



House of Commons
CANADA

Standing Committee on Procedure and House Affairs

PROC • NUMBER 013 • 2nd SESSION • 39th PARLIAMENT

EVIDENCE

Thursday, January 31, 2008

—
Chair

Mr. Gary Goodyear

Also available on the Parliament of Canada Web Site at the following address:

<http://www.parl.gc.ca>

Standing Committee on Procedure and House Affairs

Thursday, January 31, 2008

• (1105)

[English]

The Chair (Mr. Gary Goodyear (Cambridge, CPC)): I recognize you, Mr. Lukiwski.

Let me welcome everybody back after the holidays. I hope you all had a productive time in your ridings. On behalf of, I'm sure, other members of the committee, I wish all of you a very happy, prosperous, and safe new year.

Colleagues, this morning I want to present the steering committee's report. The steering committee met earlier this week and drafted the second report of the subcommittee on agenda and procedure of the Standing Committee on Procedure and House Affairs. I'm formally tabling that report, and we'll open this up for consideration.

I recognized Mr. Lukiwski. You have the floor.

Mr. Tom Lukiwski (Regina—Lumsden—Lake Centre, CPC): Thank you, Chair.

I have just a couple of comments about this. In particular, we've seen the motion before. That's certainly not a surprise. But what is somewhat of a surprise is the last line, which says "take priority over the other work of the Committee". My understanding, Chair, is that we had an agreement among all members of this committee that if legislation came forward, it would take priority over the work of the committee.

I see that what I thought was a pretty firm agreement has now been tossed out, which I think, number one, speaks to the fact that I think there's inequity on the steering committee, to begin with. We've had that discussion before, and I know we were outvoted. The inequity is that the Conservative Party does not have a vote on that committee, since our chair is on the committee, and although he's a member of the Conservative Party, he does not have a vote on the steering committee. Quite frankly, I think it's one of the only steering committees around, of any committee, that has only opposition members in a position to vote.

That aside, I must say that I do disagree with—

Mr. Yvon Godin (Acadie—Bathurst, NDP): On a point of order, the official languages committee has no other members of the Conservative Party, just the chair. That's just to correct what he said.

The Chair: Thank you. That's debate.

Mr. Tom Lukiwski: I thank my honourable colleague for the clarification. Now I see that there are two committees that don't have

equal representation, which further compounds the problem, in my view.

That notwithstanding, it does appear that the steering committee has determined, in its infinite wisdom, that legislation is not a priority for this committee, that they wish to discuss Madam Redman's motion.

With that in mind, I have a motion, Chair. I apologize, because it was rather hastily written and it's handwritten, because it just occurred in the last few moments. But I'd like to read it. It's only in English, not in both official languages. I assume the clerk will be able to get the correct translation. I would like to read it into the record.

I would consider it to be complementary to Madam Redman's motion, although I would suspect that I'm not going to get much agreement on that from members of the opposition. Nonetheless, I will read it into the record:

That, the Standing Committee of Procedure and House Affairs conduct a study of the advertising practices of the Conservative Party of Canada, the Liberal Party of Canada, the New Democratic Party of Canada and the Bloc Québécois during the 2000, 2004 and 2006 federal election campaigns.

• (1110)

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Clerk, can I be on the speakers list for that motion?

The Chair: May I have clarification, Mr. Lukiwski? Are you moving that the report be amended, or is this a separate motion?

Mr. Tom Lukiwski: It's a separate motion.

The Chair: Colleagues, on the advice of the clerk, I need to ask whether the committee wishes to address this motion or go back to discussing concurrence of the report first. For clerical reasons, we need to concur in the report, which doesn't mean accept the report, it just means that it's on the table. I think I tabled this report right at the beginning of the meeting, so it's in. So this is a separate motion.

Now, could everybody just go back? This is a separate motion on the report. Mr. Lukiwski has moved this motion, and I'm going to allow you to continue to speak.

Can you read it again for everybody, please?

