

*Crown Lands*

Transport airports? After all, the occupation of a parking space for which the government receives my rental payment, for however short a period of time, is a contract with the Crown. And to carry it to the ludicrous, would the official in the Department of Indian Affairs and Northern Development who made the decision in this instance also conclude that because a person is a member of the House of Commons, section 19(1) would prohibit a member from deriving the benefit of one of those compartments found in wash-rooms at Department of Transport airports all over the country and available for, I believe, ten cents?

• (2:10 p.m.)

It would, Mr. Speaker, be humorous if it were not so serious. I did not contest the decision of the minister or his department to permit me to purchase lands. I have been, however, for some 18 years, the lessee from the Crown as represented by the Minister of Indian Affairs and Northern Development of certain crown lands at Marsh Lake in the Yukon, held under lease 1329. Successive Ministers of Northern Affairs commencing with the late Mackenzie King administration and throughout subsequent governments have executed those leases and renewals thereof as lessor on behalf of Her Majesty. In the ordinary way last December I was asked to attend at the office of one of the employees of the department to sign a further renewal of the lease and to pay the annual rental, which I have been doing for some 18 years. In the letter of the minister's official addressed to me under date of May 6 I was advised as follows:

Dear Sir:

Your lease has been returned with a statement to the effect that a lease is held to be an agreement within Section 19(1) of the House of Commons Act and that it is not possible to complete the document.

Since the lease was returned to us unapproved, I am sorry to have to tell you that your application for renewal must be considered refused.

Please let me know how you would like us to dispose of the fees paid.

Now, Mr. Speaker, if the interpretation set forth in the letter which I have just read is correct, it follows that I have been sitting in this House unlawfully since I first came here in 1957—

**An hon. Member:** Hear, hear!

**Mr. Nielsen:**—since I have held a lease of this land throughout those years. The hon.

[Mr. Nielsen.]

member says "hear, hear". If he were to look in his own closet he might find something of a similar nature to complain about. It also follows that, should such an interpretation be correct, that I am here now unlawfully, then likewise, in my submission, so is every other member of this House who finds himself in circumstances similar to those in any of the examples which I have described.

A substantial investment has been incurred over the approximately 18 years during which I have been the lessee of the lands in question, the bulk of which has gone into the construction and improvement of a summer cottage. This will be entirely lost to me without any reimbursement whatsoever if my lease is not renewed and the minister is permitted to dispose of the land to any other person, which he would be free to do in the absence of the renewal of my lease. In my submission, Section 19(1) was never meant to have that kind of consequence, and the minister is invading the rights of the members of this House, and in particular of myself, should he or his officials persist in adhering to the interpretation which is being placed on Section 19(1).

Because of the fundamental importance and far-reaching effect on all members of the House of the matters which I have raised, I propose to ask the House to refer the same to the Standing Committee on Privileges and Elections. What the minister's officials are inferentially asserting in their interpretation of Section 19(1) is that I have been sitting in this House unlawfully for 12 years. That is a matter which compels determination by the Standing Committee on Privileges and Elections. Should the standing committee take the same view as to the interpretation of Section 19(1) as the minister's officials have taken, of course I would have to seek advice and seriously consider whether I would be obliged to resign my seat. I would accordingly move, Mr. Speaker—

**Mr. Speaker:** Order, please. The hon. member cannot move his motion now. For the benefit of the Chair and the House, perhaps he might indicate what motion he would propose to the House if there should be a ruling that there is a prima facie case of privilege. It would be helpful if we were to know the motion which the hon. member intends to propose to the House.

**Mr. Nielsen:** Yes, Mr. Speaker. If the Chair should rule that there is a prima facie case of