

Privilege

Madam Speaker: Order, please. I am sure the right hon. member realizes that he must ask his question.

EFFECT OF UNCERTAINTY

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, my question is directed to the Minister of National Revenue. Since he knows that clergymen will not be affected, that servicemen—although perhaps not their dependants—will not be affected, that other individuals will not be affected and that parking lots will not be affected, since he knows that amount of detail, he obviously has a policy and not an approach. Why is he hiding that from the people of Canada? If he has a policy, why will he not put it on paper, table it here in the House of Commons, and end the uncertainty that is causing agony to hundreds of thousands of Canadians?

Hon. William Rompkey (Minister of National Revenue): Madam Speaker, the right hon. gentleman was the Prime Minister of this country. He had some time to read the laws of Canada. If he had read them carefully, he would know that indeed clergymen are exempt under the law as it is written now.

Some hon. Members: Hear, hear!

Mr. Rompkey: My department will be attempting to interpret the law in the best way and the fairest way we can. I have indicated an approach. That is the approach we will be taking. It is an approach that will protect the little people of this country and try to get after the tax dollars which are out there and unpaid.

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PRIVILEGE

FAILURE BY MR. COSGROVE TO CLARIFY ALLEGED CONTRADICTORY STATEMENTS—RULING BY MADAM SPEAKER

Madam Speaker: The hon. member for Yukon (Mr. Nielsen) raised a question of privilege last Friday to the effect that statements made in the House by the minister responsible for housing on one occasion contradicted statements made by him on one or other occasions and that therefore the House had been misled.

As hon. members know, the subject of statements both inside and outside the House concerning alleged budget leaks has been broached in one form or another by members in the recent past. As a result of this, the most recent question of privilege on the subject, the Chair will perhaps be able to dispose of it with some measure of finality.

On this occasion—that is, last Friday—the House was treated to a debate on the subject of contradictory or misleading statements and the relation they may have to privilege. I am indebted to all those hon. members who contributed to the debate.

What has been put before the Chair is a series of statements made in the House by the Minister responsible for housing, and the Chair is asked to find that these statements either constitute a contempt of the House or, alternatively, that a prima facie case of privilege exists.

The hon. member for Yukon refers to the different statements made in the House by the minister in reply to questions and says that the House clearly has been misled.

It is, of course, correct to say that to mislead the House deliberately constitutes a contempt of the House. Before the House is seized of such a matter so that it can take action, however, there must be an admission or a finding to that effect before the House.

Hon. members will appreciate, however, that the minister responsible for housing at no time admitted or said that he had misled the House, either deliberately or unintentionally, and the hon. member for Yukon does not allege this either. The United Kingdom precedent cited by the hon. member for Yukon was based on the admission by a member of that House that he had deliberately misled the House. There was no debate on that issue in the Profumo matter.

Alternatively, the hon. member for Yukon suggested that the precedent relating to the then hon. member for Northumberland-Durham—today it is the other way around; he is now the hon. member for Durham-Northumberland (Mr. Lawrence)—in 1978 is on point here. On that occasion there was before the House the admission of a former senior officer of the government, a retired commissioner of the RCMP, that during his tenure letters for the signature of the then Solicitor General were not always drafted “on precise statements of fact”. This was “privilege” because on its face, or prima facie, the facts disclosed what amounted to a deliberate attempt to obstruct the hon. member in his parliamentary work.

In the case before us, however, while the hon. member for Yukon suggested to the Chair that the various statements of the minister responsible for housing amount to an admission that earlier statements were false, or that he was misled by his officials, causing him to mislead the House, the hon. member does not suggest that officials deliberately misled the minister or that the minister deliberately misled the House. For that matter, the hon. member could only make such an allegation in a charge.

It does not amount to contempt for a member to mislead the House inadvertently, and this does happen from time to time. Furthermore, it is not unparliamentary to suggest that an hon. member has misled the House. In such a case the member may feel obliged to apologize to the House and to its members where he may have unintentionally misled the House. This is an accepted procedure where a member has made a mistake and has had his attention directed to it by another member, or where his attention has not been drawn to a mistake but the member nevertheless felt that he should advise the House.

But if one member wants to bring the conduct of another member into discussion in the House and refer it to the committee, whether or not that conduct amounts to contempt