

*Parliamentary  
Privilege in  
Canada*

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*Second Edition*

*J.P. Joseph Manguet, Q.C.*

# Parliamentary Privilege In Canada

**Carl Frederick Wittke**



## **Parliamentary Privilege In Canada:**

Parliamentary Privilege in Canada Joseph P. Maingot, 1997-11-19 Joseph Maingot describes the parameters of the principal immunity enjoyed by Members of Parliament that of freedom of speech which is restricted to the context of a parliamentary proceeding and not beyond. He points out protections afforded members other than parliamentary privilege and the view of both the courts and the legislatures concerning parliamentary debates and proceedings as evidence in court. He also sets out in detail what the House of Commons considers to be and not to be a matter of privilege as well as the corporate powers of the Houses of Parliament.

Parliamentary Privilege in Canada Joseph Maingot, 1997      **The History of English Parliamentary Privilege** Carl Frederick Wittke, 1921      **Essays on the History of Parliamentary Procedure** Paul Evans, 2017-12-28

8 February 2015 marked the 200th anniversary of the birth of Thomas Erskine May. May is the most famous of the fifty holders of the office of Clerk of the House of Commons. His continued renown arises from his *Treatise upon the Law Privileges Proceedings and Usage of Parliament* first published in 1844 and with its 25th edition currently in preparation. It is known throughout those parts of the world that model their constitutional arrangements on Westminster as the Bible of Parliamentary Procedure. This volume celebrates both the man and his book. Bringing together current and former Clerks in the House of Commons and outside experts, the contributors analyse May's profound contribution to the shaping of the modern House of Commons as it made the transition from the pre Reform Act House to the modern core of the UK's constitutional democracy in his lifetime. This is perhaps best symbolised by its enforced transition between 1834 and 1851 from a mediaeval slum to the World Heritage Palace of Westminster which is the most iconic building in the UK. The book also considers the wider context of parliamentary law and procedure both before and after May's time. It constitutes the first sustained analysis of the development of parliamentary procedure in over half a century attempting to situate the reforms in the way the central institution of our democracy conducts itself in the political contexts which drove those changes.

*The Language of Canadian Politics* John McMenemy, 2006-04-19 With nearly 600 cross referenced entries, *The Language of Canadian Politics* offers brief essays on the many facets of the Canadian political system including institutions, events, laws, concepts and public policies. Concisely written, it is an important resource for people interested in contemporary politics as well as those interested in the historic context of contemporary political behaviour. Readers not familiar with Canadian government and politics will find the book an invaluable introduction; others will welcome this updated indispensable reference. The fourth edition builds on the strengths of earlier editions. Almost every entry has been revised to reflect contemporary Canadian political events and many new ones have been added. The results and immediate aftermath of the 2006 federal election are included in various updated entries. There are entries on the merged Progressive Conservative and Canadian Alliance parties as well as new entries on the Anti Terrorist Act, the Public Safety Act and the Council of the Federation. The Sponsorship Scandal and the Gomery reports are included in several entries. There is new information on

National Security Certificates and the O Connor inquiry into the extraordinary rendition of Maher Arar comprises part of the revised material on commissions of inquiry As a further resource Internet sites have been added to many of the entries

