

*Privilege—Mr. Nielsen*

**Mr. Harvie Andre (Calgary Centre):** Madam Speaker, I will keep my remarks relevant to the question of whether there was a prima facie case of privilege of all Members of the House.

Mention was made of the case of the Hon. Member for Kenora-Rainy River (Mr. Reid) who, as a Parliamentary Secretary, was alleged to have had budget information, which would have been a breach of privilege, and to have passed on that information to the benefit of one of his constituents.

On July 25, 1975, as reported at page 7941, speaking of the Hon. Member for Kenora-Rainy River, Mr. Speaker Jerome said:

Therefore, I have no hesitation, under the circumstances, to say that in my opinion the hon. member for Kenora-Rainy River does, in fact, have a prima facie case of privilege and the House ought now to decide on the disposition of that prima facie case of privilege in the terms of the motion he has put forward, which is as follows:—

So Speaker Jerome acknowledged that the Hon. Member for Kenora-Rainy River, being accused of having budget information prior to the budget being released, had a prima facie case of privilege. To that extent the arguments put forward by the Hon. Member for Saskatoon West (Mr. Hnatyshyn) are relevant because the Speaker indeed acknowledged it was a prima facie case of privilege.

I should like to quote from Beauchesne's Citation 20(2) on page 12 as follows:

Parliament, in 1868, laid claim to all of the privileges of the United Kingdom House of Commons without specifying their exact extent.

Subsection (1) points out that privilege in the United Kingdom is based on common law practices. Subsection (4) reads as follows:

As Parliament has never delimited the extent of privilege, considerable confusion surrounds the area. Recourse must therefore be taken, not only to the practice of the Canadian House, but also to the vast tradition of the United Kingdom House of Commons.

That means that all of the decisions in regard to the Dalton affair are binding on this House in terms of precedents, as are the quotations given by the Hon. Member for Saskatoon West. He very compellingly and convincingly pointed out the impact of suggesting to Members of the House that it matters not to our privileges if a budget is leaked or if budget information is provided to the public prior to our knowing—

**Madam Speaker:** I am sorry to interrupt the Hon. Member but it now being one o'clock, I must adjourn until two o'clock.

At 1 p.m. the House took recess.

**AFTER RECESS**

The House resumed at 2 p.m.

**STATEMENTS PURSUANT TO S.O. 21**

[English]

**EXTERNAL AFFAIRS****LEBANON—CALL FOR PEACE**

**Mrs. Ursula Appolloni (York South-Weston):** Madam Speaker—

**Mr. Lewis:** On a point of order, Madam Speaker—

**Mrs. Appolloni:** —the brutal, barbaric bombing of the American Embassy in Beirut has provoked reactions of—

**Madam Speaker:** Order, please. At this particular time the Speaker is not prepared to entertain points of order. The Standing Orders are quite clear. At two o'clock we must go to the statements by Members, and to Question Period at 2.15. Any time after that the Chair will be delighted to entertain points of order.

**Mr. Lewis:** A point of order, Madam Speaker.

**Madam Speaker:** I have just said that I will not entertain a point of order at this time—

**Mr. Nielsen:** It is a point of order on that point.

**Madam Speaker:** —because the Standing Orders are quite clear—

**Mr. Lewis:** A point of order, Madam Speaker.

**Madam Speaker:** —that I should go to statements by Members.

**Mr. Lewis:** A point of order, Madam Speaker.

**Madam Speaker:** Well, there is no point of order. After Question Period I will be delighted to entertain points of order by Hon. Members. The Hon. Member for York South-Weston (Mrs. Appolloni).

**Mr. Nielsen:** There is a point of order on the question as to whether we should be proceeding with Question Period, a question of privilege now being before the House.

**Madam Speaker:** Order.

**Mr. Nielsen:** Privilege takes precedence.

**Madam Speaker:** Well, it was a point of order and it was on a point of order that I determined there would not be points of order, because the Standing Orders are quite clear. At two o'clock the Chair must proceed to statements by Members, and at 2.15 to Question Period. Points of order may be entertained after that. As for a question of privilege, we are already on a question of privilege—

**Mr. Nielsen:** And that should go.