

*Privilege—Mr. Clark*

In other words, there was a clear indication by the government House leader in the other place that there would be a willingness on the part of the government to consider extending the date of report of the joint committee on constitutional matters which, as Madam Speaker knows, has been a matter of active debate in the House of Commons. We could not get any confirmation from the President of the Privy Council as to whether or not his colleague in cabinet was speaking for the government when he gave that answer.

We all know that the government House leader, and indeed any minister, has a right to decline a question. There is no obligation upon them to answer, and often they do not answer. They have that right to decline a question, that is well-established, but I do not believe that any minister of the Crown has the right to decline categories of questions and to define categories of questions to which no response will be given. In my judgment, what has been done by the President of the Privy Council in this House is that he has defined a category of questions on which, I gather under no circumstances under his control, does he, at least, intend to reply for the government. That is a category of question relating to statements of government policy made on behalf of the government by ministers in the other place.

Also, I believe it is implicit in what the President of the Privy Council said that his position and the position of the Government of Canada is that elected members of the House of Commons—people who have stood for election and have been elected to this place—are not to be permitted to get answers from elected ministers. Instead we have to go to appointed ministers and ask appointed senators to pose questions to them if we are to have either clarification of public policy or statements of public policy.

The government is responsible collectively for policy enunciated in either this House or the other place. It must be able to respond to either House. Particularly, if I may say so, there is an obligation upon this government to respond to questions put in this elected House by elected members to elected ministers. I am fearful that in the statements and conduct of the President of the Privy Council we have seen a departure from that point.

If Madam Speaker finds a question of privilege, I would move, seconded by the hon. member for Nepean-Carleton (Mr. Baker):

That the failure of the government to take seriously the right of the opposition to put questions to ministers in this House respecting any statement by any minister on a matter of government policy, be referred to the Standing Committee on Privileges and Elections.

**Some hon. Members:** Hear, hear!

[Translation]

**Hon. Yvon Pinard (President of the Privy Council):** Madam Speaker, very briefly and very succinctly, I would like to raise two points. First, I was asked if the statement made by Senator Perrault was government policy. That transpires from comments made before and after my reply and I would like to emphasize that only the Prime Minister (Mr. Trudeau) can

decide and declare in the House whether a statement made outside the House by a minister represents government policy or not. Therefore as minister, as President of the Privy Council and as government House leader I had neither the right nor the power to say whether or not such a statement represented government policy.

Be that as it may—and I am getting to my second point, Madam Speaker—the member for Yellowhead (Mr. Clark), the Leader of the Opposition, referred to part of my statement but he should have read it in full. I spoke clearly, and this is important because those are the facts on which he wants to rest his alleged question of privilege.

This is what I said, and this is my reply which is found on page 4460:

Madam Speaker, the question could perhaps be put in the Senate but I do not know how I could comment on Senator Perrault's reply—

And this is important, I also said:

—with which I am not acquainted. Anyhow I do not intend to comment on what Senator Perrault said in the other place.

Madam Speaker, had I been stupid enough, I would have attempted to comment upon something with which I was not acquainted. However, Madam Speaker, I do not possess the same good qualities and the same faults as the Leader of the Opposition. I could certainly not comment upon a statement with which I was not acquainted, of which I was not aware, and that I did not have the right to comment upon in this House. In any event, Madam Speaker, it is obvious that the Leader of the Opposition, instead of attacking the substance of our constitutional proposal, would rather resort to technicalities and procedural arguments, founded or unfounded, and in this case obviously unfounded, to waste the time of the House and to avoid discussing the substantial issue. Therefore, Madam Speaker, the question raised by the hon. member for Yellowhead, the Right Hon. Leader of the Opposition, is groundless because first, I do not have the right to comment on whether or not a statement made by a minister outside the House is government policy and second, I certainly could not comment upon a statement with which I was not acquainted and of which I was not aware.

● (1510)

[English]

**Madam Speaker:** With respect to the question of privilege raised by the Right Hon. Leader of the Opposition (Mr. Clark), it is quite legitimate that members in this House should insist on receiving answers to the questions which they ask of ministers. That is quite legitimate, but it certainly is not a question of privilege. It is a matter of debate, and quite legitimate, and perhaps it is a very important matter of debate. But it certainly is not a question of privilege.

The Leader of the Opposition further insisted that the minister was introducing categories of questions to which he