

HOUSE OF COMMONS

Wednesday, February 3, 1971

The House met at 2 p.m.

PRIVILEGE

MR. DOUGLAS (NANAIMO-COWICHAN-THE ISLANDS)—
STATEMENTS BY MINISTERS RESPECTING MEMO-
RANDUM ON HIRING OF FRANCOPHONES

Mr. T. C. Douglas (Nanaimo-Cowichan-The Islands): Mr. Speaker, I rise on a question of privilege affecting the rights of all members of the House. I refer to the conflicting and misleading statements which have been made by various members of the cabinet with respect to the memorandum issued by the Public Service Commission concerning the hiring of Francophones. I contend that these misleading statements constitute a contempt of Parliament. If Your Honour agrees that I have a prima facie case of privilege, I would ask leave to introduce a motion for the consideration of the House.

On January 26 the President of the Treasury Board (Mr. Drury) tabled the memorandum issued by the Public Service Commission. At page 2752 of *Hansard* for January 26 the minister described that memorandum in the following terms:

This is in the nature of what I may describe generally as a feasibility study.

I will not take the time of the House to quote the many instances in which the minister and the then Acting Prime Minister said this was not a program but a feasibility study. The fact is that a reading of the memorandum gives an entirely different view of the matter. The opening paragraph of the memorandum reads as follows:

This letter is further to a recent, brief telephone survey of departmental requirements for post-secondary graduates if special funds were made available for 1971. The basis of the survey was a request as to how many additional Francophone graduates you could gainfully employ should the salary costs be covered from funds outside your budgeted programs.

The second paragraph goes on to state:

We are now in a position to clarify some of the aspects of the program. The following factors (although not in order of priority) will be considered.

Then follow 11 factors. The closing two paragraphs state:

In order to avoid any misunderstanding and help speed up the implementation of the program, it is proposed to hold a preliminary meeting on Tuesday, January 12, 1971, at 2:30 p.m. in Place de Ville, Tower "A", 14th floor, room 1430.

It is hoped you will be able to attend and if possible give some thinking as to the practical application of this program, as it applies to your department, before the meeting.

At the foot it says:

N.B.: This information is confidential and no official announcement will be made.

23786—50½

● (2:10 p.m.)

I contend in the first place that this is a program which was under consideration. The minister denied any knowledge of the memorandum. I accept his word that he had not seen it. But it was a program which was under consideration by the various departments.

The second point I want to draw to the attention of the House is that we received misleading and evasive replies as to who was responsible for authorizing the study of this program and who had indicated that \$2 million would be available for its implementation. As reported on page 2752 of *Hansard* for January 26, the President of the Treasury Board said:

I might say that this memorandum outlining a procedure for increasing the proportion of Francophones in the Public Service is not an approved program. It will not be a program approved by the government until it has been submitted to the Treasury Board.

Yet the Treasury Board, as members of the cabinet, had already played a part in authorizing a sum of money for this program.

As reported on page 2753 of *Hansard* for January 26, I directed the following question to the President of the Treasury Board:

May I ask whether the Public Service Commission or whoever was responsible for formulating this memorandum had authority to say that \$2 million would be made available for the purposes stated in the memorandum without the President of the Treasury Board having given his prior consent?

That was a straight question. All the minister had to say was that the government had authorized the expenditure of \$2 million and that a program was being prepared. But the minister's reply was:

As I indicated to the Leader of the Opposition, this memorandum is couched, at least in the opening phrases, in the conditional tense, as it should be. Perhaps there is a greater element of certainty in subsequent paragraphs which I do not think is warranted inasmuch as there is no approved program.

As reported on page 2754 of *Hansard* for January 26, the hon. member for Cape Breton-East Richmond asked the President of the Treasury Board to tell the House who, outside the Treasury Board, had the authority to authorize the \$2 million. The Minister's reply was as follows:

It is only the Parliament of Canada that can authorize the \$2 million.

The fact is, of course, that yesterday the Prime Minister told us that cabinet had already authorized the expenditure of \$2 million.

As reported on the same page of *Hansard*, the President of the Treasury Board said:

There is no program and there will not be a program until such time as formal approval has been given to a proposal. This is a step in the gestation of a proposal, and until it becomes approved it is not a program.