

*Business of the House*

and I take it that both provinces at this time have taken measures to make their case in front of the courts.

I am therefore uncomfortable as to whether in your position as Speaker of this House, knowing our traditions and our customs, you should be ruling at this time on a matter of law. I know you cannot.

Therefore I put it simply to the House that although I agree with the member that there could be a good legal case made before the courts for the government breaking or being in breach of its agreements, or of its subagreements for that matter, at this time I must say that the Official Opposition would feel that the matter is a legal one, not one for the House.

**Hon. Harvie Andre (Minister of State to Prime Minister and Government House Leader):** Mr. Speaker, perhaps I could just very quickly respond to the opening comments of the member for Kamloops by saying that I hope he does not think that because there are four Albertans involved it takes four Albertans to match wits with one British Columbian or one Ontarian. That is not the circumstance.

• (1320)

I indicated that we had no previous warning of this point of order so I am not in a position to reply in detail, except to dig back into my memory and recall, without the specific citation, previous speakers pointing out the fact that if this point of order were to prevail, then by the simple expedient of filing a lawsuit anybody could prevent the House of Commons from dealing with its normal business. That clearly would be an unacceptable situation. For that reason if for no others—and there certainly are other reasons—I would say this is rather a spurious point of order and probably not worthy.

If the Chair should see in the arguments more merit than is obvious to me at this point in time, I would ask that we have an opportunity to respond in detail. I have to say at this time I agree with my friend from Ottawa—Vanier that this point of order is elaborate and articulate but without merit in terms of substance.

**Mr. Speaker:** The hon. member for Kamloops has raised a very interesting point. It is public knowledge, as has been repeated by the hon. member for Kamloops, that at least one province is challenging in the courts

certain provisions which the federal government has enunciated in its budget speech.

The challenge lies on the side of civil law, not criminal law. The *sub judice* convention has never been as rigorously applied in civil matters as in criminal matters. Hon. members will know that as a consequence of matters raised by members to me recently, I have had to deal with the *sub judice* convention with respect to criminal matters, and I think that position is quite clear.

I echo the words of the hon. House leader, that the hon. member for Kamloops put forward a very able argument. I want to consider carefully the reference to a particular ruling which the hon. member cited. I will take that matter under advisement and report back to the House as soon as I can.

However, in the meantime, I do not think it would be appropriate to delay the debate on the budget motion. We are not debating a bill at the moment. I have the hon. member's point. I will give it very careful consideration and will report back to the House as soon as I can.

**The Acting Speaker (Mr. Paproski):** Orders of the Day.

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**BUSINESS OF THE HOUSE****MOTION TO TELEVISION PROCEEDINGS OF  
COMMITTEE—BILL C-62**

**Mr. Nelson A. Riis (Kamloops):** Mr. Speaker, I wonder if I could use this moment to ask my colleague, the Parliamentary Secretary to the Government House Leader, if there has been any progress made on a motion to be brought before the House in terms of televising the proceedings of the finance committee which will start later in the day. It is important that we deal with this expeditiously.

**Mr. Albert Cooper (Parliamentary Secretary to Government House Leader):** Mr. Speaker, indeed there has been progress. I thought I would wait until Orders of the Day had been called and just before we got into debate, it was my intention to rise on a point of order.

There have been discussions among the three parties, and I believe Your Honour will find consent for the following motion:

That televised broadcasting be authorized of meetings of the Standing Committee on Finance, specifically during the consideration