

# HOUSE OF COMMONS

Tuesday, December 17, 1974

The House met at 2 p.m.

## MESSAGE FROM THE SENATE

**Mr. Speaker:** Order, please. I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed Bill S-15, an act to amend the Department of Industry, Trade and Commerce Act, to which the concurrence of this House is desired.

\* \* \*

● (1410)

[Translation]

## PRIVILEGE

MR. LA SALLE—REFERENCE TO REMARKS OF HON. MEMBER FOR TÉMISCAMINGUE

**Mr. Roch La Salle (Joliette):** Mr. Speaker, I rise again on a question of privilege being assured that you know the hon. member for Lotbinière (Mr. Fortin) is ready to answer that question.

In this House, last Thursday, Mr. Speaker, the hon. member for Témiscamingue (Mr. Caouette) stated the following:

Mr. Speaker, I would like one thing to be clear, following the question of privilege of the hon. member for Joliette (Mr. La Salle) yesterday to the effect that the hon. member for Témiscamingue had made accusations against all hon. members in this House: that was simply not the case. I wish to say that after two or three days, and after having seen the photograph of the hon. member for Joliette in the newspapers, I asked myself whether perhaps he himself had not helped to pay for the cost of his personal publicity in some of the newspapers of the province, whether it be French or English newspapers.

Later on, the hon. member for Témiscamingue referred to a member of the press who had been offered a bribe, and went on to state:

She did not tear up the \$10, I am sure of that. Let her name the member, that does not bother me because there are Liberals and Progressive Conservatives who offer them the same thing, or do not, but who give them \$10 or \$20. They keep their mouths shut.

Mr. Speaker, I would like to refer to the aspect of that question that reflects on my conduct and that of my colleagues.

Citation 110 of Beauchesne's Parliamentary Rules and Forms, fourth edition, reads:

... But to constitute a breach of privilege a libel upon a member must concern his character or conduct in his capacity as a member and the conduct or language on which the libel is based must be actions performed or words uttered in the actual transaction of the business of the House. Bad faith must be imputed and the charge cannot be indefinite. A libel on a member's extra-parliamentary conduct may however constitute a breach of privilege if it is designed to influence the proceedings of the House.

A little further, paragraph (h) of Citation 111 states that a breach of privilege is:

(h) Imputations against members of corruption in the execution of their duties.

Therefore, Mr. Speaker, I believe I as well as other members were slanderously accused of bad faith and corruption in the execution of our duties and that such charges are a breach of a privilege and if you believe that it is a *prima facie* question of privilege, I move, seconded by the hon. member for Peace River (Mr. Baldwin):

That the charge made by the hon. member for Témiscamingue, namely that hon. members bribed reporters from the Press Gallery, be referred to the Committee on Privileges and Elections.

**Mr. André Fortin (Lotbinière):** Mr. Speaker, I listened with you and with my other colleagues to the question of privilege raised by the hon. member for Joliette (Mr. La Salle).

Mr. Speaker, I suggest that this question of privilege is out of order and that, for several reasons.

On page 2227 of *Hansard* for Friday December 13, the hon. member for Bruce (Mr. Douglas) presented a motion under the provisions of Standing Order 43. His motion was that the question and others be referred to the appropriate committee. Other members rose to speak. The hon. member for Peace River (Mr. Baldwin) said that he had not been able to catch the motion and asked that it be repeated and finally, the Speaker gave a ruling on the motion. I quote the Speaker's words:

Since the matter casts reflections on the practices of some members of the House...

Therefore the Speaker gave a ruling on his own authority while the motion was never considered and presented otherwise than under the provisions of Standing Order 43, and I quote again:

... Because it is a recent allegation and was raised again last night on a question of privilege...

—we will start talking about it later—

... it does have some immediacy.

Then Mr. Speaker proceeded and concluded as reported on page 2228:

... in order to be consistent with other rulings I have made, I must say I have doubts that the motion is of pressing necessity.

The motion was put forward pursuant to Standing Order 43. It was the first and only motion proposed until a few moments earlier, it was the only one, and it was put forward pursuant to Standing Order 43.

When the Speaker refuses to ask for unanimous consent, as required by rules and practise, this puts an end to the matter at least as far as procedure is concerned.

Immediately after, the hon. member for Joliette rose and said: