

HOUSE OF COMMONS

Friday, October 20, 1989

The House met at 10 a.m.

Prayers

[*English*]

PRIVILEGE

STANDING COMMITTEE ON CONSUMER AND CORPORATE
AFFAIRS AND GOVERNMENT OPERATIONS

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, this morning I rise on a question of privilege. I want to indicate to the House that yesterday afternoon, just before the closing of the House, I gave a notice in writing to the Speaker that I wanted to rise on a question of privilege at the earliest opportunity, and I thank Mr. Speaker for recognizing me at what is in fact this earliest opportunity.

I want to indicate as well, Mr. Speaker, that if you deem that I have a *prima facie* case of privilege, I am willing to bring the matter, by motion, to the appropriate committee of this House.

Now, Mr. Speaker, privilege is defined in Beauchesne's and of course in Erskine May as—

Mr. Lewis: A point of order, Mr. Speaker.

Mr. Simmons: You cannot interrupt a question of privilege.

Mr. Boudria: You cannot interrupt a question of privilege.

Mr. Speaker: It is an application for privilege. The hon. Minister of Justice rises on a point of order. I am not quite sure what he may wish to say. I certainly will hear him, at least for a moment. I have been listening very carefully, and I want to assure the minister that I will be listening very carefully to the argument. The minister has the floor.

Mr. Lewis: I rise only to suggest, Mr. Speaker, that it would probably be helpful to yourself and the House if my hon. friend, rather than addressing all of the proce-

dural arguments first, were to outline to the House exactly what incident he is referring to.

Mr. Speaker: The Minister of Justice, who has some experience in arguing these matters, has made a suggestion that the hon. member may or may not want to follow.

In any event, I will hear the hon. member and I think that it might be helpful to the Chair if the hon. member did indicate what is the factual basis for the argument. I will then of course be guided by the helpful comments the hon. member may make in terms of references to authorities.

Mr. Boudria: Thank you, Mr. Speaker. It seems evident that the government House leader already has his idea of what he thinks I am going to raise and wants to hear the argument before I even set out to describe to Mr. Speaker what in fact I believe in a general sense has been offended.

Then of course I will describe the incident and describe what has been breached, afterward, in the normal tradition of presenting these kinds of matters in the House. And, while I will not pretend to be an expert on the rules I will match myself against that minister, in particular, at any time.

Mr. Speaker: It would not be for your Speaker to suggest or imply, in any particular, which side of the House has the most expertise on these delicate and sometimes difficult matters.

• (1010)

However I can assure the hon. member for Glengarry—Prescott—Russell that I have full confidence in his ability to put his argument.

Mr. Boudria: Thank you, Mr. Speaker, for your confidence. Privilege is generally defined as found in Beauchesne's Fifth Edition, Citation 16:

They are enjoyed by individual members, because the House cannot perform its functions without unimpeded use of the services of its members; and by each House for the protection of its members and the vindication of its own authority and dignity.

Mr. Crosby: What edition?