

HOUSE OF COMMONS

Thursday, February 20, 1975

The House met at 2 p.m.

ROUTINE PROCEEDINGS

[English]

TRANSPORT AND COMMUNICATIONS

Fifth report of Standing Committee on Transport and Communications—Mr. Campbell.

[Editor's Note: For text of above Report see today's Votes and Proceedings.]

* * *

PRIVILEGE

MR. REID—ATTENDANCE OF MEMBERS OF HOUSE OF COMMONS BEFORE SENATE COMMITTEES

Mr. John M. Reid (Parliamentary Secretary to President of the Privy Council): Mr. Speaker, yesterday I raised a question of privilege concerning the applicability of members of this House attending committee sessions in the other place. As a result of my investigations I find that this is a very subtle and important point. Second, I have been unable to obtain the Senate transcript. I would ask Your Honour's indulgence and the indulgence of this House until I have had time to give this matter further consideration and obtain a transcript.

Hon. Herb Gray (Windsor West): Mr. Speaker, if the hon. member's request is accepted, I ask that it be without prejudice to the right of any hon. member to argue the acceptability or receivability of the motion on procedural grounds and its merits on any other grounds.

Some hon. Members: Hear, hear!

Mr. Speaker: A question of privilege has been raised by the parliamentary secretary and I hope that more than one hon. member will want to contribute because the question is indeed a subtle and an important one. I hope there will be no restriction on intervention by other hon. members.

MR. WATSON—AIR CANADA REQUEST THAT EMPLOYEES BE PROHIBITED FROM COMPLAINING TO MEMBERS OF PARLIAMENT—RULING BY MR. SPEAKER

Mr. Speaker: While on the subject of questions of privilege, I indicated earlier that I would endeavour to deal

with two very important questions of privilege that are before the House at the present time. The first is that raised by the hon. member for Laprairie (Mr. Watson) which relates to facts as described by the hon. member: they are simply that in a matter before a federal tribunal, namely, the Canadian Labour Relations Board, a Crown corporation, Air Canada, made representations—at least on the hon. member's interpretation, which I accept—that members of parliament ought not to interfere personally in the relationships between employee and employer in that corporation and, more particularly, in proceedings before the Canada Labour Relations Board, I assume even by their presence at the hearings.

● (1410)

Following the description put forward by the hon. member, which I accept, the stance would be one that is contrary not only to what an MP is free or entitled to do, but it would seem in addition to refer to what he might find himself obliged to do by virtue of his capacity as a member of parliament.

Some hon. Members: Hear, hear!

Mr. Speaker: If there was any doubt about that, the hon. member's reference to the Freedman report—a well known, famous report—the relationships in that industry and the presence of a federal member of parliament intervening in a most meaningful way in the deliberations, that doubt was dealt with by the chairman and was adequately laid to rest by the Freedman report. There seems to me to be no question that whatever the relationship between the Minister of Transport and the Crown corporation, Air Canada, there should be no doubt that there exists that element of ministerial responsibility which would compel an explanation through that minister to this House.

It would seem, further, that however one describes the relationship between the Minister of Labour and the Canada Labour Relations Board, it is not one of control but it is surely of sufficient ministerial and parliamentary responsibility that if the board were to be persuaded to accept the proposal made to it by counsel—as described by the hon. member—the House would want from the minister an explanation of the board's stance in that respect.

What this amounts to, of course, is verification that the hon. member has raised a grievance of most serious proportions. The question I have to decide is whether it is a question of privilege along the lines of the classic definitions of that particular aspect of our procedures which have been adopted in the past. As hon. members well know, parliamentary privilege has always been defined in the strictest, most narrow terms. This was nowhere more clearly or precisely expressed than by my immediate predecessor in dealing with a proposed question of privilege by the then hon. member for Skeena. The question touched