

Privilege—Mrs. Mailly

after the close of polls, and advertising taking place after the closing of the polls and transfers between registered Parties, candidates and local associations, and expenses incurred by candidates seeking nomination, which would have the effect of driving up election expenses and thereby asking the public Treasury to fund more of the election expenses, if he wants to create more of a boondoggle and a haven for people seeking office at the expense of the taxpayer, we are not going to accept that. We are prepared to debate it in committee and we are prepared to debate it on the floor of the House.

Mr. Guilbault (Saint-Jacques): Mr. Speaker, I would like to come back to the letter of eight points that the Deputy Prime Minister has just referred to, and remind him that a subsequent letter by the Hon. Deputy House Leader for the Government asked us to pass Bill C-79 and offered only seven conditions this time. It was seven concessions and not eight, which is a new definition of election expenses. Why do we not deal with a new definition of election expenses, or have the Government clearly admit that it wants to be able to overspend as it wants in the coming election?

Mr. Mazankowski: Because you were not prepared to deal with it.

Mr. Speaker: I will hear the Hon. Deputy Prime Minister in a moment. I do want to say to Hon. Members that this exchange, which has followed the usual Thursday afternoon question concerning the Government's intentions for the next few days, is getting far beyond that usual point of order. I will hear the Hon. Deputy Prime Minister, but I am not going to hear Hon. Members debate endlessly on matters which have really nothing to do with the appropriate question that was put to the Government and to the reply of the Government. The Hon. Deputy Prime Minister.

Mr. Mazankowski: Mr. Speaker, I want to clarify only two points, and that is clearly that the letter of May 3 included a proposal to incorporate a new definition of election expenses pursuant to the recommendations of the Chief Electoral Officer. Because there was disagreement with regard to that, I again sought the co-operation of both opposition Parties to see if there could be a consideration given with regard to moving on all of those elements which we agreed on, with the exception of the election expenses.

It was only in an attempt to move it ahead. There was no agreement with regard to the proposal on election expenses. We are prepared to move in either direction and I am prepared to put in the legislation, either in the form of amendment or in the form of a new Bill, a new definition for election expenses, which I hope would be supported by all Parties.

Mr. Speaker: I am inviting Hon. Members to meet in the lobby to carry on this discussion. There are other Hon. Members with important matters. I would recognize the Parliamentary Secretary to the Minister of National Revenue (Mrs. Mailly) on a question of privilege.

• (1520)

Mr. Cassidy: Mr. Speaker, I rise on a point of order.

Mr. Speaker: I would prefer to hear this question of privilege. I have delayed it for some time.

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[Translation]

PRIVILEGE

ALLEGED INTIMIDATION ATTEMPT WITH REGARD TO THE HON. MEMBER FOR GATINEAU

Ms. Claudy Mailly (Parliamentary Secretary to Minister of National Revenue): Mr. Speaker, I wish to raise today the question of privilege I gave you notice of, and I quote Beauchesne, the *Compendium of Canadian Parliamentary Practice*, Fourth Edition, citation 110, page 100.

On the 26 of February 1701, the House of Commons of the United Kingdom resolved that to print or publish any libels reflecting upon any member of the House for or relating to his service therein was a high violation of the rights and privileges of the House. But to constitute a breach of privilege a libel upon a member must concern his character or conduct in his capacity as a member and the conduct or language on which the libel is based must be actions performed or words uttered in the actual transaction of the business of the House.

And further, Mr. Speaker, citation 111, paragraph (1), states that one of those breaches of privilege is the following:

(1) Wilful misrepresentation of the proceedings of members is an offence of the same character as a libel.

And further on, citation 113 states that:

An attack in a newspaper article is not a breach of privilege, unless it comes within the definition of privileges above given, and then . . .

. . . and further on it is said:

. . . a member is bound to lay on the Table the newspaper in which the article complained of appears.

. . . and a bit further, Mr. Speaker, in citation 114, one reads:

Sir Robert Atkyns, sometime Lord Chief Baron of the Exchequer, says that "the Commons' right and privilege so far extends, that not only what is done in the very House, sitting the Parliament, but whatever is done relating to them, during the Parliament and sitting the Parliament . . .

And the following is mentioned among others:

. . . where a member sends to a minister the draft of a question . . .

or there is a communication between a member and a minister.

So, basing my argument on these articles of our practice, Mr. Speaker, I want to ask you to bring your judgment to bear on a question which affects me. The Public Service Alliance of Canada delivered a press release to my House of Commons office on July 7, 1988 which it distributed to all the media in the region and which bears the heading: "Memorandum to reporters/Editors". The title: "Language teachers are pressuring a Conservative Member." The by-line is: Ottawa. "federal government language teachers will personally deliver hundreds of postcards signed by supporters to Claudy Maily, federal Conservative Member for the riding of Gatineau. The postcards are addressed to Ms. Maily and bear the following message: "Yes, I support federal government language teachers in their negotiations with Treasury Board to maintain their preparation time and I ask you to intervene in their favour."