

Starred Questions

I do not think there can be any doubt but that this question does relate to a public affair with which not only one minister but all ministers are officially connected, as well as to proceedings pending in parliament. It is true, sir, that the last part of the citation reads as follows:

—or to any matter of administration for which the minister is responsible.

Within that term the minister would not be called upon to answer the question. With that I agree, but in so far as the other two points are concerned it would seem to me that he does, and I think the "or" puts a different interpretation on it. I simply wanted to bring this to your attention.

Mr. Hazen Argue (Assiniboia): If I may comment on the point that has been raised, I think Your Honour might give some consideration to where this ruling will inevitably lead, because I think we should give some thought to what responsibility a minister without portfolio in a cabinet may have. I agree with the hon. member for Laurier that if the hon. gentleman to whom he has referred has anything official to do in the cabinet it surely must be to represent the province from which he comes and to make representations about public matters affecting it.

I believe it is the right of parliament to ask for communications that have been sent to any minister of the crown. If a wide interpretation is to be given that a minister without portfolio does not have to produce communications sent to him, it would seem to me that this could abrogate the practice we have followed that parliament can ask for the production of such correspondence. Certainly parliament would not look kindly on any back-door method by which correspondence could take place with a member of the cabinet and for that reason outside the area within which parliament can ask for its production. I think parliament has a right to have the communications that are sent to any member of the government. The question is, how do you get them when they are sent to a minister without portfolio.

Mr. Speaker: I thank hon. members for their views. It does not seem to me that any proper rights of parliament are restricted or abrogated by the view I have taken of this question. There is no difficulty in asking the Minister of Justice questions about the subject matter of this question, that is the sending of the Royal Canadian Mounted Police reinforcements, unless there is some other obstacle in the way of that being done by

reason of pending litigation. Parliament is not precluded from seeking information on that question.

The effect of my view as to this question is that it is improper to ask the Minister without Portfolio for his personal correspondence. I take the view that the word "official" as it is used in the citation quoted by the hon. member for Laurier means official in the sense of being responsible for a department. The other citations make it clear that it is the Minister of Justice who is responsible for the department involved in this question. If the hon. member for Assiniboia were right, then personal correspondence would be involved in the question, and I do not think any member of the house would assert that the privilege of asking oral questions relating to a minister's responsibility extends that far, or that the asking of questions of private members extends to personal correspondence.

Hon. L. B. Pearson (Leader of the Opposition): I should like to make one comment, Mr. Speaker, upon what you have been good enough to say. It seems to me that if a narrow interpretation were to be given to this regulation it would mean that it would be difficult to secure any information from a minister without portfolio, and therefore that would be a violation of the principle of the collective responsibility of the cabinet. Furthermore, you will be aware that the practice in the past has been to give a wider interpretation to this rule than has been given this afternoon. I recall that when we were sitting on the treasury benches, every single member of the government was asked to stand up and answer oral questions regarding his personal or official communications, verbal or written, with the C.B.C., and no exception was taken to that procedure. There seems to have been a broader ruling then than you have given this afternoon.

Mr. Speaker: I have indicated my views on this question. It seems to me, notwithstanding the comments I have had from members of the house, that it is the correct view. I am afraid, therefore, I cannot allow this question to proceed in this form.

Hon. J. W. Pickersgill (Bonavista-Twillington): Under the circumstances, perhaps, as it is now recognized that the minister is without portfolio, without responsibility and without voice—

Some hon. Members: Order.

Mr. Pickersgill:—I might be permitted to remove the question from the order paper.