

*Oral Questions***ENERGY**

LEGALITY OF INCREASE IN PRICE OF PETROLEUM PRODUCTS

Mr. J. P. Nowlan (Annapolis Valley-Hants): Madam Speaker, my question is to the President of the Privy Council. It goes back to questions asked by the hon. member for Perth and my leader.

It is a very simple question. Does the government House leader have an opinion from the law officers of the Crown with regard to the legality of the tax that was set at twelve o'clock Friday night?

[*Translation*]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, this gives me an opportunity to quote an answer given last Friday by the Minister of Energy, Mines and Resources in reply to a question from the Leader of the Opposition, and I quote:

Madam Speaker, on the first question, this ways and means motion was drafted upon the advice and with the help of the law officers of the Crown.

[*English*]

Mr. Nowlan: Madam Speaker, that was a traverse of the question. Being a lawyer, the government House leader will know what "traverse" is. I do not know the word in French, but in English it is traverse. He avoided the question.

My question is, if he does not have an opinion from the law officers of the Crown, does he intend to get one before this House recesses, if it ever does?

[*Translation*]

Mr. Pinard: Madam Speaker, as I indicated to the hon. member, this is not a question of being a lawyer or not. The fact is the Minister of Energy, Mines and Resources indicated clearly he had consulted with the officials, the law officers of the Crown before acting, and the procedure was entirely consistent with all parliamentary practices dating back decades here in Canada and in Great Britain. We have absolutely no reason at all to doubt the legality of the procedure that was followed, and I do not see why the hon. member persists in requesting that in this case, rather than another, we ask for a specific legal opinion. We on this side are not going to ask for specific legal opinions just because members of the opposition, at a time when they think they could be making political gains, believe a procedure could be illegal.

Once again, as I said, precautions were taken, and the procedure that was followed is in order. We acted pursuant to the rules. We have no reason to doubt the validity of the procedure and we have no intention of following up on the hon. member's question.

[*English*]

PRIVILEGEMR. DOMM—ALLEGED DISCRIMINATORY TREATMENT
SUFFERED BY HON. MEMBER FOR PETERBOROUGH—RULING BY
MADAM SPEAKER

Madam Speaker: On Thursday, July 3 last, the hon. member for Peterborough (Mr. Domm) rose on a question of privilege with respect to information and documents that he was supplied by officials of the Department of Secretary of State.

The documents in question which he left with officials of the House are perhaps not as clear on close examination as they might appear at first blush. There is, first of all, what he refers to as the usual monthly reporting form of the persons granted certificates of Canadian citizenship with a stamp "Nil report for this electoral district" and which on the top shows that it is in respect of the electoral district of Peterborough for the month of May, 1980. It is dated June 3, 1980.

The next document referred to by the hon. member is dated May 23, 1980, at 10.30 a.m., Peterborough, is headed "Presentation of Certificates" and has the name of the citizenship court judge. There then follows a list of 55 names, beside each of which is a file reference. This document appears to be a list prepared for the judge of those persons without addresses to whom certificates were to be presented that morning.

The third and final document is the same as the first. That is, it purports to be a copy of the usual monthly reporting form showing a list of persons with addresses granted certificates of Canadian citizenship in the electoral district of Peterborough. However, this report is for the month of June and bears a July 3 date stamp. It also contains only 39 of the 55 names set out in the second document, the one that was given to the judge.

Under the circumstances, it is not clearly shown by these documents that the nil return for the month of May was not correct, because the only return with names of persons granted citizenship is for the month of June, and that one is dated July 3, albeit it shows many of the same names. Furthermore, even if they were shown to be incorrect, falsified or altered, which they have not, there is no indication that they were incorrectly or falsely made with intent to deceive the House, which is a necessary ingredient before it becomes a matter of privilege, as the hon. member correctly quoted from Erskine May.

If the hon. member complains about the poor service he is receiving from the Department of Secretary of State because it sent him documents which are incorrect or false and also too late to be of any use, it seems to me that all members could have the same complaint. In any event, the Chair has considerable sympathy for the member regarding difficulties that a member often incurs with respect to citizenship matters. A real difficulty lies, however, in the fact that the hon. member bases his question of privilege on the complaint that his ability to discharge his responsibility to his constituents is severely hampered by not receiving these lists.

While I am only too aware of the multiple responsibilities, duties, and also the work the member has to do relating to his