

Security Intelligence Service

Mr. Yurko: Mr. Speaker, I rise on a question of privilege which I think must be addressed at this time before you begin discussing the previous matter.

Mr. Speaker: If the Hon. Member is raising a question of privilege he must give notice in writing, unless it arises immediately out of proceedings of this day.

Mr. Yurko: Mr. Speaker, I gave notice—

Mr. Speaker: What is the Hon. Member's question of privilege?

Mr. Yurko: Mr. Speaker, I gave notice to you on June 8.

Mr. Speaker: The Hon. Member sent me a written notice. I called the question of privilege and the Hon. Member was not in his place that day. In fairness, the Hon. Member must observe the rules of the House.

Mr. Yurko: Mr. Speaker—

Mr. Speaker: Will the Hon. Member please sit down? The Hon. Member gave written notice to the Chair of a question of privilege. That day the Chair very conscientiously called the Hon. Member for Edmonton East on the matter of which he had given notice. He was not in his place. The Hon. Member for Edmonton East.

Mr. Yurko: Mr. Speaker, you will recall that I walked up to you on that day and spoke to you privately about whether such a motion could be brought forward that day. You advised me that there was no way under the rules that you could deal with that question of privilege in the House on a matter which occurred in committee. That is why I was not in my place to bring it forth that day. Since the transcripts were tabled last night for the first time, this is my first opportunity to bring forth a question of privilege. I shall read to you Section 75 of Beauchesne.

Mr. Speaker: Let us have it very clear.

Mr. Yurko: I shall read section 75.

Mr. Speaker: I am sure the Hon. Member will resume his seat. The Chair can take notice of a matter of privilege reported by a committee to the House. The Chair does not look behind proceedings of committees. To that extent, committees are masters of their own fate. The Chair advised the Hon. Member that it would be difficult for the Chair to find a prima facie case on the basis of the argument that he had put forward. That was by way of a preliminary indication to the Hon. Member. If the Hon. Member is suggesting that he can now raise—

Mr. Yurko: Yes I can.

Mr. Speaker:—a question of privilege based on a communication of June 8 to the Chair, the Chair is saying that that communication is no longer valid.

Mr. Yurko: Well—

Mr. Speaker: On what basis does the Hon. Member for Edmonton East rise?

Mr. Yurko: Mr. Speaker, I rise on the basis of Citation 75 of Beauchesne. I would like to read it very quickly. Citation 75 reads:

Many of the privileges of the House extend also to its committees. They may exclude the public from their meetings and commonly do so, particularly while considering their reports to the House. Members not on the committee may be requested to leave but cannot be forced to do so. Committee reports and the verbatim transcripts of committee hearings are documents published under the authority of the House and are entitled to the same absolute privilege as House documents. Extracts from committee documents enjoy the same qualified privilege as extracts from House documents.

Mr. Speaker, I am simply saying that I had to wait before raising my question of privilege, of which I gave you notice, until these documents were in fact available to the House. These documents were available last night. Under this citation of Beauchesne I can now bring forth my question of privilege.

Mr. Speaker: The Hon. Member totally misconstrues Beauchesne. The privilege relating to committees and the reports of committees does not relate to the matter which he indicated to me in his communication. However, if he wishes to make one further attempt to relate his question of privilege to the quotation he has put forward, the Chair will listen briefly. There are limits in terms of how far the Chair can be tolerant of an argument which so far is not very persuasive.

• (1550)

Mr. Yurko: Mr. Speaker, I will try to be as fast as I can in making my point of privilege. I simply point out that once the documents came available to this House, then the point of privilege I raised in committee, which was dealt with by the chairman of the committee, makes it possible for me now to raise the point in the House. I have waited—

Mr. Speaker: The Hon. Member can only raise that point if the committee so reports. This is the essential part that has escaped the Hon. Member. The report of the committee did not relate to any matter of privilege in the course of its proceedings.

Mr. Yurko: It did, Mr. Speaker. The verbatim transcript has this statement in it:

The Chairman:—

Mr. Speaker: Order, please. The transcript of a committee is not a report of a committee. Will the Hon. Member for Edmonton East please be quiet for a moment? A report of a committee is a report. The transcript of proceedings is another document and it is not a report.

Mr. Yurko: Let me say again, Mr. Speaker, that Beauchesne says:

—the verbatim transcripts of committee hearings are documents published under the authority of the House and are entitled to the same absolute privilege as House documents.

I am simply saying, Mr. Speaker, that the verbatim transcripts are considered under Citation 75 of Beauchesne to be