

committee. Honourable Members may wish to refer to citation 221 of Beauchesne's Fourth Edition which refers to permissive instructions and mandatory instructions. Citation 221 (2) reads as follows: "The object of *mandatory* instructions is to define the course of action which the Committee must follow."

In view of this it seems to me the privileges of honourable Members would not be diminished by conducting the debate with the Speaker in the Chair.

My conclusion therefore is that the privileges of Parliament are not affected in a way which would justify the Chair's intervention on the basis of Standing Order 50.

The honourable Member for St. John's East (Mr. McGrath) having raised a question of privilege relating to the status of the Second Report of the Standing Committee on Transport and Communications presented to the House on Tuesday, December 3, 1968.

RULING BY MR. SPEAKER

MR. SPEAKER: The conclusion I have to come to after hearing honourable Members of the House is that it would obviously be easier to resolve the question now before the House in a committee than it might be to resolve it in the House of Commons. My initial reaction was to follow the advice of the honourable Member for Calgary North (Mr. Woolliams) and give the matter serious and protracted consideration, but honourable Members have indicated quite clearly, in my view, that there is a *prima facie* case of privilege and that it is the type of question which might easily be sent to committee.

I must say I am worried to some extent about the remedies sought by the motion. I think the committee would have some difficulty in examining the members of another committee—one committee of the House looking into the affairs of another committee. That may cause procedural difficulties at that stage, but that is not really what we are seized with at the present time.

What the Chair has to decide without resolving the question of whether it is a *de facto* question of privilege is merely to determine whether it is a *prima facie* case of privilege. I think the honourable Member for Annapolis Valley (Mr. Nowlan) has made a very important point, one which had worried me all along as to whether or not this matter had been raised at the first opportunity. In view of the fact that we have reached the end of the consideration of the committee's reports probably the question has been raised at the first opportunity, thus disposing of one objection which I had in the back of my mind. I do have to reach the conclusion that there is a *prima facie* case of privilege and, if the House decides the motion should be carried, the matter should be referred to a committee as proposed by the honourable Member for St. John's East (Mr. McGrath).

Whereupon, Mr. McGrath, seconded by Mr. Woolliams, moved,—That the Second Report of the Standing Committee on Transport and Communications be referred to the Standing Committee on Privileges and Elections to determine the reason for the omission of the resolution adopted by the Committee on November 28th, from the Second Report of the Committee presented to the House on November 29th, and which reads as follows:

Resolved,—That the Canadian Transport Commission be requested to postpone the implementation of its decision to abandon railway service in Newfoundland until such a time as the Committee travel to Newfoundland to study the transportation problems of the Atlantic Provinces.

And the question being put on the said motion, it was agreed to.