

Crown, and his references downstairs have to be taken as not only a member but a member of the Treasury Benches as well. In my view, no other conclusion can be reached than that his conduct amounts to a gross contempt of the procedures of the House, and certainly of the hon. member for Kingston and the Islands.

I therefore move, seconded by the hon. member for Fundy—

**Mr. Speaker:** Order, please. The hon. member cannot make the motion now, but he might indicate to the Chair the motion which he would propose to move if there were a prima facie case of privilege. Perhaps the hon. member would defer the motion on this basis. Of course, the Chair is very interested to know what the motion would be.

**Mr. Nielsen:** If Your Honour finds that there is a prima facie case of privilege I propose to move:

That the conduct of the hon. member for Notre-Dame-de-Grâce in publicly making material allegations and purported statements of fact on the 5th September, 1973 relevant to the matters of a question of privilege that were referred by order of this House on the 4th September, 1973 to the Committee on Privileges and Elections for study and report, the said committee not having so reported, is a violation of that order and a contempt of this House, and therefore this House censures the conduct of the member for Notre-Dame-de-Grâce.

● (1420)

**Mr. Speaker:** As hon. members know, it is not the practice to engage in debate on such matters unless there is a finding by the Chair that there is a prima facie case of breach of privilege. Naturally, as has always been done and in fairness to the hon. member whose conduct is impugned by the member's question of privilege, the Solicitor General should be given an opportunity to comment, after which the Chair will take the matter under advisement.

**Hon. Warren Allmand (Solicitor General):** Mr. Speaker, of course, the statements referred to by the hon. member for Yukon are true. I did make a statement before members of the press yesterday on the subject, and the hon. member quoted from that statement. Although he did not have the full statement, what he did quote was correct.

I made the statement in response to a request from members of the press who asked me if I had any report on the investigation, and on the question of privilege raised by the hon. member for Kingston and the Islands. I must say that when I was first asked by the press to make a statement, I hesitated. However, after a certain amount of hesitation, I recalled that the hon. member for Kingston and the Islands, after the question was referred to the Standing Committee on Privileges and Elections, had made statements before the press. As a matter of fact, after Your Honour had accepted that prima facie case of breach of privilege, the hon. member for Kingston and the Islands made a statement on television that night amplifying what she had said in the House, so that she has done the same thing of which I am now accused.

Second, before I made my statement to the press, I took the precaution of checking with the table for an opinion. I was advised by the table that it was in order for me to talk to the press about this thing.

**Some hon. Members:** Oh, oh!

*Privilege—Mr. Nielsen*

**Mr. Allmand:** In conclusion, Mr. Speaker, if I have breached the privileges of this House, so has the hon. member for Kingston and the Islands.

**Mr. Speaker:** Order, please. I am not sure if the hon. member for Kingston and the Islands wishes to rise on a question of privilege or point of order. I am sure the House would like to allow her to make any comment she wishes, in view of the statements made by the minister. But, again, I suggest to hon. members that if we become involved at this time in debate on questions of privilege, we will spend the afternoon on the matter before a ruling is made by the Chair and this is apt to be highly irregular. However, I think we should hear the hon. member for Kingston and the Islands.

**Miss Flora MacDonald (Kingston and the Islands):** On a question of privilege, Mr. Speaker, I was referred to in the statement made by the Solicitor General. He said that I made certain statements following the ruling in this House. I wish to say that the interviews which I gave to the media, and which I had discussed with you prior to the interviews, were done at approximately 2.30 in the afternoon. The ruling was not made until four o'clock in the afternoon when the House reconvened.

**Mr. Speaker:** Order, please. I see the hon. member for Winnipeg North Centre seeks the floor, as does the hon. member for Yukon a second time. I urge hon. members to allow the Chair to consider the matter and review the citations referred to by the hon. member for Yukon, which I think it is the duty of the Chair to consider, following which perhaps the matter could be considered further.

**Mr. Knowles (Winnipeg North Centre):** Mr. Speaker, I rise on a point of order. As the table has been dragged into this, is the table not to be given a chance to speak?

**Mr. Speaker:** Order, please. I believe the table is mute in debate.

**Mr. Allmand:** Mr. Speaker, I apologize, but my consultations were with the parliamentary counsel and not the table.

**Mr. Nielsen:** While Your Honour is going to take the matter under advisement, I might suggest that authority will be found in the most recent edition of May's for the fact that the whole matter could be cured and allayed by the Solicitor General tendering a formal apology to the House in this matter.

**Some hon. Members:** Hear, hear!

**Some hon. Members:** Oh, oh!

**Mr. Speaker:** I again suggest to hon. members that the proper course to follow is for the Chair to look into the matter further. In light of the citations quoted by the hon. member for Yukon (Mr. Nielsen), I should say to the House that having received due notice as required by Standing Order 17(2), I gave the matter serious thought during the last hour or two. I was inclined to make a ruling, but I feel I owe it to the hon. member for Yukon and all other members to look more closely at the situation and, in particular, consult the authors to which the hon.