

*Committee Reports*

I was a witness before this inquiry. Members of my staff tried to get access for me to the commission lock-up. The report was given to the oil companies in advance via lock-up, even though the oil companies were subject to the probe.

If I can sum up the legal points of the question of privilege, they are as follows. This was an intentional release of a report to be tabled in the House of Commons to non-Parliamentarians before it was tabled in Parliament. The report is the property of the Minister who is responsible to Parliament and therefore the report is the property of Parliament and not of an agency of the Government. Having decided to table this report, the release of the report in advance to the oil companies breached my parliamentary privileges.

In relation to this, Mr. Speaker, I refer you to your ruling at page 10643 of *Hansard*. At that time, the Chair stated that there may be a case of breach of parliamentary privilege when information which is the property of Parliament and not of a government agency is released in advance. As reported on page 10643 of *Hansard*, the Chair said:

If the Hon. Member were bringing to me a case with respect to information which, perhaps, was included in an embargoed draft report of one of our parliamentary committees, or some such form, then there might be a question of privilege.

I ask that the Chair look into this matter and take it under advisement.

**Hon. Ray Hnatyshyn (President of the Privy Council):** Mr. Speaker, I would like to address myself to the specific question of privilege. It is my understanding that there was no pre-release of this document that was tabled in the House and made available publicly at the same time to all Members of Parliament and the public. I understand that there was a lock-up for interveners with respect to the proceedings that take place. However, the practice and tradition is, of course, with respect to documents that are being tabled, that they be tabled without being pre-released and this was the case in this instance.

**Mr. Russell MacLellan (Cape Breton—The Sydneys):** Mr. Speaker, I would like to support the Hon. Member for Vancouver—Kingsway (Mr. Waddell) on his question of privilege. I find it ludicrous that the Government would attempt to explain away its actions in not making available to members of the Opposition prior to its tabling in the House of Commons the report of the Restrictive Trade Practices Commission.

As the Hon. Member for Vancouver—Kingsway has stated, that was a definite infringement on the rights of members of the Opposition to comment on this very important question. Not only that, but it was not as if the report was made public in advance—

**Mr. Speaker:** Order, please. I think the Hon. Member is making the speech he would like to make if the matter were accepted as opposed to making a speech about whether or not there is a *prima facie* case of privilege. Does the Hon. Member have anything to add to the question of privilege?

**Mr. MacLellan:** Mr. Speaker, as the energy critic for my Party, it is impossible for me to comment on this report unless I have had a chance to read it and assess its contents and value. This opportunity was not afforded to me prior to the—

**Mr. Speaker:** Order, please. I repeat, the Hon. Member is making the speech he would like to make if the matter were accepted.

I presume the Hon. Member for Vancouver—Kingsway (Mr. Waddell) has made his submission.

**Mr. Waddell:** I forgot one factual point that I wanted to lay before you, Mr. Speaker.

**Mr. Speaker:** One factual point or one matter with regard to privilege?

**Mr. Waddell:** With respect, to privilege, Mr. Speaker.

**Mr. Speaker:** What does the Hon. Member wish to add?

**Mr. Waddell:** Mr. Speaker, I did want to say that I did contact personally Mr. Jon Church of the Commission to try to get access and I was told that only the oil companies, the interveners, would get the pre-released report.

**Mr. Speaker:** I thank the Hon. Member for his final comment which again indicates a factual matter. There has been case after case of this kind raised in the House. The Hon. Member may have a grievance but there is clearly no question of privilege.

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## ROUTINE PROCEEDINGS

[*Translation*]

### NATIONAL HEALTH AND WELFARE

#### PRESENTATION OF SIXTH REPORT OF STANDING COMMITTEE

**Mr. Gilbert Chartrand (Verdun—Saint-Paul):** Mr. Speaker, I have the honour of tabling the Sixth Report of the Standing Committee on National Health and Welfare, in both official languages. The report deals with Bill C-116, an Act to amend the Canada Pension Plan and the Federal Court Act.

[*Editor's Note: For above report, see today's Votes and Proceedings.*]