

be dealt with on a partisan basis. That is a plea on his part that can be met.

I well recall the day when Mr. Speaker's rulings were appealable, and we appealed them by the dozen. I recall one year in particular. It did not do very much for the authority of the Chair or the dignity of parliament, and I have to say, as one who asked for many of those appeals, that they were highly partisan and highly political. Things have been greatly improved because Mr. Speaker's rulings can no longer be appealed. The Speakers we have had since the rule was changed have been much more concerned and much more responsible about the rulings they have given.

In this situation we have a hangover from the former regime. Your Honour must rule whether or not, in your view, there is a point of privilege, and then you must put it to the House of Commons as to whether or not the matter will be referred to a committee. We have had an instance in this very session where Your Honour ruled that there was a prima facie case of privilege. It related to a matter raised by the hon. member for Nickel Belt (Mr. Rodriguez). It became the subject of a partisan vote and, in effect, a ruling made by the Chair after deep consideration and several days of reflection was set aside. We should carry over the practice we have adopted with regard to rulings by the Chair on points of order. We should apply this practice to this situation. We cannot change the rules this afternoon, but at least we can get back to the tradition that has been established that when Mr. Speaker finds there is a prima facie case of privilege the House accepts that decision and allows the matter to go to committee.

I earnestly hope, Mr. Speaker, that you will rule that the member for Halifax has a prima facie case of privilege, and if you do so, I earnestly hope that this House of Commons will have respect for that decision and not put it to a vote.

**Mr. Speaker:** I hope hon. members will understand that I would like to take some time to consider this matter. Reference has been made in the discussion this afternoon to previous dispositions on similar matters, which perhaps may be important if for no other reason than that they indicate my attitude toward this entire question of surveillance which, as the hon. member for Annapolis Valley (Mr. Nowlan) pointed out, is a new area entirely.

As to the case of the hon. member for Nickel Belt (Mr. Rodriguez), the House knows that I looked upon that as a matter which had never been dealt with under the umbrella of privilege before, because it involved electronic surveillance, which is a new problem to us. Therefore, I was very much inclined to give the benefit of the doubt in those circumstances to the argument put forward that any suggestion of interference by electronic means with members of the House of Commons ought to be examined in such a way as to give the doubt to the favourable interpretation of that and in such a way that the House would be put to the decision of whether or not the particular case ought to be sent to committee.

In the similar situation here, this motion raises a new problem and therefore the initial disposition that I made is,

*Privilege—Mr. Stanfield*

again, an indication of the importance that I attach to any suggestion that any members of this House—and whether that extends to candidates may be something for some considerable thought when I do make the final decision—are the object of surveillance because I could have brushed aside the motion on procedural grounds. However, that would not have done justice to the very important matter that lies at the core of this subject, and hence we have arrived at this point.

● (1632)

I wish I could say that these were all the difficulties I was going to have, but obviously there are some very fundamental questions such as whether, when parliament is dissolved, there are members of parliament to be interfered with, and whether candidates for membership of this House and members of this House stand on the same footing in respect of the classic definition of privilege. To put the argument another way, it would be technical in the extreme to consider that those who are candidates are not logical extensions of the people who succeed as candidates and become members. I do not know how to resolve that argument at the present time.

Whether having some procedure in the office of the RCMP for calling the attention of the security forces to anyone who puts himself forward amounts to surveillance in the terms of the motion, is another question that I must resolve. Then, if I have resolved all those matters, I have not only to find whether there is a fundamental question of privilege in such a way as to determine whether a decision should be made for or against the motion, obviously, but to decide whether the motion ought to be put as a normal motion, with the usual notice, under normal conditions, or whether it ought to enjoy priority and be put by the Chair forthwith over any other business because it has attached to it that essence of privilege which gives it priority. These are the decisions I have to make and I will want some time to sort the very valuable arguments that have been advanced.

I want to reiterate that the arguments have been very helpful. If I had not thought at the start that there was an extremely important and fundamental matter at the core of this motion presented by the hon. member for Halifax, I could have simply dismissed it out of hand, on procedural grounds last Thursday or Friday, but I preferred to see the matter argued today, and I shall try to come to a conclusion as quickly as I can.

MR. HUNTINGTON—LEGAL PROCEEDINGS LAUNCHED BY  
VANCOUVER BRANCH OF CUPW

**Mr. Ron Huntington (Capilano):** Mr. Speaker, to explain the background of my question of privilege, I must go back to a meeting of the Standing Committee on Transport and Communications which took place on Thursday, May 5, 1977, at which the Post Office estimates were being considered. For some years I had been deeply concerned, and I still am, about the activities of the Canadian Union of Postal Workers, particularly as they affect the city of Vancouver. I have long been convinced that the leadership of the union in Vancouver is