I asked for permission to have the motion voted on in the House so that Parliament, not the Standing Committee on Private Members' Business, would direct that other standing committee to study and report. I was not under the impression, and I am still not under the impression, that Parliament has lost that right as the supreme body. This committee is only a finger wave of the main body, that is, of Parliament.

I hope that in this debate we are not all sitting here prepared to compromise Parliament's position in the issue. Parliament is supreme. Parliament can send anything it wants to any standing committee, notwithstanding the McGrath Committee which has given that authority to the standing committees.

I hope we can get this matter before the standing committee. Just to show you that I am sincere, Mr. Speaker, I have requested of the standing committee the right to appear before it. I have sent a letter to every member of the Standing Committee on Private Members' Business in order that I might appear before it to argue this point. I have not been given that opportunity. I have also sent a letter to every member of the Justice and Solicitor General's Committee asking to appear before it because it does have—and I agree with the standing committee—the authority to initiate a study. I am asking for more than the authority given to the standing committee. I am asking for the authority of Parliament to refer the matter and require a report. Other NDP, Liberal and Conservative back-benchers have put the same motion many times over as allowed under the present Standing Orders. They might just as well be prepared to withdraw them all because the committee unilaterally, without the authority of Parliament, removed that right through its rejection of my motion, giving that as the "reason" for the rejection of my motion.

• (1640)

As my privileges have definitely been violated, I therefore urge you, Mr. Speaker, to refer this matter to the appropriate committee in order that public hearings be held so we can document our case, hear the responses, and come to a resolution of the problem which does not dilute the power of Parliament in dealing with matters of urgent and pressing national concern.

Mr. Blaikie: Mr. Speaker, I have just two points to make. I would agree with the Hon. Member if in any way the committee had said that under no circumstances, as a matter of principle, would any Private Members' Motion to empower a committee to study something be accepted. However, the committee did not say that. If it had, the Hon. Member would be making a very serious point. I myself would not want to eliminate the ability of a private Member to bring a motion to have the House refer something to a committee for study. However, that is not what the committee did. The committee did not make its argument "in principle", and did not say "under all circumstances".

The reason given is not new. We used it in the last round. I recall the motion of the Hon. Member for Scarborough West (Mr. Stackhouse) who wanted the Standing Committee on Finance and Economic Affairs to study the matter of credit card interest rates. We argued that the committee had the power to study that matter if it wanted to, and that, all other things being equal, there were other things that could not come before the House except in the form of a Private Members' Motion. Therefore, we suggested to the Hon. Member that he should try to get the committee to do that. That is all we have done in this case. That is not new. We did not invent it. It was employed once before by the committee. Therefore, I do not think the Hon. Member is being fair to suggest we pulled it out of a hat.