

*Privilege—Mr. Ethier*

date as such, what will be the procedure to file a complaint against those obstinate civil servants?

[English]

**Hon. Allan Lawrence (Solicitor General and Minister of Consumer and Corporate Affairs):** Mr. Speaker, I will get the cabinet minister directly concerned to reply in writing to the hon. member.

[Translation]

TABLING OF LEGAL ADVICE RECEIVED BY PUBLIC SERVICE COMMISSION

**Mr. Gaston Isabelle (Hull):** In that case, does the Solicitor General intend to table the legal opinion or opinions that the Department of Justice is reported to have sent to the Public Service Commission on the interpretation of section 32, because I understand that the legal opinions, one sent in July, the other in October, were contradictory? Can the Solicitor General table these documents or clarify this matter immediately?

[English]

**Hon. Allan Lawrence (Solicitor General and Minister of Consumer and Corporate Affairs):** Mr. Speaker, I know nothing of any single legal opinion on that subject, much less about two of them. But, as the hon. member knows, it has not been the practice of past administrations to make public legal opinions coming from the Department of Justice. However, I will check into the matter and make sure the hon. member receives a written reply.

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**PRIVILEGE**

MR. ETHIER—ALLEGED ALLOCATION OF FUNDS TO POLITICAL GROUP—MR. NYSTROM—CONSERVATIVE MEMBERS OF TASK FORCE ON GRAIN—RULING BY MR. SPEAKER

**Mr. Speaker:** Order, please. There remain outstanding two questions of privilege, one raised by the hon. member for Glengarry-Prescott-Russell (Mr. Ethier) and the other by the hon. member for Yorkton-Melville (Mr. Nystrom). Brief interventions were made by both ministers involved and neither minister seeks the floor again. One intervention was by the Minister of Agriculture (Mr. Wise) with respect to the matter raised by the hon. member for Glengarry-Prescott-Russell and the other by the Minister of Transport (Mr. Mazankowski) in regard to the question of privilege raised by the hon. member for Yorkton-Melville.

Both questions of privilege make reference to a practice which was admitted to by the Minister of Transport and, to a lesser extent—or to a less formalized extent—by the Minister of Agriculture, in the sense that in the months since the election and the formation of the new government committees which were in fact entirely committees of the government caucus were encouraged to carry out investigation work in

[Mr. Isabelle.]

their particular fields and, in addition to being encouraged, were in fact financially supported through government funding. In some cases this entailed assistance in travelling, in some cases in defraying staff charges or research advice and in others in the printing and publication of documents.

There was an additional grievance advanced by the hon. member for Glengarry-Prescott-Russell, namely that the committee work resulted in a report which was essentially for internal use and was published therefore only in the English language, the language of the members involved, and that since it was supported by public funds it ought to have been published in both languages.

The House has, I think, given very serious consideration to both problems raised; I certainly have done so. As I indicated to the House in the course of the discussions, in addition to the excellent presentations made by the two members involved there was an intervention by the hon. member for Winnipeg North Centre (Mr. Knowles) which related particularly to the second question and which I think hon. members might like to refer to. It was an excellent summation not only of the arguments on both sides but also, if I may say so, of the feelings of the Chair, feelings which I tried to express during the course of the discussion.

Very much along the lines of that reasoning, having examined the points raised by both members, I have concluded that it is most difficult for the Chair to determine these circumstances with technical precision—especially since, in one case at least, there has been an order in council passed and to place in conflict with the House an order in council and, therefore, to decide that there is a limitation on the order in council in confrontation with the privileges of the House. What I am saying is that this may very well be the situation but it is a very difficult point for the Chair to decide, and before making such a decision I would want very much more detailed information and would wish to hear far more argument.

However, I am able to say to the House that while I am absolutely satisfied—as I am sure the House is—that the practice initially entered into by the government since the election was entirely in good faith, and while it may in fact be defensible against the argument of privilege of the House, I hope hon. members will understand that it is a rather dangerous practice to embark upon. I refer to the practice of supporting from public funds a committee composed of members of any one caucus. In theory, I suppose, it is not likely that government funds would be used to support a single activity of an opposition caucus, but in any case that is no better.

The support of public funds, where applied to parliamentary activities, ought, I think, to apply across the floor of Parliament, particularly so since there has been a recent alteration of our practices, one that has been heartily endorsed, encouraged and, indeed, slightly expanded by the current administration; that is to say, the provision of funds for researchers for individual caucuses. This being the case, that fund is available for individual caucus committees to carry out research, to be used in whatever way the particular caucus sees fit.