

whole report to the House. I cannot allow that. The hon. member has yet to prove that he has a prima facie case of privilege. I would ask him to make some effort to indicate that to me.

Mr. Oberle: Madam Speaker, my privilege is simply this. It concerns the privileges of all members who serve on the Indian affairs committee. We are prevented from adequately discharging our duty by the fact that the minister is not reporting to the House the extent to which this agreement has been implemented. That is the question of privilege.

This is not the first time this kind of question has been raised in the House. When the House makes a conscious decision to include a requirement in a statute that there shall be a reporting to the House on an annual basis, that compares with the annual reporting of the Auditor General or the Commissioner of Official Languages and Human Rights. Why is there that requirement under statute that the minister must report? It is so that members can discharge their duties in line with the responsibilities they receive when they accept membership in this institution.

The minister has not reported to the House, as is his statutory requirement. For that reason, the members of the Indian affairs committee and all members of this House were not able to discharge their responsibility to those children who died in the Quebec region. The minister has a responsibility to those who live in that region in abject poverty, similar to that in Third World countries. I would point out when the Cree appeared before the committee, they could not identify their member of Parliament. That member knows this agreement has not been implemented properly. He is ashamed to go to that area lest he have to accept responsibility for some of the problems which occur there.

I would ask, Madam Speaker, that you refer to other debates throughout *Hansard* where other Speakers have ruled. In particular, I refer you to a debate on March 9, 1972, where my former colleague from Peace River, Mr. Baldwin, reported to the House the failure of the Auditor General to report his findings. The then hon. member for Peace River wanted the Auditor General called before the Bar of the House. The Speaker ruled that an officer of the Crown or an officer of the House could not be made accountable for his actions in that way, and that could not be done. It was quite clear. He said that even though the privileges of the members may have not been affected, it was a very serious breach of order of the House. There again he was referring to an officer of the House rather than a minister. In this particular case, Madam Speaker, we are talking about the statutory responsibility of a minister, and his failure to live up to that responsibility.

● (1550)

For that reason, Madam Speaker, should you find that I have a prima facie case of privilege, I am prepared to move the appropriate motion to ask this minister to appear before a committee to answer for his neglect and his contempt of Parliament.

Privilege—Mr. Hawkes

Madam Speaker: I am afraid I have to deal with this question rather quickly as it is quite clear there is no question of privilege. I remind the hon. member that failure to comply with the law is not a matter for the Speaker to determine, but rather should be decided by the courts, and I quote Beauchesne's fourth edition, 71(5):

The Speaker will not give a decision upon a constitutional question nor decide a question of law, though the same may be raised on a point of order or privilege.

I read that because I want the hon. member to understand it is appreciated that he brought this matter before the House, but of course I cannot be called upon to judge it. The hon. member has complied with this rule by bringing the matter to the attention of the House and, hopefully, the House will consider whether it has been inconvenienced by the fact that a certain thing has not been done. But, it is not for me to force the minister to comply with the law. I thank the hon. member for having brought it before the House.

Mr. Oberle: Madam Speaker, one final comment. What recourse—

Madam Speaker: Order. I think I have told the hon. member what his recourse is.

Mr. Oberle: There is no recourse.

Madam Speaker: Well, there is no recourse to the Chair because the Chair cannot decide.

Mr. Oberle: But it is the institution—

Madam Speaker: I am sorry, but when I am explaining the position to the hon. member he has to listen to the Chair. The recourse is not to the Speaker, and the hon. member surely has enough knowledge and experience of parliamentary and government affairs that he can inform himself of the necessary recourse. I am telling him now there is no recourse to the Chair.

MR. HAWKES—PROPOSED REPRINTING AND DISPOSITION OF PORTIONS OF "HANSARD"

Mr. Jim Hawkes (Calgary West): Madam Speaker, my question of privilege arises from today's question period and involves an exchange between the hon. member for Gaspé (Mr. Cyr) and the Prime Minister (Mr. Trudeau). You will recall the hon. member for Gaspé asked the Prime Minister if he would consider an extra printing of the March 23 edition of *Hansard*. This request was made so they could be supplied to the parliamentary members in Britain, and others whom I cannot recall.

I was positively disposed to this idea because of the quality of the Prime Minister's speech, and in particular his quotations of the Late Right Hon. John Diefenbaker during the flag debate when he indicated we would have a less united country some years later, which certainly is the case. I would be disposed to see that this was brought to the attention of parliamentarians in Britain.