

matter of debate. But how can the hon. member lay that down as a factual basis for a question of privilege?

The hon. member just said that he knows.

**Mr. Andre:** Perhaps we could bring this to a close if he would cite the proper section of *Beauchesne*.

**Mr. Speaker:** The hon. member knows I am having a great deal of difficulty with this. I am having difficulty because no matter what the complaint may be, I am having great difficulty finding it as a question of privilege.

I would ask the hon. member to conclude his argument.

**Mr. Milliken:** I have four immediate points to satisfy the government House leader as to how our privileges have been breached, Mr. Speaker.

**Mr. Speaker:** It is not a question of satisfying the government House leader. The question is whether you are satisfying the Chair.

**Mr. Milliken:** The constant interruptions from across the way make it difficult, Mr. Speaker.

First, our right of freedom of speech, one of our rights in this House, a privilege of all members, has been denied because we were not permitted to ask questions because this matter was placed before the courts. We were denied that opportunity—

**Mr. Speaker:** Please. That is not a question of denying a member's privilege. That is a rule of the House. That is a convention. While something is before the courts, especially in criminal matters, we do not allow questions here. We do not all it because it would offend against the rights of either the Crown or the defence. In the case at point, I remember very clearly being deeply concerned at the time because if questions had been asked here, if I had allowed those questions, it might very well have prejudiced the defence that was going on.

**Mr. Milliken:** Notwithstanding that, Mr. Speaker, I am submitting that if these charges had been properly considered and not laid, there would not have been that problem.

Second, our right to deal with the budget in this House first was denied because the budget was released on television, and I made that point on April 27, 1989.

Third, the statements by the Prime Minister, by the Minister of Finance and by other ministers in this House, that I could have quoted at length but have refrained from doing to save time, made it difficult, if not impossible, for the police to carry on their investigation without appearing—

#### SPEAKER'S RULING

**Mr. Speaker:** This entire matter went through months in the courts. It has been determined. It does not seem appropriate to me to redebate it in the Chamber. It does not matter what I think about the rights or wrongs of it. The question is, we could, under the guise of a question of privilege, bring all kinds of things back into the Chamber.

I have got to tell the hon. member that I do not think there is a question of privilege there, and I am going to close it off right now.

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#### POINT OF ORDER

##### BUDGET LEAK

**Hon. Harvie Andre (Minister of State and Leader of the Government in the House of Commons):** Mr. Speaker, this could have been closed off by citing *Beauchesne*, paragraph 19(1), which states:

A dispute arising between two Members, as to allegations of facts, does not fulfil the conditions of parliamentary privilege.

Clearly on the question of the rules the hon. member knows, as he smirks at me from over there, that in fact—

**Some hon. members:** Order.

**Mr. Speaker:** I have made the ruling and I am not going to reopen the issue. If the hon. member wishes to rise on a point of order, but not on the same point of privilege, a point of order—

**Mr. Andre:** Mr. Speaker, accusations have been made unfairly and allowed to be made to reopen an issue. The statement that led to this was a statement by the Minister of Finance that a criminal act had been committed. As the hon. member himself said, there was a plea of guilty to that. So not only was he wrong in terms of the rules as to what is privilege, he is wrong on the facts. He is wrong on both counts and should not have wasted 20 minutes of the House on this specious point of privilege.