

subject to the privileges of this House. It is very specific. There is no doubt about Citation 75. Until I have those transcripts in my hands, it is not possible for me to raise the question of privilege which I brought to your attention on June 8. Now they are available, as of last night, it is possible for me to bring you my question of privilege in accordance with this citation found in Beauchesne. Am I permitted to put before you, Sir, my point of privilege on the basis of Citation 75 or am I not? If I am not, then indeed an independent Member of this House is a second-class citizen of this House. He is not a Member like all other Members.

Mr. Speaker: The argument about the status of an independent Member is an argument on its own merit. The argument relating to privilege in committee is a very specific argument. Let me quote again Citation 76 from Beauchesne's Fifth Edition: It reads:

Breaches of privilege in committee may be dealt with only by the House itself on report from the committee. Thus should a witness refuse to attend, or refuse to give evidence, the committee must report that fact to the House for remedial action.

The Hon. Member is raising some point and the Chair will hear his argument. The Chair has serious concern. First, I think in fairness, the Hon. Member should have given the Chair notice today if he was going to raise it now. Notice given last week does not relate to Wednesday of the following week. I am not prepared to accept that as a precedent in any way. In view of the Hon. Member's serious concern—and the Chair is quite aware that there are difficulties for independent Members in relation to committees—I am prepared to hear a question of privilege. Will the Hon. Member please argue a very specific question of privilege and indicate what he wants by way of a *prima facie* finding and what kind of motion he would put?

Mr. Bill Yurko (Edmonton East): I thank you very much, Mr. Speaker, for your understanding of my problem in relation to Beauchesne's Citation 76, which I understood when you told me what the problem was on June 8. You told me that night. Therefore, I referred back to Citation 75. It is now under Beauchesne's Citation 75 that I am raising a point of privilege rather than under Citation 76. It says very specifically that transcripts once they are available from a committee are indeed documents of the House upon which privilege can be raised. That is why I am doing it today.

Mr. Speaker: It reads "entitled to privilege", not upon which privilege may be raised. There is a difference.

Mr. Yurko: Then, Mr. Speaker, very briefly I will try to put my question of privilege to you as fast as I can. I thank you for the opportunity.

Some Hon. Members: Hear, hear!

Mr. Yurko: I had appeared in committee and made a statement on Bill C-9. As I have said repeatedly, my view as an independent Member of this House is that Bill C-9 is the most important single piece of legislation dealing with the

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future, substantively into the future, that this House has had before it during this entire session. I consider the procedures followed in committee to be extremely important in dealing with this Bill. I went to the committee and I made a pretty substantive statement there. Then I was appalled, Mr. Speaker, several days later, after a ruling was made by the chairman, to receive a copy of the ruling not from the chairman of the committee and not from members of the committee, but from someone outside of the committee. The ruling of the chairman limited debate. I understand it is his prerogative to do so. But in limiting debate, he did several things to independent Members who sit in this House. I do not mean just me. There may be 20 independent Members in this House. Indeed, the Social Credit Members, and there were six in the last session, were literally classified as independent Members. They were not a recognized Party. That ruling of the chairman is unprecedented.

Before I touch briefly on the ruling, I would like to read what the chairman said when I put my point of privilege before that committee. Here is what he said. "You refer to Mr. Allmand and he is an alternate member of this committee, and in this regard that is why my ruling took him into account. I admit that your privilege might have been breached as a Member of Parliament. However, as the redress does not lie at this point in this committee, but in the House—" The chairman says "in the House". The chairman continues "I welcome the fact that you have brought this matter to our attention so that you then can bring it to the attention of the full House and ask the Speaker either to rule on it or to refer it back to the appropriate Table, which I suspect would be the Committee on Privileges and Elections".

That is the statement made by the chairman of that committee in ruling on my point of privilege. He has advised me to bring the matter here before you. This I did under the citation in Beauchesne which makes it possible for me to do so.

What was that ruling that is so totally offensive to an independent Member of this House? Let me suggest to you, Mr. Speaker, that the chairman recognizes the right of the three Parties in this House to participate in the debate on the various amendments. But there is absolutely no way that an independent Member could come to that committee and participate in any way in a discussion on those amendments.

Second, the chairman ruled that a non-member of that committee, Mr. Allmand, could bring forth amendments in committee on this Bill. But no such privilege was given to an independent Member of the House. In fact, I was not even advised.

Mr. Speaker: Order, please. The Hon. Member has engaged in debate. At this stage the Chair wants to make it quite clear that the Chair is not bound by statements of a committee chairman. The Chair is not bound.

Second, the Hon. Member is claiming privilege, and the method of claiming privilege is to argue for a *prima facie* case, and an indication of a motion to be moved, and to that I direct the Hon. Member's attention.