The Clerk of the Committee (Mr. James M. Latimer): That, the Standing Committee on Procedure and House Affairs conduct a study of the advertising practices of the Conservative Party of Canada, the Liberal Party of Canada, the New Democratic Party of Canada and the Bloc Québécois, during the 2000, 2004 and 2006 federal election campaigns.

Mr. Yvon Godin: I have a point of order.

The Chair: Point of order.

[Translation]

Mr. Yvon Godin: Mr. Chairman, you have deemed the motion in order, but we are dealing with the report. If we start to move all kinds of motions, what is to become of the report? We need to examine and vote on the report, as per today's agenda under committee business. The business of the committee is the steering committee's report on which we are supposed to vote. If anyone wishes to table a motion subsequently, then the committee will entertain it, but not this way. I do not recall seeing anything like this in the past.

[English]

The Chair: Monsieur Guimond, is this a point of order?

[Translation]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): I wish to speak to the same point of order. The notice of meeting that we received mentioned that we were going to proceed to adopt...I am trying to break the impasse. I understand that Mr. Lukiwski wants to table his motion, and it will be deemed in order. However, the purpose of this meeting is to adopt the report of the subcommittee on agenda and procedure. Once we have done that, the internal rules of operation of the Standing Committee on Procedure and House Affairs make no provision for notices of motion. So, I suggest that once we have adopted the second report, Mr. Lukiwski go ahead and table his motion and that we vote on it then. I think that is how we should proceed.

Getting back to the agenda, why was this meeting convened in the first place?

[English]

Mr. Tom Lukiwski: Can I speak to that point of order?

The Chair: Yes, I'm going to let you speak to the point of order.

The confusion we're having here is with respect to whether this is actually a motion or a change to the report. This is a procedural issue, and I'm trying to make sure we get it exactly correct. I'm going to allow some discussion on this, so that we can see where we're going.

Mr. Lukiwski, on this point.

Mr. Tom Lukiwski: The point that both Monsieur Godin and Monsieur Guimond were making is that you deal with the report of the subcommittee. Before my motion, Monsieur Guimond made a point that notice of motions should be given.

If you recall, Chair—please correct me if I'm wrong—this committee does its work a little differently from how other committees do theirs. You don't need a 24-hour or 48-hour notice of motions.

• (1115)

Mr. Michel Guimond: I said that in French. We don't need a review.

The Chair: Thank you, Mr. Guimond. I'm trying to conduct this in an orderly fashion.

Mr. Tom Lukiwski: My point would be that I've done things in complete order and that my motion should be heard.

The Chair: Madam Redmond.

Hon. Karen Redman (Kitchener Centre, Lib.): Am I on the list?

The Chair: I didn't know you were on for the point of order. Are you on for the point of order or the speaking?

Hon. Karen Redman: I am in for it all.

The Chair: You have to decide, because right now we're on this separate issue of a point of order. Are you on that? Okay.

Mr. Joe Preston (Elgin—Middlesex—London, CPC): I have two points of order and a motion.

The Chair: I'm going to recognize Madam Redman first, because she was up first.

Thank you.

Hon. Karen Redman: Thank you, Mr. Chair.

I guess I have to scratch my head a little, because Mr. Lukiwski mentioned some concerns he had with the report, which I contend we need to vote on forthwith. What he's put before us is not new. It's probably as old as the motion we're talking about, which I would remind everyone goes back to last August, when we started trying to deal with this. I would really hope that we would be able to deal with this report as is.

Speaking to this point of order and the issue that's been raised that we don't need 48 hours' notice, this committee indeed works a little differently. I remind Mr. Lukiwski, a seasoned veteran, of what he knows, that steering committees generally operate by consensus. So the whole issue of whether or not the chair votes, I would tell you, is probably bogus—and we should move forward.

Steering committee reports come to the whole committee. As for whether or not we have a vote on this committee report before us, my understanding, from what Mr. Lukiwski has said, is that this is not trying to amend the report, but rather to bring in a separate motion. After we deal with the report, we could go on to deal with his motion.

