

Privilege

Corriere Canadese. These are just a few that I looked at. The same ad appeared in all of these major ethnocultural newspapers across Canada.

When Canadians who subscribe to these newspapers see an ad from the government, they believe it is fact, that it is already legislation. And it is not. If the ad would at least read, "federal sales tax system may change" or "the government is proposing changes", I would accept it. I would have no argument. But the ad said: "On January 1, 1991, Canada's federal sales tax system will change." And because it will change, "Please save this notice." And this ad explains the changes and the reasons for them.

Why are we wasting all the money sending a parliamentary standing committee across Canada? Why are we getting our salaries here? Why are we going through this fiasco, Mr. Speaker? Let us respect authority, the authority of this House of Commons which the government has lost. It has lost all respect for the authority of Parliament. That is exactly what we are debating. That is exactly what I would like you to add to your decision because I know, Mr. Speaker, you are going to be looking for precedents. You may not find any.

No other government in the history of Canada would dare pull such a stunt when they are bringing about a major tax change in this country. It is a heavy burden on your shoulders, Mr. Speaker. You may be the one who may have to set a precedent to protect the authority of Parliament; to protect my individual privilege and work as a member. The hon. House Leader said we are free; our privileges as members have not been affected. Yes, my privilege has been affected. Sixty per cent of my constituents are Canadians who read these newspapers. They are saying, "Mr. Flis, we thought we elected you to parliament". They are saying, "But decisions have already been made. Why did we send you there?"

So, yes, my privileges as an individual member have also been denied and tampered with. But the major debate here—and it is a very heavy burden we have place on your shoulders, Mr. Speaker, and this is why I am adding this additional information—is that we must protect the authority of the Parliament of Canada.

Mr. Albert Cooper (Parliamentary Secretary to Government House Leader): Mr. Speaker, I do not think I will need to take more than just a couple of minutes to make a couple of points that I think are important. I do

not want to get involved with much of the debate that has gone on because I think it is largely political in nature and dealing to a certain degree with the substance rather than with the question of privilege that is before us.

The point I want to make is this. First, the opposition seems to have tried to make a case of the distinction between a case of privilege and a case of contempt. I want to deal with that very quickly because I think it is important that we look at that.

First of all, the question that is before the Chair at this point really is, very essentially: Have the privileges of this House or an individual Member been tampered with? If we look at Erskine May, at the beginning of Chapter 5 it states, "The privileges of Parliament are rights which are absolutely necessary for the due execution of its powers".

The question we have to ask ourselves is: Does this advertisement in any way infringe upon Parliament's absolutely necessary powers? No, I think it is very obvious that that has not happened.

Secondly, it states, "They are enjoyed by individual Members because the House cannot perform its functions without unimpeded use of the services of its Members".

Are the Members in any way impeded from appearing in the House or in committee? Obviously, they are not. So the definition of privilege has obviously not been met in any way by the presentation that has been made by either of the opposition parties today.

But let us look at the question of contempt. According to Abraham and Hawtrey's definitions, the parliamentary dictionary, we see it states on page 80:

Contempt of either House of Parliament—Any act or omission which either directly obstructs the due proceeding of that House or has a tendency to produce that effect by bringing its authority into contempt, e.g. the publication of reflections on the character or conduct of a member in his capacity as a member.

Whether they guise it in the words "privilege" or "contempt", the bottom line is that nothing has been done in these advertisements that would in any way directly or indirectly obstruct the due proceedings of this House. It is obvious—we are doing it today. A committee of the House of Commons continues to look into the subject. The process is ongoing. It has not in any way been impacted by those advertisements. So it is very