

letter. In fact, Mr. Rutherford turned the pages to allow me to complete reading the letter. It was a recently dated and signed document from the U.S. department of justice.

Unknown to me, Mr. Rutherford had no legal authority whatsoever to reveal the privileged contents of the letter. In fact, in his November 1, 1991 letter to the U.S. department of justice he requested consent for disclosure three days after having disclosed it to me in the committee room, 269 West Block. He in fact offered up a mechanism to block the release of the document on the Canadian side if the U.S. government wanted that done.

The prima facie basis of the case are the following in point form. First, I saw the letter and read both pages and can identify it. Second, I saw the date and signature. Third, the associate deputy minister, Mr. Rutherford, permitted me to read the letter and then denied that he had done so in writing. Fourth, Mr. Rutherford then suggests: "Had you been able to read the actual letter" suggesting that perhaps I, as a member of the House, had done something untoward or possibly illegal about my access to that letter. Fifth, the fact is Mr. Rutherford disclosed material for which he did not have disclosure authority and subsequently made false statements and attempted to cover that up. He was in violation of both ethical and legal authorities.

He therefore chose to deliberately mislead a member of the House in an attempt to sanitize his own improper, unethical and illegal activity.

#### SPEAKER'S RULING

**Mr. Speaker:** I have listened. The hon. member has given me some indication of the line of argument that he was going to take and I have listened carefully. I do not think that the hon. member needs to pursue it further at the moment.

I have to say to the hon. member that there are other avenues available to him which he may decide to use. One of them of course is to take further steps within the committee.

I am not persuaded at the moment that there is a prima facie case of privilege. There may be a matter in which the hon. member takes very strong exception and that matter might be pursued further, but I have to

advise the hon. member that certainly at the moment there is not a prima facie case and I would ask him to accept that, as I know he will.

There may be further developments in the matter and if there are, I would be prepared to hear them further.

#### *Routine Proceedings*

### ROUTINE PROCEEDINGS

[*English*]

#### SUPPLEMENTARY ESTIMATES (C), 1991-92

A message from His Excellency the Governor General transmitting Supplementary Estimates (C) for the financial year ending March 31, 1992, was presented by the President of the Treasury Board and read to the House.

[*Translation*]

#### REFERRAL TO STANDING COMMITTEES

**Hon. Gilles Loiselle (President of the Treasury Board and Minister of State (Finance)):** Mr. Speaker, I would like to propose the following pursuant to sections 85 and 86 of the Standing Orders of the House:

That Supplementary Estimates (C) for the fiscal year ending March 31st, 1992, which were tabled today, be referred to various standing committees as follows:

[*English*]

Since there is a detailed allocation of the estimates from various committees and the list is lengthy, if it is agreeable to the House, I would ask that the list be printed in *Hansard* as if it had been read.

**The Acting Speaker (Mr. Paproski):** Is it agreed?

**Some hon. members:** Agreed.

[*Editor's Note: List referred to above is as follows:*]

To the Standing Committee on Aboriginal Affairs

Indian Affairs and Northern Development, Votes 1c, 7c, 8c, 15c, L20c and L25c

To the Standing Committee on Agriculture

Agriculture, Votes 1c, 5c, 20c, 25c and 30c

To the Standing Committee on Communications and Culture

Communications, Votes 1c, 2c, 10c and 15c

Secretary of State, Vote 5c