

Question of Privilege

● (2:40 p.m.)

Mr. McIlraith: On September 7 a question was raised on this point, as nearly as I can find the precise—

Mr. Speaker: Order, please. Before the Minister of Public Works is allowed to make a statement in reply to the question of privilege raised by the hon. member for Edmonton-Strathcona I should read, for the guidance of the hon. member, a citation from May's seventeenth edition, as recorded on page 135. It refers to a procedural point which should be clarified:

When complaint is made of something published in a newspaper or book, a copy of the newspaper or book, and when complaint is made of a letter sent to a member, the original of the letter said to have been written, must be delivered in at the table by the member who makes the complaint and passages complained of read aloud by the Clerk for the information of the house before any further proceedings are had in relation to the complaint.

I believe it is the practice of the house for the article complained of to be tabled. I assume the hon. member will have a copy, and he should table it with the Clerk. I suggest that the relevant portions be read into the record so we may continue the discussion thereafter.

The Clerk:

Ottawa Journal, Ottawa, Saturday, October 15, 1966. Says MP "Backing Down".

Nugent having second thoughts Hellyer claims.

By Victor J. Mackie, Special Journal Correspondent.

Defence Minister Hellyer said Friday that it was now apparent that Alberta Conservative MP Terence Nugent has "backed down" from his original charge against the minister of having "tampered" with evidence before the defence committee.

"It is apparent that he has had second thoughts and is now engaged in a complete 'back-off' which substantiates my contention that the charge was 'spurious', designed to damage my reputation rather than to get at the facts", Mr. Hellyer said.

Mr. Speaker: Again for the guidance of the house I will read a second citation from May's seventeenth edition, page 143:

Where the member complained of is present when the complaint is made, or attends pursuant to the order of the house, it is the rule that he should be heard in explanation or exculpation as soon as the question on the motion founded upon the complaint is proposed from the Chair, and then withdraw, unless the complaint is founded upon a written paper or other document, in which event the member complained of should be heard as soon as the paper on which the complaint is founded has been delivered in at the table and read, and before the question founded upon the complaint is proposed from the Chair.

[Mr. Nugent.]

Mr. Hellyer: I am sorry, Mr. Speaker; I did not hear that injunction.

Mr. Speaker: I am sorry; I did not hear what the Minister of National Defence said.

Mr. Hellyer: That was precisely my difficulty; I was unable to hear your instructions.

Mr. Speaker: They were not instructions. I just mentioned that after the paper or document complained of has been filed with the Clerk of the House, if the member whose declaration is being complained of wishes to make a statement, this is his opportunity to do so. There is, of course, no obligation on the member to make such declaration.

Mr. Hellyer: If that is the rule I should like to make a brief statement. Unfortunately I do not have with me the statement I would have made if the hon. gentleman had proposed a motion accusing me of improper conduct.

Mr. Nugent: It did not do any good the last time.

Mr. Hellyer: In respect to this whole matter I would like to state what I believe to be the constitutional practice in the parliamentary system in respect to departmental officials or military officers appearing as witnesses before parliamentary committees.

Mr. Speaker: Order. I hesitate to interrupt the minister, but I suggest that the only statement he could make at this time would be with particular reference to the document tabled. I do not think he should be allowed to make a general statement. The purpose of this is to enable the Chair to determine whether or not there is a question of privilege.

Mr. Hellyer: Mr. Speaker, if that is the only point at the moment I would have to wait until I have had a chance to examine the newspaper and check it against my recollection of the events.

Mr. Speaker: If there are no further comments perhaps the Chair, with very little to judge upon, should be allowed to reserve its decision. But before even having the opportunity to consider the matter I believe that after the minister has read the article he should have the opportunity later on, possibly tomorrow, to make a statement, following which the Chair will be in a better position to determine whether there is a question on which a motion might be founded.