

*Point of Order—Mr. Nielsen*

way at the debates of the last couple of days—neither the Secretary of State for External Affairs (Mr. MacGuigan) nor the Prime Minister (Mr. Trudeau) cited or quoted from a letter between the Prime Minister and the Prime Minister of Great Britain. Reference was made thereto, and I believe there is adequate precedent in this House that the mere reference to a letter and the mere recalling of a conversation between two individuals do not constitute an absolute citation or quotation from a letter. It is also for that reason that when we come down to Beauchesne's Citation 327(7), the hon. member for Yukon was perhaps anticipating that I might use in our defence Citation 327(2), which reads as follows:

It has been admitted that a document which has been cited ought to be laid upon the Table of the House, if it can be done without injury to the public interest. The same rule, however, cannot be held to apply to private letters or memoranda.

I submit that we are talking about private correspondence between the Prime Minister of Canada and the Prime Minister of Great Britain, and there is a long-standing tradition that one does not divulge the contents of private correspondence between heads of state because that would perhaps prejudice relations between the countries involved.

However, the hon. member for Yukon anticipated my arguing Citation 327(2) by referring to Citation 327(7). Citation 327(7) reads as follows:

When a letter, even though it may have been written originally as a private letter, becomes part of a record of a department, it becomes a public document, and if quoted by a minister in debate, must be tabled on request.

Coming back to Citation 327(6), I clearly state unequivocally—and I choose to be proven wrong—that neither the Prime Minister nor the Secretary of State for External Affairs quoted from that letter, so therefore Citation 327(7) does not apply.

When one gets to Citation 327(5), I suppose here Your Honour has a very difficult job indeed because, as the hon. member for Yukon mentioned, Citation 327(5) states, and I quote:

To be cited, a document must be quoted or specifically used to influence debate.

A number of questions arise. Is the question period debate in the full sense of the word? The hon. member may refer to the Oxford Dictionary. I would rather refer to parliamentary precedent, and I leave that in Your Honour's hands. It is my contention that the spirit and tradition of the question period are not that it be debate in the strict sense of the word but the elicitation of answers and information from the government. Indeed, various Speakers over the years have talked about the inadequacy of answers and about the information aspect of question period. I therefore submit that question period is not debate in the true sense of the word. I know that hon. members opposite perhaps have a different interpretation, but what is important here, and what the hon. member for Yukon has asked Your Honour to do, is to go further and actually decide whether or not those references made by the Prime Minister or the Secretary of State for External Affairs actually influenced debate.

If I may say so, it is very presumptuous on the part of the hon. member for Yukon to ask Your Honour as the Speaker of this House to take a very, very subjective decision as to whether any answer or any action in this chamber has actually influenced debate. On those grounds I think that that particular argument falls short.

I believe I have made three or four points. Citation 327(2) is absolutely clear when we are talking about private letters or memoranda, and since there was no quotation from that document, Citation 327(7) does not apply.

Similarly, as I have stated, citation 327(6) is quite clear in that neither the Prime Minister nor the Secretary of State for External Affairs quoted or cited from that letter. They made references to it. I am not even sure the Prime Minister made references to it. I think it was the Secretary of State for External Affairs. The Prime Minister was talking about conversations he had with Mrs. Thatcher.

Finally, to ask Your Honour to decide whether or not any answer or any action taken in this place, whether in debate or in the question period, may influence debate, is somewhat presumptuous and, I would say, beyond your purview as Speaker of the House.

**Mr. Hnatyshyn:** Whom do you recommend we ask to decide the question?

[*Translation*]

**Hon. Yvon Pinard (President of the Privy Council):** Madam Speaker, I shall be very brief. This question is very simple. The hon. member for the Yukon (Mr. Nielsen) has essentially based his argument on Citation 327(5) of Beauchesne and he has stated that the letter in question was used to influence the debate. There are two reasons why his argument is not valid. The first is that it concerns a personal letter. Even if someone had quoted from a personal letter, no private member or minister could be forced to table such a letter. As this concerns a personal letter, therefore Citation 327(5) does not apply. The second reason is that, to force a member of the House or a minister to table a document, a passage from this document has to have been quoted. In this case, absolutely no passage of this letter was quoted in the House by anyone. For these two reasons, namely, the fact that this concerns a letter of a personal nature and that no passage from it was quoted, it is obvious that we cannot force anyone to table the letter in question.

If the hon. member for the Yukon insists that it is true and indeed that a personal letter is involved, the fact of having tried to influence the debate by referring to this letter would amount to quoting from the letter. However, even if he were right, which we do not accept because I do not believe that this had any influence whatsoever on the debate, but even if we were to admit that he was right and that this could have influenced the debate, the fact remains that the document involved was a personal letter.