

*Privilege—Mr. Deans*

**Mr. Deans:**—that the Minister and all Ministers be directed to ensure, that this practice not be continued for as long as this Parliament sits at least.

If you do find there is a prima facie case of privilege, Mr. Speaker, which I contend there is, then I would, of course, be prepared to make an appropriate motion to have the question considered by a committee in order to establish rules under which we could operate.

**Hon. Bob Kaplan (Solicitor General):** Mr. Speaker, there is indeed, as the Hon. Member opposite has noted, a lock-up going on. I submit that that lock-up is following a very well established and useful practice in the House and that it would be a retrograde step for the Chair to find that such lock-ups should not occur, particularly on controversial or difficult legislation on which there is considerable advantage to be gained in media reporting from having advance access.

**Mr. Deans:** Why not Members of Parliament?

**Mr. Kaplan:** I would also draw to your attention a matter which the Hon. Member opposite did not mention which should be considered in the rights being put forward by that Party. That Party's critic not only requested an advance copy of the Bill before other Members generally, as he insists should be done, but he received an advance copy of the Bill—

**Mr. Deans:** It does not matter.

**Mr. Kaplan:**—as did my critic in the Conservative Party before the matter was put forward. The Hon. Member is arguing for a practice that the critic of his own Party asked me to violate by making a copy privately available to him on the understanding that it not be made public and that he not comment on it until first reading.

I suggest the behaviour of the New Democratic Party has demonstrated clearly the value of allowing Members, on a confidential basis—and I would submit the media as well—to begin studying important and interesting legislation before it is brought forward for first reading.

**Mr. Speaker:** The Chair has listened to the Hon. Member for Hamilton Mountain and the Hon. Solicitor General. There is at this stage no matter on which the Chair can rule. There is no Bill before the House. There has been no document produced before this House indicating what has been disclosed or not disclosed outside the House. There is no basis which the Chair can examine to see whether information which was or was not distributed in any way corresponds or does not correspond to legislation which may or may not be placed before the House. At this stage the Chair faces a hypothetical situation and therefore the Chair cannot rule that there is a prima facie case of privilege.

**Mr. Robinson (Burnaby):** Mr. Speaker, I rise on a question of privilege—

**Mr. Hnatyshyn:** Mr. Speaker, I rise—

**Mr. Speaker:** I hope Hon. Members are not rising on the same matter because the Chair has ruled there is no prima facie case of privilege. The Hon. Member for Saskatoon West (Mr. Hnatyshyn).

**Mr. Hnatyshyn:** Mr. Speaker, I rise on a point of order because reference was made to me by the Solicitor General with respect to the fact that a copy of the Bill—

**Mr. Speaker:** With all due respect to the Hon. Member for Saskatoon West, there is no prima facie case of privilege.

**Mr. Benjamin:** It is a separate matter.

**Mr. Speaker:** The Hon. Member is talking about a point of order and refers to a Bill, a document, and a reference to himself. If the Hon. Member has a point of order, I invite him to make his point.

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**POINT OF ORDER**

MR. HNATYSHYN—CORRECTION TO STATEMENT BY MR. KAPLAN

**Hon. Ray Hnatyshyn (Saskatoon West):** I think it is a point of order, Mr. Speaker, and a legitimate one. The Solicitor General on the floor of the House stood in his place and acknowledged that the Bill, the first reading of which he intends to ask for today, was delivered to me, and he implied that I requested it in the same way as the critic for the New Democratic Party. This was done unilaterally by the Solicitor General. I did not request it. It was given to him before the Bill was to be tabled.

● (1520)

The fact of the matter is that the Minister has acknowledged that the Bill, which he is about to introduce, was the subject of a lock-up. I am not the one who made that statement. The Hon. Member for Hamilton Mountain (Mr. Deans) did not make that statement. However, the Solicitor General (Mr. Kaplan) has acknowledged—

**Mr. Speaker:** The Hon. Member for Saskatoon West has made it clear that he did not request a copy of the Bill. With respect to any suggestion that he somehow conspired or, shall we say, acted in a way contrary to the practices of the House, I believe the Hon. Member has clarified the record. It is his right and privilege to do so.

Is the Hon. Member for Burnaby (Mr. Robinson) rising on the same matter?

**Mr. Robinson (Burnaby):** Mr. Speaker, it is a related matter.

**Mr. Speaker:** I hope the Hon. Member realizes that there is no prima facie case of privilege at this stage, and the Chair repeats, "at this stage". If the Hon. Member has a different point to raise, the Chair will hear it.