

## PRIVILEGE

## CONFLICT OF INTEREST CODE—SPEAKER'S RULING

**The Speaker:** I am now ready to rule on the matter raised last Monday, June 13, by the hon. Parliamentary Secretary to the Minister of Fisheries and Oceans. In his submission, the hon. parliamentary secretary sought to clarify a number of issues related to allegations made against him by the hon. member for Simcoe Centre during Question Period on June 2 and 3, 1994.

The parliamentary secretary claimed that, by bringing into question his compliance with the federal conflict of interest code, the allegations had damaged his credibility and had thus impeded his ability to function as a member of this House. The parliamentary secretary then informed the House that he had complied fully with the conflict of interest code and had formally resigned as a director and officer of the company in question. The parliamentary secretary also refuted other allegations made by the hon. member for Simcoe Centre.

[Translation]

From the information provided during the exchange and from my review of the *Debates* of June 2 and 3, it would appear to the Chair that this is clearly a disagreement as to the facts. I refer the hon. members to citation 31(1) of Beauchesne's 6th Edition: "A dispute arising between two Members, as to allegations of facts, does not fulfill the conditions of parliamentary privilege".

[English]

May I also quote from the *Journals* of June 4, 1975, at page 600. In a ruling on a case of allegations made by one member against another in respect of his conduct, Speaker Jerome indicated that "a dispute as to facts, a dispute as to opinions and a dispute as to conclusions to be drawn from an allegation of fact is a matter of debate and not a question of privilege".

(1520)

The government House leader pointed out that there have been many occasions when members have risen to make statements under the guise of a statement of personal privilege in order to put on record their understanding of a situation involving themselves. As your Speaker, I take these matters very seriously and understand the need for members to express themselves in these cases. When I intervened during the parliamentary secretary's presentation, I felt that he had made his point.

[Translation]

Not every matter raised as personal privilege necessarily constitutes a basis for a question of privilege. It is incumbent upon the Chair to ensure that the time of the House is used judiciously, and Members can assist the Chair by being succinct

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in their presentations when bringing such matters to the attention of the House.

[English]

I would like to thank the hon. government House leader, the hon. parliamentary secretary and the hon. member for Simcoe Centre for their contributions.

My colleagues, I am now prepared to rule on a point of order.

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## POINT OF ORDER

## NEW DEMOCRATIC PARTY—SPEAKER'S RULING

**The Speaker:** On June 1, 1994, the hon. member for Winnipeg Transcona raised a point of order concerning the designation of party status for members of the New Democratic Party. I would like to thank the hon. member for his detailed and well researched presentation, and the hon. members for Kingston and the Islands, Laurier—Sainte-Marie and Kindersley—Lloydminster for their contributions to the discussions.

The hon. member for Winnipeg Transcona asked that I consider and rule upon the request of the members of the New Democratic Party caucus: One, to be designated as New Democrats; Two, to be seated together; and three, to be treated as a recognized party for certain procedural purposes.

I am now ready to rule on that point of order. First, let me deal with the question of what constitutes a party for procedural purposes, a question which has long preoccupied the House. The hon. member for Winnipeg Transcona argued at length that the definition of "recognized party" in the Parliament of Canada Act and the Board of Internal Economy bylaws applies only to certain matters of money and allowances. He maintained that the definition should not be used to define the meaning of "party" or "recognized party" in our standing orders or our practice.

[Translation]

He noted, for example, that Section 50(3) of the *Act* which sets the composition of the Board of Internal Economy makes specific reference to a caucus which "does not have a recognized membership of 12 or more". That reference, he claimed, implies the possibility of a caucus without 12 members, yet identified as such.

The hon. member presented detailed accounts of the situations which existed in the House of Commons in 1963, 1966 and 1979 when smaller parties were recognized in various ways for purposes of procedure and practice. He also argued that the same rights should be extended to members of the New Democratic Party today.