

Government Organization Act, 1970

Mr. Baldwin: This is what the rules provide. Read them.

• (8:50 p.m.)

Mr. Speaker resumed the chair and read the question as follows:

The question is an appeal of a decision of the Chairman of the committee of the whole under the provisions of section 4 of Standing Order 55, as follows:

When clause 14 of Bill C-207, an act respecting the organization of the government of Canada and matters related or incidental thereto, was being considered in committee of the whole the hon. member for Peace River raised a point of order to the effect that a document referred to in committee of the whole should be laid upon the table.

The Chairman ruled that there was no known procedure whereby a document could be laid upon the table of the committee of the whole since the committee was bound by its order of reference which in the present instance was clause 14 of Bill C-207.

Whereupon the hon. member for Peace River appealed to Mr. Speaker from the decision of the Chair.

Mr. Speaker: If hon. members think it would be of advantage to the proceedings in this chamber to give citations or advice to the Chair in relation to the point of order which has been raised, I will be pleased to hear such argument, after which a decision will be given.

Mr. G. W. Baldwin (Peace River): Mr. Speaker, in the first instance I shall try to establish the various facts which I think must be established in order to sustain the onus of proof upon me, and I admit there is such an onus. The first question is whether this is an official document. The document is called "ADC, A Strategy for the Economic Development of the Atlantic Region, 1971-1981, Atlantic Development Council". The first page contains a letter addressed to the Hon. Jean Marchand, P.C., M.P., Minister of Regional Economic Expansion, Ottawa, Ontario. It states:

Dear Mr. Marchand:

I have the honour of submitting to you on behalf of the Atlantic Development Council—

A council established under legislation.

—our proposals for a strategy for the economic development of the Atlantic region.

The council presents this strategy in the hope that it will contribute to accelerated economic development in the Atlantic region in the 1970s.

I simply leave this branch of my case by saying I submit that this establishes that the document is an official paper. I would then refer Your Honour to citation 159, Beauchesne's Fourth Edition, paragraph 3, which states:

It has been admitted that a document which has been cited ought to be laid upon the table of the House, if it can be done without injury to the public interest.

It goes on to deal with certain instances. Then paragraph 4 states:

Official papers quoted during a debate should be laid on the table of the House. Mr. Patterson, member for the electoral district of Essex, and Mr. Cockburn, member for the electoral district of Northumberland, having, in the course of the debate on a motion for an order of the House and the amendment

[Mr. Boulanger.]

thereto, read extracts from certain official papers in their possession, and relating to the question under consideration, Mr. Mackenzie raised the point of order that official papers, when cited by an honourable member, ought to be laid on the table of the House. Mr. Speaker ruled: "That the point of order was well taken, and that the papers cited by the honourable members for Essex and Northumberland should be placed in the possession of the House."

I admit that what the chairman of the committee pointed out is a problem Your Honour, myself and other hon. members will have to face, that is, we were not having a debate on a bill in the House but in committee of the whole. I think this raises a moot point. If the ruling of the chairman of the committee, is to be upheld, is it the position that any hon. member during the course of a debate—there is no doubt this was a debate in committee of the whole—can cite official papers without being subject to the requirement of having those official papers laid on the table of the House?

It may well be that we will have to be vigilant and alert to find a way in which this can be done. It may well be that the committee would have to resolve itself into the House so that the documents could be laid on the table. However, I submit that the rule is clear, positive and categorical—that if official documents are quoted in a debate they must, when requested, be tabled. I rest my case upon this simple point and hope that justice, equity and fairness will permit Your Honour to see the logic and justice of the case I have made.

Hon. Marcel Lamberi (Edmonton West): Mr. Speaker, I would merely like to add a few words to those of my colleague from Peace River (Mr. Baldwin). I do not think there is any distinction whatsoever—I believe Your Honour would agree with me—in the nature of debate that takes place whether in committee or when Your Honour is in the chair when we are sitting in formal session. Debate is debate. Therefore, when a member of the House, be he minister or otherwise, quotes from a public document I suggest, with the greatest deference, that the rule is the same. The circumstances are the same and whether we are in committee or in the House in formal session makes little difference.

The reference is to a public document during debate. I am sure that if the minister when discussing a clause in a bill were to make reference to a public document, the House could call for it to be tabled. Therefore I would say that under the present circumstances the House can call for the document which the hon. member for St. John's East (Mr. McGrath) was quoting, because it is a public document. In addition, I would submit to Your Honour that Standing Order 55(1) has direct application to the present circumstances. It refers to the application of Standing Orders to sittings while in committee of the whole and states:

The Standing Orders of the House shall be observed in committees of the whole House so far as may be applicable—

Then the rule states the exception, which in no way touches upon this particular question. So there are no exceptions which concern the tabling of papers. Therefore I would put it to Your Honour that whether we are