

*Point of Order—Mr. McGrath*

Speaker, were not saying that you would not treat that matter as a breach of individual and collective members' privileges. However, upon hearing the Chair's closing remarks I became rather alarmed. It seems to me that the past practice of this House has long been that individual and collective members' privileges are, indeed, directly affected deleteriously by the release of budget information before that information is released to members of this House.

On that specifically focused point, I would suggest very strongly to the Chair—and certainly the Chair's ruling was not specific on the point—that we would be following past practices, proper practices, if it were to be considered a breach of individual and collective members' privileges were budget information to be released prior to its first being given to members of the House of Commons. That is the whole purpose of a lock-up.

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## POINTS OF ORDER

MR. McGRATH—ADVERTISEMENT PLACED BY VICKERS AND BENSON

**Hon. James A. McGrath (St. John's East):** I rise on the same point of order, Madam Speaker. First of all, I want to identify myself with the remarks of the hon. member for Yukon (Mr. Nielsen). Perhaps I can assist the Chair if I were to tell you, Madam Speaker, that I am prepared to lay before the House a substantive motion. My substantive motion is based on a precedent of your predecessor, the Hon. Speaker Jerome, in dealing with a matter which referred to an alleged leak of the budget by the hon. member for Kenora-Rainy River (Mr. Reid). At that time, Madam Speaker, your predecessor, Speaker Jerome, ruled that there was a prima facie case and the matter was then referred to the Standing Committee of Privileges and Elections, which dealt with the matter at that time. In other words, Madam Speaker, it was the House and not the Chair that determined whether or not there had been a breach of the privileges of this House.

My point of order is based on the information contained in an advertisement which was in the hands of the advertising agency, Vickers and Benson, on November 11, prior to the delivery of the budget in this House. That advertisement contained precise details, word for word, of the budget's references to housing. There is no question about the fact that what appears in the advertisement, which was sent to 150 newspapers across the country by the minister's own admission, is identical to the information that was given to the House by the Minister of Finance (Mr. MacEachen) in his budget of November 12. That information was in the hands of the agency on November 11; it was in the hands of the newspapers prior to that information being released to the members of this House, thereby constituting a violation of the privileges of this House.

If the Chair rules that there is a prima facie case of privilege, I am prepared to move, seconded by the hon. member for Rosedale (Mr. Crombie):

That the subject matter of the advertisement which appeared over the authority of the minister responsible for housing and which contains information pertaining to the budget and was released prior to the budget, be referred to the Standing Committee of Privileges and Elections.

**Some hon. Members:** Hear, hear!

**Madam Speaker:** Hon. members are arguing a matter about which they tried to seek more clarification during question period. I am not in a position to determine whether there has been a leak of budgetary secrets. If there had been a leak of budgetary secrets, and if that was clearly established, then I do not feel it falls under the heading of privilege. I will not repeat to the House what is the definition of privilege because I have done that often enough. As I listened to the arguments of the hon. member, I do not find there is a prima facie case of privilege. I remind hon. members that if they want to deal with the fact that there was a leak of budgetary secrets, then they would have to deal with it in another way, but not under the heading of privilege.

**An hon. Member:** What about the precedent?

**Mr. McGrath:** I am not permitted to question the Chair's ruling in any way and I do not attempt to do that. However, I seek clarification, Madam Speaker. I am faced with the precedent of your distinguished predecessor, because I was involved in the matter concerning the alleged leak by the hon. member for Kenora-Rainy River. In fact, this matter was referred to committee under privilege. Perhaps the Chair could tell me what new avenue I now have open to me in order that I may bring this matter before this House or a committee of this House to determine whether or not there has been a violation of the privileges of the House. All I am asking the Chair to determine is whether or not there is a prima facie case. On the basis of the advertisement I submit to the Chair that there is a prima facie case. If the Chair agrees, then it is up to the House or a committee of the House to determine whether, in fact, the privileges of the House have been violated.

● (1520)

[Translation]

**Hon. Yvon Pinard (President of the Privy Council):** Madam Speaker, there are a number of factors here that should be pointed out. First of all, you have made a ruling where you expressed the opinion quite clearly and simply, that when we refer to secrecy of the budget, it is not a matter of privilege but a political convention over which you have no authority. That should be quite clear, even to those who are shouting on the Conservative side. In addition, Madam Speaker, the member for St. John's East (Mr. McGrath) referred to the case of the member for Kenora-Rainy River (Mr. Reid). I should like to remind you, if I may, that the facts are not the same. In the case of the member for Kenora-Rainy River, an article was published in *The Gazette* alleging or insinuating