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HOUSE OF COMMONS
OF CANADA

OTTAWA, SATURDAY, 16TH JULY, 1955

11 o'clock, a.m.

PRAYERS.

STATEMENT BY MR. SPEAKER

Mr. SPEAKER: Yesterday the honourable Member for Kamloops (Mr. Fulton) complained of non-compliance with an order of the House. His words can be found at page 6179 of yesterday's official report of debates. On June 23 he asked a question which, under the provisions of standing order 44, was passed by the House at the request of the Minister as an order for return. He took particular objection to the reply given to part 3 of his question, the said reply reading as follows:

Yes, in 29 cases by seven different trust companies. The names of the companies and the number of appeals by each may not be disclosed by reason of section 54 of the Dominion Succession Duty Act.

The honourable Member contended that section 54 of the Dominion Succession Duty Act had no application whatsoever to the situation and did not in any way preclude an answer being given as requested. It does not come within my province to decide whether section 54 of the Dominion Succession Duty Act prevents the Minister from answering the question otherwise than he did. It is a debatable matter and standing order 10 says that "Mr. Speaker shall not take part in any debate". Citation 116 of Beauchesne, third edition, also states:

The Speaker will not give a decision upon a constitutional question nor decide a question of law, though the same may be raised on a point of order or privilege.