

Chamber this morning with a ruling and I am prepared to give that ruling now.

I would ask the attention of the Chamber and I assure the Right Hon. Leader of the Opposition (Mr. Turner) that I will not be overly long.

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● (1110)

PRIVILEGE

ALLEGED BREACH OF CONFLICT OF INTEREST GUIDELINES—MR. SPEAKER'S RULING

Mr. Speaker: I am now ready to rule on the question of privilege raised by the Hon. Minister of Consumer and Corporate Affairs (Mr. Andre) on Thursday, May 21.

[*Translation*]

I have studied quite carefully the question which the Hon. Member for Vancouver—Kingsway (Mr. Waddell) asked and about which the Minister complained, as well as the exchange which then followed. I am grateful to all Hon. Members who took part in the discussion, because they dealt with points which go beyond the narrow limits of a definite issue, points which interest us all considerably and which I shall deal with in this ruling.

[*English*]

In a previous ruling, which I delivered on May 5, I warned against the over extended use of our absolute privilege of freedom of speech. At the time, I said:

Questions concerning conflict of interest guidelines are, of course, legitimate. Members are entitled to use facts they have been able to obtain and verify as the basis for such questions.

The question of the Hon. Member for Vancouver—Kingsway was clearly related to conflict of interest, although he stated by way of a supplementary question that he was not suggesting that the Minister was in a conflict of interest situation. He did, however, in the course of his question, refer by name to an individual who was involved in fund raising for the Hon. Member's constituency association. This led some of the Hon. Members who participated in the discussion to express concern with regard to the potential for abuse of our absolute privilege of freedom of speech, particularly when individuals outside this House are referred to by name. It is not simply that such people could be slandered, with impunity, without any redress available to them, but that wrongdoing may be implied simply by making a personal reference.

The media are swift to report any matter which smacks of scandal or impropriety, and false impressions can be created, not necessarily intentionally, by reporting parliamentary questions of the kind put by the Hon. Member for Vancouver—Kingsway to the Hon. Minister of Consumer and Corporate Affairs.

I think I should repeat what I said before, that the absolute privilege of this place is something that is necessary for free

Privilege—Mr. Andre

speech. It is necessary because Members of Parliament have to be able to speak freely without fear. That, of course, is why we have this privilege and its history is clear. But we are living in a day when anything said in this place is said right across the country and that is why I have said before and why I say again that care ought to be exercised, keeping in mind that the great privilege we do have ought not to be abused.

The Hon. Minister in raising his complaint, did so not only on his own behalf, but also in defence of the gentleman referred to in the question. The Hon. Parliamentary Secretary to the Deputy Prime Minister (Mr. Lewis) echoed this concern in referring to "the phrasing of questions which slander within the walls of the House not only the Minister but innocent people out there".

The Hon. Member for Peace River (Mr. Cooper) as chairman of the Standing Committee on Elections, Privileges and Procedure, has a particular interest and concern in this fundamental area of our responsibilities and expanded on this aspect of the matter. Frankly, I appreciated his thoughtful exposé of the problem, and the concern he expressed over what he described as "an evolving practice in the House of Commons of using names in here of people who are not Members of the House and, therefore, have no opportunity, no right and no chance to defend themselves."

I am sure that all Hon. Members would agree that we have a responsibility to protect the innocent, not only from outright slander, but from any slur directly or indirectly implied.

With the indulgence of the House, I should now like to refer to the issue of conflict of interest in the context of a Member's relationship with those who are active in fundraising on behalf of his or her constituency association. These remarks, of course, can apply to the relationship between any Member and any person in a riding association of that particular Member having to do with whatever activity might be in support of that Member.

The Hon. Minister for Consumer and Corporate Affairs freely acknowledged that some Members of his riding executive were employees of oil companies. He also said:

I suggest that there are in this Chamber over 100 Members who have farmers as members of their associations but who nevertheless regularly participate in agricultural debates and vote on agricultural measures. I submit that there are at least 30 Members opposite whose association memberships include union executives, and yet they regularly participate in discussions and votes pertaining to labour matters. In no such instance would it occur to me to suggest a conflict of interest.

Those are the words of the Hon. Minister during the discussion on this particular point.

The Hon. Member for Cape Breton—The Sydneys (Mr. MacLellan) agreed with the Minister that members of oil companies are entitled to be members of his organization. The Hon. Minister of State for the Canadian Wheat Board (Mr. Mayer), in what I think can be said a forceful intervention, endorsed these views and pointed out that many of the members of his own riding executive were farmers. Presumably no one would contest the propriety of the inclusion of