

*Point of Order—Mr. McGrath*

**Mr. Bob Rae (Broadview-Greenwood):** Madam Speaker, I rise on the same subject. I wonder whether you could clarify the nature of your ruling. If it can be established that the minister made a statement to the House to the effect that he did not know the contents of the budget, and subsequent to that there arises a series of events which give rise to the possible inference—not in any sense a personal accusation—that the minister or someone on his staff must have known the contents of the budget in order to place the advertisement in question, I would ask whether this in itself does not raise a matter which should be referred to the Standing Committee on Privileges and Elections, since there is a clear contradiction which could lead to the conclusion that something was amiss with respect to what the House was told, even though it was told inadvertently.

In regard to this matter, I refer Madam Speaker to the question raised by the hon. member for Durham-Northumberland (Mr. Lawrence) some time ago wherein Mr. Speaker Jerome made a ruling with respect to a minister unintentionally having said something on the basis of information and advice he received from his staff which turned out to be incorrect. There was a ruling by Mr. Speaker Jerome which was overturned by the majority at that time; it was not allowed to proceed. Would Madam Speaker not agree, if there is on the face of it a prima facie conflict between two matters of fact admitted to by the minister, that there needs to be a reference to the committee in order to clarify how it is this matter was brought to the attention of the House in a way that could only produce the wrong effect?

**Madam Speaker:** In answer to the hon. member's query, I hope I can clarify the situation by saying that if, subsequent to reading *Hansard* and the exchanges which took place in the House, some hon. member feels he could make a definite charge—not just an inference, or fishing for some information, or making a vague allegation, but a definite charge with the consequences attached to that process—then yes, the hon. member may bring in a substantive motion which might or might not be debated in the House. That is the procedure.

**Mr. Nowlan:** That is absolutely wrong.

**Mr. Rae:** Madam Speaker, all I would say is that it seems to me strange, if I may put it that way, that one of us would have to make an accusation which could be in its consequences very unfair for the individual involved. Not wanting to make those kinds of accusations, we can nevertheless see a discrepancy in terms of what has been said and what has been done, and it needs to be clarified.

● (1530)

Is it the ruling of the Chair that it is required that an individual member necessarily has to accuse another individual member of wilfully misleading before it is deemed a question that is to be referred to the standing committee? That seems to be an unduly harsh requirement.

**Madam Speaker:** I will read to the hon. member a ruling from Speaker Michener on this particular point. He said that the House should not set in motion its power to try to judge the conduct of a member unless such member is charged with a specific offence. It is further urged that not only must he be charged, but that he must be charged by a member of the House of Commons standing in his place.

So it is not a fishing operation and it is not vague allegations; the hon. member presenting his case would have to make a very specific charge and be prepared to back it up with facts.

**Mr. Pat Nowlan (Annapolis Valley-Hants):** Madam Speaker, so far as I know the ruling you just referred to pertained to members, and we are all members of this House. The initial complaint referred to a minister of this House. I was not going to get overly involved in this but my privilege has been affected if a minister has, inadvertently or deliberately, caused a budget leak. Madam Speaker, you—

**Madam Speaker:** Order, please. The hon. member is again dealing with a hypothetical question—"My privilege has been affected if." I have ruled that this is not a question of privilege and should not be discussed under privilege. If hon. members want to pursue this discussion, I have indicated the proper way to do it. I would appreciate it if hon. members would follow that course if they want to.

**Mr. Nowlan:** The only reason—

**Madam Speaker:** Order, please. The hon. member for Etobicoke Centre (Mr. Wilson).

**Mr. Nowlan:** Madam Speaker, I am standing on a question of privilege that arises out of what happened in this House before you spoke.

**Madam Speaker:** Order. Order, please.

**Mr. Nowlan:** Madam Speaker, I stand on a question of privilege in view of what the President of the Privy Council (Mr. Pinard) said—

**Madam Speaker:** Order, please. The hon. member is again referring to a question that we have been discussing for half an hour. I have said that it cannot be discussed under—

**Mr. Nowlan:** You cut me off before I even started, with respect, the same as you did the hon. member for Leeds-Grenville (Mr. Cossitt).

**Madam Speaker:** Order, please. Order.

**Some hon. Members:** Order.

**Mr. Nowlan:** Order? She has to have some order.

**Madam Speaker:** I am willing to listen to hon. members. It is my duty to listen to hon. members and I do. But I ask hon. members, when they are discussing privilege, to let me know in the first two or three sentences what the question of privilege is all about. That is a rule I am going to enforce in this House. If