

*Routine Proceedings*

[Translation]

As the hon. member for Glengarry—Prescott—Russell pointed out, there are two questions to be answered to determine if this should be considered a *prima facie* question of privilege. Has there been an attempt to intimidate a member in the exercise of his duties? Were legal documents served or delivered in the precincts of Parliament, in particular one of the lobbies, without the Speaker's express permission?

[English]

Joseph Maingot in *Parliamentary Privilege in Canada*, page 96, states:

While it is clear that the member is afforded absolute privilege in law for acts done and words said during a parliamentary proceeding, he speaks outside the House at his peril without the protection of parliamentary privilege. In these same circumstances, however, he is afforded the protection of the common law like anyone else to the extent that it would apply.

While it is the Speaker's duty to maintain decorum in the House, the Speaker, as servant of the House, does not have the power to instigate disciplinary action against a member for actions taken or words spoken outside the Chamber of the House. What a member says outside the House about anyone is subject to the laws of the land relating to libel or slander as it would be for any other Canadian—if indeed the comments are actionable. What members say in the Chamber, however, is protected by privilege. Thus if the situation is as described in the letter to the hon. member for Humber—St. Barbe—Baie Verte, then this cannot be considered a question of privilege and it is therefore not up to the Speaker to intervene.

[Translation]

There is a long-standing tradition that process cannot be served in the precincts of the House of Commons. The Chair has always maintained that such service of process would be improper without the permission of the Speaker. As regards civil matters, this was forcefully reiterated in a Speaker's ruling of May 19, 1989.

• (1510)

[English]

Having carefully examined the letter received by the hon. member from the solicitors of Mr. Ralfe, the Chair

must conclude that it does not fall under the definition of process implicit in the notion of which is issuance from a court of law. It is clear from the text of the letter that no legal proceedings have been begun and delivery of the letter was not a service of process. The letter could just as well have been sent through the mails as delivered by hand. There was no requirement to inform the Speaker, nor are there any grounds for the Chair to intervene in this matter.

For these reasons this situation does not meet the criteria of a *prima facie* question of privilege. I thank the hon. member.

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## ROUTINE PROCEEDINGS

[English]

### EXTERNAL AFFAIRS AND INTERNATIONAL TRADE

#### AMENDMENT OF AUTHORIZATION OF SUBCOMMITTEE TO TRAVEL

**Mr. Charles A. Langlois (Parliamentary Secretary to Leader of the Government in the House of Commons and to the Minister of National Defence):** Mr. Speaker, I think you will find consent in the House for the following motion:

That the motion of May 26, 1993 authorizing the Subcommittee on Development and Human Rights of the Standing Committee of External Affairs and International Trade to travel to Vienna be amended by changing the dates to read June 11 to June 26, 1993.

**Mr. David Dingwall (Cape Breton—East Richmond):** Mr. Speaker, my colleague is correct. There have been some consultations among the different parties of the House and we wish to give our consent.

**Mr. Nelson A. Riis (Kamloops):** Mr. Speaker, in light of fact we had already earlier approved this most important issue, we would like to update the visiting time and indicate our support.

Motion agreed to.