

fore, in that sense the matter remains in a hypothetical state as well. I would only hope, because of the contributions that have been made, that between now and when the House resumes tomorrow at eleven o'clock some enlightened wisdom will visit both sides which may lead to some resolution which will prevent a confrontation. If there continues to be a state of confrontation tomorrow, the argument will have to be finalized in some way so that the Chair can deal with it.

**Mr. Cossitt:** Mr. Speaker, I was absent from the House for a few moments, but I understand that the suggestion was made that I consider turning over anything I have to Mr. Speaker. I feel that your suggestion may have some merit. I do not mean to be critical of the Chair, and perhaps that is the wrong phrase to use, but I would like time to consider the matter.

I regret to report to the House, Mr. Speaker, that I have evidence that since the House met at two o'clock this afternoon my office was entered by persons unknown. I do not know who they are, but my office was entered. I would like to ask if permission was received from Your Honour, the Sergeant-at-Arms or any person responsible for giving such permission.

● (1722)

**Mr. Speaker:** Order, please. The hon. member has been able to watch me since two o'clock this afternoon, so I think the answer to the question about permission from the Chair is clear.

However, I have indicated that the matter remains in a state of reservation at least until tomorrow when the House sits at eleven o'clock. I think the matter ought to stay under reservation to see if it resolves itself. If it is still a matter of contention at eleven o'clock tomorrow, at twelve o'clock after the question period I hope the matter will be put into some form so that the Chair can deal with it in a definitive way.

**Mr. Nielsen:** One further point, Mr. Speaker—

**Mr. Speaker:** Order, please. I do not know under what authority the hon. member for Yukon (Mr. Nielsen) is seeking the floor at this time. The discussion on the question of privilege has been contributed to by him. There cannot be further discussion by him on the same question. Does the hon. member have a separate matter to raise now?

**Mr. Nielsen:** Mr. Speaker, if need be, it will be a separate matter because it is far too important to let lie. This matter arises out of Your Honour's remarks with respect to the suggestion that if the hon. member for Leeds (Mr. Cossitt) had any documents, he might leave them in Your Honour's possession over the week end.

**An hon. Member:** That is not separate.

**Mr. Nielsen:** Yes, it is separate. There are two points which lead me to suggest that the suggestion is ill-conceived. In the first instance, in my view it would compromise the Chair, if there are such documents in existence, to place them in Your Honour's possession. Second, it would certainly compromise

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any possible future charges which might be laid, if that be the intention of the government, with respect to the hon. member for Leeds. With the greatest of respect I say that Your Honour should not be requesting any disclosures by the hon. member for Leeds at this stage. Those are two very sound positions.

**Mr. Speaker:** I do not understand the suggestion to be that any disclosure be made about the nature of documents. There was a suggestion made only in the sense that the Chair might be asked to reserve for some time or the hon. member might want some time to seek advice. The possible suggestion was that one way to facilitate matters or to eliminate any risk of security, if one exists, would be to follow a course of that kind. However, the idea was certainly not perfected, and it would have to be worthy of serious consideration in great detail before it could be perfected because it is fraught with difficulties.

**Mr. Allan Lawrence (Northumberland-Durham):** Mr. Speaker, I would like to raise a matter on the same point. In the research that might be done on behalf of the Chair over the next little while, I suggest that two further points are very important and that they should be considered. The first is whether this is within Your Honour's jurisdiction.

I fully appreciate that what Your Honour may possibly be doing is extending something far beyond the Criminal Code in relation to permission for the execution of a search warrant in this building. I do not think there is any question that the precedents, both in this country and in the Mother of Parliaments, are such that they permit the Chair to do just exactly that in relation to the Criminal Code. I emphasize that in this matter we are not dealing with the Criminal Code.

Under the criminal law of this jurisdiction there are very specific instances—hoary with tradition and age—which deal with the integrity of people, the morality of people, and physical violence. Those matters are specifically included in the Criminal Code. The Official Secrets Act of this country is not by any stretch of the imagination part of the Criminal Code. It cannot be, simply because there are no standards laid down.

Under the Official Secrets Act the Attorney General of Canada has to consent before any prosecution can take place. The statutory enactments contained in the Criminal Code are not contained in the Official Secrets Act. I suggest that it is possible that there are people within government who believe quite sincerely that the interests of the government are tantamount to the interests of the state. That may not be the case, and I suggest that we may well be treading on very dangerous ground as far as the basic security of freedom of speech is concerned, not only in this country but even more important—because we are the symbols of freedom of speech—in parliament. There has never yet been a Speaker under the British parliamentary system who has extended those rights which are normally in the Criminal Code to a statute the type of which we have in Canada in the Official Secrets Act. This is an extremely important matter.