

[Translation]

• (1400)

Hon. Jean-Robert Gauthier: Honourable senators, in my first speech in this house, I would not want to give the impression of being someone who challenges the authority of the Speaker, especially not the Speaker of the House of Commons where I spent 22 years.

I think we must deal with this problem once and for all, and I am referring to whether the Standing Orders of the House of Commons apply to special joint committees of the House of Commons and the Senate.

If you look at the Standing Orders of the House of Commons, you will see that Standing Order 108, which was used in this case to support the decision of the Speaker of the House of Commons, does not apply to special committees of the House of Commons and the Senate, at least according to me.

If the Standing Orders of the House of Commons do not apply, then we will have to spend some time thinking about this particular decision. I think we will need the cooperation of both Houses to establish certain rules that will apply to these reports.

I will not repeat Senator MacEachen's arguments, which I endorse, but perhaps I may add a few points in an attempt to persuade this honourable house to act on this matter. It will cost thirty or forty thousand dollars more to reprint the report in the form proposed by the Speaker of the House of Commons and the Bloc Québécois. Since financial considerations are an important factor nowadays, I think it would be advisable to think about that aspect. It will cost quite a lot of money to prepare the plates and send everything to the printers.

There is another point I would like to make. I read the ruling by the Speaker of the House of Commons, and I think he was somewhat ill-advised to use the Standing Orders of the House in the case of a joint committee of the House and the Senate. I think discussions are in order so that we can deal with this issue once and for all.

Meanwhile, I think there is a vacuum with respect to these joint reports with the House of Commons.

There are other points I could make, but I do not want to take up too much of your time. I simply want to say that there are a number of things that must be settled. Senator MacEachen mentioned that the report consisted of four volumes. These were distributed together in a single envelope or a folder. Ten thousand pages of testimony were given by Canadians at our hearings and, as the senator pointed out earlier, it was quite impossible to put everything into one volume. We decided to have three additional volumes.

In the Standing Orders of the House of Commons it clearly says that certain opinions should be joined in an appendix. We did this to save money and to avoid making the report too bulky and difficult to handle.

I think honourable senators would be well advised to take a close look at the rules, or establish a set of rules for approval by the House of Commons and the Senate, in order to deal with a matter that, right now, is a very grey area, and which the House of Commons is using to support its position.

I think a rather important principle is at stake here. As I see it, the Speaker of the House of Commons cannot make this kind of decision without consulting with the other house, this one, and obtaining its approval.

[English]

Hon. Gerald R. Ottenheimer: Honourable senators, perhaps Senator MacEachen or Senator Gauthier would agree to a question. It is obviously an interesting and very important question which has been raised. We have a joint committee presenting a report composed by members from both houses of Parliament. A decision has been made by the Speaker of the House of Commons, but not by the Speaker of the Senate.

Presumably the ruling by the Speaker of the House of Commons determines the form of distribution of a reprinting, or the form of distribution in that House. I do not see how the Speaker of the House of Commons can influence the form of distribution in the Senate.

Would Senator MacEachen's point be appropriately met, irrespective of how the report is distributed in the House of Commons — one volume or three volumes — if in the Senate the distribution of the reprint were in a three-volume format or the format which exists now? Perhaps honourable senators opposite or former co-chairmen of the special committee would know. Would the point of order be met if the Senate reprinted in the present format? Is part of the honourable senator's point of order that the same format apply in both places?

Senator MacEachen: Honourable senators, before I answer Senator Ottenheimer's question, I should clarify what the Speaker in the House of Commons said, which was to the effect that what had been done does not meet the letter of the standing order, but does meet the spirit of the standing order.

My direct answer to Senator Ottenheimer is that insofar as the Senate is permitted to determine its own affairs, I would argue that it ought to authorize the reprinting in the present form. If that were done, I could not argue what ought to be done in the House of Commons. It would meet the point of order I raised, namely, that the Senate ought to have a say in this matter, and that the present method of distribution ought to be maintained.

However, having said that, it would be a bit odd to distribute the report of the special joint committee in one form by the House of Commons and another form by the Senate. It would be an unusual result.

However, that would be better than having the wishes of, in this case, the co-chairs, both of whom are now in the Senate, overruled, with the attendant result that the reprint would be rather bulky and the reader would be denied the opportunity of reading these volumes individually, which is the basis upon which they were written. That is my answer.