

Privilege—Mr. Guilbault (Saint-Jacques)

move, he is presumably asking me to find a *prima facie* case of privilege, thus allowing him to put his motion now, ahead of other business. That is what is done when one seeks something through the Chair. I cannot find, on the argument that has been made, *prima facie* grounds of privilege that would warrant putting the matter to the House at this time.

Mr. Gray (Windsor West): Mr. Speaker, I understand you are saying that where there is a question of the impartiality of the occupant of the Chair, there is another route to be followed and, therefore, you are not saying that this route cannot be followed in the case of the deputy Speaker in question.

Mr. Speaker: I am trying to be as clear as I can be. Whenever the question that is being raised is the conduct of a Member of the House in his capacity as a Member or in any other capacity as a presiding officer, our traditions have been that privilege is not the route by which that motion can be put. Is that clear to Hon. Members? In other words, if the Hon. Member for Saint-Jacques has a substantive charge he wishes to make about or against the Hon. Member for Sherbrooke, the only route that I know by which he can do that is through a substantive motion on notice. That is the only way that I know in which he can do it. It has been ruled many times not to be admissible through a question of privilege.

[Translation]

Mr. Guilbault (Saint-Jacques): Mr. Speaker, I get the impression that, although I quoted the Standing Orders at length, Your Honour does not seem prepared to acknowledge that we are dealing with a *prima facie* case of privilege.

An Hon. Member on my left is telling me: Sit down, that's enough nonsense from you! That is an interesting comment, Mr. Speaker, particularly as we are talking about the basic principles of this institution and the privileges of Hon. Members. I consider that I was not given the opportunity to express everything I have to say, for I was upbraided a few times. Therefore I will not say anything more about the remarks of the Hon. Member, but I will stop right here and ask Your Honour to rule whether or not, in your Honour's opinion, there was a breach of privilege. Should Your Honour agree, I have a motion here which I am prepared to—

● (1520)

[English]

Mr. Speaker: Let me be as clear as I can be: No, there is no question of privilege in my view. Perhaps there is a question of convention. There may be some question or some comment with regard to our practices and our conventions, but on the basis of what has been put to me, I can find neither a question of privilege nor a point of order.

Mr. Jean-Robert Gauthier (Ottawa-Vanier): Mr. Speaker, in the name of all Hon. Members of the House, we must address the Chair in the position it occupies. From now on, Hon. Members will address the Chair in the position it indeed occupies. If he happens to be the assistant deputy chairman of

committees, we will address him as such, not as president, chairman or "Mr. Speaker".

Mr. Speaker: I am sure the Hon. Member intends or means no disrespect by that comment. It can be our practice, as it is in Westminster, to refer to the occupant of the chair as the Speaker, the Deputy Speaker or whatever office he or she holds in this chair. Maybe I am indulging myself a little when I say that I certainly think it would be helpful over time if the House were to consider some of these questions with regard to all occupants of the deputy Speaker positions. I frankly think they are put in a difficult position because there is no clarity in our rules with regard to what it is they are entitled to do. I am not one of them and have never been one of them, but I am quite properly bound by the rules not to speak. That is both a protection for the House and a protection for me.

Mr. Gauthier: I agree with that.

Mr. Speaker: If the House wishes to do something further which would protect the deputy Speakers, both for their sake and for the House, that may be something the House would wish to do. However, until the House speaks on that matter, it seems to me that it would not be fair, if I may now go a little further, to say, without some comment from the House, that a Member of the House loses his or her right to be a Member of the House simply by agreeing to take on an office. Therefore, let me leave it at that, if I may.

Hon. Herb Gray (Windsor West): Mr. Speaker, I draw to your attention and to that of the House the Standing Order which says that when a Deputy Speaker or an assistant deputy Speaker is in the chair, that individual sits in the chair with all the powers and authority of the Speaker himself or herself. In fact, *Hansard* does not even identify exactly who is in the chair. Therefore, I think it follows that the Standing Orders, at least by implication, impose upon the occupant of the chair, even if that person is not the Speaker, the same standards of impartiality and, above all, the appearance of impartiality which is imposed upon yourself. It is our submission that the Hon. Member for Sherbrooke (Mr. Charest) has not lived up to that high standard.

Mr. Speaker: Order. Now the Hon. Member is seeking through a point of order to make an allegation. I repeat, if the Hon. Member wishes to pursue that, he knows his rights and responsibilities in doing that. Everybody who sits in this chair becomes imbued with the responsibilities and the rights of the Speaker and, therefore, certainly has the obligation to be impartial. Everybody who has occupied the chair in a deputy Speaker capacity, Liberal, Conservative, NDP or ordinary Member, has done a service to the House.

Let me say to the Hon. Member that it is only I myself who when he leaves this chair remains, outside the confines of this structure, the Speaker as referred to in the Standing Orders. I, therefore, remind the Hon. Member of what I said just a few minutes ago and suggest that he may want to consider something else.