

*Privilege—Mr. Riis*

information which was in a Bill, information as to the contents of the Bill, got into the hands of someone outside of this place before it was in the hands of Hon. Members. I understand that is the short point, the narrow point, the point I am being asked to consider.

On that basis, the question is whether I should send this matter to the appropriate committee for consideration. If I have missed the point, I would certainly ask the Hon. Member for Kamloops-Shuswap to correct me but I think that is the point and I would ask Hon. Members to keep to it.

**Mr. Les Benjamin (Regina West):** I think you are perfectly correct, Mr. Speaker, and I believe the Minister has missed the whole point. There is absolutely no reflection on the Minister personally. My colleague's question of privilege does not allege that the Minister himself personally gave the Bill to anyone who had no right to it or any business knowing about it. That is not the point.

The breach of privilege, as my colleague, the Hon. Member for Kamloops-Shuswap (Mr. Riis), pointed out, was a breach of the privilege of all Hon. Members of the House, and you as the guardian of that privilege have to rule, even if it is a precedent—it is time we had one—on the fact that someone outside this House and, more seriously, not necessarily from Canada but someone from another country, knew of the contents. He did not see the Bill. That is not being alleged in the question of privilege. What is being alleged as a question of privilege, and being stated by my colleague, is that someone from outside of this country knew about the contents of the Bill.

You, Mr. Speaker, have sat for some years in this place, as I have, as a private Member, and I believe you understand that I personally resent someone receiving knowledge of the contents of a Bill before Members of Parliament know about its contents.

● (1240)

The Deputy Prime Minister (Mr. Mazankowski) will appreciate, as do I, that in the course of negotiations and discussions dealing with legislation, as a matter of courtesy, a cabinet Minister will make available to a colleague in his own Party or to a colleague from this side of the House some knowledge with respect to what is in the Bill without showing him or her the Bill. That is something sacrosanct for those of us on this side of the House.

The Hon. Member's question of privilege has nothing to do with whether or not someone from outside this Chamber saw the Bill. They must have known about some of the contents of the Bill or how else could they have said that the contents are better than they were? This means that someone from outside the House, and what is worse someone from outside the country, knew about the contents of the Bill or some parts of it. Surely that is a breach of the privilege of all Members of the House, most particularly those Private Members who are not members of the Privy Council.

**Mr. McDermid:** You have no proof of that whatsoever.

**Mr. Benjamin:** There is such a thing as ministerial responsibility. We accept and believe the word of the Minister that at no time did he disclose the contents of the Bill, at no time did he show the Bill to anyone outside this Chamber. We accept that and take him at his word. However, when one considers the consultations that went on between legal eagles, drafters of legislation, officials of departments and other organizations, someone somewhere in the Department of Consumer and Corporate Affairs or in the Department of Justice, or elsewhere, had to have disclosed some of the contents of the legislation to people outside the Chamber.

**Mr. Malone:** Name them.

**Mr. Benjamin:** You cannot name them. All we know from the evidence, which is clear in the CBC transcript, is that a person knew about some of the contents of the legislation, otherwise they could not have said something to the effect that the new legislation will be better than it was. How else could they have said that if they had not known about the contents of the Bill?

**Mr. McDermid:** Quote them accurately!

**Mr. Benjamin:** This means that even though something happened about which the Minister knew absolutely nothing, and in which he had absolutely no part and is totally innocent as a Minister and as a person, there is still such a thing as ministerial responsibility. He is responsible for all that goes on under his authority in his Department.

I do not think it is proper—in fact, I think it is unforgivable—that anyone outside this Chamber would have knowledge of the contents of a piece of legislation. As a Private Member I ask you, