

THE SENATE

Tuesday, March 9, 1982

The Senate met at 8 p.m., the Speaker in the Chair.
Prayers.

DISTINGUISHED VISITORS IN GALLERY

GROUP OF ITALIAN PARLIAMENTARIANS ACCOMPANIED BY HIS
EXCELLENCY F. PAOLO FULCI, ITALIAN AMBASSADOR

Hon. Peter Bosa: Honourable senators, I should like to draw the attention of the Senate to the presence in the gallery of a distinguished group of parliamentarians from Italy. They are part of a delegation of the Western European Union Defence and Armaments Committee. This afternoon they met with members of the Standing Committee on External Affairs and National Defence of the House of Commons, as well as with officials of the Department of External Affairs and the Department of National Defence. They are accompanied by His Excellency Paolo Fulci, the Italian Ambassador to this country.

I extend to the members of the delegation and their wives a hearty welcome on behalf of the Senate of Canada.

Hon. Senators: Hear, hear.

OFFICIAL LANGUAGES

MEETING OF SPECIAL JOINT COMMITTEE—QUESTION OF
PRIVILEGE

Hon. Lowell Murray: Honourable senators, I rise on a matter of privilege relating to the Senate.

In my capacity as Joint Chairman of the Special Joint Committee on Official Languages I was advised at noon today, by the other joint chairman of that committee, Mr. Emard Corbin, M.P., that he had instructed the joint clerk of the committee from the House of Commons to cancel a meeting of the committee, which had been scheduled for 3.30 this afternoon, on the grounds that while the bell was ringing, summoning the members of the other house to a vote, it was out of order for the committee to meet. Further, he advised me that he had had advice to that effect, and to the effect that one joint chairman of a joint committee could unilaterally cancel such a meeting, from the appropriate Table officer in the House of Commons.

My position was, and is, that I could not, as a member of the Senate, accept the premises on which Mr. Corbin issued his instructions. Therefore, I declined to advise senators that the meeting had been cancelled.

At 3.30 this afternoon I attended at the committee, and after ascertaining that a quorum, consisting of four members representing both chambers, was present, I called the meeting to order. I noted the absence of the witnesses, senior officers of

the Department of Justice, who were to have appeared this afternoon. A telephone call was made to the Deputy Minister of Justice, who said that he had received one advice from the House of Commons clerk that the meeting had been cancelled, and another advice from the Senate side that a meeting was going ahead. A motion was then made, seconded and agreed to, calling another meeting of the committee for 3.30 tomorrow afternoon, and inviting the Department of Justice to have its witnesses on hand.

I thought it appropriate to inform the Senate of these facts concerning the meeting of that joint committee today, and of its intention to sit tomorrow.

Hon. Senators: Hear, hear.

● (2010)

Hon. Peter A. Stollery: Honourable senators, I wish to direct a question to the Honourable Senator Murray, joint chairman of the committee, on the point he has just raised. Were members of more than one party present when the decision was made?

Senator Murray: I can tell the honourable senator that the answer to his question is no. All of those present were members of the Progressive Conservative Party. I may say with great respect, however, that the point is irrelevant because the only rule to which I have been referred on the subject is that the quorum consist of four members, provided both chambers are represented.

Senator Stollery: I have a supplementary question which I direct to the Honourable Senator Murray. Normally, under the terms of reference laid down for parliamentary committees, it is made clear that votes shall not take place unless representatives of two out of the three parties in the House of Commons are present. I wonder whether similar terms of reference were laid down for this joint committee. If not, I would like to know why not.

Senator Murray: The answer to the first part of the question is no, there is no such reference contained in the order under which the committee was formed. As to why there is no such reference, the honourable senator would have to address his question to the government, which proposed the motion setting up the committee.

Hon. Raymond J. Perrault (Leader of the Government): Honourable senators, in speaking to that so-called "point of privilege," which really is not a point of privilege, it should be observed that a joint committee ideally and necessarily involves members from both chambers representing diverse political viewpoints.

Hon. Jacques Flynn (Leader of the Opposition): No!