

Government Orders

constituent was advised that under the terms of the Privacy Act, unless she requested otherwise, the hon. member's letter, sent on her behalf, and any other correspondence related to her complaint would become part of the licensee's publicly accessible file in early January.

The hon. member now argues that contrary to the statement of the Deputy Prime Minister his letter was not in fact a public document when the Deputy Prime Minister quoted from it last November and again requested that I review the matter.

• (1515)

[Translation]

The chief government whip then intervened and argued that what was at issue was a question of law and that the Speaker does not rule on such matters. He also added that if the hon. Member had a complaint with the CRTC, there were other avenues by which he could pursue it.

Let me first address the matter of whether or not the member's letter to the Minister of Canadian Heritage was a public document and therefore able to be quoted from in debate. Beauchesne's Sixth Edition, page 151, citation 495(7) states:

When a letter, even though it may have been written originally as a private letter, becomes part of a record of a department, it becomes a public document, and if quoted by a Minister in debate, must be tabled on request.

[English]

From this, I must conclude that the letter from the hon. member to the minister was in fact a public document and therefore could be quoted from in the House.

It is not for me to decide whether or not, as the Deputy Prime Minister stated, the letter was part of the public record of the CRTC. The application of the Privacy Act and the laws and policies governing CRTC dossiers are beyond my purview. As my predecessors have repeatedly ruled, it is not now, nor has it ever been, the role of the Speaker to rule on questions of law. This has been a longstanding practice and I draw members' attention to Bourinot's *Parliamentary Procedure and Practice in the Dominion of Canada*, Fourth Edition, 1916 at page 180 which reads that the Speaker:

—will not give a decision upon a constitutional question nor decide a question of law, though the same be raised on a point of order or privilege.

This is also repeated in citation 168(5) of Beauchesne's sixth edition, 1989.

On matters of privilege, it is up to the House to decide whether or not a member's privileges have been breached. The Speaker must be persuaded that there is some evidence that a member has been hindered in the performance of his or her parliamentary duties, before putting the question to the whole House for determination.

Having carefully reviewed the procedural authorities and the interventions of hon. members, I must conclude that in the case before us there is no prima facie question of privilege.

I thank all hon. members for their contribution to this decision.

GOVERNMENT ORDERS

[English]

FIREARMS ACT

The House resumed consideration of the motion that Bill C-68, an act respecting firearms and other weapons, be read the second time and referred to a committee.

The Acting Speaker (Mr. Kilger): I understand there was some time left in the question and comment period for the hon. Parliamentary Secretary to the Minister of the Environment. I believe the member for Swift Current—Maple Creek—Assiniboia had the floor.

Mr. Lee Morrison (Swift Current—Maple Creek—Assiniboia, Ref.): Mr. Speaker, I had digressed to the question of the political flip-flop of the Association of Police Chiefs on the question of the registration of guns. However, I would like to pursue my original debate with the hon. member for Lachine—Lac-Saint-Louis.

He has at rather great length discussed the causes of domestic violence and suicide in the home as it relates to the registration of firearms. I fail to see, and I have tried very hard to understand, how a registered gun is any less lethal than an unregistered gun. If we want to solve the problem of domestic violence leading to death or of suicide with firearms, there is only one way it can be done. That is by totally disarming the civilian population.

• (1520)

I would ask the hon. member if that is his vision of Canada.

Mr. Lincoln: Mr. Speaker, I was really interested in hearing the hon. member before question period when he contrasted the styles of the Minister of Justice who spoke in calm tones and mine with very passionate, emotional tones.

In this party we are individuals. We have different styles, different ways of expressing ourselves, different points of view sometimes. That is what makes a democratic party. I do not see why we should not speak with passion. I feel very passionately about this issue. I feel passionately about it because guns kill. They cause death and injury. We should do whatever we can to be on the side of caution. That is what Bill C-68 is all about.