

Privilege

is a question of difference, of disagreement. The hon. member can take it up in the way he has, or in some other way. For the hon. member for Kenora-Rainy River now to stand in the House and endeavour to say that he was the only one in possession of that information would certainly discount the remarks of the hon. member for Okanagan-Kootenay (Mr. Johnston) who has indicated that he was in a similar position. I think this might be clarified in some other way. This could be a matter for debate or discussion, but to my way of thinking it does not in any way constitute a question of privilege. The hon. member for Greenwood (Mr. Brewin).

● (1230)

Mr. Andrew Brewin (Greenwood): Mr. Speaker, I just want to say, very briefly, that I urge upon Your Honour that indeed there is a question of privilege here. I am much assisted in that conclusion by the words of the hon. member for Kenora-Rainy River (Mr. Reid) in the Standing Committee on Privileges and Elections.

We are all familiar with the ancient parliamentary tradition, maintained with great strictness, about the secrecy of budgets and budgetary matters resulting from the actual budget. This matter is discussed by the hon. member for Kenora-Rainy River in the committee on privileges and elections. Several very interesting points are raised by him in the *Minutes of Proceedings and Evidence*, issue No. 12, of that particular committee. I do not wish to read the whole of the very interesting passages. The hon. member raised the question of changes in income tax and went on to say:

If you have a fairly good idea, based on information that came to you in a confidential way, that the Minister of Finance might and is likely to take that step, and you arrange your affairs so as to take advantage of it or tell people who can arrange their affairs so as to take advantage of it, then it seems to me that you are in conflict of interest.

That is the precise allegation we are discussing here. If one is in conflict of interest, this parliament is the place and the committee on privileges and elections is the committee which should inquire into the alleged conflict of interest. Perhaps I am labouring the obvious, but I suggest there is no possible doubt that there is indeed a prima facie case of breach of privilege. I say "prima facie" because the committee may make very different findings and the House may reject any such case. But I ask you, sir, to rule that there is indeed a prima facie case of privilege.

Mr. Speaker: Order, please. In terms of the basic question which 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 hon. member for York-Simcoe (Mr. Stevens) and the hon. 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 hon. 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 the question of conflict of interest or even the actions in a particular instance of what might be an example. I differentiate in the fact that what

[Mr. Speaker.]

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 the member who puts forward such a motion ought to have the burden of taking it 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 hon. member who wants to move the House to that effect is able to do it by way of a substantive motion.

Procedurally, what I have to decide is whether such a request for a general investigation into the grounds of a specialized 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 Standing Committee on Privileges and Elections 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 privilege 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 hon. member for Kenora-Rainy River (Mr. Reid) with a breach of conduct. Rather, in the circumstances it is the hon. 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 newspaper, obviously inviting, in the examination of that, an examination of the veracity of their statements and therefore an examination of his own conduct as a member by the standing committee.

An article has been described in the House as having accused an hon. 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 hon. 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 the matter. I do stress, that it is, in the final analysis, a decision of this House which will say whether or not the matter goes to the committee on privi-