

On the basis of precedents to which I have alluded and on the basis, also, of citations and of the Standing Order, the ruling of the Chair has always been that such matters cannot be resolved in the House under the heading of privilege.

It is well established practice that committee proceedings cannot be brought into consideration or debate in the House except by way of a report from the committee. If a point of order or a question of privilege should arise in a committee, it should be settled there rather than by way of an appeal to the House. Honourable Members are also referred to citation 295 (1) of Beauchesne's fourth edition which reads in part as follows: "On July 24, 1956, an appeal was taken to the House from the Standing Committee on Banking and Commerce, and the Speaker ruled that the chairman's ruling should be settled in the committee and not reported to the House."

This ruling led to the enactment of Standing Order 65(11) which reads as follows, as all honourable Members know: "The chairman of a standing or special committee shall maintain order in the committees; deciding all questions of order subject to an appeal to the committee; but disorder in a committee can only be censured by the House, on receiving a report thereof."

Essentially, the honourable Member for St. John's East by way of question of privilege would propose that the conduct of another Member ought to be the subject of an investigation by the Standing Committee on Privileges and Elections. It is a long established practice that the conduct of another Member cannot be subjected to the scrutiny of the House by way of a question of privilege. On this point I refer honourable Members to the well known and often quoted ruling of Mr. Speaker Michener reported at page 584 of the *Journals* of June 19, 1959.

Also, I have always had serious doubts of the advisability of having proceedings of a committee investigated by another committee of the House.

For all these reasons the Chair must rule that there is not a *prima facie* case of privilege, so that the motion proposed by the honourable Member cannot be submitted to the House at this time.

Bill C-176, An Act to amend the Criminal Code, the Crown Liability Act and the Official Secrets Act, as reported (with amendments) from the Standing Committee on Justice and Legal Affairs, was again considered at the report stage.

And the House having reverted to the deferred division on the motion of Mr. Leggatt, seconded by Mr. Orlikow,—That Bill C-176, An Act to amend the Criminal Code, the Crown Liability Act and the Official Secrets Act, be amended in Clause 2 by deleting the words "or an agent specially designated in writing for the purposes of section 178.12 by the Solicitor General of Canada or the Attorney General, as the case may be" in lines 43 to 46 at page 5 and line 1 at page 6.

And the question being put on the said motion, it was negatived on the following division:

(Division No. 52)

YEAS

Messrs.

Barnett	Howard	Nesdoly
Benjamin	Knight	Nystrom
Blackburn	Knowles	Olaussen
Brewin	(Winnipeg	Orlikow
De Bané	North Centre)	Peters
Firth	Leggatt	Rose
Gilbert	MacInnis (Mrs.)	Rowland
Gleave	Neale	Symes—26.
Grier	(Vancouver	
Harding	East)	
Harney	Nelson	

NAYS

Messrs.

Alexander	Cyr	Hopkins
Alkenbrack	Danforth	Horner
Allard	Danson	(Crowfoot)
Allmand	Darling	Howie
Andras	Davis	Hueglin
Andre	Demers	Hurlburt
Arrol	Dick	Isabelle
Atkey	Diefenbaker	Jamieson
Baker	Dinsdale	Jarvis
Baldwin	Dionne	Jerome
Basford	Drury	Kempling
Bawden	Dubé	Knowles
Beattie	Dupont	(Norfolk-
(Hamilton	Duquet	Haldimand)
Mountain)	Ellis	Korchinski
Beatty	Epp	Lachance
(Wellington-	Ethier	Laflamme
Grey-Dufferin-	Fairweather	Lajoie
Waterloo)	Faulkner	Lalonde
Beaudoin	Fleming	Lambert
Béchar	Forrestall	(Bellechasse)
Bell	Fortin	Lambert
Blais	Foster	(Edmonton West)
Blenkarn	Fox	Lang
Blouin	Frank	Langlois
Boisvert	Fraser	Laniel
Boulanger	Gauthier	La Salle
Breau	(Roberval)	Lawrence
Buchanan	Gauthier	Leblanc
Caccia	(Ottawa East)	(Laurier)
Cafik	Gendron	LeBlanc
Campbell	Gillespie	(Westmorland-
Caouette	Gillies	Kent)
(Charlevoix)	Godin	Lefebvre
Caouette	Goyer	Lessard
(Témiscamingue)	Guay	L'Heureux
Caron	(St. Boniface)	Loiselle
Carter	Guay (Lévis)	Lundrigan
Chrétien	Guilbault	MacDonald
Clark	Haidasz	(Cardigan)
(Rocky Mountain)	Hales	MacDonald
Clarke	Haliburton	(Egmont)
(Vancouver	Hamilton	Macdonald
Quadra)	(Swift Current-	(Rosedale)
Clermont	Maple Creek)	MacDonald (Miss)
Coates	Hargrave	(Kingston and
Comtois	Hees	the Islands)
Corbin	Hellyer	MacEachen
Corriveau	Herbert	MacGuigan
Côté	Higson	Mackasey
Crouse	Hollands	MacKay
Cullen	Holmes	MacLean