

Criminal Code

through an arrangement with the house leader, and the house leader can substantiate this statement. He came behind the curtains to inform me that he had arranged to have the Minister of National Health and Welfare answer questions on the estimates of the Department of Mines and Technical Surveys or else they would not go through.

Despite the fact that the Minister of National Health and Welfare is going to recognize the ruling of the Chair, he completely ignored it on that occasion when we forced him to do so through the arrangement with the house leader.

Mr. Speaker: Order, please. The Chair has heard—

Mr. MacEachen: Mr. Speaker, I think this is a very important point. The arrangement made in a previous sitting of the committee of the house was that in the absence of the Minister of Mines and Technical Surveys, who was absent from Canada in Washington, I agreed to deal with matters affecting the coal industry of Nova Scotia. That was an arrangement made informally and it has nothing to do with rulings in the house.

What we are talking about here is a ruling made by the Chair with regard to the entitlement of ministers to answer questions, but Your Honour has ruled that a minister is not entitled to answer beyond his own administrative responsibilities. Had the Chair ruled otherwise, I would have welcomed an opportunity to answer these questions. There would be a great publicity advantage in Nova Scotia.

However, while I accept the rulings of the Chair in these matters I do not intend to have the rulings of the Chair interpreted by the Leader of the Opposition to include what proper public relations the minister ought to follow outside the house. That is a ridiculous proposition.

Mr. Speaker: Order, please.

Mr. Pickersgill: Mr. Speaker, since my name was brought in, I wonder whether I might assist Your Honour by a couple of references—

Mr. Speaker: Order, please. I should like to be given an opportunity to once again state the position taken by the Chair which is based on long precedent, in spite of what may have been said in the course of this short debate. I quoted a moment ago from May's seventeenth edition. I should like now to quote

from the *Journals of the House of Commons*, volume, 105, 1959, page 336

In citation 178 in his fourth edition, Beauchesne comments on this rule as follows: "Questions addressed to ministers should relate to the public affairs with which they are officially connected, to proceedings pending in parliament, or to any matter of administration for which the minister is responsible."

In other words, there is no doubt whatever in my mind that questions can be asked of ministers only in their official capacity. I appreciate that it may cause difficulty if ministers take the liberty of issuing press statements in a capacity other than their official capacity, but that does not change the rule.

I must bring to the attention of hon. members that the question period has now expired.

CRIMINAL CODE

PROPOSED AMENDMENT REGARDING CAPITAL PUNISHMENT

The house resumed, from Wednesday, March 23, consideration of the motion of Messrs. Byrne, Nugent, Scott (Danforth) and Stanbury:

Resolved, that it is expedient to introduce a measure to amend the Criminal Code for the purpose of

(a) abolishing the death penalty in respect of all offences under that act;

(b) substituting a mandatory sentence of life imprisonment in those cases where the death penalty is now mandatory; and

(c) providing that no person upon whom a mandatory sentence of life imprisonment is imposed shall be released from imprisonment without the prior approval of the governor in council.

[*Translation*]

Mr. Auguste Choquette (Loitbinière): Mr. Speaker, on a question of privilege.

Following the answer I was given by the government house leader, I would like to submit to you a grievance which constitutes at the same time a question of privilege.

Up to now, only the abolitionists seem to have had the opportunity to express their views. However, I wonder if it could not be arranged by you—

Mr. Speaker: Order. I would suggest to the hon. member to listen first to the hon. member for Swift Current-Maple Creek (Mr. McIntosh). If he still thinks that he has a question of privilege afterwards, he can raise it.

Mr. Choquette: That does not answer my question of privilege.