

admonished the government at that time for dealing in the way it had. We accepted that admonition. Whether it was right or not is a matter of record. There were some precedents put before Mr. Speaker Jerome which indicated that his admonition was not in order. Nonetheless, the Speaker of the day took it upon himself to protect the position of Members of Parliament from improprieties or conduct unbecoming of a minister or a ministry. That was a good practice, Madam Speaker.

If there was ever a case where you should stand and protect Members of Parliament from improprieties, if you do not find a prima facie case, then this is the case. I invite you to indicate to the ministers what is proper conduct in so far as members of this House are concerned.

Some hon. Members: Hear, hear!

Madam Speaker: I believe, and I think the hon. member knows, that there is a place to determine the propriety of these types of actions. These questions can be referred to the Standing Committee on Privileges and Elections. I would say that is a very wise rule, if I want to protect my own office, since I do not see myself, as Speaker, in the position of frequently admonishing the House or members on what is proper and what is not. It is enough that I have to keep telling members that something is in order and something else is not in order. I think that is about the limit of my role in this House because I only act under the rules, customs and traditions built up by the House itself. I do not make my own rules and judgments on the deliberations of this House, but I always take seriously what the hon. member for Nepean-Carleton (Mr. Baker) has to say and I will look into the precedent that he invokes. I am sure I will not want to admonish members but I will look at the precedent and see if what he is requesting of me is at all possible in light of my conception of my office.

● (1550)

Mr. John Gamble (York North): Madam Speaker, with respect to the reflection on this issue which you will apparently undertake, might I direct you to the mechanics spelled out with respect to this matter on page 25 of the fifth edition of *Beauchesne*, paragraph 84, which reads as follows:

(1) Once the claim of a breach of privilege has been made, it is the duty of the Speaker to decide if a prima facie case can be established. The Speaker requires to be satisfied, both that privilege appears to be sufficiently involved to justify him in giving such precedence (or as it is sometimes put, that there is a prima facie case that a breach of privilege has been committed); and also that the matter is being raised at the earliest opportunity.

(2) It has often been laid down that the Speaker's function in ruling on a claim of breach of privilege is limited to deciding the formal question, whether the case conforms with the conditions which alone entitle it to take precedence over the notices of motions and orders of the day standing on the Order Paper; and does not extend to deciding the question of substance, whether a breach of privilege has in fact been committed—a question which can only be decided by the House itself.

Those last words are particularly significant. It is with respect to that specific issue that I draw your attention and I would hope you might reflect upon that at the time you make your deliberation. The reason I suggest that is that it may be proper, having regard to the rule, for the House to decide the

Introduction of Bills

issue and not for the decision to be made before the House has an opportunity to decide that issue.

Madam Speaker: I read it as the hon. member went along and I understand it, but I will reflect upon it. It seems to me that this confirms some of the things I just said but I will take that advice and read extensively what is the role of the Speaker in determining a prima facie case of privilege. That is quite easy to understand, but the part the hon. member did not quote and which I have to deal with is, what does constitute a breach of privilege or contempt of Parliament? That is the question on which I have to determine whether there is a prima facie case. What the hon. member read seems to confirm what I am saying.

The hon. member for Red Deer (Mr. Towers) on the same point of order?

Mr. Gordon Towers (Red Deer): On the same point of order, Madam Speaker. While you are contemplating that I wonder if you would go just a little further and look at what is happening in Alberta where the government has named twin Members of Parliament. This is terribly confusing to the people I was elected to represent; they wonder what is going on. Is the whole democratic process breaking down? Just two weeks ago the hon. member for Lambton-Middlesex (Mr. Ferguson) was out there. People hired a hall to hear him and presented him with a brief; it is brought back but nothing happens. They want to know what is going on.

Madam Speaker: I have to stop the hon. member because he is getting very close to discussing the ruling; however, I will take this fact into account.

ROUTINE PROCEEDINGS

[English]

CRIMINAL CODE

MEASURE RESPECTING COMPUTER RELATED CRIME

Mr. Gordon Taylor (Bow River) moved for leave to introduce Bill C-628, to amend the Criminal Code (computer crime).

Madam Speaker: I understand the hon. member wishes to speak very briefly to the bill.

Mr. Taylor: Thank you, Madam Speaker. I would like to introduce a bill entitled "An act to amend the Criminal Code (computer crime)". I will give a very short explanation of the bill.

Computer related crime is a growing problem which occurs and brings great loss to the public. Losses for each incident of computer crime tend to be far greater than losses associated with each incident of white-collar crime. The prosecution of persons engaged in computer-related crime is difficult under