

charges, charges which, incidentally, involve not only a member of this House but, on the other side of the coin, the *Montreal Gazette* as to whether it should be held responsible for a serious breach.

It would be presumptuous of anyone in the House to reach a conclusion at this stage as to who ultimately must be held responsible in the situation we are now discussing. Did the hon. member for Kenora-Rainy River commit the serious breach of which he is accused, or do the *Montreal Gazette* and others who have made the allegation have to be held responsible for making that allegation if it turns out to be incorrect?

As I understand the procedure, I will have to formally move the amendment that I discussed briefly when we came back at two o'clock. Before moving the amendment, I wish to suggest five areas of concern related specifically to the motion that the New Democratic Party believes must be gone into in a most thorough fashion.

First, there is the question of knowledge of the fall, 1974, budget by the hon. member for Kenora-Rainy River. Did he or did he not, have foreknowledge of the details of that budget? Related to that, did he, or did he not, have knowledge of changes which were going to be made subsequent to the budget? Second, assuming that the hon. member had such knowledge, from whom did he obtain it? Did he obtain it from officials in the ministry of finance or in other departments, or did he get it elsewhere? Again, on the assumption that he had the information, we must find out the source.

Third, again assuming that the hon. member had the information, did he communicate the details of the fall, 1974, budget to anyone, and did he communicate details of proposed changes in that budget between last November and January of this year? Assuming he had the information, was there any subsequent communication of it?

Fourth, again on the assumption that such information was conveyed to a businessman or businessmen, to what extent would this knowledge have proved to be financially advantageous to such businessman or businessmen? That must also be considered by this committee.

Finally, on the broader range of ministerial responsibility we would like the committee to look into the question of what limits, if any, there are to the responsibilities of the Minister of Finance for any breaches of the secrecy principle concerning budgetary matters that may be involved in this particular case.

I wish to quote briefly from two sources which suggest the framework from which ministerial responsibility might be assessed in this particular case. The first quotation is from a study by Geoffrey Marshall and Graeme C. Moodie entitled "Some Problems of the Constitution". The most recent is the fourth edition, published in 1967. These two constitutional authorities have the following to say about ministerial responsibility in this kind of matter:

If culpable action within a department clearly falls into the sphere where reasonable diligence on the minister's part in controlling his department would have led to his being personally aware of the issue then a failure to act can be construed as a personal fault. If, on the other hand, it does not fall within such a class of matters, or if deliberate disobedience has occurred, then the minister may properly disclaim fault on behalf of himself.

### *Privilege*

That general description of ministerial responsibility is one with which my party is in full agreement. I wish to quote another authority who reaches a conclusion which basically is a corollary of this principle, if accepted, that is assuming the minister is not directly responsible for a breach that exists within his department. If there is a breach which exists beyond the personal area of responsibility, what should be the guideline which sets out the course of action the minister must take in such a situation? The authority in this case is N. H. Brasher. I wish to quote from his publication "Studies in British Government". He sets out a position with which we are in general agreement:

The minister cannot be held responsible for every peccadillo committed by the thousands employed in his ministry. He must, however, explain the position to parliament and take the necessary corrective action. The same principle applies if a major fault in the working of a government department is exposed.

I took longer to deal with the possible responsibility of the Minister of Finance in this case because that aspect of the matter in the past couple of days has not been dealt with to any degree. I repeat, it is an important matter to be looked into by the committee. Having made those points about the seriousness of the issue, I move, seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That the motion be amended by deleting therefrom the words "most especially", and also by inserting therein, immediately after the word "businessmen", the following words: "and that the said member had advance knowledge from official sources of amendments to be proposed to a bill emanating from the said budget and conveyed that knowledge to businessmen".

**Mr. Speaker:** I am sure the hon. member will oblige the Chair by writing out the amendment. One has been provided to the Chair; it is an amended version of the original motion. It does not constitute an amendment; it is an indication of what the motion would be if adopted. The amendment has been repeated twice. I have the language in front of me. I can at least indicate that it has been moved by the hon. member for Oshawa-Whitby (Mr. Broadbent), seconded by the hon. member for Winnipeg North Centre (Mr. Knowles):

That the motion be amended by deleting therefrom the words "most especially", and also by inserting therein, immediately after the word "businessmen", the following words: "and that the said member had advance knowledge from official sources of amendments to be proposed to a bill emanating from the said budget and conveyed that knowledge to businessmen".

● (1420)

**Hon. Robert L. Stanfield (Leader of the Opposition):** Just a word on this matter, Mr. Speaker. We agreed to the amendment which has been put forward since it does clarify the original proposal in a couple of important respects.

I do not intend to take the time of the House by suggesting directions the committee might take; I assume it will take its responsibilities very seriously and will hear arguments from all sides as to precisely what those responsibilities are. In view of the obvious importance of the questions involved—the leader of the New Democratic Party has mentioned three or four points, but there are some others, too—I should like to urge that the committee adopt the broadest possible interpretation of its reference and its responsibilities. I call on the government side of