*Parliamentary Procedure and Practice in the Dominion of Canada* John George Bourinot, 2008 Though mainly a book of practice it is however by no means a mere epitome of rules of procedure Enlarging upon the example of Sir Erskine May Mr Bourinot outlines the whole political system of the Dominion and within the wide field thus surveyed there is much of the deepest interest to students and reformers of parliamentary institutions at home A H B Constable *The Juridical Review* 4 1893 273 The object which the author has had constantly in view is to give such a summary of the rules and principles which guide the practice and proceedings of the Parliament of Canada as will assist the parliamentarian and all others who may be concerned in the working of our legislative system It is moreover been the writer s aim not only to explain as fully as possible the rules and usages adopted in Canada but also to give such copious references to the best authorities as will enable the reader to compare Canadian with British procedure Preface xi Sir John George Bourinot 1836 1902 founded the *Evening Reporter* with Joseph C Crosskill in 1860 and was a founding member and honorary secretary of the Royal Society of Canada He wrote many distinguished books on Canadian political history Two of them *How Canada is Governed* 1895 and *Canada Under British Rule* 1760 1900 1900 were standard references for decades Thomas Barnard Flint 1847 1919 was a lawyer and politician in Nova Scotia Canada He was assistant clerk for the Nova Scotia House of Assembly from 1887 1891 In 1902 he was named Clerk of the House of Commons and remained in that position until 1918 Canadian Federalism and Treaty Powers Hugo Cyr, 2009 With the increased mobility and interdependence brought on by globalisation governments can no longer deal effectively with what were traditionally regarded as domestic issues unless they cooperate among themselves International law may once have been a sort of inter state law concerned mostly with relations between states but it now looks increasingly inside state borders and has become to a large degree a trans governmental law While this creates significant challenges even for highly unified nation states the challenges are even greater for federations in which powers have been divided up between the central government and federated states What roles should central governments and federated states play in creating and implementing this new form of governance Using the Canadian federation as its starting point this case study illustrates a range of factors to be considered in the appropriate distribution of treaty powers within a federation Professor Cyr also shows how because it has no specific provisions dealing with the distribution of treaty powers the Canadian constitution has organically developed a tight knit set of rules and principles responding to these distributional factors This book is therefore both about the role of federated states in the current world order and an illustration of how organic constitutionalism works **Lay Membership of the Committee on Standards and Privileges** Great Britain. Parliament. House of Commons. Select Committee on Procedure, Great Britain: Parliament: House of Commons: Procedure Committee, 2011 The House should be given the opportunity to restate its acceptance of the principle behind the proposal

that lay members be added to the Committee on Standards and Privileges the Procedure Committee concludes in a report published today The committee's report responds to the resolution of the House of 2 December last year that lay members should sit on the Committee on Standards and Privileges If that principle is restated the House should study with care the arguments made for the inclusion of lay members with or without voting rights and decide whether lay members should be appointed to the committee with full voting rights or whether they should be appointed with more limited rights protected by rules on quorum and publication of their opinion or advice A decision in favour of membership with full voting rights would require legislation to be brought forward to put beyond reasonable doubt any question of whether parliamentary privilege applies to the Committee on Standards where it has an element of lay membership The Procedure Committee recommends that the Committee on Standards and Privileges should be split in two and that lay members should be included only on the committee relating to standards The committee also makes a number of practical recommendations about the number appointment and term of office of lay members

**Gender-Based Violence in Canadian Politics in the #MeToo Era** Tracey Raney, Cheryl N. Collier, 2024-05-01 Gender based violence in politics is a significant and growing problem that threatens the democratic process in Canada Despite its prevalence little academic research has been conducted on this topic to date Gender Based Violence in Canadian Politics in the MeToo Era raises awareness of and presents new innovative research on this timely and pressing public issue Here leading experts from across Canada uncover critical new insights and identify potential solutions that would help address gender based violence in politics improve gender equality and strengthen Canadian democracy Using an intersectional lens chapters range in their approaches offer new concepts and measures of gender based violence in online political spaces political media coverage and cartoons campaigns municipal politics and legislatures and explore Indigenous ways of knowing about gender based violence in Canadian politics Additionally the volume presents recommendations for decision makers policymakers anti violence advocates and the academic community on how to best address the problem of gender based violence in the political sphere

**Taking It to the Hill** David McInnes, 2005-11-24 The standing committees of the House of Commons and Senate make it possible for practically any person or group to access the policy making process and become a lobbyist This handy and complete guide coaches prospective witnesses to do it right Targeted primarily at those who have a stake in advancing a cause on the hill this guide reveals the lessons and advice of experienced parliamentarians and those who work behind the doors of Parliament It is a how to for lobbyists and advisors and must read for students of political science and public administration This refreshed edition has been updated to reflect key developments in procedure and committee practices in an ever changing parliamentary environment

