

Privilege

[Translation]

Mr. Pierre H. Vincent (Parliamentary Secretary to Deputy Prime Minister and Minister of Finance): Mr. Speaker, I must admit that two sentences in the speech by the hon. member for Scarborough—Rouge River stuck in my mind. The first one was:

[English]

In this case, the failure to table the text of the order by April 21, 1989 means that the House was not officially—

[Translation]

I emphasize the word officially, Mr. Speaker—

[English]

—informed of an important government decision until nearly three years after it was made.

[Translation]

That was one of the sentences I found rather interesting. The other one was:

• (1520)

[English]

I am confident that the minister's disobedience to that command was not intentional.

[Translation]

Mr. Speaker, I think that what the hon. member described was a rather unfortunate situation. I believe he agrees, and I am sure you will agree, it was not the intention of the government or the Minister of Finance to avoid tabling an order within the prescribed time-frame. I think everyone here understands that.

Unfortunately, when all the free trade documents were tabled, this particular order was not tabled with the rest of the FTA legislation which, as you know, was impressive because of its sheer volume.

What the hon. member did not point out, and what he should have mentioned in this connection, is that the order was published in the *Canada Gazette*—after consideration and approval by the special committee—on January 18, 1989. This means that as of January 18, 1989, the order was in the public domain. It was also available to members of this House, since to my knowledge, the

Canada Gazette, a bilingual publication, is delivered to each member's office.

We should also recall that the free trade agreement, as tabled, contained a reference to the timeframe for eliminating the tariff on plywood and related products. This reference was contained in the documents tabled in this House.

Mr. Speaker, I think that any self-respecting Canadian citizen or member of this House who had a problem with the subject we are looking at today was in a position to know what was happening—on the basis of the facts available—whether we are talking about the free trade documents or the *Canada Gazette*. And as a result, there was no breach of privileges, either of the members here or of the general public, and I think that in the circumstances, the hon. member's conclusions are a bit exaggerated.

Mr. Speaker, on November 21, 1991, officials appearing before the Standing Joint Committee on Scrutiny of Regulations promised the order would be tabled before the holidays, and that is what happened. On August 12, 1991, and October 21, 1991, the minister had promised the order would be tabled. He also indicated he had set up a procedure to prevent any recurrence.

I think the minister and the government acted in good faith. For the Chair to respond favourably to the hon. member's comments, I believe there would have to be evidence of bad faith or perhaps of someone having suffered a loss of some kind. The hon. member, however, argued that no one's interests had been harmed, and he also said he believed the minister had acted in good faith.

Mr. Speaker, I think we should consider the incident closed and revert to the normal business of the House.

[English]

Mr. Jack Whittaker (Okanagan—Similkameen—Merritt): Mr. Speaker, I wish to emphasize the point that my friend from Scarborough made with respect to this matter.

The point is that the contempt occurred as a result of the wording of the statute and the wording is very clear. I simply re-emphasize it to you: "The Minister of Finance shall cause a copy of any order pursuant to subsection 59(2) be laid before Parliament".