But this has been around since August and it smells, tastes, and sounds an awful lot like this continuing filibuster. I would be willing to chat if we were to deal with this report. The real issue for Mr. Lukiwski happens to be taking precedence over all other work of the committee. I would not see it as a hostile motion if we were to have an arrangement where we dealt with this issue and we also dealt with legislation, so that one was not continually being held in abeyance.

Again, I underscore that this is an issue that we started discussing in August, and I remind people that it is now January 2008.

The Chair: Monsieur Proulx, I did see your hand next.

Mr. Marcel Proulx (Hull—Aylmer, Lib.): I just wanted to ask if you had done the same thing when Ms. Redman was talking and making a veiled proposition, or was this causing a problem?

Were you listening at that time?

The Chair: Of course.

Mr. Marcel Proulx: Thank you.

The Chair: Folks, I actually don't need to make a ruling on this. The fact is that we do accept motions from the floor at any time. It's not a question of the rules; I'm not making a ruling.

Do you have another point of order?

Mr. Yvon Godin: On that point, we do accept that the motion goes to the chair, but it doesn't stop the work of the committee. The work of the committee was that we were brought here to accept the report, yes or no, and then to continue with motions.

I've never before seen you, Mr. Chair, say that because we have our work cut out.... How many motions have we brought here when you, as chair, said, okay we'll note it and deal with it later? We don't take it as a priority. The priority of the committee this morning is the report put to you by the steering committee.

I'm sorry, Mr. Chair, but on that point, I want to go further. Mr. Tom Lukiwski said we had an agreement that we would deal with the bills, but the agreement was not that the government would filibuster everything we do at committee and stop our work from being done. That is why we have to change our attitude. If you want to stop filibustering, then we should deal with the bill and deal with the issue.

The Chair: Thank you.

I am still listening.

Mr. Reid, on this point, please.

• (1120)

Mr. Scott Reid: Further to Monsieur Godin's point, I think what Monsieur Godin is referring to is an informal consensus that has existed in the committee. That's different from the rules. We had an agreement, which is sort of unilateral.... It's not a violation of the rules that the opposition parties have decided to unilaterally abrogate it in their deliberations in the steering committee. I don't like it, but it's an abrogation of the rules. By the same token, it is not an abrogation of the rules; on the contrary, it is an adherence to the rules to turn to that motion first presented to you and deal with it immediately.

My recollection—and I'm sure the Hansards of this committee will bear this out, certainly an adherence to the rules would bear it out—is that when motions were presented to you, you actually sought the approval of the mover of the motion to put them further down while other items were dealt with. Upon receiving that consent, we then put them further down the list. But you did not simply dictate that this be further down the list.

If you had done that in the past—and perhaps Monsieur Godin's recollection of these things is better than mine—then I would respectfully submit that in so doing, you yourself would have been in violation of the rules on those occasions. I'm not asserting that you did this; I'm just saying that if you had done that, you would have been in violation of the rules.

On a final note, I just want to point out that when it comes to motions people want very much to get dealt with earlier on the list, I had one myself dealing with personal documents of my own that had been—well, we all know the story—taken from the opposition leader's office and looked at in detail by Liberal researchers. I felt my privileges were violated and I wanted a motion that dealt with that,

and I wanted it dealt with immediately. I remember you wanted to move it down the list, but you did have to seek my consent to move that motion down, and it still awaits, largely because we spent all our time dealing with Madam Redman's motion, and it isn't being dealt with.

The point I'm getting at is that the decision to take a motion and push it further down requires the consent of the mover of that motion, and it's not, as Monsieur Godin suggests, something that happens automatically, whether the mover of the motion wants it or not.

Thank you.

The Chair: Colleagues, there is no ruling required here. You can check Hansard. Mr. Reid is correct. I have moved his motions and have discussed moving motions into different areas, but it has always been a courtesy and a request by the motioner.

So we will continue with Mr. Lukiwski on his motion.

Mr. Tom Lukiwski: Thank you, Chair.

