

Mr. Orlikow, seconded by Mr. Knowles, moved,—That an Order of the House do issue for a list of ‘consultants’ prepared in the office of the Postmaster General for the guidance of Cabinet Ministers and copies of all correspondence between the Ministers of the Crown and the ‘consultants’ in each riding.—(*Notice of Motion for the Production of Papers No. 99*).

And the question being proposed;

STATEMENT BY MR. SPEAKER

The general principle concerning the character of papers which may be asked for is set out in May’s 16th edition, page 270, where it is stated: “Parliament is invested with the power of ordering all documents to be laid before it, which are necessary for its information.”

Bourinot’s 4th edition, at page 246, states in part, as follows: “On the other hand, it is the constitutional right of either House to ask for such information as it can directly obtain by its own order from any department or officer of the government.”

Obviously it is impossible for the Chair to scan every Notice of Motion for Papers in an effort to determine whether or not such papers actually exist or whether the papers are in the nature of a confidential document. Indeed there is no rule which states that confidential documents may not be asked for, and in some instances what are ordinarily considered to be confidential documents are tabled. At page 273 of May’s 16th edition it is stated: “However ample the power of each House to enforce the production of papers may be, a sufficient cause must be shown for the exercise of that power; and if considerations of public policy can be urged against a motion for papers, it is either withdrawn, or otherwise dealt with according to the judgment of the House.”

Therefore it seems that the duty of the Chair in regard to motions for papers is to decide whether or not a motion is in order from a procedural point of view, and I am of the opinion that this motion is in order from this point of view. In this regard I would like to quote from a statement by Mr. Speaker Beaudoin which is found at page 3014 of *Hansard*, April 3, 1957. It reads as follows: “The motion that has been placed on the Order Paper is in order, and that is why I have put it to the House. It is opposed and when it is opposed, according to Standing Order 47, it must be transferred for debate if desired. This has not been asked for, but it has been asked that the Minister should say briefly why he is opposed to the motion. At this moment, therefore, the only duty I have is to put the question to the House and let the House pass judgment on it.”

In the same regard, at page 1036 of *Hansard*, July 11, 1958, Mr. Speaker Michener is reported as having used the following words, namely: “This motion is not debatable. It is a motion for an Order of the House to issue in respect of certain papers. It is not debatable, and the only course is to accept or reject the motion. I am advised by the Clerk that that is the method of disposing of such a motion as this. I ask, then, whether it is the pleasure of the House to adopt the same motion.”

As will be seen in *Hansard* of February 15, 1960, page 1055, Mr. Speaker Michener held the view that his responsibility was to see that the motion was before the House in the proper form, but that the House had to decide by its vote whether or not the document was to be produced, and that it would be improper for the Speaker to substitute his decision for that of the House.