

*Privilege—Mr. Stevens*

of its function or his duty, or that there has been a tendency to produce such result? If I so find, then I really have no choice but to find, *prima facie*, that a contempt has been committed.

Granted, this is a rather nebulous, murky kind of an area, if you like. For example, there has been considerable debate in this House with respect to believing that someone has deliberately misled the House. There has been debate with respect to whether one can say it and not, in turn, be accused of unparliamentary language, in the context of wanting to use that wording in one's motion. As I understand the existing precedents, previous speakers have held that you do not use the words "deliberately misleading" in your motion or in your reference. That, of course, is something which the committee would naturally look into, if it is finally apprized of the situation.

I would like to refer to the precedent on page 1857 of *Hansard* for December 6, 1978. The Speaker said this:

Even beyond the precedents and the complex law of privilege, I cannot conceive that there is any one of us who would accept the argument that this House of Commons has no recourse in the face of such an attempt to obstruct by offering admittedly misleading information.

The Speaker then went on to say:

Having done so, I concluded that the motion put forward by the hon. member must therefore be given immediate priority and taken into consideration by the House at once. The House itself makes the decision on whether the motion shall carry, whether it shall be amended, or in any way altered and, in fact, whether there is a contempt. I do not make that decision; the House does.

I emphasize that in the information which I have put before you, Madam Speaker, with further information which I will be offering and witnesses who I suggest the committee should call, that a clear *prima facie* case exists in the context of the question of privilege dealt with in the precedents I have just cited. A *prima facie* case has clearly been made with respect to the exchange between the Minister of Industry, Trade and Commerce and myself on February 6.

I would like to touch on one other matter, Madam Speaker. This is a reference from February 28, 1978, and it deals with a question of privilege, again involving the hon. member for Durham-Northumberland. It is a question which dealt with the words "misleading" and "deliberately misleading". When those words may or may not be used was dealt with in this reference, quite conclusively, I think. Without actually reading those sections into the record, I refer Your Honour to pages 3294 and 3295 of *Hansard* for February 28, 1978. I think it is a confirmation that the motion which I will be proposing is the correct form of motion. If you should find that a *prima facie* case exists, as I suggest, then that motion would be quite in order to put to the House.

Should this matter be referred to the appropriate committee, I suggest that various witnesses be called before that committee. It is quite obvious that the four ministers to whom I have referred should be called to give their version of when a final decision was made respecting this matter. Officials from each of their departments could also be called. I could even submit a list of the officials I have in mind.

As far as Massey-Ferguson is concerned, I think it would be helpful if Victor A. Rice, chairman, president and chief oper-

ating officer of Massey-Ferguson, be called. Vincent D. Laurenzo, vice-president and controller of Massey-Ferguson should also be called. D. Brian Long, vice-president of strategic and production planning of Massey-Ferguson should be called. I believe that two financial advisers to that concern, who certainly have information touching on this matter, could and should be called. I refer to John Cairns and Susan Murray. Representatives of Wood Gundy and Company of Toronto and Pitfield, MacKay, Ross of Toronto should and could be called since they have pertinent information as to when this decision was made.

In short, Madam Speaker, if you find that there is a *prima facie* case that this House has, indeed, been misled, perhaps even deliberately misled, I would propose to move:

That the contempt for the House of Commons shown by the Minister of Industry, Trade and Commerce on Friday, February 6, 1981, in refusing to inform the House that negotiations had been finalized with Massey-Ferguson, while preparing to make a statement to a press conference later the same day with full details of the refinancing package confirming that the minister misled the House on that day, be referred to the Standing Committee on Privileges and Elections.

**Mr. Bob Rae (Broadview-Greenwood):** Madam Speaker, the only contribution I have to make to this question of privilege raised by the hon. member for York-Peel (Mr. Stevens) is that I was present at a number of committee hearings, as was the hon. member for York-Peel. I refer to the Standing Committee on Finance, Trade and Economic Affairs, at which the Minister of Industry, Trade and Commerce (Mr. Gray) to my recollection testified. Unfortunately, since I was not sure this item would be raised today I did not bring the minutes of the committee meeting with me. If my recollection is correct, it was the meeting of October 21, 1980, at which the minister indicated, in a response to a question from me, when I asked him quite specifically whether or not he would be making a statement on motions in the House with respect to any deal consummated between the federal government and Massey-Ferguson, that he would. His answer to that question was, yes. I indicated this to the minister on another occasion and I just wanted it to be on the record that he did state in committee that he would be making a statement as and when an arrangement was arrived at between Massey-Ferguson and the government.

● (1540)

**Hon. Herb Gray (Minister of Industry, Trade and Commerce):** Madam Speaker, this matter is before the House instead of the constitutional debate which hon. members opposite in the official opposition say should be more important than anything else—

**An hon. Member:** Honesty always is.

**Mr. Gray:**—and should not in any way be precluded.

On the date in question I answered a question by saying that I had no statement to make at that time on the Massey matter and that it was still under active review. I said that because at that time the cabinet had not yet reached a final decision on the Massey matter. It is quite true, Madam Speaker, that