The motion is obviously self-explanatory. I think it speaks to the overriding issue of fairness. Madam Redman in her motion has asked for an examination of the advertising practices of only the Conservative Party in the 2006 election, and I would suggest to Madam Redman and all members of the committee that if we're to do what I'm suggesting, it would pass the benchmark or litmus test, if you will, of fairness. The contention we have, and we have filed an affidavit in Federal Court—this is a case that is going to court—is that not only were our advertising practices—

Mr. Marcel Proulx: On a point of order, Mr. Chair, are we still discussing the point of order, or have you decided that his motion was acceptable?

The Chair: The rules are very clear that this committee accepts the motions as they come forward, unless I can convince—

Mr. Marcel Proulx: Therefore, I challenge your decision, Mr. Chair.

The Chair: It's not a ruling. I haven't made a ruling. I'm just telling you what the rules are.

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): You interpreted—

An hon. member: You must adopt the report first.

Mr. Marcel Proulx: If I may, Mr. Chair, you have made a ruling to allow—

The Chair: I didn't have to make a ruling, Mr. Proulx. The history of this committee is very clear. You can check Hansard. If you want to challenge Hansard, go right ahead.

Mr. Lukiwski has the floor.

Mr. Tom Lukiwski: Thank you, Chair.

• (1125)

Mr. Yvon Godin: I have a point of order.

The Chair: Another point of order?

Mr. Yvon Godin: You said there was no rule before, but you just made a rule.

The Chair: I'm not making a ruling. I'm reminding you of the facts.

Mr. Lukiwski, please.

There's another point of order?

Hon. Marlene Jennings: On a point of order, yes, there are rules, as you so correctly stated. You as chair make the decision to enforce a rule, to interpret a rule, and decide whether or not it is applicable.

You have made a decision that, one, there is a rule, and two, it is applicable to Mr. Lukiwski's motion. Therefore, there is a member here who has challenged your decision that the so-called rule is applicable. That means there's no debate, there's a vote.

The Chair: First of all, I did not make a ruling, Madam Jennings—and I appreciate and welcome you to the committee. Mr. Godin is correct that I have had these issues come up before. Mr. Reid is correct that I have asked members who put motions forward. I can do exactly the same thing, which is precedent. I'm not making a ruling. I'm following the order this committee has always gone by.

Mr. Lukiwski, are you willing to delay your motion?

Mr. Tom Lukiwski: No.

The Chair: We're moving on with Mr. Lukiwski.

Mr. Yvon Godin: On a point of order, I just want to go on the record to say that if you check the blues, you'll see that when that was done it was done not only because of the mover, it was because the whole committee agreed to move it.

The Chair: This is more debate.

Mr. Tom Lukiwski: Once again, Chair, I am merely proposing in my motion that we examine all of the advertising practices of every party in the House of Commons. I go back even further than the intent of Madam Redman's motion for the 2006 election, so that we examine the advertising practices of all parties for the last three elections: 2000, 2004, and 2006.

I say that because, as I mentioned earlier before the points of order came forward, we have filed an affidavit in Federal Court challenging Elections Canada. We are absolutely convinced that not only did we do nothing wrong in terms of the regional ad buys, which are the crux of this ruling by Elections Canada, but we engaged in practices common to all political parties.

As I have stated, as Mr. Reid and other members of the Conservative Party have stated in days and meetings past that we would be fully willing to engage in this discussion, this study of the advertising practices of our party, immediately if only the members of the opposition would agree to allow their election returns to be examined as well.

Let me say at the outset—

Mr. Joe Preston: Mr. Chair, how many meetings can we have in one meeting? I'm trying to listen to Mr. Lukiwski. I'm sure he's saying something very important.

The Chair: My apologies for not controlling the room.

Please, folks, I know discussions have to take place, and that's acceptable, but could we keep them quiet and keep them back.

Mr. Lukiwski, please.

Mr. Tom Lukiwski: Thank you.

Let me say at the outset that we are not contending that any of the opposition parties did anything illegal—far from it, just the opposite. In our affidavit we do not make any claims or have any contention that the opposition parties did anything illegal. We are merely pointing out in our affidavit that they engaged in the same practices as we did. Those practices, as defined by Elections Canada—

Mr. Marcel Proulx: That's not what Elections Canada said.