**The Constitution of Canada** Jeremy Webber, 2015-04-30 The book introduces and describes the principal characteristics of the Canadian constitution including Canada's institutional structure and the principal drivers of Canadian constitutional development The constitution is set in its historical context noting especially the complex

interaction of national and regional societies that continues to shape the constitution of Canada. The book argues that aspects of the constitution are best understood in agonistic terms as the product of a continuing encounter or negotiation with each of the contending interpretations rooted in significantly different visions of the relationship among peoples and societies in Canada. It suggests how these agonistic relationships have in complex ways found expression in distinctive doctrines of Canadian constitutional law and how these doctrines represent approaches to constitutional legality that may be more widely applicable. As such, the book charts the Canadian expression of trans-societal constitutional themes: democracy, parliamentarism, the rule of law, federalism, human rights, and Indigenous rights, and describes the country that has resulted from the interplay of these themes. *The Constitution of Canada* is a masterpiece, an outstanding and original study of the Canadian constitutional experience by one of Canada's leading legal scholars. Webber explains the history, characteristics, and resourcefulness of the living constitution in non-technical and illuminating language. He also shows how the constitution is shaped by the engagement and interaction of the diverse people of Canada, who are simultaneously subjects and active citizens of it, a dynamic he calls agonistic constitutionalism. James Tully, Distinguished Professor, University of Victoria. Jeremy Webber has given us a rich contextual account of Canada's constitution. Webber moves beyond the confines of constitutional texts and judicial decisions and grounds his account in the circumstances of the country's history. Only such an account can capture the deep diversity that is the hallmark of Canada's constitutional culture. Peter Russell, Professor Emeritus, University of Toronto.

On the House Rob Walsh, 2017-10-30. On a day-to-day basis, what does a newly elected Member of Parliament do? How does the House of Commons work? Drawing on his years of service to five majority and three minority parliaments, Rob Walsh shares first-hand insights into the inner workings of the House, beyond the political personalities that dominate its proceedings. Inside this unique public and political institution, laws are made, taxes are imposed, political issues are debated, and the government is held to account on behalf of all Canadians. The House is the national stage on which democracy plays itself out between elections. Neither a procedural manual nor an academic critique, *On the House* reveals, from Walsh's perspective, the historical origins of the House, its constitutional place in the parliamentary system, the role of committees, legislation, and administration, and its democratic functions. Providing a deeper understanding of both the House's successes and its failures, Walsh celebrates the value of parliamentary democracy while acknowledging the continuing challenges that face it. *On the House* is a direct, accessible, and fascinating reflection on more than twenty years of experience in the House of Commons.

*The Canadian Constitution* Adam Dodek, 2024-03-12. THE HILL TIMES TOP 100 BOOKS OF 2024. A fully updated edition of the first ever primer on Canada's Constitution for anyone who wants to understand the supreme law of the land. *The Canadian Constitution* makes Canada's Constitution readily accessible to readers. It includes the complete text of the Constitution Acts of 1867 and 1982, accompanied by an explanation of what each section means, along with a glossary of key terms, a short history of the Constitution, and a timeline of important constitutional events. *The Canadian Constitution*

