

Privilege—Mr. W. Baker

Let us put before the House the possibility that there were some leaks of that information. Then a very interesting question must be asked: Can a member or a minister be excused from his obligation now simply because he titled what he did last night as something different from a budget? I think it is a matter of extreme concern to Parliament if all one needs to do is somehow make reference to what happened last night by some other name. Then to relieve the minister of the obligation which goes with budgets would in itself be a very serious matter.

Probably recognizing the seriousness of what would happen if there was a leak, the minister took the opposite view. He called for a lockup and the kind of security that was always associated with a budget. Because he called for that nature of security, then surely what the minister was saying in his mind was that in fact this statement has the overtones of a budget. It called for the raising of money through new taxes and changes to the Customs Act, and referred to the new taxes which would be coming into effect as of midnight. If the minister did not see it in the context of a budget, then none of the security measures would have been necessary or implied. It seems to me the measures he took were traditional to a budget. In handing the speech out after eight o'clock, in effect the minister himself has said that this is budget like. All he did that was different was to label it with a different name.

I submit that at this point we are at a most interesting crossroads in Parliament. It is not just the question before us, it is the question as to how members of Parliament feel about Parliament, whether or not we in the opposition think there is a chance and an opportunity for a fair shake in representing out constituents and speaking about important issues and matters. We await with great curiosity Madam Speaker's deliberations because I feel, as one member, that this is an extremely important decision.

Government members should not seek any co-operation from us. If they live by the letter of the law but cannot live with the spirit of Parliament, even if there was a precedent in the past, when they know full well that there is a spirit and an esprit de corps among parliamentarians which says that we co-operate and allow each other to speak and to reflect upon important issues, then surely the Minister of Finance would not want to stand in his place and say that what he did last night was not important. If he stood and said that it is important, then surely he should not in the same breath say: "But in spite of the importance of what I say, no one else can reflect upon it".

With that long tradition of security and secrecy of budgets, in view of the kind of measure which the Minister of Finance took, I want to conclude by saying that by his very actions he is saying that what he did last night was budget-like in its nature. Therefore, the treatment by Parliament of that particular act last night should be budget-like.

Some hon. Members: Hear, hear!

Mr. J. P. Nowlan (Annapolis Valley-Hants): Madam Speaker, I will be relatively brief because I do not intend to

review the authorities which have been reviewed nor to draw the very relevant parallel of the hon. member for St. John's West (Mr. Crosbie) and other speakers who have spoken between what was done last night and what ordinarily is done on budget night.

I am rising because this matter is something which I think is most relevant. In effect, Madam Speaker is cutting her procedural eye teeth on a debate—and frankly the hon. member for Crowfoot (Mr. Malone) touched upon this in his remarks—which does not just involve the frontbenches of the government or the opposition. Fundamentally it goes to where the backbencher on either side sits and as to whether he will participate in the debates and/or the procedures of the House of Commons in trying to represent the views of his people. To me it is that fundamental.

Perhaps I would agree in part with some of the rhetoric of the hon. Minister of Finance (Mr. MacEachen) and the hon. member for Winnipeg North Centre (Mr. Knowles). I think Madam Speaker as the commoner of commoners, taking office for the first time, has a distinct duty in the interpretation of the point under dispute, whether it involves the finite rule of Standing Order 60 or making the rules of this House much more relevant than they have been heretofore.

● (1510)

You, Madam Speaker, and I have sat in this chamber and heard speakers talk about how we are the captives of archaic rules. Precedents have been cited here today by all speakers. Whether my Machiavellian friend, the Deputy Prime Minister and Minister of Finance, is Minnie Mouse or Minnie MacEachen Mouse does not matter because, whether you call him "mini-minister" or "mini-budget minister", or any other name, were he sitting on this side he would know that the first four pages of his statement last night was a budget, a budget by any other name. You cannot make those tax changes in any way other than in a budget.

I am not going to review them all. There is not a person who was watching this debate over television—and this is my point—who did not consider it to be a budget speech. I do not want to trespass too far, but I am just wondering whether in the Chair's mind, with something called judicial notice, a legal phrase we sometimes use when we are doing professional work outside as lawyers before we come here to try to write laws, that was not also the case. There is not one common, reasonable person who watched the Deputy Prime Minister and Minister of Finance last night who did not think when they heard the first four pages of this speech, with changes in the Registered Retirement Savings Plan, the common stock plan and the elimination of capital gains, let alone all the other tax additions, that they were not listening to a budget speech.

This is part of the dilemma, Madam Speaker. Regardless of the finite rule in Standing Order 60, this Parliament with these television lights and the cameras has something much more impressive than the precedents in respect of Standing Order 62, 72, 77 or even 79. Frankly they can all be distinguished, as has been done here today.