Mr. Tom Lukiwski: Are we going to go through this all the time? Do we have to get constant interruptions, or do I have a chance to speak to my motion?

The Chair: Order, please.

Mr. Lukiwski has the microphone.

Mr. Tom Lukiwski: Thank you. I will buttress my remarks by some hard evidence to satisfy the concerns of Monsieur Proulx.

The fact of the matter is that we're not contending that any party in Parliament has done anything wrong, merely that all of us in all of our parties have engaged in the same practices as allowed by Elections Canada. The main crux of what—

• (1130)

Mr. Marcel Proulx: That's not what Elections Canada says.

Mr. Tom Lukiwski: The crux of Election Canada's argument is that there was an advertising campaign that was national in scope, and it was therefore contrary to the rules as outlined by Elections Canada. I will demonstrate in a few moments why I believe that to be absolutely incorrect.

I think there's an overriding reason why we've had this motion come forward. Again, it's certainly no surprise to me. I don't think it's any surprise to any member of the Conservative Party. It is because, frankly, the opposition parties—in particular, mainly the Liberal Party—are trying to create a scandal where none exists. They're doing this for strictly partisan reasons to try to embarrass the government and to try to use it to their own political advantage.

This is certainly not the latest, but it certainly is one on a long list of attempts by the Liberals to again, as I phrase it, create a scandal where none exists. We've certainly seen that most recently in their attempts to somehow link Prime Minister Harper with the Brian Mulroney and Karlheinz Schreiber affair.

I recall a number of days during question period when Liberal member after Liberal member after Liberal member stood in the House to try to connect the dots as best they could to say that there's clearly a connection. There was something going on in the Prime Minister's Office of Prime Minister Harper. He was in contact, they contended, they alleged, with Brian Mulroney or perhaps even with Karlheinz Schreiber himself. This was something they were absolutely adamant about.

Yet what happened? When the ethics committee decided to hold its own inquiry and call witnesses, the first of whom was Karlheinz Schreiber himself, I recall watching with great amusement as the Liberal Party brought in their hired gun, the opposition House leader, Mr. Goodale, to ask the big question of Karlheinz Schreiber: did you have any communication with Prime Minister Harper?

[*Translation*]

Mr. Michel Guimond: On a point of order, Mr. Chairman.

[*English*]

Tom, I suggest you listen. Don't check the hockey or the music.

[*Translation*]

Mr. Chairman, I wish to table a motion calling on the committee to proceed immediately to adopt...

[*English*]

The Chair: Excuse me, I'm sorry, Mr. Guimond. You cannot move a motion on a point of order.

Go on, Mr. Lukiwski.

Mr. Tom Lukiwski: Thank you again, Chair.

The point I was trying to make is that there have been continued attempts, primarily by the Liberal Party, to create a scandal where none exists. I was pointing out the most recent example prior to this, the Mulroney-Schreiber inquiry by the ethics committee. When they brought Mr. Goodale in to ask the question directly of Mr. Schreiber—have you had any communication at any time with Prime Minister Harper or his office?—he said no. Here it was, the big moment when they're supposed to have the one piece of evidence that would link Mr. Schreiber and Prime Minister Harper's office, and of course the answer was no.

It struck me as very amusing, because Mr. Goodale, of course, in his past lives, has been a lawyer. I always thought this was one of the tenets, that any young law student, during his time in law school, was coached and instructed and advised never to ask a question to which he didn't know the answer. Yet here it was, the whole argument of the Liberal Party hanging on this one question, and the answer was a resounding no.

Since then, we've seen absolutely no attempts by the Liberal Party to try to link Mr. Harper, because there was no link to the Mulroney-Schreiber affair.

Mr. Marcel Proulx: On a point of order, how relevant is this, Mr. Chair?

Mr. Tom Lukiwski: I'll certainly give you the relevance, Chair.

