

Act and the Criminal Code, two sitting days shall be allotted to the consideration of the report stage and the third reading and passage stage of the said Bill;

That, after the disposal of the report stage of the said Bill, the House shall proceed forthwith to the consideration of the third reading and passage stage of the said Bill; and

That, on the second of the said days, at fifteen minutes before the expiry of the time provided for government business in such sitting, any proceeding then before the House shall be interrupted, if required for the purpose of this order, in turn, every question then necessary in order to dispose of the report stage and the third reading and passage stage of the said Bill shall be put forthwith and successively without further debate or amendment.

A question of privilege having been raised on Wednesday, July 24, 1975 in relation to a newspaper article on the conduct of the honourable Member for Kenora-Rainy River;

RULING BY MR. SPEAKER

MR. SPEAKER: In terms of the basic question I have to decide, I do not think it is necessary to hear any further representations. The proposed motions that have been put forward by the honourable Member for York-Simcoe (Mr. Stevens) and the honourable Member for Oshawa-Whitby (Mr. Broadbent) are similar in two very fundamental respects. Both relate to the subject of an investigation by the Standing Committee on Privileges and Elections as to conflict of interest in general terms. I would remind honourable Members that if they seek consideration of a general question of that sort there is nothing to restrict them in their ability to put down a substantive motion at any time and to ask the House to consider the advisability of examining into the question of conflict of interest or even the actions of a particular instance or what might be an example. I differentiate in the fact that what is sought by way of a question of privilege, if it relates to the conduct of an individual Member, must be a specific charge that that Member has in fact done something that abuses the privileges of the House and that Member who puts forward such a motion ought to have the burden of carrying that before the Committee.

This is not to say that no Member in a situation of this sort—I want to repeat and emphasize this—has the power to say that because of this examination or because of the possibility that exists we ought to be able to examine the question of conflict of interest or leakage of budget secrets or whatever the general subject may be. Any honourable Member who wants to move the House to that effect is able to do it by way of a substantive motion.

Procedurally I have to decide whether such a request for a general investigation into the grounds of a special-

ized motion of privilege gives it precedence over other general motions. My general impression, without going into the details, for reasons which I will elaborate later, is that I will probably not find in favour of a request for a general investigation of the case by the Committee; in other words that the Committee find the facts and that the Committee find out whether such an abuse of the practices of the House has taken place.

I would think that a motion to be a privileged motion would have to be much more specific than that in respect of the conduct of any Member. I think that is a long established precedent of the House and we have to remain with it. On the other hand, I am spared some of the agony that the decision would involve in my opinion by virtue of the fact that it is not another Member who seeks to charge the honourable Member for Kenora-Rainy River (Mr. Reid) with a breach of conduct but rather in the circumstances it is the honourable Member for Kenora-Rainy River himself who in his own motion for privilege seeks to have the Committee examine the conduct of the *Montreal Gazette* and another paper obviously inviting in the examination of that an examination of the veracity of their statement and therefore an examination of his own conduct as a Member by that Standing Committee. An article has been described in the House as having accused an honourable Member of a breach of the Official Secrets Act and of a breach of his privileges or rights or an abuse of his rights as a Member of this House. The honourable Member stood in his place and denied the accuracy of that article.

Therefore, what is at issue is an alleged use of a national newspaper to accuse falsely a Member of a misuse of his privileges as a Member of this House. Certainly there has been a disposition on all sides of the House to say that if there is a suggestion that such a thing has taken place it is a fundamental interference with the rights of every Member of the House of Commons to operate freely and perform his functions freely. If that question exists in general terms, and in the circumstances which are before me I can scarcely decide otherwise, I cannot see in any way that the Chair ought to interpose itself from a procedural point of view and prevent the House having an opportunity to take a decision in respect of that. I do stress after all that it is in the final analysis a decision of this House which will say whether or not the matter goes to the Standing Committee on Privileges and Elections where the matters that have been discussed and raised by almost all Members who have participated will be possible.

Therefore I have no hesitation under the circumstances to say that in my opinion the honourable Member for Kenora-Rainy River does in fact have a *prima facie* case of privilege and the House ought now to decide on the disposition of that *prima facie* case of privilege in the terms of the motion he has put forward.