

Privilege—Mr. Crosbie

misled. I accept that too, but as an assertion, not as a fact upon which I could find privilege; because the minister, who has the same right to have his word accepted in this House, says there is no attempt to mislead, deliberately or otherwise, and I accept that, too.

Herein lies the dilemma. The Chair cannot give precedence to a motion offered under the head of privilege unless it can be determined, *prima facie*, that a contempt has been committed. Such a determination cannot be made in this case without an inquiry. Therefore, it seems to me that it is less than satisfactory to approach this case through the procedures of privilege, that some other route ought to be examined. I refer hon. members to the passage from page 349 of May's Nineteenth Edition cited earlier, and also to those comments of Speaker Jerome when he struck down the notice of privilege of the hon. member for Northumberland-Durham in February, 1978. Again, the parallels between the two cases are clear. I quote from page 3295 of *Hansard* for February 28, 1978—and here I am quoting my predecessor:

I would think, therefore, that the action would be to strike out the hon. member's notice of privilege because it contained the word "deliberately", on the basis of clear precedents. It is entirely without prejudice to the hon. member to raise the matter again in a substantive motion after he has had the opportunity to consult these precedents. Whether or not that course is open, in the light of the interventions that have already taken place by the Minister of Finance in the proceedings to this date, in which the Minister of Finance indicated that he did not mislead the House on those occasions, would have to depend on other precedents in which, when matters of this sort or similar to this have been raised a minister or a member has risen in his place in the House and said that the House was not misled, or if it was misled, it was certainly not done intentionally. Under the practices of this House his word has always been accepted, and the matter has always been finalized. Since the minister has already said that, whether the matter ought to go further is something only further reflection can determine.

Finally in this connection, let me refer to the Rykert case of March 11, 1890. Four allegations were made against Mr. Rykert, the second being to have made a false statement to the House calculated to mislead. The House dealt with that matter, not as privilege, but under a substantive motion on notice. I refer to *Hansard* for March 11, 1890, as reported at page 1714. The motion was debated and amended, the matter was sent to a committee which reported, and the report was concurred in.

In conclusion, then, let me summarize. The Speaker cannot determine whether a contempt has been committed. That determination is for the House alone. Assertions have been made to that effect, but they remain assertions, and as such do not provide grounds for the Chair to find a *prima facie* breach of privilege. They can be proved or disproved only after an inquiry which the Chair cannot make. On the other hand, our precedents provide another route to follow if the House wishes to pursue this matter, not through the claim of privilege in which the Chair can do nothing but uphold the well-established rules and precedents, but by way of substantive motion on notice. Since such a motion would by its very nature call into question the conduct of a member of this House, the House itself may choose to give priority of debate which the Chair cannot give under the rules of privilege, since, as I have

said, I am not satisfied that a *prima facie* case has been established.

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PETITIONS

TABLING OF REPORTS OF CLERK OF PETITIONS

Madam Speaker: I have the honour to inform the House that the Clerk of the House has laid upon the Table the reports of the Clerk of Petitions stating that he has examined the petitions presented by hon. members on Thursday, May 20, 1982, and finds that the petitions meet the requirements of the Standing Orders as to form.

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BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Mr. Pinard: Madam Speaker, I would like to indicate what the order of business will be for the coming days. The representatives of each party have agreed to dispose of the three stages of Bill C-114, relating to unemployment insurance, tomorrow, Friday. If time remains after we have disposed of the three stages of Bill C-114, we will start debate on second reading of Bill C-115, concerning occupational training.

[*Translation*]

As far as the business of the House for next week is concerned, on Monday we shall proceed with second reading of Bill C-109 which provides for assistance in respect of dwellings with urea formaldehyde foam insulation. Tuesday will be an opposition day, and on Wednesday, we shall proceed with consideration of energy Bills C-102 and C-107 which are reported by the Special Committee on Energy, in that order. On Thursday, we shall be considering further energy bills, in the following order: Bill C-103, provided the bill has been reported from committee, and Bill C-104. If Bill C-103 has not been reported from Committee in time for consideration on Thursday, the House will not be considering energy bills on Thursday but Bill C-109 on urea formaldehyde instead, and if there is still time after completion of the debate on the latter, we shall resume debate on Bill C-115 on occupational training.