The Chair: I was going to ask Mr. Lukiwski to focus a little bit, but I do believe it's still relevant. I appreciate the point.

Mr. Lukiwski, please focus.

• (1135)

Mr. Tom Lukiwski: I will absolutely give the relevance to this, because as I mentioned earlier in speaking to this motion, it appears that the motion of Madam Redman is the next in a long list of attempts by the Liberal Party to create a scandal where none exists.

I was pointing out that the Karlheinz Schreiber and Brian Mulroney example is just one of the many examples they're using time and time again to try to create something to embarrass the government for their own political reasons. That's all this is. If it weren't, Chair, I would submit to you that if they were absolutely pure in their motives, they would have no difficulty in accepting the motion I brought forward.

Again, I will repeat, we could immediately begin the examination of our books as long as the opposition parties would agree that an examination of their own advertising practices and an examination of their own books from previous elections be done at the same time. We could do this today. We could start bringing a witness list forward. We could start determining exactly how we are going to do it.

It makes perfect sense to most Canadians that, as they contend, if there is nothing wrong with the practices in which they have engaged in elections past, then they should not fear having an examination of their books. Why wouldn't they have an examination of their books?

Mr. Marcel Proulx: I have a point of order.

The Chair: Excuse me, Mr. Lukiwski.

Point of order, Monsieur Proulx.

Mr. Marcel Proulx: It might be a point of clarification, Mr. Chair. Could you tell me when will we have the opportunity to vote on Mr. Lukiwski's motion? It seems so interesting that I'm sure he's interested and in a hurry to get a vote on this.

The Chair: Well, again—

Mr. Marcel Proulx: Can you call the vote, Mr. Chair?

The Chair: —as Marleau and Montpetit suggest, debate continues until there are no more speakers on the debate.

Mr. Lukiwski, please.

[*Translation*]

Mr. Michel Guimond: On a point of order, Mr. Chairman. Who is the next person on the list slated to speak after Mr. Lukiwski?

[*English*]

The Chair: Excuse me for a minute. Monsieur Guimond, these interruptions are continuing to take time. The list is here. I have never refused to show folks the list. In fact, many members come up to have a look at the list.

The next person on the list is Mr. Reid.

Mr. Lukiwski.

[*Translation*]

Mr. Yvon Godin: On a point of order, Mr. Chairman.

[*English*]

The Chair: Another point of order.

Mr. Yvon Godin: I just want you to explain something to us. We were called in here for the committee business. We have the agenda, and from here to one o'clock, which is what we're scheduled for, when are we going to deal with the agenda? We have been called for the agenda. I cannot see, again, how a motion could throw the agenda out of order.

[*Translation*]

Mr. Michel Guimond: This is a ridiculous decision; the advice is ridiculous as well.

[*English*]

Mr. Yvon Godin: It doesn't make sense, Mr. Chair. It totally doesn't make sense. We have been called here for one thing. We deal with the agenda—

[Translation]

Mr. Michel Guimond: It is a stupid decision.

[English]

Mr. Yvon Godin: I'm sorry, Michel.

We deal with the agenda, and then after that we could deal with all the motions you have. And you have to respect this committee, not just the party you come from.

Mr. Joe Preston: On the same point of order, Mr. Chair—

[Translation]

Mr. Michel Guimond: I am sure Audrey O'Brien will explain it all to us.

[English]

Mr. Yvon Godin: We're going to get some news on this here.

The Chair: Mr. Lukiwski, please continue.

[Translation]

Mr. Réal Ménard (Hochelaga, BQ): It is a partisan decision, unworthy of your position.

[English]

The Chair: Order!

[Translation]

Mr. Réal Ménard: It is a partisan decision.

[English]

The Chair: May I have that microphone turned off?

You're excused any time you wish to leave.

Mr. Lukiwski.

Mr. Tom Lukiwski: Thank you, Chair.

Mr. Réal Ménard: You can do the same thing if you want.

Mr. Tom Lukiwski: Thank you, Chair.

