

HOUSE OF COMMONS

Thursday, December 23, 1971

The House met at 2 p.m.

PRIVILEGE

MR. McGRATH—STATEMENTS MADE OUTSIDE THE HOUSE
BY MINISTER OF REGIONAL ECONOMIC EXPANSION

Mr. James A. McGrath (St. John's East): Mr. Speaker, I rise on a question of privilege. I might say at the outset that it concerns the Minister of Regional Economic Expansion. Yesterday, during the question period, I directed a question to the Minister of Regional Economic Expansion concerning his administration of the Regional Development Incentives Act, a duty entrusted to the minister by Parliament. This duty entails the spending of public funds which were voted by this House; and, for disbursing these public funds the minister receives a salary, also voted by this House and paid out of public funds.

My question was put because of allegations made by a Quebec labour organization and the minister's response through a newspaper. Your Honour ruled the question was such that the minister should indicate whether he would make a statement on motions. The minister neither answered my question nor complied with your ruling. Instead, in my opinion, he twice abused the Standing Order on Privilege before Your Honour could intervene to get the floor in order to make what I consider to be abusive and evasive comments.

On a supplementary, the member for Crowfoot asked the minister to assure the House that, in administering these public funds, he was not subject to conflict of interest. The minister at that time refused to seek the floor to give that assurance. Following these proceedings in the House the minister, outside the House, yesterday made a statement to the public media on these proceedings in the House. I do not comment on these vicious allegations, Mr. Speaker, for you have ruled that political argument made outside the House cannot be raised as a question of privilege in the House.

However, there is one allegation that does not fall into this category. It is a statement that, with respect to proceedings in this House, can only be made in this House. The minister demanded that allegations of patronage against him be substantiated or withdrawn. That statement is a commentary on yesterday's proceedings and a demand that the allegations of patronage against him be substantiated or withdrawn. The substantiation or withdrawal of statements made in the House is something that can only be done in the House and, in this case, on the initiative of the minister himself. Under our Standing Order 17(1), the minister should have made that demand yesterday. He did not. He sat mute in his seat. The minister, therefore, in his statement outside the House, reflected on the action of members in this House, for which he

had a remedy—if he had a grievance—when he said that the comments or questions by members were a “bunch of lies”.

If Your Honour confirms this breach of privilege, I will move, seconded by the member for Peace River:

That the matter of this question of privilege be referred to the Standing Committee on Privileges and Elections.

Hopefully, the minister will make a statement to clear up this matter.

Mr. Speaker: The hon. member for St. John's East has given the notice required under the terms of Standing Order 17. Since receiving this notice the Chair has given serious consideration to several aspects of the matter raised by the hon. member. As the House knows, the duty of the Chair is limited to determining the procedural question whether or not a *prima facie* case of breach of privilege has been raised. In reaching such a decision the Chair must take into account not only the Standing Order but also long established practice in relation to parliamentary privilege.

• (2:10 p.m.)

An analysis of the hon. member's statement indicates there are two aspects which he wishes the Chair to consider. The first relates to proceedings which took place during the question period yesterday. I have looked at this very closely and I have been unable to determine that there has been a breach of parliamentary privilege on the part of the minister. On this point, I will only comment that according to the long established practice of the House an incomplete or unsatisfactory answer to a question or, indeed, the refusal of a minister to reply to a question cannot be regarded as a breach of parliamentary privilege.

The second aspect of the hon. member's presentation has reference to statements made outside the House by the hon. Minister of Regional Expansion. As the hon. member for St. John's East has pointed out, there are precedents to the effect that such statements cannot found a question of privilege. May I suggest that the Speaker cannot be expected to monitor, or audit, or question or, indeed, to censor the many statements made by hon. members outside the House relating to the conduct of our proceedings. Were it otherwise, the Speaker would be a busy man indeed.

I should also add that in my view the motion proposed by the hon. member is not procedurally acceptable since it merely proposes the reference to a committee of—and I quote his own words—“the matter of this question of privilege”. This could hardly be an acceptable motion for debate by the House at this time or by the committee in due course. In the light of these considerations, and taking into account the precedents and practice to which I have referred, I do not think the Chair can rule there is a *prima*