

HOUSE OF COMMONS

Monday, September 25, 1989

The House met at 11 a.m.

Prayers

Mr. Speaker: I should advise the House that I have received some questions of privilege, and I will commence by recognizing the Right Hon. Leader of the Opposition.

[*English*]

PRIVILEGE

CONTENT OF NEWSPAPER ADVERTISEMENT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I rise on a question of privilege of which both my House Leader, the member of parliament for Windsor West, and I have given you notice.

I wish to deal with a contempt of the House, a matter which under our proceedings as described in Maingot's *Parliamentary Privilege in Canada*, Chapter 12, is properly brought before the House as a question of privilege.

On August 26 of this year the Department of Finance placed two full-page ads in each language in major newspapers across the country. The type face was so large that it jumped right out at you. These Tory ads in big type were paid for by the people of Canada and read: "On January 1, 1991, Canada's federal sales tax system will change. Please Save This Notice". It explains the changes and the reasons for them.

[*Translation*]

Mr. Speaker, the same text appeared in French in French newspapers across this country, reading as follows:

On January 1, 1991, Canada's Federal Sales Tax System Will Change. Please Save This Notice.

It explains the changes and the reasons for them. Now on the second page, we see a full page indicating the

main changes that are being proposed, in detail, with the text of the amendments to the Act, and all this in the same ad, in the newspapers and in both languages.

[*English*]

Mr. Speaker, because you will need these before you in order to deliberate, I will at the conclusion of what I have to say to the House deposit these through you with the Clerk of the House, as I believe the rules require. It may be that at the conclusion of what I want to say the Clerk will want to read these into the record. That will be his and your judgment.

I intend to outline at the outset why I believe that these advertisements constitute a contempt of the House of Commons. I submit to Your Honour that the advertisement not only misrepresents the substance of the text but the procedure to which it is subject under parliamentary rules. It prejudices the proceedings that are now before a committee of the House, the Standing Committee on Finance, as well as prejudicing future proceedings and decisions of the House itself.

Your Honour, I will expand upon this point and if you find that a *prima facie* case of privilege has been established, I am prepared to move at the convenience of the House, under your order, the appropriate motion.

The wording "Please Save This Notice", followed by chapter and verse of the alleged tax changes, constitutes a basis for a question of privilege. Those words "Please Save This Notice" constitute a contempt of Parliament, constitute an intimidation of Parliament, because the only inference to be drawn from the words "Please Save This Notice" is that it does not matter what members of parliament do in dealing with these taxes. It does not matter what the committee on finance does with respect to these taxes.

Some Hon. Members: Hear, hear!