Again, I repeat the fact that the examination of the Conservatives' election campaign in 2006 could be engaged immediately if there were only acceptance by the members opposite to allow an examination of their own books and their own advertising practices. I will once again repeat that this is not an attempt in any way, shape, or form to embarrass any one of those other parties—none. It is merely an attempt to demonstrate that all parties have engaged in the same practices, which are completely legal.

That's why we have a court case too, Monsieur Proulx. That's why we brought a court challenge against the ruling, and I will demonstrate—

The Chair: Order, please.

Colleagues, I believe we're starting to lose decorum, and I don't want to adjourn this meeting for that reason, so I will caution members one more time. Please speak to the chair. I have recognized everybody, and I will continue to do that, but please speak to the chair. Let's keep this civil.

Mr. Lukiwski, please.

Mr. Tom Lukiwski: Thank you, Mr. Chair. I should know better not to engage in any baiting by the member opposite and I should

continue to speak directly through the chair, and I will attempt to do so in the future.

But it merely underscores what I've been saying all along, that I do not believe that any party in this Parliament has done anything wrong, because we have all engaged in the same regional ad buys, with varying degrees of methodology. I will certainly demonstrate in a few moments why I'd make that contention. To that end, I would suggest there is absolutely nothing to fear from the opposition parties to have a full examination and a full study of the practices of all parties.

In fact, Mr. Chair, as I was mentioning earlier, the only motivation I can see from the opposition members not to agree to this motion and to argue against it continuously is that they do not have a real desire to try to get to the bottom of this, merely to only have one party being studied, and that's for their own political purposes. It probably wouldn't, in their view at least, have the same cachet if all four parties were being examined. So they only want the headlines to say the study of Conservative election practices is taking place. In fact, Mr. Chair, we have filed an affidavit in Federal Court and presented our case, our factual case, and we will be arguing that case in front of a judge, and I would argue that this will be a more thorough examination of what we did in the 2006 election than this committee could ever hope to find on its own.

As a point of reference, I go back to the Mulroney-Schreiber inquiry now being conducted by the ethics committee. Even members of the opposition, whether it be a member of the committee proper or the chair, have at times stated that in their opinion a full public inquiry will actually get more information as to what happened than their own efforts. Similarly, I would argue that the court action we have taken will more fully disclose everything that we did. All of our advertising practices will come under examination in this court case far more fully than any examination, I would suggest, that this committee could possibly hope for.

So if they truly want to find out, or if they are truly concerned, about whether or not the Conservative party broke any rules in terms of our advertising in the 2006 election, that will be determined in a court of law. That will be a far more thorough investigation of the practices in which we engaged than anything by this committee.

● (1140)

Mr. Marcel Proulx: That's your opinion.

Mr. Tom Lukiwski: Mr. Chair, again I notice that Mr. Proulx is trying to make comments directly to me rather than through the chair. But I would say to you, Chair—

Mr. Marcel Proulx: It's his comments also.

Mr. Tom Lukiwski: I would say to you, Mr. Chair, as opposed to saying to Mr. Proulx, that this examination in Federal Court, I would suggest, is going to be far more thorough than any examination here. That's why we have courts in this land.

Mr. Michel Guimond: Two partisan chairs.

Mr. Tom Lukiwski: Mr. Chair, again—

Mr. Scott Reid: On a point of order, Mr. Chair—

The Chair: A point of order, Mr. Reid.

Mr. Scott Reid: I apologize. It is just that I keep on hearing Mr. Lukiwski being interrupted by other members of the committee who have various comments, and it's a little hard to concentrate. I hope they could be a little quiet.

The Chair: Thank you, and my apologies to the committee for not jumping on this. I thought I had made it clear a few moments ago that we did need some order and that comments would be made through the chair. If the interruptions continue, we will have to make some other decisions.

Mr. Lukiwski, please.

Mr. Tom Lukiwski: Thank you, Chair.

