

*Administration of Justice*

that to get back into order and get ahead with our business we should accept a motion which the greatest rules authority in this house has suggested is defective but which embodies a good idea.

**Mr. Knowles:** Mr. Speaker, would the right hon. Prime Minister permit a question? I wish to direct a question to him because I gather he was referring to me.

**Some hon. Members:** Oh, oh.

**Mr. Pearson:** I was referring to the Minister of National Health and Welfare.

**Mr. Knowles:** I know how ridiculous my statement just sounded, because it seemed to refer to something that the Prime Minister said. However, he did refer to someone who had stated, in his words, that the motion was defective but that it contained a good idea. I do not think the Minister of National Health and Welfare said that.

I wonder whether the Prime Minister is aware of the provisions of citation 199 in *Beauchesne*, fourth edition, which give Mr. Speaker the authority to suggest any corrections that are necessary to make a motion conform with the usages of the house. I wonder therefore if it would not be possible for one to argue that the general purport of this motion is in order, that there may be a defect in it, and I think there is one defect in it, but that Mr. Speaker himself could suggest to the mover that it might be corrected.

**Mr. Pearson:** I realize I made a great mistake in making a reference that could be even interpreted by the hon. gentleman as referring to him because I knew that if I did that I should have *Beauchesne* thrown at me at once. I yield to his superior knowledge of *Beauchesne* but I do not think that that particular reference covers the point we are dealing with.

The precedent that we should be establishing if this motion were accepted would mean that if an order in council passed by a government in the future in the discharge of its responsibilities—and it alone has the responsibility of passing orders in council—if an order in council were passed and the terms of reference were considered not suitable by the opposition, then under the guise of a discussion on privilege a motion could be made submitting the terms of reference of that order in council to a committee for reconsideration. This would be the precedent we should be establishing and, Mr. Speaker,

in this case to a committee of seven on which no doubt all five parties in this house would be represented.

That is the kind of proposal that is being made to the house. If, Mr. Speaker, you rule the motion out of order, then I hope, and I repeat the hope expressed a moment ago by the Leader of the Opposition, that we can get on with the business before us.

**Some hon. Members:** Hear, hear.

**Mr. Pearson:** If, Mr. Speaker, you take another decision which results in a vote, then at least we shall have decided the matter at once and can get on with the business before us. Naturally we will abide by whatever decision you make.

**Mr. Terence Nugent (Edmonton-Strathcona):** Mr. Speaker, the Minister of National Health and Welfare, the Minister without Portfolio and the Prime Minister made certain remarks on the point of order with which I should like to deal. First, I was a little puzzled by the remark made by the Minister of National Health and Welfare that there were no charges against the Minister of Justice. Certainly the essence of the question of privilege raised by the hon. member for Calgary North is a charge against the Minister of Justice that he has violated the privileges of this house.

Sir, there is nothing further that needs to be mentioned; there is nothing further that needs to be said. That is the specific charge with which the minister is charged and which the hon. member for Calgary North has brought before the house. The minister has been supplied with the particulars of the charge in that it is alleged that the statements he made inside the house and also outside the house on the Munsinger affair cast a shadow on his honour and on the integrity of members of this house. There is therefore a specific charge and I do not see why the Minister of National Health and Welfare is puzzled about a charge against the Minister of Justice.

Next, referring to a statement by the hon. Minister without Portfolio on a ruling by Your Honour respecting the question of privilege, I say that what he said does not follow. A motion based on a question of privilege is one method suggested by the hon. member who moves the motion of dealing with the question of privilege. In the present case the privilege of many members of the house is