

*Point of Order—Mr. Clark*

**Madam Speaker:** I am sorry. I heard, "Agreed." I will hear the hon. member for Nepean-Carleton (Mr. Baker).

**Mr. Baker (Nepean-Carleton):** I do have a question of privilege which I would like to bring forward. I was conferring with my leader and my colleagues around me, and I confess that I did not hear you, and I also did not agree. If you are proposing to go to orders of the day, or something like that, I would say no.

**Some hon. Members:** Oh, come on!

**Mr. Baker (Nepean-Carleton):** I do have a point to raise.

**Madam Speaker:** That is fine. There is no agreement. I am in the hands of the House. It is simply that I was listening to the proposal. I tried to calculate the time that the House need to agree with that proposal; but if the House does not agree, I have no other course but to follow the proceedings as I usually do. The hon. member for Yukon (Mr. Nielsen).

**Mr. Nielsen:** Madam Speaker, I do not know how—the question never having arisen before, in my experience—our House leader or our leader can speak for whatever number of questions of privilege you have before you raised by individual members. That will take time in itself to canvass. Assuming that you have six or seven questions of privilege to deal with, there are at least six or seven members who will have to be consulted before we can come to any party conclusion on the matter. But surely neither our House leader nor any one of the officers of the party can take a position on the spur of the moment as to whether the rights and privileges of individual members on routine proceedings will be set aside.

While our House leader, who has a question of privilege filed with you, is speaking, I might take it upon myself to see you, Madam Speaker, to see what questions of privilege you do have, and then to speak to the members of this party, who might be involved. Others in the other two parties might do the same.

**Madam Speaker:** I certainly was not suggesting that the Leader of the Opposition or the Leader of the Conservative Party in the House would make a determination regarding other hon. members who have questions of privilege. They are individual questions of privilege, if I understand the concept. I was merely implicit, but I would not have gone up to that point, inviting the hon. members to allow me to do that. But if that is not allowed, that is final.

**Mr. Pinard:** Madam Speaker, there is a way out of this, and it is very clear under Standing Orders. If the hon. members in the party of my colleague, the hon. member for Nepean-Carleton (Mr. Baker), are serious and are in good faith, and I believe that, maybe they will then accept the proposal I have to make. If they are serious in saying they are interested in negotiating a way out of this situation, then you have the power, Madam Speaker, under Standing Order 17(1) to defer all questions of privilege to a time which is suitable to you. Since the debate on the motion of the Minister of State for

Finance has on hour and 58 minutes to run, the debate would end at about 5.15, a division would be taken and there would be at least half an hour before six o'clock in which the questions of privilege could be heard.

Standing Order 17(1) allows you to defer all questions of privilege. If we look at Beauchesne's fifth edition, the Standing Orders are reproduced in Appendix 2. If you read it, Madam Speaker, you will see you have the right to do that. If the hon. members are sincere, they will agree that the questions of privilege today should be postponed until after the vote on the motion of the Minister of State for Finance, and then we could have the meeting. But if delay is what they want, they will have delay.

**Mr. Hnatyshyn:** No delay. I have privileges in this House and you cannot deny them.

**Mr. Baker (Nepean-Carleton):** Madam Speaker, I think you put the matter very correctly in terms of what privilege is. It is an individual matter and not a party matter. As you know, I have put in a notice with respect to a question of privilege which I want to pursue because I believe it is important to me and to other members of the House. I will do my best to be as short as possible.

The bottom line of rule 17(1) is this:

Whenever any matter of privilege arises, it shall be taken into consideration immediately.

We have always done our best to take them into consideration immediately after the question period and to dispose of them. Then the rule goes on to deal with notice. Technically, under our rules now, they can be taken during the question period. This procedure has not been followed, because nobody wants to interrupt the question period, I suppose. I am not quarrelling with that decision today. However, the custom in the House has been to proceed with the matter. I think that as we go forward you will find that my privilege is germane to the position we are in the moment. At least, I hope you will so find, Madam Speaker.

**Mr. Pinard:** The House leader of the Tory party read from Standing Order 17.

**An hon. Member:** That is the Conservative party.

**Mr. Pinard:** Let me bring to your attention, Madam Speaker, what is contained in Beauchesne's fifth edition. The Standing Orders are reproduced and on page 305 I read:

*Question of Privilege*

17. (1) Whenever any matter of privilege arises, it shall be taken into consideration immediately or at a time appointed by Mr. Speaker.

The important words are "or at a time appointed by Mr. Speaker". I agree with my colleague that in an earlier edition of the Standing Orders dated June, 1978, those words were not included. But I submit that this is an error in printing, and I have grounds for that.

**Some hon. Members:** Oh, oh!