

Privilege—Ms. Copps

latitude in doing certain things then certain responsibilities and decisions it makes are part and parcel of that process. I simply want to bring the point back to the basics of parliamentary procedure and draw to your attention, Sir, that Beauchesne's Fifth Edition clearly outlines at Citation 117(7):

The opinion of the Speaker cannot be sought in the House about any matter arising or likely to arise in a committee.

I think this is still essentially the bible which governs our rules of procedure, consistent with the Standing Orders, and I would hope the Chair would take that into account when it adjudicates this issue.

● (1520)

Hon. Herb Gray (Windsor West): Mr. Speaker, the Government proposed to the House with a great deal of fanfare and self-congratulation a number of changes to the rules, including the rule we are discussing, Standing Order 103, which says in part:

A Minister of the Crown may, from time to time, lay upon the Table a certificate stating that a specified individual has been nominated for appointment to a specified non-judicial post. The same shall be deemed to have been referred to a standing committee—

And it goes on. With an equal amount of self-congratulation, the Government proposed to the House Standing Order 104 which reads in part as follows:

The committee specified pursuant to Standing Orders 67(5) and 103, during the period of thirty sitting days provided pursuant to Standing Order 103, shall if it deems it appropriate, call the so named appointee or nominee to appear before it during a period not exceeding ten sitting days.

It may be generally true that a committee is the master of its own business, and it may also be true that even Standing Order 104 gives some discretion to the committee with respect to what it should do in carrying out the direction of the House pursuant to that Standing Order. However, I submit that the words of the Standing Order are clear. The committee must look at the advisability of calling each specific appointee whose name is presented to the House—

Mr. Mazankowski: That's not what it says here and you know it.

Mr. Gray (Windsor West):—whose name is presented to the House by the Government in an individual order.

Some Hon. Members: Oh, oh!

Mr. Gray (Windsor West): My hon. friends are attempting to interject and make comments. They must be trying to interrupt me because they know that they have a weak case.

Mr. Speaker: I want to assure the Hon. Member for Windsor West (Mr. Gray) that the Chair is hearing every word. I did not take it that anyone was seriously impeding the Hon. Member's ability to put his case.

Mr. Gray (Windsor West): Mr. Speaker, I am saying that I do not think it is appropriate for the committee to carry out the directions of this House pursuant to Standing Order 104

by making a blanket determination that all the people in a certain category referred to it for consideration not be heard. Rather, since each name is tabled in the House individually and referred to the committee individually, the committee must make an individual determination.

If the Government majority on the committee in question operates so as to prevent the Standing Order from applying in a meaningful way, then I submit with the utmost of respect that the Government and its supporters will be seen as not taking seriously what they claimed by presenting the new Standing Orders to the House as a major reform.

Further, not too long ago when the Minister of Justice (Mr. Hnatyshyn) was asked during Question Period why he appointed to the Human Rights Tribunal a supporter of Ferdinand Marcos and a supporter of martial law in that country—

Mr. Speaker: Order. The Chair has, I believe, been generous in assuring that all Hon. Members have made a contribution to the argument, both pro and con. I would ask the Hon. Member to perhaps close off his argument now and not to wander too far into debate, history or other circumstances.

Mr. Gray (Windsor West): Mr. Speaker, I will relate my last comment directly to the issue on which you are asked to rule. I am paraphrasing and speaking from memory when I say that the Minister of Justice said that the question interfered with the work of a committee because the particular individual and his qualifications had been referred to the committee for consideration.

Either the Government is serious about having committees review the qualifications of appointees or it is not. If it is serious, then nothing should be done to prevent the committee from looking at each and every appointee. If government supporters on the committee use their majority to prevent that from happening, then it is a distortion of the intent of the House which passed the Standing Order in question. I therefore ask you, Mr. Speaker, to accept the proposals made in that regard by the Hon. Member for Hamilton East (Ms. Copps).

Mr. Speaker: I believe it is the prerogative of the Chair to close off the argument. I want to assure Hon. Members that I have listened very carefully to the points that have been made. As I said at the beginning of this debate, this is a matter which clearly does arise from a committee, but in view of the fact that changes are taking place in the committee procedures and approaches as a consequence of reform the Chair felt that this matter ought properly to be debated here in the Chamber so that a considered opinion could be rendered by the Chair at an appropriate time.

I would prefer not to make a ruling at this time. I can assure the Hon. Member for Hamilton East (Ms. Copps) who raised this matter, as well as all other Hon. Members who have spoken, that I shall look with very great care at the submissions made and will try to come back with some comments