

Privilege

Mr. Speaker, when it says "originate in the House of Commons", it does not mean originate in a government advertisement using taxpayers' money to suggest that there will be a different tax.

Some Hon. Members: Hear, hear!

Mr. Riis: Mr. Speaker, the next section of the Constitution is also relevant to this discussion. This is a balance, if you like, which ensures that the House does not grant or tax without recommendations of the Crown. Again, I quote from section 54 of the act:

It shall not be lawful for the House of Commons to adopt or pass any Vote, Resolution, Address, or Bill for the Appropriation of any Part of the Public Revenue, or of any Tax or Impost, to any Purpose that has not been first recommended to that House by Message of the Governor General in the Session in which such Vote, Resolution, Address, or Bill is proposed.

As previous speakers have indicated, the Governor General has not recommended to this House that such an initiative be taken. That in itself, Mr. Speaker, ought to encourage you to recognize we have sufficient evidence for a *prima facie* case of privilege. I do want to suggest that we are not asking you to decide if the matter that is raised before us ought to go to the committee for consideration. We are simply asking you to determine whether there is sufficient *prima facie* evidence about the question to permit a motion to go before this House so that the House of Commons can decide whether or not this item should go to the appropriate committee. I think it is appropriate, Mr. Speaker; we are simply asking for the opportunity to have the question placed before the House.

When one goes on and looks at the precedents before us, I want to simply draw to your attention Standing Order 80 as it presently reads. It states that:

(1) All aids and supplies granted to the Sovereign by the Parliament of Canada are the sole gift of the House of Commons, and all bills for granting such aids and supplies ought to begin with the House, as it is the undoubted right of the House to direct, limit and appoint in all such bills, the ends, purposes, considerations, conditions, limitations and qualifications of such grants which are not alterable by the Senate.

Again, this has not been done. The House Leader for the government indicated that it had been indicated in the House that this would be an intention of the government as a result of a finance committee report. We all remember well the contents of that report and the recommendation. The recommendation was simply if

the government proceeds with a consumption tax of some sort that it should make every effort to inform the public as to its implications. There was no mention that this is a 9 per cent tax; no suggestion that it would be a multi-level tax; no suggestion that there would be rebates and exemptions. I think we have to simply clarify the point that the government House Leader made in his argument.

Clearly, the House has not received any Royal Recommendation that such a goods and service tax be imposed. I think that is fundamental, Mr. Speaker. For years and years the tradition of this House has been that no initiative would be taken unless a Royal Recommendation was received in advance, and such has not occurred.

I want to quote a recent parliamentary counsel who wrote the following, "When by some act or word a person disobeys, or is openly disrespectful of the authority of the House of Commons or Senate of their lawful commands, that person is subject to being held in contempt by the House of Commons or Senate as the case may be".

On two counts, Mr. Speaker, I suggest that the Minister of Finance had no authorization by which to proceed with this advertisement suggesting to Canadians that on January 1, 1991, a federal sales tax system will change. There is no authorization, again, because of the lack of any royal initiative.

Second, the Minister of Finance was acting in contempt of Parliament, again, for suggesting that there were all sorts of problems associated with the existing federal manufacturers' tax, when it was in fact his Government that is responsible for the nature of that tax as it is today. In a sense, it was the Minister and his officials publicly condemning outside the House of Commons actions and decisions taken by this House. For that reason I believe that we do have a *prima facie* case of privilege before us. If you would find that to be the case, Mr. Speaker, as I indicated in an earlier letter to you, it would also be my intention to move the appropriate motion.

Some Hon. Members: Hear, hear!

Mr. Speaker: I want to reiterate that the Chair has been listening very carefully, and I think I probably have most of the points.