

Surcharge on Imports Order

far as I am concerned, I do not think that at this late date, having regard to the position in which we find ourselves with reference to this matter, it should be delayed but the house should proceed with it.

Mr. Gregoire: I rise, Mr. Speaker, because last year I was a member of this house and—

Mr. Chevrier: On a point of order, Mr. Speaker—

Mr. Deputy Speaker: Order. The Minister of Justice on a point of order.

Mr. Chevrier: Mr. Speaker, I have no objection to the hon. member asking questions, but if he is going to make a speech, I was told by the Speaker that the debate was being closed by myself, and I take it the hon. member will have every opportunity when we reach clause 1 to make any contribution he would like to make. He can do that when we reach that stage.

Mr. Gregoire: I rise on a question of privilege, Mr. Speaker. Last year I was a member of this house and we were told there was a legal opinion on that question. We took it for granted; we accepted that. Now tonight we have just heard from the Minister of Justice that there was no written or oral opinion given by the officers of the Department of Justice in respect of these surcharges imposed last year on June 24. Either there is a written opinion, or there is not.

Mr. Deputy Speaker: Order. Will the hon. member kindly resume his seat.

Mr. Gregoire: I would state my question of privilege, then.

Mr. Deputy Speaker: This is what I would like the hon. member to do.

Mr. Gregoire: My question of privilege is this—

Mr. Deputy Speaker: Order. I would ask the hon. member to resume his seat or come as quickly as he can to his question of privilege.

Mr. Gregoire: My question of privilege is this. As a member of this house I would ask, have we been misled, yes or no? That is a question of privilege. Have we been misled, yes or no? One government says—

Mr. Deputy Speaker: Order. The hon. member is now making a speech. It seems to me he will have an occasion to raise this whole question when this particular piece of legislation is before the committee. He is asking a question of the minister, who has already made a statement concluding the

debate, and I suggest very humbly that we should proceed and let the matter stand where it is now.

Mr. Baldwin: Mr. Speaker, the minister said he would entertain a question. Can I ask him this question. Were statements of defence filed by the department to the claims which were made against the government?

Mr. Chevrier: Mr. Speaker, I am of the opinion that we can deal with this bill without referring to the matter that is before the courts.

Some hon. Members: Oh, oh.

Mr. Chevrier: I take it the object of my hon. friend's question is simply to—

An hon. Member: To get the truth.

Mr. Chevrier: No. I have no objection to answering questions which are valid, but it seems to me this question is aimed at a clear discussion of a particular matter which is before the courts, and I have no intention of dealing with that type of question. In order to answer the hon. member's question I would have to inquire what the legal officers have done in so far as a defence is concerned.

Mr. Baldwin: Mr. Speaker, I had no intention of trying to introduce any discussion of the matters which are now before the courts. I simply wanted to find out whether a defence had been filed, which would indicate that the department had denied liability.

Mr. Chevrier: Mr. Speaker, this question and others that have been asked are, as the house knows, questions which are normally asked when we are in committee, and not when the Speaker is in the chair. If the questions are persisted in, I have no objection; I think I should answer them to the best of my ability; but I feel those are questions we might deal with tomorrow.

Mr. Martineau: Mr. Speaker, there is one question I would like to ask the minister. Is the government bringing forth this legislation because it feels there is a doubt in regard to these surcharges, or because it is convinced that the surcharges are illegal?

Mr. Chevrier: Mr. Speaker, it is quite clear this is another of those trap questions which—

Mr. Martineau: Mr. Speaker, I rise on a question of privilege. The minister had absolutely no right to say that that was another of those trap questions.

Mr. Monteith: You are right.

Mr. Martineau: I asked the question because I think it is perfectly and completely relevant