

Privilege—Ms. Copps

Copps). However, the words of the Secretary of State, which he has not denied although he has been given opportunity to do so in this House, indicate that they were intended to be such. In making the statement on the record for the press, or even if he did not make it on the record, it was clearly intended that the Hon. Member for Hamilton East and all other Members should be intimidated from speaking in a negative manner about the Government. Therefore I submit, on the basis of the facts and, more important, on the basis of the precedents, that the Hon. Member for Hamilton East has in fact created an argument justifying your finding that there is a *prima facie* case of breach of privilege.

Hon. Ray Hnatyshyn (President of the Privy Council): Mr. Speaker, I intend to be relatively brief in connection with this matter because I think we all appreciate that the right of freedom of speech in this Chamber is paramount. I simply draw your attention to a couple of what are I think very germane points.

It has not been our habit, practice or tradition to base questions of privilege on newspaper reports. They are not affidavits. We all understand that they are interpretative pieces with respect to alleged statements and they are put into a certain context in an editorial sense. Having said that, I think nothing can be clearer than the statement made by an Hon. Member in this House, namely, the Secretary of State (Mr. McLean), a distinguished and Hon. Member of Parliament. In that statement he categorically and unequivocally stated, when confronted by this alleged statement, that it was not in fact true, and there was no statement made, either directly or indirectly, for the purpose of intimidating the Hon. Member.

Some Hon. Members: When did he say that?

Mr. Hnatyshyn: That is precisely what the Hon. Secretary of State has said. I am sorry this may offend the sensibilities of members of the Liberal Party, but I simply say that one has to listen to what the Secretary of State has said. He said that there was no intention to intimidate, the statement was taken out of context, and it was absolutely incorrect and false. Furthermore, the Secretary of State went to the unprecedented length of conveying directly to Mrs. Copps his congratulations for the manner in which she had carried out her duties. What could be a better and more direct example of the bona fide of the Secretary of State with respect to this whole matter? He had no intention of doing anything but praising Mrs. Copps for the work she had done. I think this is admirable.

The point I am making is very simple. In order to determine that there is a question of privilege, there has to be evidence of a direct attempt to thwart freedom of speech in the House of Commons by a Member of Parliament. Clearly this is contrary to the facts we have here. We have a Secretary of state who has clearly indicated that the matter was taken out of context and that he has done nothing. He stood in his place in this House and made that statement. As you will fully appreciate, the rule is that we are to accept a statement made by a Member when he stands in his place and makes a statement

with respect to the fact they have taken a certain course of action and there was no malice intended and no malice in fact occurred. So I say to you that if an Hon. Member does stand in his place, regardless of which side of the House he is located in, it is a tradition of this House that we accept his word. We do not go around in a mealy-mouthed way to try to interpret him in a way which suits our purpose. This is an Hon. Member, he has stated his position, I stand behind him, and I think Members of the House should stand behind him as well when he has withdrawn categorically.

Some Hon. Members: Hear, hear!

Mr. Speaker: I think Members will know from the length of time I have allowed these presentations to go on that I regard it as a serious matter. As Members would expect, I want to read and examine very carefully exactly what has been said in the House today prior to rendering a judgment. For that purpose I intend to reserve my judgment on this matter.

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MESSAGE FROM THE SENATE

Mr. Speaker: I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed Bill S-3, an Act to implement conventions between Canada and the Republic of Zambia, Canada and the Kingdom of Thailand, Canada and the Republic of Cyprus, and Canada and the Federative Republic of Brazil for the avoidance of double taxation with respect to income tax, to which the concurrence of this House is desired.

ROUTINE PROCEEDINGS

[English]

CANADA PENSION PLAN

TABLING OF REPORT ON FUNDING

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, pursuant to the provisions of Standing Order 46(2), I am pleased to table in both official languages a document entitled *A Report to the Minister of National Health and Welfare from the Canada Pension Plan Advisory Committee on the Funding of the Canada Pension Plan*.