

mitted to the jurisdiction of the court. Once this privilege is waived, the Member surrenders the protection implicit in it.

[Translation]

Consequently, I am unable to find from these previous declarations or in the facts as set out in this present situation anything that would allow for the extension of parliamentary privilege to communications between Members of Parliament and members of the public.

[English]

There is another aspect of this matter which disturbs me very much. In the supporting documentation supplied to me by the Hon. Member it is clear that counsel for the plaintiffs in this case questioned the right of the Hon. Member to claim his parliamentary immunity, alleging that this was a matter for the court to decide. This claim was made in total disregard of what was established and easily verifiable parliamentary law, clearly and explicitly explained by the Law Clerk and Parliamentary Counsel in his letter of March 15.

Let me state for the record that the right of a Member of Parliament to refuse to attend court as a witness during a parliamentary session and during the 40 days preceding and following a parliamentary session is an undoubted and inalienable right supported by a host of precedents.

[Translation]

The Hon. Member did not base his complaint on the contents of the letter written by counsel for the plaintiffs in the case concerned. Had he done so, I would certainly have had to determine whether or not there was a *prima facie* case of contempt of Parliament, of undue pressure being brought to bear upon the Member for the purpose of questioning his right to claim parliamentary immunity. Fortunately, counsel for the plaintiffs withdrew the subpoena, and the matter did not proceed further.

[English]

To sum up, on these facts I am unable to find that the protection of parliamentary privilege extends to communications between Members of Parliament and the public. I must also warn Hon. Members that waiving of a privilege deprives them of the protection they would otherwise enjoy, not simply partially, but totally. I am gravely concerned that the subpoena was served on a

Supply

Member of this House within parliamentary precincts. I would appeal to my colleagues, should this occur in the future, to refuse to accept any writ of summons within the precincts and to report to the Speaker should such an attempt be made.

Finally, I take a serious view of the action of a member of the legal profession in questioning the right of a Member of Parliament to claim immunity from appearing as a witness and alleging that a court, and not Parliament, had the power to make a determination in such a case.

I want to thank the Hon. Member for Edmonton Southeast (Mr. Kilgour) for his patience in allowing the Chair time to reflect at length on the important issues he raised in the House.

Some Hon. Members: Hear, hear!

GOVERNMENT ORDERS

[English]

SUPPLY

ALLOTTED DAY, S. O. 81—CONDEMNATION OF GOVERNMENT INVOLVEMENT IN ARMX'89 ARMS BAZAAR

Mr. Simon de Jong (Regina—Qu'Appelle) moved:

That this House condemn the Government's involvement in the arms bazaar ARMX'89, and calls upon the government:

- (1) to cease all involvement in the expansion of the international market for military and policing equipment; and
- (2) to take action to ensure that countries which violate human rights are prohibited from directly or indirectly arranging purchases of military and policing equipment in Canada.

He said: Mr. Speaker, it is with pride that I rise this morning to move this motion on behalf of the New Democratic Party and to be the lead-off speaker on a most pressing and important matter.

Next week in Ottawa, at Lansdowne Park, an exposition will be held of military hardware from around the world, particularly from Canadian arms manufacturers. It will have between 200 and 300 exhibitors attracting between 10,000 and 15,000 people who will be there to shop around for materials and goods related to the arms race. There will be people from many different countries. In fact, every country other than those from behind