I was trying to say, Chair, that the advertising the Conservative Party engaged in during the 2006 election will be examined thoroughly in Federal Court. How could anyone say we were trying to hide what we did? How can they possibly say that when we filed an affidavit, which is open for examination by any of the parties? Frankly I would be very surprised, Chair, if the members opposite and their parties don't have a copy of this affidavit. It's open for public examination. They can take a look at exactly what we did. That affidavit shows many examples of the practices that were engaged in by members opposite. Members of this very committee are named in this affidavit.

Once again, it doesn't suggest for a moment that any member of this committee or any member of their respective parties did anything wrong—far from it. We are saying they complied fully with electoral law. And since they did exactly as we did and they were not challenged, Chair, then we argue, as one of our many arguments, that we did nothing wrong. How could it be that two candidates, for example, did exactly the same thing in terms of reporting their advertising and engaging in a regional ad buy? If two candidates do exactly the same thing, how can one be in contravention of the law and the other not? Common sense alone dictates that could not happen. Yet that's the conundrum we find ourselves in.

That is one of the reasons, Chair, that we chose to argue our case in court. Chair, if that isn't being open, I don't know what is. All of our books are going to be made available for examination by a judge. In fact, all of our arguments can be examined by members opposite, by respective officials within their own parties, by members of the general public. We are not hiding anything. Yet it appears, by the opposition's continual opposition and rejection of my motion, that they do have something to hide. I don't know what it could be.

• (1145)

[*Translation*]

Mr. Réal Ménard: On a point of order, Mr. Chairman.

[*English*]

The Chair: Excuse me, Mr. Lukiwski.

Mr. Ménard, you have a point of order.

[*Translation*]

Mr. Réal Ménard: I would ask you to be vigilant and to ensure that government colleagues do not impute objectionable motives to opposition members who have nothing to hide. They are not the ones at odds with the Chief Electoral Officer or the ones who acted unethically. So then, I ask you to call to order this member who is being disrespectful toward the opposition.

[*English*]

The Chair: That is a good debate point, but it's not a point of order.

Mr. Réal Ménard: Don't hurt me.

The Chair: Excuse me. Mr. Ménard, I have asked you not to interrupt this meeting again. That is the last warning.

Thank you.

Mr. Lukiwski.

Mr. Réal Ménard: I'm very sensitive.

An hon. member: I like you. I like you a lot. I think you're a great guy.

Mr. Marcel Proulx: I have a point of order, Mr. Chair. If you're going to ask us to keep order, maybe you should ask the other side to keep order also. Will you do it, please?

Mr. Chair, you're being partisan, I am afraid.

The Chair: Monsieur Proulx, I heard your comment. There have been enough comments going around this room. I'm trying to get some leeway here. The comment was a friendly comment. I expect we will have the odd one the odd time to lighten the mood in this room.

Mr. Lukiwski, you have the floor.

Mr. Marcel Proulx: All our comments have been friendly, Mr. Chair.

[*Translation*]

Mr. Réal Ménard: Is he prepared to apologize? Mr. Chairman, would you accept Mr. Lukiwski's apologies for showing a lack of respect for the opposition?

[*English*]

The Chair: Excuse me, colleagues. I have clearly lost order in this room. This is the multiple time that I have warned that member.

I am suspending this meeting until Tuesday, and I hope the attitude is much better.

Published under the authority of the Speaker of the House of Commons

Publié en conformité de l'autorité du Président de la Chambre des communes

**Also available on the Parliament of Canada Web Site at the following address:
Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante :
<http://www.parl.gc.ca>**

The Speaker of the House hereby grants permission to reproduce this document, in whole or in part, for use in schools and for other purposes such as private study, research, criticism, review or newspaper summary. Any commercial or other use or reproduction of this publication requires the express prior written authorization of the Speaker of the House of Commons.

Le Président de la Chambre des communes accorde, par la présente, l'autorisation de reproduire la totalité ou une partie de ce document à des fins éducatives et à des fins d'étude privée, de recherche, de critique, de compte rendu ou en vue d'en préparer un résumé de journal. Toute reproduction de ce document à des fins commerciales ou autres nécessite l'obtention au préalable d'une autorisation écrite du Président.