

My problem is in the way the minister described the Hickling report and its consultant in tabling the report. First, he called the consultant independent and in fact the consultant who did the study, Bud Neville, was a former employee of the Department of Indian and North Affairs between 1957 and 1971, slightly after the time that the relocations took place. The person who did the report was anything but independent.

In addition, he called the consultants themselves, the Hickling consultancy, independent whereas in fact that group had received, according to questions we had answered in the House, over \$20 million in government funding.

Mr. Speaker: I hesitate to interrupt the hon. member, but the hon. member has sought the floor on a question of privilege. The hon. member may very well have a complaint about what a minister said or did not say, or may have considerable argument about whether or not the person who did the report or others who may have been involved were independent or not independent. That is clearly a matter of debate.

As I say, I treat the matter as a serious matter. The person who did the report and others who may have been involved were independent or not independent. That is clearly a matter of debate. I think it is a serious matter. I wonder if the member could help me in pointing out exactly how this is a question of privilege because I do not see it at the moment.

Mr. Skelly (Comox—Alberni): Mr. Speaker, if I finish my remarks I think you will see that there is a prima facie case that the privileges of the House have been violated.

It was also explained to us at the time that the consultant had been selected after consultation with the Makivik Corporation. I am told that no consultation took place. In fact the minister or his department presented Makivik with the names of three proposed consultants, two of which Makivik rejected out of hand because they felt that they would be totally biased. They indicated they did not know who the third one was or what his record was. The very fact that they did not know was accepted by Indian affairs as consultation and, in fact—

Mr. Speaker: Again I take nothing away from the merits or otherwise of the debate which the hon. member is well into now, but I think I would be straining the patience of the House if I allowed this to continue.

Speaker's Ruling

The hon. member may want to reconsider his position and bring the matter before the Chair again but at the moment I have to say that is not a question of privilege. It is very much a question of debate. It may be a question for the committee but the hon. member is not making out a question of privilege. I would ask him to reconsider his position.

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PRIVILEGE

CUSTOMS TARIFF—SPEAKER'S RULING

Mr. Speaker: I have a judgment to give on a question of privilege.

I would like to advise all hon. members that I am now ready to rule on a question of privilege raised on Monday, February 3, by the hon. member for Scarborough—Rouge River concerning the failure of the Minister of Finance to table an Order in Council pursuant to section 59(5) of the Customs Tariff. The Chair has reviewed this serious issue and thanks the hon. member for his succinct explanation of the case.

[*Translation*]

As I said during the statement, I would also like to thank the Parliamentary Secretary to Deputy Prime Minister and Minister of Finance and the hon. member for Okanagan—Similkameen—Merritt for their interventions.

[*English*]

In his presentation, the hon. member for Scarborough—Rouge River correctly pointed out that the Customs Tariff required that an Order in Council respecting the elimination of tariffs on certain plywood and related products under the free trade agreement be tabled in the House of Commons by the Minister of Finance on April 21, 1989 at the latest. This Order in Council was finally tabled on December 12, 1991, some 32 months later. The hon. member did note, however, that this document was registered and published in the *Canada Gazette* of January 18, 1989, thus being placed in the public domain. He also stated that he was confident that the minister's failure to comply with the law was not intentional. The basis of his complaint was that the non-observance of a legal obligation established for the collective benefit of members of the House amounts to a