

that the Auditor General, having been attacked in this House by the Prime Minister, should be given the right, the opportunity, to appear before this House to tell us why he has not been able to file his report on time. Then and only then would it be possible for this House to make a decision whether or not the Auditor General has broken the law.

I repeat, Sir, that I feel we do have the quality of privilege in what I am presenting to the Chair at the present time. The members of this House have had their reputations damaged because they sit here having been spoken for by the Prime Minister, who has made statements that they do not support and in which they have had no part whatsoever.

Therefore, Mr. Speaker, if you find that I have a question of privilege I would be happy to move:

That the Auditor General of Canada, having been accused by the Prime Minister of non-compliance with the law respecting the filing of his annual report, be permitted to appear before the bar of the House of Commons for the purpose of stating the reasons for his not having been able to file his report within the time specified in the Financial Administration Act.

Mr. Speaker: The Chair has also received notice of a question of privilege from the hon. member for Egmont.

MR. MACDONALD (EGMONT)—DELAY IN TABLING
AUDITOR GENERAL'S REPORT

Mr. David MacDonald (Egmont): Mr. Speaker, I am sure the House is waiting breathlessly. I think that much of this present discussion would be unnecessary for the members of the House had the government, throughout its brief history in office, acted properly with respect to this important officer of the House. As in all things within the ambit of a question of privilege, there is a fair bit of discretion put in the hands of the Speaker. It has been a well known fact that through the centuries of traditions and the functioning of parliament questions of privilege must relate, when they are raised, to the context of the day. I think the very real context of the discussion being pursued at the present moment relates to the well known attitude of this government toward the functions of the Auditor General.

Perhaps the verbal indiscretion yesterday afternoon of the Prime Minister (Mr. Trudeau) would have been accepted simply as that had we not had the previous experience of dealing with legislation in this House that obviously was out to muzzle and to limit the powers of the Auditor General. The position is made clear in Bourinot's Rules of Order, page 40, and I should like to quote from that page briefly:

Questions of privilege cover a wide range, but it may be stated in general terms that they refer to all matters affecting the rights and immunities of the House collectively, or to the position and conduct of members in their representative character. In other words, a breach of privilege is a wilful disregard by a member or any other person of the dignity and lawful authority of parliament.

With regard to matters affecting the rights and immunities of the House collectively, it is indeed difficult to think of questions of privilege that would more directly affect the collective rights and responsibilities of this House than the disposition of public funds. Surely this is of even greater importance today in view of the recent changes

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that have been made in the rules which effectively restrict the competence of the House to deal with the estimates that are regularly before us. The House has already been limited, through the alteration of these rules, in regard to its control of the estimates.

Now we have seen, through the information conveyed to us by the Prime Minister yesterday, that the Auditor General, in his function as watchdog of the public purse, is being even more severely restricted. Surely a debate on this matter should not be necessary at all. It has already been suggested by the leader of this House that the Auditor General is breaking the law. When that kind of statement is made within this chamber, there is no recourse to a higher court. Members are placed in the difficult situation of being informed by the leader of this House that one of its own statutes is being wilfully broken by an officer of this House.

• (1500)

Surely it is of the utmost importance that hon. members of this Chamber be allowed to reach a decision on this important question. What is being asked for in this instance is not so much a decision from Your Honour as to the desirability or otherwise of having such a motion brought before the House; what is obviously necessary is that we should be allowed to reach a decision on such an important question. How can this chamber continue to function day after day and week after week if there is no opportunity for us either to confirm or discount the validity of the statement made yesterday by the Prime Minister? Surely it makes a mockery of the stewardship we are supposed to exercise in this place. Nothing is more basic—

Mr. Speaker: Order, please. The hon. member indicated in his opening remarks that he intended to be brief. He should indicate as soon as possible the nature of his question of privilege. The hon. member is now making the kind of speech which would normally be made if there were a debate on the question of privilege. I hope he will take into consideration the fact that other hon. members have been brief in their presentations and have not wandered too far from the motions they propose to make. I trust the hon. member for Egmont will indicate as soon as possible what his motion is.

Mr. MacDonald (Egmont): Before I do that, before I indicate the nature of my motion, may I say this? The Prime Minister made it very clear that if an officer of parliament was breaking the law an hon. member should not ask the Prime Minister why he is breaking the law; he should address that question to the officer of parliament concerned. Surely there is only one context in which this can take place, namely, in the House of Commons. What is being sought is an opportunity for the House to make that decision. I believe there is here a question of privilege based both on deliberate interference with the Auditor General's ability to carry out his responsibilities plus the fact the Prime Minister has indicated he is presently breaking the law. I believe we should put the motion in order to clarify this situation.

If Your Honour rules there is a prima facie case of privilege, I would be prepared to move: