

Privilege

This is a violation of all tradition and it flies in the face of the role and function of legislative committees. But it is also particularly important to remember that Bill C-203 is a private member's bill. Much has been said lately about empowering individual members of Parliament. One of the ways this can be done is through Private Members' Business.

Since the McGrath committee's report, various procedural changes have been made to enhance the opportunities and chances of success for private members' bills. It has been said that private members' bills belong to all members and to the House: all members have an interest in their progress through the various legislative stages. Unlike a government measure, which the government can control and bring forward as and when it wishes, private members' bills that are votable are guaranteed an opportunity to be debated. This right is hollow, however, if the bill gets stuck in a committee so that the House never has a chance to consider it again.

I would like to quote another citation from Erskine May's 21st edition, page 600.

For a committee to endeavour to dispose of a bill which has been committed to it by adjourning *sine die*, or to some distant day, would be inconsistent with the duty imposed on the committee by the order of the House committing the bill to the committee. Nor can a committee relieve itself from the obligation of considering the bills allotted to it and reporting them to the House by adjourning further proceedings on a particular bill *sine die*—

For all these reasons, I would submit that Legislative Committee H is in contempt of the House of Commons, and accordingly my privileges as a member and the privileges of this House have been breached.

Mr. Robert Wenman (Fraser Valley West): Mr. Speaker, since this is my particular private members' bill, not only have the privileges of all members been breached by the committee not returning the bill to the House to have it considered by the entire House, but it certainly breaches mine as the author of the private members' bill.

In the spirit of the reforms of 1978-79 and 1984, the members are breaching the intent of the House of Commons, that in fact the public should have access to the House of Commons through private members and through the private members' process. This will in fact bring members' bills through to a final vote in the House of Commons.

I too would like to quote on page 600 of the 21st edition of Erskine May which states:

For a committee to endeavour to dispose of a bill which has been committed to it by adjourning *sine die*, or to some distant day, would be inconsistent with the duty imposed on the committee by the order of the House committing the bill to the committee. Nor can a committee relieve itself from the obligation of considering the bills allotted to it and reporting them to the House by adjourning further proceedings on a particular bill *sine die*, or to some distant day—

Further, page 607 of Erskine May states that:

It is the duty of a standing committee, as of all committees, to give the matters referred to it due and sufficient consideration. The chairman of a standing committee will not therefore normally accept motions in pursuance of which the committee would conclude its deliberations before it has gone through the bill committed to it.

This bill passed unanimously through the House of Commons. There was not one dissenting vote against it and that seldom happens in itself. Surely the House has the right to have the bill considered and returned.

I know you have no knowledge of committees as such, but this particular committee in fact heard 25 submissions from groups across Canada, and they did not even have an opportunity to discuss it. They did not even start the discussion let alone go through the bill clause by clause, or go through amendments—excellent amendments—suggested by many of those who appeared before the committee.

This is a cost of thousands of dollars to us in the House of Commons and to the taxpayers of Canada. We make a farce of our whole process and of the whole presence of private members in this House of Commons when the whole of our country is calling for a concern that private members' votes should be put in a non-partisan way. Issues of controversy like this should in fact be put for private members to vote according to their conscience.

That kind of reform is called for and it seems a shame that some members do not understand this. I know the chairman did not do this through any direct intention. Perhaps he did not recognize his responsibilities to you and the House of Commons according to the traditions of the House of Commons as outlined by myself today.

So I would urge you to consider this matter. Then perhaps a motion could be presented to have the matter considered forthwith that the committee should report back to you according to the intention of this House of Commons.