

Electoral Boundaries Readjustment Act

Could the Minister explain to the House how he got three years' figures in less than a month, and, assuming that the research was contracted, could he inform the House who received the contract and how much the contractor was paid for the job?

Hon. Pierre De Bané (Minister of Fisheries and Oceans): Madam Speaker, I would be very much surprised if we had to hire any personnel to collect the data because it was given to me by my officials at a special briefing session and there was no suggestion whatsoever that they had to hire any staff to gather that data, but I will check that allegation, too.

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PETITION

MR. MITGES—PAYMENTS TO MACDONALD COMMISSION OFFICERS

Madam Speaker: I have the honour to inform the House that the Clerk of the House has laid upon the Table the four hundred and second report of the Clerk of Petitions stating that he has examined the petition presented by Hon. Member for Grey-Simcoe (Mr. Mitges) on Friday, February 25, 1983, and finds that the petition meets the requirements of the Standing Orders as to form.

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ELECTORAL BOUNDARIES READJUSTMENT ACT

FILING OF OBJECTION TO REPORT OF COMMISSION FOR NEW BRUNSWICK

Madam Speaker: It is my duty to inform the House that an objection signed by the Hon. Members for Carleton-Charlotte (Mr. McCain), Fundy-Royal (Mr. Corbett), Simcoe North (Mr. Lewis), Burlington (Mr. Kempling), Perth (Mr. Jarvis), Hastings-Frontenac-Lennox and Addington (Mr. Vankoughnet), Halton (Mr. Jelinek), Medicine Hat (Mr. Hargrave) and Swift Current-Maple Creek (Mr. Hamilton) has been filed with me pursuant to Section 20 of the Electoral Boundaries Readjustment Act, Chapter E-2, R.S.C., 1970, to the report of the Electoral Boundaries Commission for the Province of New Brunswick.

If the House agrees, I would suggest we follow past practice and affix a text of the objection as an appendix to this day's *Votes and Proceedings*. Is that agreed?

Some Hon. Members: Agreed.

Madam Speaker: Agreed and so ordered.

PRIVILEGE

MR. LEWIS—SCOTIA COAL SYNFUELS PROJECT—ALLEGED
TABLING OF INCORRECT DOCUMENTATION—RULING OF
MADAM SPEAKER

Madam Speaker: I am prepared to rule on the question of privilege raised by the Hon. Member for Simcoe North (Mr. Lewis) on February 25, 1983.

The essence of that submission was his allegation that the documents tabled in the House contained errors of fact and that the Minister of Finance (Mr. Lalonde) knew this and allowed the documents to remain uncorrected. The Hon. Member suggested that the Chair should find, on the basis of his submission, that a prima facie case of contempt of Parliament had been established.

A prima facie case, as the Hon. Member himself pointed out, means that sufficient evidence is presented to warrant the matter proceeding to trial or investigation. In order to arrive at this finding the Chair would have to be involved in the determination of what is or is not correct in the documents concerned, and whether or not the Minister of Finance was aware of any errors of fact in the documents.

Clearly, the Chair cannot make such a determination even on a prima facie basis. It is not the function of the Chair, furthermore, to determine whether or not the contents of documents tabled in the House are accurate. Neither is it the function of the Chair to assess the likelihood of an Hon. Member knowing or not knowing whether the facts contained in a document are correct. Reflections may not be cast upon the conduct of Members of Parliament except by way of a substantive motion, of which notice is required, of course.

This is clearly stated on page 428 of the Nineteenth Edition of *Erskine May*. It is also supported by precedents of this House. I would refer, for example, to the following words contained in a ruling given on June 19, 1959:

—simple justice requires that no Honourable Member should have to submit to investigation of his conduct by the House or a committee until he has been charged with an offence.

Subsequent rulings in accordance with this principle were given by my immediate predecessor on February 28, 1978, and by myself on May 19, 1982.

I must therefore rule that this matter does not fall within the ambit of privilege and that if the Hon. Member wishes to pursue the matter he must do so by way of a substantive motion in which the accusation against the Minister is clearly stated.

MR. LALONDE—ASSERTION OF MR. NIELSEN DURING QUESTION PERIOD

Hon. Marc Lalonde (Minister of Finance): Madam Speaker, during the course of the Question Period the Leader of the Opposition (Mr. Nielsen) did raise a question which I think deals with my privilege as a Member of Parliament, and I would like to raise this question in a very limited way, considering the way the Leader of the Opposition raised it. His