

the duty of the Government to decide whether an Hon. Member is sitting legally or not.

In so far as the case at hand is concerned, Madam Speaker, I think the judgment has just been rendered. I do not even know if there has been or will be an appeal lodged. I think it would be a matter of elementary decency to wait and see if the man has been convicted without recourse to appeal.

Mr. Crosby: With all due respect, Madam Speaker, I think the Prime Minister is avoiding the issue. Under the British North America Act, which is the law of the land, a Senator convicted of certain crimes must vacate his seat in the Senate. This will now be a matter of public speculation, and I want the Prime Minister to look into it.

Madam Speaker: Order. I am myself consulting whether I should even allow the question because it does concern a Senator in the other place, and in light of the answer which has just been given my impression is that a question concerning that should not be asked in this House but in the other one.

Mr. Crosby: Madam Speaker, my question does not concern the ultimate fate of Senator Barrow, but just the process by which his fate is determined.

GOVERNMENT POSITION

Mr. Howard Crosby (Halifax West): Madam Speaker, to avoid public speculation on Senator Barrow's fate, will the Prime Minister at least inquire into the matter, decide what the position of the House of Commons is with respect to this matter, and at the same time tell us what course of action will be taken by him and his Government?

Right Hon. P. E. Trudeau (Prime Minister): Madam Speaker, I have received since the first question a copy of the relevant Section of the British North America Act, Section 31. I read Subsection (4) and it says:

The Place of a Senator shall become vacant . . . If he is attainted of Treason or convicted of Felony or of any infamous Crime;

I repeat, Madam Speaker, perhaps the Hon. Member opposite is learned in the law but I do not know that the judgment condemned the Senator of treason or of felony.

Mr. Nielsen: Or of any infamous crime?

Mr. Trudeau: Whether there is an infamous crime or not, I suppose would be for the Senators to look at. I am really surprised that the Hon. Member would want this House to begin to judge the suitability of Members sitting in the other place. That is what he is suggesting, Madam Speaker.

An Hon. Member: Why don't we just judge the whole works?

Mr. Trudeau: And the consequence of that would be that Members of the other place would exercise the same right over Members of this House.

Mr. Broadbent: Oh, no; we are elected.

Oral Questions

Mr. Trudeau: Perhaps they would want to start with the Hon. Member who has asked the question.

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● (1420)

AIR CANADA

DISCHARGE OF CHAIRMAN'S DUTIES

Mr. Pat Nowlan (Annapolis Valley-Hants): Madam Speaker, my question is directed to the Minister of Transport. In view of the on-going revelations about Air Canada, and since the Minister has made no statement whatsoever about the criminal investigation, can the Minister assure this House that the financial difficulties of the Chairman of Air Canada in the summer of 1982, involving the bankruptcy of a company and several hundreds of thousands of dollars, did not interfere with the discharge of the Chairman's duties as Chairman of Air Canada?

Hon. Jean-Luc Pepin (Minister of Transport): Madam Speaker, I can only repeat what I have said a dozen times at least in the last two months, that my instructions from the Minister of Justice are not to comment on this inquiry. I can only assure my hon. friend that the company is operating well, the record of safety is maintained, that it shows a better financial situation in the first months of this year than in last year, and that the traffic is not impaired, nor are the activities of the company, by the events which he has mentioned, namely, the inquiry by the RCMP.

Mr. Nowlan: Madam Speaker, no Minister has made any statement whatsoever in this House about the status of the criminal investigation. The reason I am asking these questions is to find out how long the Government is going to let this matter fester.

SELECTION OF HEADQUARTER'S SITE—CHAIRMAN'S ROLE

Mr. Pat Nowlan (Annapolis Valley-Hants): I would like to ask the Minister specifically if he can assure the House—and we do not know what the investigation is—that the Chairman of Air Canada, Rene Amyot, had no business or personal interest whatsoever in any of the sites being considered by Air Canada for its new headquarters?

Hon. Mark MacGuigan (Minister of Justice): Madam Speaker, I find this line of questioning to be extremely out of place. The Hon. Member surely knows that the reason that no Minister has made a statement on this is because it is entirely against parliamentary tradition for us to make statements on matters which are before the courts or under investigation. This is a matter under investigation, Madam Speaker, and that is all we can say about it. And that is all my hon. friend should say about it.