

[English]

EXTERNAL AFFAIRS**REASON FOR PREVENTING RETURN OF SPENT FUEL FROM
NUCLEAR REACTORS IN FOREIGN COUNTRIES**

Mr. Bob Wenman (Fraser Valley West): Mr. Speaker, my question is to the Secretary of State for External Affairs. In view of the minister's statement that spent fuel from a potential Korean CANDU reactor would not be returned to Canada due to environmental implications, whether the sale was completed or not, will he advise what are the environmental implications that preclude the return of spent fuel to Canada?

Hon. Allan J. MacEachen (Secretary of State for External Affairs): Mr. Speaker, the question does not arise because the agreement does not provide for any such return.

Mr. Wenman: What was the source of information upon which the minister made the decision that spent fuel could not be returned? Regardless of whether the agreement was completed or not, the decision was made that spent fuel would not be returned. What was the basis for this decision and is the minister prepared to either table or circulate that information?

Mr. MacEachen: Mr. Speaker, the main point in reaching a decision of that kind was that the provisions requiring the return of spent fuel would not add, except marginally, to the safeguard system that we had enunciated.

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● (1500)

LABOUR CONDITIONS**DATE OF TABLING OF HALL REPORT ON RAILWAY PENSIONS**

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, my question is for the Minister of Labour. Is the minister now in a position to announce a new date for the tabling of the report of Dr. Noel Hall on railway pensions? If he is not able to give it today, could he find out this week and let us have a date?

Hon. John C. Munro (Minister of Labour): I will endeavour to do so, Mr. Speaker. I know Dr. Hall is working as fast as he can and has undertaken to try to make his report soon, but I shall try to get a more specific answer than that.

ROUTINE PROCEEDINGS

[English]

PRIVILEGE**MR. SHARP—REMARKS OF HON. MEMBER FOR YORK-SIMCOE IN
DEBATE OF MARCH 18—RULING BY MR. SPEAKER**

Mr. Speaker: Order, please. In reply to a question of privilege raised by the President of the Privy Council (Mr.

Privilege—Mr. Sharp

Sharp), I indicated I would want some time to deliberate on the matter. The question arises from certain remarks made in the course of debate on Thursday evening of last week. I shall try to deal with it as briefly as possible but it is an extremely important matter and may require consideration at some length.

The basic rule of the House with respect to the procedure and practice in this regard can be found in citation 140 of Beauchesne's. It is probably familiar to all hon. members, and it reads as follows:

The rule relating to personal reflections occurring in debate may be stated thus, namely: that it is doubly disorderly for any member, in speaking, to digress from the question before the House and to attack any other member by means of approbrious language applied to his person and character or to his conduct, either in general, or on some particular occasion, intending to bring him into ridicule, contempt, or hatred with his fellow-members, or to create ill blood in the House.

In addition, there is another precaution which the House has always observed. I would direct attention to Standing Order 35, again one which is no doubt familiar to all members and which, paraphrased, says basically that no member shall speak disrespectfully against any other member of the House. The rationale behind this, the practice which has grown up in this respect, has been set out in another citation of Beauchesne's, citation 136, which refers to the Bruce case in 1944. I also refer to the Lacombe case in 1943. The ruling is to be found at page 565 of the *Journals* of that year. The practice with respect to both these cases illustrates clearly what has grown to be the custom of the House with respect to allegations of any sort against a member or group of members in circumstances where those allegations are challenged.

The rationale behind all these cases is easy to understand. A member who speaks disrespectfully of another in the House, whether the other person is a member of the House or not, is not subject to prosecution; he is immune from prosecution under the ordinary laws of libel and slander. This does not mean, however, that within the House of Commons the rights or protection available in ordinary civil courts are abandoned. The House itself has developed a regime or practice which has grown up to protect members who feel themselves aggrieved by an allegation; it is a protection in the form of a challenge that the allegation either be substantiated, explained, qualified sufficiently or withdrawn.

The question, therefore, becomes whether the language used by the hon. member for York-Simcoe (Mr. Stevens) last Thursday night was a transgression of the terms of Standing Order 35; in other words, whether it can be described as being unparliamentary language or whether, in light of the precedents, it constitutes an allegation which, having been challenged by the raising of a question of privilege last Friday, ought to be withdrawn, qualified or pursued by way of a substantive motion.

The intervention of the hon. member for Grenville-Carleton (Mr. Baker) relied rather heavily on the fact that in the past, on the two most prominent occasions on which I have had to make a ruling in this area, I have tended to lean in favour of allowing vigorous and strong language in the chamber. I must say, having looked at some of the precedents over the weekend, I find that most of the language which has been disallowed in the past and which might offend members with relatively weak stomachs,