

Mr. Baldwin: The President of the Privy Council will hear the motion in due time. Mr. Speaker, what I am in fact putting before the House, putting before Your Honour, is what is known as an interlocutory application as to whether or not Your Honour should put the question to the House on the motion which I shall read very shortly.

However, before I leave this branch of my case I suggest that when we find a situation where an officer of the House, of the importance of the Auditor General, is involved in an issue where it appears that he is deprived of carrying out his exceedingly important statutory duties, then surely, Sir, there should be an examination on that issue, and the only place that examination should properly take place is at the bar of this House. There are committees—yes. The very fact that the House has the right to call witnesses before it is indicative of the fact that it also has the power to give that right to a committee.

But the inherent power—and this is the second branch of my case—is that there is, there always has been, and I pray God there always will be, an inherent right in this House, and in the other place for that matter, when there is a feeling that there has been an injustice, some challenge to the authority of the House, and particularly, Sir, when it involves an important officer of the House, for that officer to be called not before a committee but before the bar of the House. The Public Accounts Committee has been suggested. It is or will be charged with the responsibility of dealing with the report of the Auditor General covering the year ended March 31, 1970. There will be no opportunity, there will be no scope, no means by which this matter could be decided by that committee.

I know, Mr. Speaker, that this is a matter which should come to the House itself for decision but I suggest, if some proposition is made that the proceedings and the means are difficult or complex, that this is for the House to decide. If it is difficult, because of the practice and traditions of the past, for us to deal with the situation where an officer of the House appears at the bar of the House, we are not without resources to apply a procedure which will be acceptable.

Now, Mr. Speaker, let me briefly deal with the second part of my case—

Mr. Speaker: Order, please. I certainly do not wish to interrupt the hon. member uselessly or needlessly but I would hope that the presentation could be as brief as possible, although I appreciate the importance of the matter. I trust that the hon. member will indicate as soon as possible the motion that he proposes to submit to the House.

Mr. Baldwin: I shall do that very shortly, Mr. Speaker. I want to make it plain, as I indicated earlier in my argument, that not only is there a question of privilege—all the yowling and screaming from the other side will not prevent me from making my presentation—

Mr. Ricard: The big mouth from St. Boniface (Mr. Guay).

Mr. Baldwin:—but there is also an inherent right of this House to call witnesses before it, not necessarily witnesses

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who are malefactors or have committed infractions against the privileges of this House but any witnesses. This is an inherent right of the House. This may be unusual but the facts are unusual and call for unusual treatment, especially when the Prime Minister saw fit yesterday—I think this is an issue which Your Honour cannot ignore—to refer to the Auditor General as a lawbreaker and to call upon this House to do something about it.

Our system provides or ought to provide for every person charged with some offence to appear and make his defence in the proper forum. I suggest to you, Sir, that every member of this House has the right in this day, with the continual encroachment of the executive, to have the opportunity to have the Auditor General appear at the bar of the House and make his explanation and indicate his position with regard to this very serious charge which has been laid and the effect it has on the rights of members of this House.

Before I read the motion I would once more call to Your Honour's attention the fact that in the final analysis this is a matter for the House to decide. I am not asking Your Honour to take upon yourself the responsibility of deciding whether the Auditor General should appear before the bar of this House. This is for the House. I would suggest, with the greatest respect, that Your Honour is limited to the question of whether a case has been made which would justify this procedure being adopted. Even if Your Honour does so with the full knowledge that it entails difficulties with regard to procedure, this is a matter for the House to consider and if the House, with full knowledge of what is involved, comes to this decision it is a right which the House should exercise.

I would therefore seek leave to move the following motion, seconded by the hon. member for Saint John-Lancaster (Mr. Bell):

That the report of the Auditor General of Canada for the fiscal year ended March 31, 1971 not having been laid before this House as set out in the Financial Administration Act, and the Prime Minister of Canada having stated in this House that the Auditor General has broken the law, this House orders that the Auditor General of Canada appear before the bar of this House at a time within seven days of this order to be fixed by Mr. Speaker, there to explain to this House why the said report has not been tabled and there to have the opportunity to make his statement in respect of the said allegation.

• (1430)

Mr. Speaker: Mr. Speaker, as I indicated earlier at the opening of the House, there are a number of motions dealing with the same set of circumstances. I think it might be somewhat difficult to make a ruling in each particular instance and my thought is that all hon. members who have given notice of motions should be given an opportunity to make a brief presentation. Perhaps they might take into account, in making those presentations, that some of the facts have now been laid before the House by the hon. member for Peace River. I am not suggesting that all the motions are the same; I am sure they are all different and that they all take a different approach to the situation mentioned and the circumstances of the case. However, they do, basically, refer to the same set of circumstances and I think it would be in order for the Chair to hear hon. members who have given