

Chair or the House an idea of the kind of motion he would be prepared to move if the Chair finds a prima facie case of privilege.

The other procedure would require quite different behaviour and conduct on the part of members and on the part of the Chair. If the hon. member wants to conform to the procedure which I think is well established in the House, if he would deal with his question of privilege, accept the warning I have given him, and follow the example of some hon. members on that side who have previously dealt with matters of this nature, then I would hear him and I would be delighted to hear him.

I caution the House that indeed this is a very delicate situation wherein members using strong language to make their arguments must be reminded that unless they make a formal charge under a different procedure, they have to give up something. What they have to give up is the use of strong language which the Chair cannot accept if they use a particular type of procedure.

**Mr. Nielsen:** Madam Speaker, I will be very brief but I do not want the record to stand as it is. With great respect to your remarks, I was not confused when I was making my submissions. I was not referring to a notice of motion when I referred to the notice of privilege which was given to you today by the hon. member for St. John's West. I am quite aware of the distinction between a notice of privilege and a notice of motion. We are talking about a notice of privilege and a substantive motion which will follow upon that notice of privilege. No confusion exists in my mind. I just wanted to put the record straight on that score.

**Mr. Crosbie:** Madam Speaker, naturally I want to restrict myself to whatever the Chair dictates, no matter what contortions that might require. I am alleging or suggesting that on last Tuesday, May 18, there was a breach of the privileges of the House due to the misconduct of the Minister of Justice (Mr. Chrétien) in certain answers he made to certain questions. I would like to establish now, if I can, the prima facie evidence that this occurred.

I refer to Tuesday's *Hansard* at page 17533. That afternoon at around 2.55, the Right Hon. Leader of the Opposition (Mr. Clark) asked a question because—and this is part of the factual background—there had been a report on CJYQ radio in St. John's, Newfoundland at one o'clock Newfoundland time—which is, as Madam Speaker knows, 11.30 Ottawa time—that the Government of Canada had made a decision to refer the question of offshore mineral resources to the Supreme Court of Canada. I also tell the House that the basis of that story came from the office of the Minister of National Revenue (Mr. Rompkey), who is a minister from Newfoundland.

Then following that broadcast by CJYQ radio in St. John's, CP sent out a story stating the same thing. I have the CP story here. At 1.31 on Tuesday afternoon before question period started, Canadian Press sent out a story to the same effect. I have it in my hand, as a matter of fact:

### *Privilege—Mr. Crosbie*

The federal government is considering a unilateral reference on offshore resource ownership to the Supreme Court of Canada as early as this week, federal sources said Tuesday.

It referred to a secret meeting on Friday between the Minister of Energy, Mines and Resources (Mr. Lalonde) and the Newfoundland minister. It continued:

Sources said Prime Minister Trudeau and Lalonde met Monday night with the five Liberal MPs from Newfoundland to discuss the government's options, including a quick Supreme Court reference.

At my request, the Leader of the Opposition asked the Minister of Justice the following question, as reported at page 17533 of *Hansard*:

Madam Speaker, my question is to the Prime Minister and the Minister of Justice who will know that there are news reports today indicating that the federal government is considering a unilateral reference on offshore resource ownership to the Supreme Court of Canada, and is considering doing that as early as this week. Is that the case?

The answer of the Minister of Justice was:

Madam Speaker, if the government does make a decision to that effect, this will be announced as soon as the decision has been made. No decision has been made at this time.

Then on the next page, after other supplementary questions, the Right Hon. Leader of the Opposition asked:

Madam Speaker, is the Minister of Justice and the Government of Canada considering a direct unilateral reference of the offshore question to the Supreme Court of Canada? It is a simple question. Yes or no?

The Minister of Justice answered:

Madam Speaker, I said that there has been no decision made by the government at this time on that question.

Then he went on with the rest of his answer.

Later on that Tuesday, or I guess it was probably early Wednesday morning, there was a report in *The Globe and Mail* of Toronto that the minister was proceeding to St. John's that morning to inform the people of Newfoundland—

**Mr. McGrath:** That paper is out at nine o'clock.

**Mr. Crosbie:** It was reported in *The Globe and Mail* of May 19 that he was going down to Newfoundland to inform them that the government was asking the Supreme Court of Canada to decide who owns the rich Hibernia oil field. It read:

Sources in Ottawa told *The Globe and Mail* that the question the federal government will be putting before the Supreme Court will be restricted to Hibernia rather than the more comprehensive question—

**Mr. McGrath:** That paper was printed the night before.

**Mr. Crosbie:** Yes, that paper was printed on Tuesday evening. The next morning, that is the morning of May 19, the Minister of Justice flew to Newfoundland with the Minister of National Revenue. They arrived there at twelve noon or 10.30 Ottawa time, which indicates that they left here at 7 to 7.30 a.m., less than 24 hours after the Minister of Justice said that no decision had been made on the issue.

Not only that, but just before twelve noon on Wednesday, officials from the Department of Justice appeared in the Supreme Court registry in Ottawa and filed a reference with the registry containing the question on the offshore and all