

thus far is the tabling of the book of estimates. No action has been taken by the government to implement these estimates; the government has not yet asked parliament to accept the recommendations contained in these estimates.

There has been no change in the votes. It is often the practice, of course, for changes to be made in details. In the particular matter being discussed there has been no change whatsoever in the vote. The only legal effect that could result from any action by parliament would be a vote by this house on a proposed item designated as one of the items to be voted on in the Department of National Defence.

My hon. friend the member for Medicine Hat I think was in error when he said the practice was to first give the public accounts committee an opportunity of passing on the estimates before this house is called on to deal with them.

Mr. Olson: I said the form of the estimates.

Mr. Martin (Essex East): I see. I was about to observe that that is not our practice. The House of Commons in the United Kingdom follows that procedure; we do not. There is no motion to deal with the estimates; all that has happened is that they have been tabled.

The question before you, Mr. Speaker, is not whether the argument of the hon. members for Winnipeg South Centre and Edmonton West is to be accepted on the facts as stated. As Your Honour said, the question before the Speaker is a simple one; is the matter raised by the hon. member for Edmonton West a question of privilege? The Minister of National Defence has said that it is not, and I think he is supported by the observations made in Beauchesne, to be found in the fourth edition at page 99. Subsection (3) of citation 109 says:

It is declared to be a breach of privilege for a member, or any other person, to publish the evidence taken before a select committee, until it has been reported to the house.

I am not raising a question of privilege on what has happened today, but I might well have done so on the basis of this interpretation. It is not open to any member of this house to publish or to utter any evidence placed before a parliamentary committee until that committee has made a report to this house. Referring directly to the question of privilege and turning to page 102 of Beauchesne—

Some hon. Members: Oh, oh.

Alleged Irregularity in Defence Estimates

Mr. Martin (Essex East): My hon. friends laugh, but it is not open to any member of this house at any time to raise any question about any proceeding in any committee, or to refer to any evidence before that committee, until a report has been made to the house. Citation 113 of Beauchesne says:

Members often raise so-called "questions of privilege" on matters which should be dealt with as personal explanations or corrections, either in the debates or the proceedings of the house. A question of privilege ought rarely to come up in parliament. It should be dealt with by a motion giving the house power to impose a reparation or apply a remedy.

That has not been done, as Your Honour observed a few moments ago. There are privileges involving the house as well as individual hon. members. Beauchesne lists wilful disobedience to orders and rules of parliament in the exercise of its constitutional functions, insults and obstructions during debate. These are breaches of the privileges of the house. Such matters are not before Your Honour. Continuing reading from citation 113 of Beauchesne the following statement appears:

But a dispute—

This, I argue, is relevant:

But a dispute arising between two members, as to allegations of facts, does not fulfil the conditions of parliamentary privilege.

What do we have today? We have had nothing more than an allegation as to facts presented by the hon. members for Edmonton West, Winnipeg South Centre—

An hon. Member: And Calgary.

Mr. Martin (Essex East): I beg your pardon. The hon. member for Calgary North has also spoken. What was said did not involve a question of privilege. Those hon. members presented an argument based on a different interpretation of facts. It is clear, Mr. Speaker, that there has been no prima facie case of privilege. In fact no case of privilege whatsoever has been established. We have merely had a disputation between two hon. members about a set of alleged facts not yet before this house for its approval. The argument has been in terms of the decision which parliament ultimately must make on the recommendation put forward by the government with respect to the blue book of estimates.

For those reasons and for the reasons brought forward in citation 113 of Beauchesne's fourth edition I submit that the only