

Business of the House

Mr. Speaker: Order, please. The hon. member should relate his remarks to the situation now before the House. I do not think it is competent upon him to review the general situation which may have inspired his comments. I think as much as possible he should try to limit his remarks to what is now before us.

Mr. Nowlan: Mr. Speaker, I am very directly relating my remarks to the situation that arose yesterday. I have tried to lay some foundation in a general historical way for the edification of members abroad. I am not going into the history of why this institution arose to fight the King and obtained the right to impose levies despite what the Crown wanted to do. Coming to today, I am dealing with the dignity of the House in three ways.

According to Beauchesne, when there were accusations of partiality and discourtesy in the past or libels against members that in effect reflected on the conduct or character of members, or scandalous charges or imputations directed against members, these were always found to be a breach of privilege. I am transposing "members" to one of the main servants of the House of Commons. I am asking Your Honour to find that, when there are allegations of partiality, discourtesy or illegality, surely this raises a question of privilege. When there has been a reflection not against the character or conduct of a member but against the character or conduct of one of the three main servants of parliament, surely there is a potential point of privilege. Even more important, without referring to all the references to occasions when scandalous charges or imputations have been directed against members of the House of Commons—Your Honour is more familiar with Beauchesne than I—one need only look to page 98, paragraph 102, of Beauchesne which states that when there are imputations and scandalous charges against members of a select committee you in effect have a point of privilege.

In conclusion, when the Prime Minister of this land, the leader of this government, alleges illegality against one of the three servants of this institution, you have ipso facto a point of privilege. I support the motion of the hon. member for Peace River—

Mr. Speaker: Order, please. The hon. member was given the floor for the purpose of proposing a motion. It is well known that on a question of privilege hon. members are given an opportunity to propose their motions and indicate their question of privilege. There is no debate, the responsibility being cast by members on the Chair to decide whether there is a prima facie case of privilege. I do not think it is in order for a member to give notice to the Chair and then to sit down having said he supports a motion proposed by some other hon. member. The hon. member has given notice and I heard him for that purpose. I do not want to make things difficult for the hon. member. On the other hand, I would not want to establish a precedent that members can simply give notice for the purpose of supporting some other motion proposed by another member. I shall not press the matter further.

• (1450)

Mr. Nowlan: With all respect and due deference to the Chair, I was coming to the point where I was going to

[Mr. Nowlan.]

make a separate motion. I not only support the motion moved by the hon. member for Peace River, but I move that the Prime Minister admit the impropriety of his remark and that he withdraw it.

Mr. Speaker: Order, please. The hon. member for Winnipeg North Centre.

MR. KNOWLES (WINNIPEG NORTH CENTRE)—DELAY IN
TABLING AUDITOR GENERAL'S REPORT

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, I wish to indicate my support for the contention of the leader of this party, the hon. member for York South (Mr. Lewis), that if there has been any breaking of the law it is to be found in the failure of the government to carry out the provisions of section 56(4) of the Financial Administration Act.

However, I too have sent Your Honour notice of my intention to raise a question of privilege because I feel that there is a distinct aspect of this matter that should be considered. As Your Honour has pointed out to us many times, the whole question of privilege is a very difficult one, and the Chair is not supposed to find that there is a prima facie case of privilege unless it can be shown that the privileges of a member or of members of the House of Commons have been offended. It is my contention that this is what has been done. I contend that our privileges have been attacked and therefore, something should be done about it.

In what way do I contend that our privileges have been attacked? Let me put it this way. The Auditor General is an officer of the parliament of Canada. He is responsible to this House. He is also responsible to the other place, but that is by the by; he is responsible to us. I contend that when the Prime Minister (Mr. Trudeau), the leader of this House, makes statements on the floor of the House, statements which in turn are carried in the press, to the effect that an officer of this House is a lawbreaker, that he failed to keep the law, and that this action on his part is being condoned by parliament, then we are involved in the making of charges against an officer of this House, charges in which we have had no say.

It is not just a case of a backbencher standing up and saying something that is unfair, cruel or untrue of an officer of this House; it is a case of the leader of this House standing in his place and saying that an officer of this House has broken the law. I contend, therefore, that we should have the opportunity to express ourselves on the contention of the Prime Minister.

I believe that the way for us to resolve this matter now is to hear from the Auditor General, to hear from this person who is an officer of this House. I think, therefore, that he should be given an opportunity of telling us why he has not been able to file his annual report on time.

I am in general sympathy with the motion presented by the hon. member for Peace River (Mr. Baldwin), and if Your Honour allows that motion my colleagues and I shall certainly support it. But I do feel a little bit unhappy about the way in which the motion seems to order the Auditor General here, as though he had done something wrong. I think that the way in which it should be put is