

Point of Order

But there are other brochures. They are called *Consumers and the GST*, *The GST Credit*, *Housing*, *Small Business*, *Farmers and Fishermen*, *Arts and Culture*. In every one, the first question that is asked is what is the goods and services tax and in every one of the brochures it says that it will replace the existing federal sales tax on January 1, 1991.

The one on arts and culture, for example, goes on to say: "The current federal sales tax is badly flawed and harmful to Canada's economy. It is hurting our ability to grow and create jobs."

There is nowhere in any of these brochures any mention of the fact that this is a proposed tax, that this tax is embodied in some bill or proposition that has been put before Parliament and, in fact, as Your Honour knows, we still do not have a bill introduced in this House proposing this tax. These brochures fall in the same category as the advertisements that appeared in papers. If anything I suggest they are more offensive because they state very definitely that the tax will be in force starting on January 1, 1991. There is no suggestion that these changes are proposed and the words, as Your Honour recalls, "proposed changes" were included in the advertisements that you, Sir, found so offensive in your ruling on October 10.

I suggest that our privileges as parliamentarians are being breached. These brochures constitute a contempt of this House. These brochures should have been withdrawn when the advertisements were withdrawn. We thought they were going to be withdrawn, we were told the advertisements would be withdrawn, and yet these are published, it appears, by the Department of Finance. The term "Department of Finance" is attached on the brochures and I would have thought that the Minister of Finance, having learned a lesson in this House on several occasions in connection with his financial plans, might have taken steps to withdraw these brochures.

I believe there has been a breach of our privileges. I am prepared to move the necessary motion for reference to the Standing Committee on Elections, Privileges, Procedures and Private Members' Business of the matter if you, Sir, see fit to rule that a prima facie breach of privilege has occurred. I submit that these brochures are in flagrant contempt of the ruling that Your Honour delivered on October 10. While Your Honour expressed your regret that this matter might have to be raised

again, I have the same regret, but I discovered these things a week ago Friday and have raised it at the earliest opportunity in this House.

Mr. Speaker: The Hon. Member for Kingston and the Islands has raised a matter of some importance. I am sure that he would do the courtesy of allowing the Chair to see copies of the publications and the brochures. I will look into the matter further and report back to the House.

The Hon Member for York Centre on a point of order.

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POINT OF ORDER

SUB JUDICE CONVENTION

Hon. Bob Kaplan (York Centre): Mr. Speaker, last week I wrote to you and I am rising now on a point of order to deal with the ruling that you made in Question Period about questions that I proposed asking to which it was argued that the *sub judice* convention applied. I want to seek guidance from you about whether it would be appropriate, as I submit it might be, for me to raise the subject matter of my letter following the intervention of my leader on a request for an emergency debate.

Hon. Doug Lewis (Minister of Justice and Attorney General of Canada): Mr. Speaker, on a point of order, my friend has raised an interesting point. I have no quarrel at all with him raising it. I think the time to raise it is now if he wants to raise it and, in effect, challenge your ruling or call it into question in order that it be aired. If he wants to air it he airs it now.

Mr. Speaker: Perhaps the Hon. Minister of Justice would assist the Chair. As I understood it, the minister is taking the position on behalf of the government that this ought to be heard now, not later and not be conditional upon something that might or might not happen later in the proceedings. Does that sum up, in effect, the point the hon. minister was making?

Mr. Lewis: Yes, Sir. The House has opened. We have had points of privilege raised by individuals, I think quite rightly so, and if it is a privilege that should put aside the business of the House to be heard, then as Government House Leader, I am in perfect agreement with that being done but I think it should be done now. If privilege is breached, it is breached now. If my hon. friend wishes to raise it, I think he should raise it now not reserve an opportunity to be privileged twice in a day. Either one's