

*Oral Questions*

country and outside that country, and since there is considerably more to this than initially meets the eye, will the minister assure this House that a thorough investigation of this matter will be made, especially in respect of the possibility of kickbacks to members of the department who made such payments in the unsavory way the Auditor General has now exposed, after a 20 year period in which the government of Canada has allowed this.

**Mr. Andras:** Mr. Speaker, I really regret that the hon. member would go so far as to make allegations about kickbacks to members of the Department of External Affairs, but that is exactly what he has done.

**Some hon. Members:** Shame.

**Mr. Andras:** The Auditor General has clearly indicated in describing his concern about this practice that all such payments were fully accounted for; there is no question about them not being accounted for, and there have been vouchers and all the necessary documentation involved in this. He has not said there has been any discrepancy in that area. Therefore, to leap from what we all say is a practice we want to see stopped, and hope other countries will join us in stopping it—a situation which we say is unacceptable—to the allegation implied that there was a kickback, when it has been clearly indicated that there was no such kickback, is regrettable.

**Mr. Roche:** Mr. Speaker, I would finally ask the minister whether he will assure the House that a thorough investigation will be made precisely because of the strange nature of payments in this matter which were made outside the host countries involved, and because the fact that payments were made in cash as well as by cheque does lead to some interesting questions?

**Mr. Andras:** Mr. Speaker, over and above the actions by the Auditor General such an investigation and analysis of what has taken place is under way.

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**NORTHERN AFFAIRS****WITHDRAWAL OF CHARGES BEFORE COURT BY YUKON COMMISSIONER—REQUEST FOR EXPLANATION**

**Mr. Erik Nielsen (Yukon):** Mr. Speaker, I have a question for the Minister of Indian Affairs and Northern Development having to do with ministerial responsibility imposed upon him not only by practice but by statute. The minister is, of course, aware of the action of his Yukon commissioner in causing certain charges before a judge of the supreme court of the Yukon to be withdrawn, a gross intrusion into the administration of justice in the Yukon. Will the minister tell the House whether this highhanded interference with the judicial process by his commissioner was on the instruction of the minister, and how does the minister explain this highly improper conduct of one of the officials of his department?

[Mr. Roche.]

**Hon. James Hugh Faulkner (Minister of Indian Affairs and Northern Development):** Mr. Speaker, it was not on my instruction. I do not accept the explanation of the description of the events offered by the hon. member for Yukon. He knows as well as I that on November 8 the commissioner made a rather complete explanation of the actions that led to the withdrawal of the charges. He also knows that yesterday the commissioner launched an inquiry under Justice Stratton where all these issues are going to be examined. It seems to me that the proper course now is to let that commission of inquiry complete its work and respond to the sort of charges that have been floating around the Yukon for the past several weeks.

**REASON MINISTER DISALLOWED BILL TO AMEND YUKON INQUIRIES ORDINANCE—REQUEST FOR TABLING OF COMMITTEE REPORT**

**Mr. Erik Nielsen (Yukon):** Mr. Speaker, the minister also, I believe, instructed the same official, his Yukon commissioner, to refuse to assent to a bill to amend the Yukon Inquiries Ordinance which had passed all three stages of the Yukon house, which bill would have enabled the elected members of the house to request the setting up of an inquiry into the conduct of this commissioner. In view of the fact the bill itself in no way encroached upon his powers or those of his commissioner, will the minister explain his aggressive action toward the Yukon through this rather savage and raw use of his powers?

**Hon. James Hugh Faulkner (Minister of Indian Affairs and Northern Development):** Mr. Speaker, the hon. member for Yukon is becoming rhetorical, if not almost poetical. He knows perfectly well, and we seem to have a disagreement on what the powers imposed on the minister are under the Yukon Act. The refusal of assent by the commissioner is not a customary practice and not even a desirable one but when the members of the council clearly in their own minds go beyond the powers vested in them under the Yukon Act, and if I am to observe the law which this parliament itself has established, it seems to me I have only one course of action, and that is to instruct the commissioner to refuse assent. I do not enjoy or like doing this, but when I am faced with that choice it seems to be my obligation as a member of this House of Commons to uphold the law this parliament has passed.

**An hon. Member:** Then change the law.

**Mr. Faulkner:** Mr. Speaker, we have a useful suggestion from the NDP and I think we should follow it up, and that is that we should change the law. The hon. member for Yukon knows that when I was in the Yukon three weeks ago I met with the council and proposed to it then that instead of getting at the constitutional issues in this sort of piecemeal approach I was prepared to engage with them in a discussion of what sort of process we could set in place to review the natural evolution of constitutional development in the Yukon. That seemed to strike at least the chairman of the Yukon committee dealing with it as a positive suggestion. I offered it in good faith and I plan to follow it up. I think through that process we will get at