

CAP. XXIII.

An Act to define the privileges, immunities and powers of the Senate and House of Commons, and to give summary protection to persons employed in the publication of Parliamentary Papers.

[Assented to 22nd May, 1868.]

Preamble.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :

Privileges, &c. to be the same as those of the House of Commons of the United Kingdom, at the passing of the Union Act.

1. The Senate and the House of Commons respectively, and the Members thereof respectively, shall hold, enjoy and exercise such and the like privileges, immunities and powers as, at the time of the passing of the British North America Act, 1867, were held, enjoyed and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland, and by the Members thereof, so far as the same are consistent with and not repugnant to the said Act.

Such privileges to be noticed judicially.

2. Such privileges, immunities and powers shall be deemed to be and shall be part of the General and Public Law of Canada, and it shall not be necessary to plead the same, but the same shall in all Courts in Canada and by and before all Judges be taken notice of judicially.

Printed copy of journals to be evidence thereof.

3. Upon any inquiry touching the privileges, immunities and powers of the Senate and of the House of Commons or of any Member thereof respectively, any copy of the Journals of the Senate, or House of Commons, printed or purporting to be printed by the order of the Senate or House of Commons, shall be admitted as evidence of such Journals by all Courts, Justices, and others, without any proof being given that such copies were so printed.

In suit, &c., for publishing reports, &c., Court or Judge to stay proceedings, on proof that the publication was by authority of either House.

4. Any person who shall be a Defendant in any Civil or Criminal proceedings commenced or prosecuted in any manner soever for or on account of or in respect of the publication of any report, paper, votes or proceedings, by such person or by his servant, by or under the authority of the Senate or House of Commons, may bring before the Court in which such proceedings shall be so commenced or prosecuted or before any Judge of the same, first giving twenty-four hours' notice of his intention so to do to the prosecutor or plaintiff in such proceeding or to his Attorney or Solicitor, a certificate under the hand of the Speaker or Clerk of the Senate or House of Commons, as the case may be, stating that the report, paper, votes or proceedings as the case may be, in respect whereof such Civil or Criminal proceedings shall have been commenced or prosecuted, was or were published by such person or by his servant,