explains how the Supreme Court of Canada works and describes the people and issues involved in leading constitutional cases Author Adam Dodek a law professor at the University of Ottawa provides the only index to the Canadian Constitution as well as fascinating background on the Supreme Court and the Constitution This new edition is a great primer for those reading Canada's Constitution for the first time and is a useful reference work for students and scholars *Parliamentary Privilege* Canada. Parliament. Senate. Standing Committee on Rules, Procedures and the Rights of Parliament, 2019 Parliamentary privilege plays an essential role in parliamentary democracy It is described as the sum of the privileges immunities and powers enjoyed by the Senate the House of Commons and provincial legislative assemblies and by each member individually without which they could not discharge their functions Its origins can be traced to the emergence of the United Kingdom Parliament specifically to the passage of the Bill of Rights in 1689 which confirmed the privilege of freedom of speech in debates or proceedings in Parliament Introduction Chapter 1 **The Parliamentarian**, 1977 *Rules of Evidence in International Arbitration* Nathan O'Malley, 2019-01-16 Now in a fully updated second edition *Rules of Evidence in International Arbitration An Annotated Guide* remains an invaluable reference for lawyers arbitrators and in house counsel involved in cross border dispute resolution Drawing on current case law this book looks at the common issues brought up by the evidentiary procedure in international arbitration Features of this book include An international scope which will inform readers from around the world A focus on evidentiary procedure with extensive case based commentary and examples Extensive annotations which allow the reader to locate key precedents for use in practice This book gives essential insight into best practice for practitioners of international arbitration Readers of this publication will gain a fuller understanding of accepted solutions to difficult procedural issues as well as the fundamental due process considerations of the use of evidence in international arbitration *The Oxford Handbook of the Canadian Constitution* Peter Oliver, Patrick Macklem, Nathalie Des Rosiers, 2017-08-10 The Oxford Handbook of the Canadian Constitution provides an ideal first stop for Canadians and non Canadians seeking a clear concise and authoritative account of Canadian constitutional law The Handbook is divided into six parts Constitutional History Institutions and Constitutional Change Aboriginal Peoples and the Canadian Constitution Federalism Rights and Freedoms and Constitutional Theory Readers of this Handbook will discover some of the distinctive features of the Canadian constitution for example the importance of Indigenous peoples and legal systems the long standing presence of a French speaking population French civil law and Quebec the British constitutional heritage the choice of federalism as well as the newer features most notably the Canadian Charter of Rights and Freedoms Section Thirty Five regarding Aboriginal rights and treaties and the procedures for constitutional amendment The Handbook provides a remarkable resource for comparativists at a time when the Canadian constitution is a frequent topic of constitutional commentary The Handbook offers a vital account of constitutional challenges and opportunities at the time of the 150th anniversary of Confederation , *The Constitution in a Hall of Mirrors* David E. Smith, 2017-06-30 Whether it's the first

past the post electoral system or partisan government appointees to the Senate Canadians want better representation and accountability from the federal government Before reforms can be enacted however it is important to explore and clarify the relationships among Canada s three parliamentary institutions Crown Senate and Commons In *The Constitution in a Hall of Mirrors* David E Smith presents a learned but accessible analysis of the interconnectedness of Canada s parliamentary institutions Smith argues that Parliament is a unity comprised of three parts and any reforms made to one branch will whether intended or not affect the other branches Through a timely nuanced and comprehensive examination of parliamentary debates committee reports legal scholarship and comparative analysis of developments in the United Kingdom Smith uncovers the substantial degree of ambiguity that exists among Canadians and their calls for structural and operational reforms By illuminating the symbiotic relationship between the Crown Senate and Commons *The Constitution in a Hall of Mirrors* brings government reform closer to reality

*The Law of Parliamentary Privileges in India; a Comparative Study* Velandai Gopalayyar Ramachandran,1966



## **Parliamentary Privilege In Canada** Book Review: Unveiling the Magic of Language

In an electronic digital era where connections and knowledge reign supreme, the enchanting power of language has become apparent than ever. Its power to stir emotions, provoke thought, and instigate transformation is actually remarkable. This extraordinary book, aptly titled "**Parliamentary Privilege In Canada**," compiled by a highly acclaimed author, immerses readers in a captivating exploration of the significance of language and its profound affect on our existence. Throughout this critique, we will delve into the book's central themes, evaluate its unique writing style, and assess its overall influence on its readership.

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## **Parliamentary Privilege In Canada Introduction**

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