

legislation proposed by the government before that legislation is enacted. Is that not a privilege of a Member of Parliament? Is that not one of the reasons why we are sent here—

Some hon. Members: Hear, hear!

Mr. Deans: —that there be no taxation without representation?

Some hon. Members: Hear, hear!

Mr. Deans: Is that not a privilege of a Member of Parliament? I want to suggest that if it is not a privilege of a member to be able to deal with legislation in advance of its implementation, then what in heaven's name is the Parliament of Canada here for?

I put it to you, Madam Speaker, that it is my firm belief that as a member of this House I have not been given the opportunity to deal with a taxing measure and that taxing measure has already been put into force as a result of a directive given by the Minister of National Revenue (Mr. Rompkey) to employers from coast to coast.

I suggest that it is a contempt of this Parliament for a minister to allow his ministry to put a law into force in advance of its being dealt with in principle by this House of Commons. I suggest further that it is a contempt of my privilege as a member to tax my constituents without a law authorizing that tax which has been passed by this House of Commons. I put it to you, Madam Speaker, that it is clear that, notwithstanding a claim that this has been done in this way for centuries, the truth of the matter is in the final statement of the summation in the judgment I referred to, where it is quite clearly stated:

It was finally settled there could be no taxation in this country except under authority of an act of Parliament, and no practice or custom, however prolonged or however acquiesced in on the part of—

Madam Speaker: Order, please. If it is the contention of the hon. member that that case resembles the one which he makes now, then he should bring it before the courts and not to the Speaker as a question of privilege. I am afraid that I definitely have to rule that the hon. member for Hamilton Mountain does not have a question of privilege based on what he has just exposed to me.

Mr. Svend J. Robinson (Burnaby): Madam Speaker, I wish to raise a question of privilege which to some extent is related fairly closely to the question of privilege raised by the hon. member for Hamilton Mountain (Mr. Deans).

As a member of this Parliament I was elected by my constituents to represent—

Mr. Baker (Nepean-Carleton): They may reconsider that.

Madam Speaker: Order. The hon. member may not refer to a question upon which I have just ruled. I know that he wanted to elaborate on the question of privilege raised by the hon. member for Hamilton Mountain, but in light of the ruling

which I have just made, he must know that it is not permissible.

● (1510)

Mr. Robinson (Burnaby): I would in no way wish to question Your Honour's ruling.

Some hon. Members: Oh, oh!

Mr. Robinson (Burnaby): However, Your Honour stated that, on the basis of information heard from the hon. member for Hamilton Mountain, a question of privilege did not arise. I am not questioning that ruling, but I have further information which I would—

Madam Speaker: Order, please.

Mr. Robinson (Burnaby): This government is arrogant. We are Members of Parliament and we have a right to be heard.

Madam Speaker: Order, please. No one will deny that the hon. member has a right to be heard, but the right to be heard in the House is subject to certain rules. I would ask him to read the rules and he will know that if he has a new question of privilege which he wants to raise, he must give me notice of it. I could not hear it at this time, but at another time on another day, if the hon. member sends me notice of the question of privilege. Is the hon. member rising on a point or order?

Mr. Robinson (Burnaby): Madam Speaker, indeed I am. Perhaps Madam Speaker overlooked that I gave her notice of a question of privilege during question period. The fact of the matter is that Madam Speaker has that notice and I should like an opportunity to elaborate upon it.

Madam Speaker: Order, please. Yes, I received a notice which said that the hon. member wanted to elaborate on the question of privilege raised by the hon. member for Hamilton Mountain. That is not allowed at this time because I have ruled on the question of privilege of the hon. member for Hamilton Mountain.

Mr. Robinson (Burnaby): Madam Speaker, I do not wish to belabour the point, but there are certain facts which I have a right to put forward in Parliament, and I am being denied that right.

Madam Speaker: Order. The hon. member must accept the consequences of the fact that sufficient facts were not brought forward to allow me to rule that there might be a prima facie case of privilege in the case of the hon. member for Hamilton Mountain. If the hon. member for Hamilton Mountain cannot indicate to me that he has the basis for a question of privilege, I fail to see how another member could do it for him. If the hon. member has a question of privilege he should like to bring up at another time and gives me proper notice, I will hear him, but not at this time. I am just warning the hon. member that I will not hear him any more on this particular point.