

Oral Questions

These privileges extend all through the House. In the particular instance of the other day it was in the House and just outside. They were related questions of privilege. I do not think anyone can draw any particular distinction between the two. Questions of privilege might arise in committee of the whole, and if an hon. member is not satisfied with the ruling by the chairman, the rule provides that there shall be an appeal directly to Mr. Speaker. Mr. Speaker sits in judgment and, to rather transverse the words used, Mr. Speaker is dragged into the affairs of the committee of the whole.

Mr. Speaker: There is no serious disagreement, of course, about the fact that procedure is provided specifically for such an appeal. There is a marked contrast, of course, in the relationship between the proceedings of committee of the whole and the proceedings of a standing committee in that regard. In fact, the contrast between the two is quite significant.

Mr. Reid: Mr. Speaker, I wish to make two points. First, it is clear there is a considerable difference between the operation of the House of Commons and the operation of a standing committee. In some respects there is greater power in the hands of a standing committee than in the hands of the House of Commons. The second point I want to make is that Standing Order 65 which governs committees of this House provides no restriction concerning who may or may not be a member of a standing committee.

In point of fact, we have had the example of cabinet ministers having been members of committees, and we now have a cabinet minister who is chairman of a committee. It strikes me that the fact that he should be able to join a committee of the House of Commons and act as its chairman also probably means he has the power to act as an ordinary member of that committee, and if so, surely the logic is that he can ask questions of witnesses who appear before the committee and can participate in the activities of the committee.

I think it is important to remember another purpose of a committee: it is not only to examine the minister, but also to invite a whole host of people to participate in the affairs of the committee and the discussions before it. Surely, anyone who is eligible to be on the committee should have the right to ask questions. On the question of whether or not a parliamentary secretary should ask questions of his minister, one could argue whether it is intelligent, wise or proper to do so; but in view of the ruling you gave, Mr. Speaker, about parliamentary secretaries asking questions in the House of Commons, I submit there is nothing in the Standing Orders which prevents a parliamentary secretary doing so. I would suggest that until there is something in the Standing Orders that prevents him from doing so, he should be permitted to do it: he has not broken the laws, regulations or traditions of the standing committees. Parliamentary secretaries have been asking questions of ministers and others ever since we developed the procedures for standing committees.

● (1530)

Mr. Benjamin: Mr. Speaker, I appreciate your comment that you would not wish to breathe down the necks of all chairmen of standing committees. I can understand the

[Mr. Lambert (Edmonton West).]

physical difficulty of doing that, let alone the practicality of it.

I am trying to reconcile what your honour said earlier about what you would or would not permit in the House regarding parliamentary secretaries asking questions in the question period and what I invite Your Honour to read in the proceedings of this morning's meeting of the Standing Committee on Transport and Communications which will be printed in the next two or three days.

I appreciate the fact that what the parliamentary secretary did this morning at the committee meeting is something that Your Honour would not allow in the House in terms of the questioning of his own minister. But if the Standing Orders apply to this chamber, they should equally apply to the operations of the committees. I fail to understand how one rule can apply in the House during the question period and another rule can apply in the standing committee with regard to questioning of ministers. If you do not permit something in the House, I fail to see how it can be permitted in a standing committee.

Mr. Speaker: To put the matter in perspective, it might be more appropriate to say that I have certain powers to permit or prohibit something here, but I do not have the same powers to permit or prohibit certain things in the standing committees.

The hon. member for St. John's East raised what the hon. member for Edmonton West described as a question of privilege. I should like to draw his attention to the fact that it was raised not as a question of privilege but as a point of order. I think that is quite proper. It concerns business in the standing committees. It relates to proceedings and in fact is a procedural question pure and simple. It is, in fact, a point of order concerning the privileges of hon. members. As others have said, if it is not a point of order, they would quite readily volunteer to put forward the matter as a question of privilege if that would change its character. I do not think it would.

Hon. members have said that when a parliamentary secretary asks questions of his own minister in a standing committee, in fact he interferes with their right as opposition members to ask questions. You do not have to go very far from that proposition to see the difficulty that precisely the same thing would apply if it were another government member proceeding to take up some of the time of the committee and asking the very same questions of the minister. I do not say that in an effort to put forward an argument on one side or the other of the case; I say it only to illustrate the impossible position in which hon. members are seeking to put the Chair by asking the Chair to pass judgment on a description, on a second-hand basis, of events which have taken place in the standing committee, a description—which is certainly far from agreed upon—of the argument and nature of the proceedings.

For many years in this House, the Chair has refrained from sitting in appeal on procedural decisions taken in standing committees. Hon. members are seeking my guidance as to what steps I would take if I were chairman of the standing committee involved. Surely hon. members have the intelligence to appreciate the reasoning, that I have exposed under considerable fire, in respect of my attitude toward the role of parliamentary secretaries at