

Privilege—Mr. W. Baker

Official Opposition finds an issue to raise a new question of privilege. If after reading the *Votes and Proceedings* tomorrow I feel I need additional information then perhaps I will ask one hon. member or another, or even the Right Hon. Leader of the Official Opposition, to provide me with further details. But I can take the question under advisement. Anyone raising a question of privilege on a given day may not continue on the same subject the following day.

In my opinion, therefore, the arguments have been made to the Chair. I will study them, take them under advisement and make a ruling later.

Mr. Clark: Madam Speaker, simply to make myself clear, I was seeking the right to consult the Standing Orders and parliamentary precedents relevant to the situation described here today during the question period. In fact the Chair seemed to suggest that we think there is indeed a question of privilege and that we have not had an opportunity here in the House to produce all the evidence, to refer to all precedents which may be available. I took the floor simply to indicate that in all likelihood, after a review tomorrow, we will want to continue debating the question. You have stated that if you have reason to believe that there is in fact a question of privilege, we will be allowed to continue tomorrow. If we were able to establish precedents in support of the rules we want to quote, perhaps we might do so tomorrow before the question period and raise the question of privilege if need be.

Mr. Pinard: Madam Speaker, the remarks of the Leader of the Opposition are utterly unbelievable. According to him, he has been trying for half an hour to give you notice of his intention to rise on a question of privilege on some other day. That is unacceptable. The question of privilege has been thoroughly debated and you have stated yourself that you might need additional information after reading *Hansard*. Fair enough, we accept your ruling. But I think it is pretentious on his part to claim that all the time we have wasted this afternoon was nothing more than notice from the Leader of the Opposition of his intention to seek information and consult the Standing Orders of the House before rising to speak.

In my opinion, Madam Speaker, we have had a full debate and the issue cannot be reopened unless it is on your own initiative.

● (1530)

[English]

Mr. Baker (Nepean-Carleton): Madam Speaker, as you will recall in my remarks at the outset, I reserved on the matter as well. So there will be no doubt as to why I reserve, this is a question of privilege, and I wanted to prepare for your consideration an appropriate motion which usually follows such matters. I think it is only appropriate as well that all members of the House read the "blues" which you, Madam Speaker, have allowed us to do, and quite properly so. That is my

understanding of what you have suggested. It is a common parliamentary courtesy for which we thank you.

I just want to make sure, Madam Speaker, that you understood that I had a reservation as well.

Madam Speaker: I can tell the hon. member that I noticed that there was no motion attached to the intervention made by the hon. member or by any other hon. member. This often happens. It is a technicality, and I am sure that I would not reject a question of privilege solely on that technicality. Arguments have been presented this afternoon. A question of privilege may not be deferred. If the hon. member would now like to make a motion, I will receive it, and then I will defer my decision on the question of privilege which has been raised.

Mr. Baker (Nepean-Carleton): Madam Speaker, I could build a motion of privilege on my feet, but I have been involved now as House leader, on one side of this House or the other, since 1976. I want to say, with respect to the Chair, that it is not unusual for there to be even consultation among various members in the House from both sides as to what might be an appropriate approach. I would be the first to argue that without a motion before you, Madam Speaker, you could not make a judgment. But since you have indicated that you are prepared to reserve anyway, then I suggest, if it is not inappropriate for you to reserve on the basis which has been set out, that we look into the appropriate form of the motion to be put, in order that you will have before you tomorrow what you regard today as being necessary to complete the proceedings, given the fact that you, Madam Speaker, have reserved on the matter.

Madam Speaker: I have reserved so that I may consult the precedent and reflect on the arguments which have been presented to me this afternoon. That is my intention. I really believe that the question of privilege has now been exposed to the Chair. The Chair will now look at the precedents.

The Right Hon. Leader of the Opposition (Mr. Clark) has said that he wishes to look at the precedents. I would suggest to him that this is the role of the Chair. I will look at the precedents and determine whether there is a basis for a *prima facie* case of privilege. I will rule on the matter later. If hon. members have another question of privilege arising from the deliberations of this House at some other date, relating to the subject today, then they may raise it at a later date. But I cannot allow discussion on the basis that this is merely a notice of a question of privilege and that tomorrow we will discuss the question of privilege. That question of privilege was exposed this afternoon. It is on the basis of the discussion which we have had today, looking into the precedents and referring to the rules, that I will rule later on this question of privilege.

Mr. Clark: Madam Speaker, I want to be absolutely clear that your statement is not precluding me or any member of this House from making available to you, before you rule tomorrow, any arguments or precedent that we think might well be drawn to the attention of Chair. Am I correct or incorrect?