

Point of Order—Mr. Epp

between members of the British cabinet and the Minister of the Environment. On January 15 you allowed the minister to answer exactly with respect to that issue. Today you chose not to do so.

I would like the Chair to give me an indication whether I can ask the minister those questions in the future, in view of the fact that he has been able to answer them before, and it is public knowledge that the Prime Minister instructed the "Mark and John Show", the two apostles, to go to Britain.

● (1520)

Madam Speaker: Yes, I remember that incident, but I cannot call it a precedent because I did not make a ruling. These sort of things happen very quickly in the House of Commons, and having happened there is very little that the Speaker can do. However, the Speaker may not interfere if the minister chooses to answer the question. On this particular occasion, the minister rapidly answered that question; that was his choice. However, this point remains very clear in *Beauchesne*, Citation 361:

A question may not be asked of a minister in another capacity, such as being responsible for a province—

That is a very clear rule. It is also up to the minister to decide whether he wants to answer a question.

What I did today was not to disallow the question put to the minister; I simply suggested that it might more properly be addressed to someone else. The hon. member received an answer to his question from another minister. But the rule is there for his guidance. The Chair cannot really prevent a minister from answering or force him to answer a question.

Mr. Epp: Madam Speaker, on the same point, if you could give me further instructions, are you saying that, despite the ruling in *Beauchesne* if a minister chooses to answer, and if he is quickly enough on his feet, he can answer?

Madam Speaker: It is his own choice whether to answer. It is the minister's choice to answer a question or not to answer. It is very hard for me to determine all of the specific responsibilities of the minister. This particular question was long enough that I was able to react, and it seemed that it might more properly have been addressed to another minister. I simply suggested to the hon. member that he might address it to another minister.

In the particular circumstance of today, the Minister of the Environment chose not to answer the question I suppose, though I cannot answer for him, because he felt it was not within the realm of his specific ministerial responsibilities; but another minister took up the question.

Mr. Epp: Just one more point, Madam Speaker. If I interpret your ruling correctly, it is very difficult for an hon. member on this side of the House to ask a minister a question in an area in which he has answered before. The minister has made public statements which have been repudiated in this House by his colleague, the Secretary of State for External Affairs (Mr. MacGuigan). Therefore, it is impossible, in view

of that ruling—despite the fact that the minister has already answered once—to discover who is speaking for the government in this House and what communications have taken place. It is a ruling which places all of us in a Catch-22 situation.

Madam Speaker: I think the hon. member is more confused than he need be. He did occupy a cabinet post and he does know that ministers may make statements outside the House on any aspect of government policy, be it the Constitution or any other matter. Therefore, the Minister of the Environment may quite properly make statements on the Constitution outside the House, but it does not then necessarily follow that because the minister has made a statement outside the House, hon. members in the House may be allowed to ask questions on that statement if it is not within the realm of his ministerial responsibilities.

The rule is quite clear. If an hon. member asks a question, a minister may answer it. But ministers may answer only those questions which are within the realm of their responsibilities, and they are the judges of what matters fall within the realm of their responsibilities. I think that is quite clear.

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, on the same point of order, I believe this is important to what you said. I recall having asked questions of former solicitors general which they chose to answer despite the fact that they no longer occupied the portfolio.

I want to point out to Your Honour that while you were engaged in this interesting point of order with my colleague, the hon. member for Provencher (Mr. Epp), the Minister of the Environment (Mr. Roberts) was also listening very closely and he indicated, to me at least, that he did not agree with your interpretation that he did not want to answer the question. From his clear gesture, I understood—he is nodding his head now—that he really wished to respond to the question, which raises a whole new dimension here. Just as a former solicitor general responded to me when I was asking what I thought to be an important question, the Minister of the Environment indicated that he, too, wished to follow that precedent. It would appear that he was inadvertently prevented from having this opportunity.

Therefore, my point of order is that I believe the minister should now be given the opportunity to indicate to the House whether he does wish to exercise his option and answer the question.

Madam Speaker: Well, first of all, the question period is over. Secondly, to answer the hon. member's point of order, I suggested that the question might more properly have been addressed to another minister. If the Minister of the Environment had then risen in his place, I do not feel that I could have prevented him from answering the question; but he did not. Instead, the question was addressed to the Secretary of State for External Affairs (Mr. MacGuigan), and he chose to answer it.