

of *Beauchesne's* Fifth Edition, found at page 130, which reads as follows:

A question, oral or written must not seek information about proceedings in a committee which has not yet made its reports to the House.

A debate followed and the views expressed by honourable senators indicated disagreement on the interpretation and meaning to be given to the word "activities." I found the comments most helpful and I am grateful to the honourable senators who participated in that debate.

Rule 20 permits questions relating to the "activities" of a committee. *Beauchesne*, on the other hand, prohibits questions relating to the "proceedings" of a committee. In my view there is no inconsistency between these two concepts. In fact, each complements the other.

The "activities" of a committee would obviously be the specific things that are done by the committee, such as the holding of meetings, the election of a chairman, the calling of witnesses, the hiring of staff, advertising, and any other matter relating to the manner in which the committee conducts its proceedings. These are all "activities" of a committee.

[Translation]

The Honourable Leader of the Government countered the question by the Honourable Senator Flynn in the following terms:

[English]

HON. ROYCE FRITH (DEPUTY LEADER OF THE GOVERNMENT): I rise on a point of order. Since the members opposite, particularly yesterday and earlier, displayed such an interest in compliance with the rules, I would draw their attention to chapter 9, page 129, of *Beauchesne*, on the subject of questions:

A question oral or written must not—

(hh) seek information about proceedings in a Committee which has not yet made its report to the House.

[Translation]

The first thing that comes to mind upon analyzing the disputed statement is that the *Rules of the Senate* refer to the "activities of that committee" while *Beauchesne* refers to "proceedings" for which the French equivalent could be "délibérations".

[English]

The term "proceedings" with respect to a committee, on the other hand, is a term that, in a parliamentary context, is more closely associated with the actual deliberations of a committee. In fact, the French word is "délibérations." The English word "deliberation" is defined in the dictionary as including "careful consideration with a view to decision" and "the consideration and discussion of the reasons for and against a measure by a number of councillors."

According to *May's Parliamentary Practice* (19th edition, at page 87), the term "proceedings in Parliament," as a technical parliamentary term, has a meaning that goes back as early as the seventeenth century.

[The Hon. the Speaker.]

May states that it means "some formal action, usually a decision, taken by the house in its collective capacity." "This is naturally extended," according to *May*, "to the forms of business in which the House takes action, and the whole process, the principal part of which is debate, by which it reaches a decision."

[Translation]

Now, we agree on the terms "proceedings" or "délibérations", but what is meant by "activité" or "activities" of the committee?

Though the word "activity" has a very broad meaning, and can encompass every form of action, joined to the word "committee" its meaning is considerably limited. A committee acts as such when it passes resolutions, reaches decisions on rules, statements, reports and so on. In other words, the activity of a member of the committee including its chairman, or a witness appearing before it, or a person connected with it in any way or working for it, is not considered to be the activity of the committee unless the committee makes its own the position adopted by one of those persons.

There, then, is a first restriction to the term "activité" or "activities".

Questions may not be asked of the chairman of the committee unless they pertain to the activities of the committee itself.

The last restriction, with regard to the questions that may be put to the committee chairman, relates to rule 73 of the Senate, which stipulates:

Members of the public may attend any meeting of a committee of the Senate, unless the committee otherwise orders.

So if the committee decides to sit *in camera*, what then would be the meaning of rule 73, if honourable senators could, in the Senate, invite the committee chairman to reveal all that was decided at a given committee sitting?

Let us now come back to the question put by the Honourable Leader of the Opposition. His question dealt with the activities of the Joint Committee on the Constitution. On the other hand, the committee chairman at no time mentioned that the meeting was held *in camera*. I therefore conclude that to my mind the question seems to be in order.

Senator Flynn: The answer, then, is of no consequence.

QUESTION PERIOD

[English]

THE CONSTITUTION

SPECIAL JOINT COMMITTEE—TELEVISIONING OF PROCEEDINGS

Hon. Jacques Flynn (Leader of the Opposition): Honourable senators, again we are missing two of our three cabinet ministers. Only Senator Argue, the Minister of State for the