

I would like to ask the minister if he can provide details of the number of agreements reached, for example with the 15 bands in New Brunswick in 1992. How are such agreements proceeding with respect to negotiations for the 1993 season?

Hon. John C. Crosbie (Minister of Fisheries and Oceans and Minister for the Atlantic Canada Opportunities Agency): Mr. Speaker, I do not have all this detailed information available today to give to the hon. member since I just got back from the west coast. I have not yet had the chance to gather information on the east coast.

I do know that we had a number of agreements in New Brunswick this past year on the aboriginal fishery strategy. There were more than 64 person-years of native employment created in New Brunswick as a result of those projects. They all had to do with setting up native fishery guardian programs, fisheries monitoring, stock management, fisheries enhancement and assessment.

I will try to get the number of agreements that had to do with the kind of gear that should be used in fishing and conservation practices and what is planned for this year. I will pass it along to him privately.

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PRIVILEGE

CUSTOMS TARIFF

Mr. Derek Lee (Scarborough—Rouge River): Mr. Speaker, my office earlier today, at about noon, provided notice to the Minister of Finance. I hope he has had notice of my intention to rise on this point. He has not? I know that his office has. In any event, I will proceed.

• (1520)

Mr. Speaker: Just a moment. I appreciate what the hon. member said about giving notice to the minister. I am in the hands of both the minister and the hon. member. However, if it would make it easier to discuss the matter after the minister has seen the material, then that might be a useful course to follow. I will hear the hon. member on that.

Mr. Lee: Mr. Speaker, my office did make reasonable efforts to ensure that the minister had notice of this today. I think it is in the best interests of the issue that I proceed and dispose of it. The Speaker will then have an opportunity to rule.

I rise on a question of privilege in relation to the failure of the Minister of Finance to lay before Parlia-

ment an order made pursuant to subsection 59(2) of the Customs Tariff. It is my submission that this omission constitutes a contempt of Parliament.

You will recall, Mr. Speaker, that on February 3 of last year, I rose on a similar question of privilege in relation to the order respecting the suspension of privileges granted under the free trade agreement, registered then as SOR-8954.

On December 29, 1992, the Governor in Council adopted Order in Council 1992-2715. It so happens that the purpose of this Order in Council is to revoke the order which gave rise to my earlier question of privilege.

Just as the original order was required to be tabled in this House, so is the revoking Order in Council adopted last December and registered as SOR-9314. The revoking order was made pursuant to subsection 59(2) of the Customs Tariff. Subsection 59(5) of the same tariff provides that the Minister of Finance shall cause a copy of any order made pursuant to subsection 59(2) to be laid before Parliament on any of the first 15 days after the making thereof that either House of Parliament is sitting.

The revoking order made on December 29 was legally required to be laid before this House by February 15, 1993, that day being the 15th day after its making that either House sat.

It is not my intention to repeat at length the arguments I made last February. They are applicable here and I would ask you to take them into consideration before you rule on my question of privilege. I do wish to point out, however, that I do not rise today in any capacity other than that of a member of Parliament seeking to uphold the collective right of this House to have a copy of any order made pursuant to subsection 59(2) of the Customs Tariff laid before it.

As on the previous occasion, I have no hesitation in stating my belief that the Minister of Finance has not intentionally disobeyed the statutory tabling requirement here. That being said, I must also reiterate that that intention is not relevant at this stage of the proceeding.

As I indicated last February, I can find no authority for the proposition that an act or omission only constitutes contempt of the House if it was intentional. The correct view seems to be that any act or omission that tends to diminish the authority of this House can be punished as a contempt, although it is likely that in deciding on a punishment, the intent of the party charged with the