

Point of Order—Mr. Lewis

read into the record by the Member or by the Clerk. It seems clear to us, if we are to follow proper procedures in dealing with questions of privilege and newspaper articles, and in order to be fair to the Member, to the Committee and to the newspaper involved, that the articles complained of should be read into the record.

I am talking about past practice. Since the matter of privilege has been decided and has gone to Committee, I suggest that for our purposes we would in this instance be prepared to have the articles printed in *Votes and Proceedings*; but in no case should the Committee start its proceedings without knowing what exactly it is the House of Commons is directing it to review. That can only be done if the articles in question are read into the record, tabled or in some way become a firm part of the record of the House of Commons.

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): I have three points to make, Madam Speaker. First, there is no appeal from a decision of the House. Yesterday, the House supported unanimously a motion for referral to committee, and if I am not mistaken, my hon. colleague's party was unanimous in supporting this motion. We cannot criticize or appeal a decision once it has been made by the House, so that the referral may not be changed in any way.

Second, the motion is now before the committee and according to our parliamentary procedure to which my learned friend was referring, no comments may be made on the motion until a report is received from the committee. That is not the case, and I submit that this discussion actually contravenes our Standing Orders, because we may not discuss a matter once it has been referred to committee. Third, the remedy for what was implied by the Hon. Member is in the Standing Orders. I may refer the House to Standing Order 69(8), which, except when the House otherwise orders, empowers the committee not only to hear witnesses but also to produce papers and records, and therefore, if it is relevant and it seems to me that is the case, but I would rather let the committee decide since it runs its own show—the committee has the authority to demand production of the newspaper articles in question. For the purposes of our discussion, I would like to read Standing Order 69(8), which is very clear on this matter, and I quote:

Standing committees shall be severally empowered to examine and enquire into all such matters as may be referred to them by the House, and, to report from time to time, and, except when the House otherwise orders.

And incidentally, there has been no order to the contrary. I shall continue the quote:

—except when the House otherwise orders, to send for persons, papers and records, to sit while the House is sitting, to sit during periods when the House stands adjourned, to print from day to day such papers and evidence as may be ordered by them, and to delegate to subcommittees all or any of their powers except the power to report direct to the House.

The fact of the matter is that there has been absolutely no order to the contrary preventing the application of Standing Order 69(8), which empowers the committee to produce any relevant papers or records, including the newspaper articles to

which my learned colleague referred, and in addition to ordering production of such papers before the committee, it can also, according to the Standing Order from which I read, print from day to day such papers and evidence as may be ordered by the committee. Therefore, these documents will appear in the committee's proceedings, and eventually, it can be assumed that the committee's report will certainly make some reference to the proceedings and the documents.

Therefore, as a practical remedy, if the Opposition is really serious when it says that it wants fair treatment for the Member who proposed the motion, well, I think they should respect parliamentary procedure, refrain from using points of order to cast all kinds of doubts on the validity of the referral, and respect the Standing Orders, which are very clear on this matter. There will be every opportunity according to our procedure, and the committee is able to do so, if it is relevant, and the Progressive Conservative Members on that committee will also be able, to request the tabling before the committee of all relevant records, including the newspaper articles referred to by the Hon. Member.

Therefore, my three points, and I shall not repeat them, are quite simple. A decision rendered by the House cannot be appealed. The matter is before the committee. No comments may be made before the committee reports to the House, and third, the remedy exists in our Standing Orders.

• (1520)

[*English*]

Mr. Lewis: Madam Speaker, I listened to the words of my colleague with interest. I would point out that we are certainly not challenging the ruling of the Chair or the motion that was passed. What we are trying to do is to perfect the proceedings of the House. I suggest to you, Madam Speaker, with respect, that we perfect the proceedings of the House, and under the Standing Order to which my colleague referred, we perfect the matter "as may be referred to them by the House".

In other words, we want the Committee to do its work. We made that very clear at the outset and we made it very clear yesterday. Surely we should have the articles before us. I am not suggesting the articles in question be read in full. It would be satisfactory to us to have copies of the *Montreal Gazette* for March 10, March 11 and March 12 tabled. Nor are we asking for a delay while the Clerk reads them. But to perfect what this House is doing, we are making this suggestion so that in future when someone asks what was done in March, 1983 on a very important matter of privilege—whether or not it was done before or after, at least before the Committee starts its proceedings—those following us will be able to say: "Yes, the articles were read in and became part of what was referred to the Committee". That is the point we are making.

Mr. Nielsen: Those are the facts.

Madam Speaker: The desire to protect the proceedings of the House is certainly a very laudable one. I would concur with