

Privilege

basis of parliamentary authority or precedent to do what he did in disallowing points of order.

First, I have submitted that the chairman last evening had no authority to deem withdrawal of the resolution that was before the committee.

Second, I have submitted that the chairman last evening had no authority whatsoever to disallow points of order.

I come now, quickly, to my third submission, namely, that the chairman of the Standing Committee on Finance last evening had no authority whatsoever to disallow debate on what was clearly a debatable motion.

In the interest of time, I shall not read the entire motion, but I shall just give you the gist of what it says, Mr. Speaker. The draft order given to the committee as a substitute for the one that he had deemed to have withdrawn provided for the business of the committee, what it would do on each of several successive days, when the questions would be put, and when the report to the House would be made.

That has all the elements of a debatable motion, whether you characterize it as a time allocation motion or a routine motion to deal with the future business of the committee. That is another argument altogether as to what was the real substance of the motion. The fact is that however you characterize it, whether as a time allocation motion, as a motion to deal with routine future business of the committee, or as a motion to make certain determinations about the substance of the legislation which had been referred to that committee, in any of those categories into which the motion clearly has to fall, I submit that it is clear by every rule of Parliament—and the citations are so many that there is hardly need to make reference—that it is a debatable motion.

I will give you, Sir, one citation, which is citation 67 of the fifth edition of Beauchesne's which provides that the chairman has no authority to disallow debate on what is clearly a debatable motion.

It would be easy to get carried away on this particular issue, but that is not my point at this particular time. I just happen to believe it is time to flag what is going on in that particular committee.

I have given you, Sir, three clear instances where the chairman was clearly outside his authority. I submit that those instances are such serious breaches of my privi-

leges as a member of this House and the privileges of other members of this House they cannot go unnoticed by the Speaker.

I accept the normal convention that a committee is the master of its rules, but I repeat in conclusion that mastery must never include the licence for a committee to do what in conscience the Parliament itself would never do. That clearly is what happened in at least three separate instances last evening.

Mr. Speaker, if you find I have established a *prima facie* case, I would be prepared to move the appropriate motion.

Mr. Speaker: I thank the hon. member. On the same point of order?

Mr. Gauthier: Yes.

Mr. Speaker: Again, I have always followed a policy of not indicating until a member stands whether I have or have not a point of order. The reason for that is clear.

First, what comes to me is between myself and the member bringing it to my attention. Second, a member always has the right to withdraw and may, for whatever reason, not wish it to be known that he has put an application and then withdrawn it.

I wonder if hon. members would help the Chair by standing to indicate if they wish me to proceed with their questions of privilege. I will come back to the hon. member for Ottawa—Vanier in just a moment.

• (1530)

Mr. Harvey (Edmonton East): Mr. Speaker, there seems to be some confusion as to what it is you are asking at this point.

Mr. Speaker: Hon. members have just heard a succinct argument put forward by the hon. member for Burin—St. George's on a question of privilege arising out of proceedings in committee.

I have a number of questions of privilege here. In order to maintain the confidence with which each of you bring these matters to my attention, and of course I am not indicting whom I have received them from, but as a consequence I am asking those who wish me to pursue their questions of privilege to stand.

Mr. Harvey (Edmonton East): On this question, or on all questions of privilege?