

It said here: "Where an opinion is provided to a peace officer pursuant to subsection (1) or the peace officer has been advised".

• (1240)

What if the peace officer had asked the board if it was about to give an opinion on the administration of funds from Mr. or Mrs. So-and-so? If the board said: "Yes, we are about to render that opinion," I contend that is quite logical.

There is nothing here of cover-up. It is strictly a question of interpretation. I am not a lawyer, but I do think as a legislator that a possibility could exist that the board would have been obligated to give that opinion.

If the opinion took time, it could slow the process and retard the ongoing investigation. In fact, it could stop that whole investigation. That is what we objected to, that is mainly the issue at hand here and that is why in the Senate—I can quote from the *Debates* extensively—that is what the argument was.

I could quote from the text of Senator MacEachen, for example: "However, if the process of going to a judge to have a search warrant or to lay a charge is linked to the work of the peace officer in laying a charge, that process cannot be completed until the opinion of the board is given. Then there is an anomaly."

At the very least, that provision was looked at and improved in my humble opinion. The purpose of the amendment in the motion before the House today is to eliminate the possibility that an opinion, having been asked, would prevent the ongoing process, that is, the legal process, to continue.

That is now eliminated. Therefore, it cannot be read to have any other interpretation.

I say to the member for Churchill—I am not quarrelling with him on the intent of his amendments—that I would agree with the purpose and the intent of his amendment. However, I say with all due respect that there is a provision in this bill that allows the House of Commons at this time to adopt this bill and look after the preoccupations of my friends from Churchill and Kamloops.

### *Government Orders*

What we could do is to look at the section dealing with the bylaws of the board. I want to read the bylaws of the board:

Subject to section 20.7, the board may make bylaws:

- (a) respecting the calling of meetings of the board to conduct the business of the meetings;
- (b) governing the use by senators or members of Parliament of funds, goods, services and premises made available to them for the carrying out of their parliamentary functions;
- (c) prescribing the terms and conditions of the management of and accounting of funds referred to in paragraph (b);
- (d) respecting all such things that are necessary or incidental to the exercise of its powers under this section and sections 20.3 and 20.6.

We have a provision in this bill that would allow the Board of Internal Economy to pass bylaws doing exactly what the member for Churchill is proposing to the board and that would satisfy most of us. I would recommend to this House that we immediately pass this motion so we can go on to other things.

**Mr. Jim Hawkes (Calgary West):** Mr. Speaker, I want to thank the former House leader, former Whip and very active committee member for his intervention. In particular, I want to thank him for the way he ended that intervention.

I want to point out to the House that the member for Churchill and the House leader of the New Democratic Party are just as aware as the member who has just spoken of what is in Bill C-79 and what was not touched by the Senate.

I would go one step further and read another section:

The Speaker shall table before the House of Commons the bylaws made under this section on any of the first 30 days after the making thereof.

If the member for Churchill really cares about this institution or the people in it, does he really want to hand the Senate the power to change what it is that he proposes? Or, does he trust the House of Commons, at least, and his member on it—the House leader of the New Democratic Party—to pass a bylaw to accomplish what it is that he sees as an oversight of the bill?

Does he really want to reject the Senate message because we made a mistake? He did, I did, the member who spoke did. The Chamber did. We passed a clause with an unseen possibility in it, which the Senate spotted. I want to pay a compliment to the Senate, as the Chamber of sober second thought, on that particular