

Privilege

Standing Order 16(4) commits members to be seated when the Speaker leaves the Chair at the end of a sitting.

In the question of privilege that I raise, the Speaker was on the stairs by his chair waiting for the Sergeant-at-Arms to precede the Speaker, which is the correct ceremonial process. Had the member held on to the Mace stronger or longer, the Speaker would have been prevented from leaving his place. In other words, one member of this House, by holding the Mace, the authority of this House, could have prevented the Speaker from leaving this Chamber.

In presenting my question of privilege I wish to emphasize the authority of the Mace and again I refer to *Beauchesne's Parliamentary Rules and Forms, Sixth Edition*. Section 136 reads under the heading "The Mace":

The symbol of the House's authority is the Mace.

Section 137 reads:

During the election of a Speaker, the Mace is placed on a cushion on the floor under the Table. When the Speaker has been elected and is in the Chair, the Mace is placed on the Table.

Ladies and gentlemen, if we disrespect that Mace, that authority, we show disrespect for the Speaker of this House. We show disrespect for this entire Parliament. That is how serious this contempt for the authority of Parliament is.

Section 168 in the same edition of *Beauchesne's* reads:

The chief characteristics attached to the office of Speaker in the House of Commons are authority and impartiality. As a symbol of the authority of the House, the Speaker is preceded by the Mace which is carried by the Sergeant-at-Arms and is placed upon the Table when the Speaker is in the Chair.

Reflections upon the character or actions of the Speaker may be punished as breaches of privilege.

What we observed last evening was clearly a member challenging the decision and action of the Speaker and this must be punished as a breach of privilege. The Speaker made a decision to adjourn the House. An hon. member of this House showed contempt for that decision.

The Speaker's action was to adjourn the House and to proceed ceremoniously out following the authority of the Mace. An hon. member showed contempt for that Speaker's action and the authority of the Mace.

Beauchesne's rules in the same edition. I would like to share with you section 117 on page 29, "Role of the Speaker":

Once the claim of a breach of privilege has been made, it is the duty of the Speaker to decide if a *prima facie* case can be established. The Speaker requires to be satisfied, both that privilege appears to be sufficiently involved to justify giving such precedence (or as it is sometimes put, that there is a *prima facie* case that a breach of privilege has been committed); and also that the matter is being raised at the earliest opportunity.

Our rules provide that when a member accuses another member of contempt of this Parliament it must be done in a motion. I conclude my case with the following motion:

Whereas the hon. member for Port Moody—Coquitlam by his actions on October 30, 1991, at approximately 8.10 p.m. did show contempt to the authority of Canadian Parliament, and

Whereas there appears to be a *prima facie* case that a breach of privilege has been committed, and

Whereas this matter is being raised at the earliest opportunity, I move that the member for Port Moody—Coquitlam appear at the bar of the House.

Calling for an order for a member to appear at the bar of the House is a procedure which has rarely occurred in Canadian parliamentary history. The kind of behaviour displayed by the hon. member has never occurred in the history of this Chamber.

Mr. Speaker: I want to assure the hon. member for Port Moody—Coquitlam that I will hear him at an appropriate moment.

• (1020)

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, I was in my place last night when the hon. member for Port Moody—Coquitlam ran down the aisle of this House of Commons and grabbed the Mace while it was in the hands of the Sergeant-at-Arms as he was leaving the Chamber at the end of the day.

The Speaker had made a ruling on an earlier point of privilege that had been raised in regard to the timing of the vote. We know, Mr. Speaker, that decisions on the part of the Chair are final.

The member for Port Moody—Coquitlam obviously was not willing to accept the judgment of the Chair, and therefore in this way was challenging the authority of the Speaker.