

Tabling of Documents

Therefore I must conclude that the question of privilege was justified. I suggest to hon members that as far as answers to questions are concerned, standing order 41(2) should be given that interpretation.

[English]

I should like to consider now the procedural point raised in connection with the effort by the Minister of Finance to table the memorandum to which I have already alluded. As hon. members know, Standing Order 41(1) corresponds word for word with the previous rule, Standing Order 40, subsection (1). The Standing Order reads as follows:

Any return, report or other paper required to be laid before the House in accordance with any Act of Parliament or in pursuance of any resolution or Standing Order of this House may be deposited with the Clerk of the House on any sitting day, and such return, report or other paper shall be deemed for all purposes to have been presented to or laid before the House.

That rule, corresponding, as I have said, to the previous Standing Order 40(1) determines the class of documents or papers that must be tabled by a minister pursuant to a statutory provision or to a standing or other order of the house.

The house has now adopted another Standing Order, 41(2), which reads as follows:

A minister of the Crown, or a parliamentary secretary acting on behalf of a minister, may, in his place in the house, state that he proposes to lay upon the table of the house, any report or other paper dealing with a matter coming within the administrative responsibilities of the government and, thereupon, the same shall be deemed for all purposes to have been laid before the house.

The new Standing Order can be interpreted in only one of two ways; either it is intended to provide another method of tabling the papers described in Standing Order 41(1) or it is intended to provide a method to table documents other than those provided in 41(1). In my view, the second interpretation only is logical. Indeed, if Standing Order 41(2) means anything, it must be that it enlarges the class of papers which can be tabled by the government without notice and without leave.

The Chair is bound by the clear words of the rule to the effect that a minister may table any report or other paper dealing with a matter coming within the administrative responsibilities of the government. So long as the report or paper deals with a matter which comes within the administrative responsibility of the government, and that the paper is an official document for which the minister or parliamentary secretary accepts responsibility, it can be tabled pursuant to Standing Order 41(2).

[Mr. Speaker.]

If this interpretation of the rule results in the tabling of a type of paper or document which had not been contemplated by the procedure committee, it is of course open to the members of that committee to review the Standing Order and redraft it in a way which would justify a more restrictive interpretation. For the time being, the Chair would be inclined to accept, for tabling, papers or reports which deal with matters coming within administrative responsibility of the government and which are official papers in the sense that they are proposed to the house by a minister, either directly or through his parliamentary secretary, in the exercise of his ministerial responsibility.

[Translation]

DOMINION-PROVINCIAL CONFERENCE

TABLING OF AGENDA AND OTHER DOCUMENTS

Right Hon. P.-E. Trudeau (Prime Minister): Mr. Speaker, you will recall that last December, when it became necessary to postpone the second constitutional conference, the question of when certain documents would be tabled in the house was raised and I answered that I would take the advice of the authorities of other governments, so that a date acceptable to everybody could be set.

Those consultations have taken place. There is now a general agreement to make those documents known on the following dates:

[English]

First, two main working documents of the conference, the report of the continuing committee of officials and a briefing paper on the discussions within that committee, are being released today by the secretariat of the constitutional conference. I should like to table these documents—

[Translation]

—copies in English and in French of those documents.

[English]

As to the papers of the Government of Canada, we shall be releasing these on Thursday of this week at 2 p.m. eastern standard time. This is the day generally agreed for the release of material by the participating governments, although certain of the provinces have already made public some of their position papers.

I should also like to table at this time the agenda, in English and French, of the conference beginning next week.