

## HOUSE OF COMMONS

Wednesday, May 3, 1972

The House met at 2 p.m.

### PRIVILEGE

#### MR. NYSTROM—ATTENDANCE OF MINISTER OF REGIONAL ECONOMIC EXPANSION AND DEPUTY BEFORE STANDING COMMITTEE

**Mr. Lorne Nystrom (Yorkton-Melville):** Mr. Speaker, I wish to raise a question of privilege concerning the Standing Committee on Regional Development. The facts are as follows: Last Thursday the Minister of Regional Economic Expansion was questioned in the standing committee on some very important matters concerning the estimates of his department. As the minister was unable to provide the answers, he undertook to give them at an early meeting of the committee. The chairman of the committee proposed May 5 as the date for the minister's appearance. Last Monday the steering committee of the Standing Committee on Regional Development was informed that the minister could not be available until May 18 and that his deputy would appear as a witness on May 4. Yesterday the members of the committee were informed in writing that the latter meeting had been cancelled because the deputy minister could not attend.

• (1410)

It is clear that under the circumstances the Standing Committee on Regional Development is prevented from dealing properly with the task assigned to it by the House, namely, to examine the proposed expenditures of almost half a billion dollars, because both the minister and his deputy have declared themselves unavailable as witnesses at a reasonably early time. The matter is extremely urgent as under Standing Order 58(14) the standing committee is required to consider and report these estimates back to the House not later than May 31.

My formal motion, seconded by the hon. member for Oshawa-Whitby (Mr. Broadbent) will be:

That the Standing Committee on Privileges and Elections inquire forthwith and report upon the reluctance of the Minister of Regional Economic Expansion and his deputy to appear before the Standing Committee on Regional Economic Expansion and that the report of the committee with its recommendations thereon be made to the House within the next five days.

**Mr. Guay (St. Boniface):** On a point of privilege—

**Mr. Speaker:** Order, please. We can have only one question of privilege before the House at one time. The hon. member for St. Boniface will recognize that at the moment there is a matter that has been raised for the consideration of the House by way of a question of privilege.

The hon. member for Yorkton-Melville, as required by the provisions of Standing Order 17, has given the Chair the required notice, which has given me an opportunity to

study, if only briefly, the precedents in relation to the applications of this Standing Order. The hon. member and the House will appreciate that the Chair is required to make a ruling on whether there is a prima facie case of privilege, at which point the motion could be put, and at which time there could be a debate based on the motion of which the hon. member has given notice.

I should like to refer the House and the hon. member for Yorkton-Melville to a ruling by the Chair reported in the official report of debates of the House for Monday, March 15, 1971, when a question and a motion much similar to those now raised were then proposed for consideration by the hon. member for Brandon-Souris. The ruling of the Chair at that time read in part as follows:

The hon. member has raised by way of a question of privilege the fact that a minister was not in attendance in a committee of the House to answer questions which the hon. member wanted to submit to him. The hon. member suggested that the difficulty he has encountered is the result of the changes in the rules of the House of Commons. I respectfully suggest to him that this is hardly a matter which can be raised by way of a question of privilege.

The hon. member may feel aggrieved in the sense that he did not have an opportunity to obtain the information he was seeking, but I would then think that the matter becomes a question of substance, and the only way in which a debate may be initiated in the House is by way of a substantive motion. In fact, the motion proposed by the hon. member is essentially a substantive motion and in the circumstances it should not be raised as a question of privilege.

I would also like to refer the hon. member to Standing Order 65(11) which indicates that the chairman of a standing or special committee shall maintain order in the committee, deciding all such questions subject to an appeal to the committee. That, of course, is not an appeal to the House but to the committee.

I think it is long-established practice that difficulties in discussions and debates in a committee should be settled by the committee itself, and that if there are difficulties which are to be considered by the House this should be done at the time the report of the committee is before the House for debate and consideration by the members of the House.

In addition to these points there is in my mind a question of the propriety and practicality of having the proceedings of one committee investigated by another committee of the House. I can foresee all sorts of difficulties if this were allowed and became a practice of the House.

In view of the precedents, the citation to which I have referred and the Standing Orders, I must come to the conclusion that the matter raised by the hon. member is essentially a substantive motion and that it should not be debated in the House by way of a question of privilege. My ruling is that there is no prima facie case of privilege and the hon. member's motion cannot be put at this time.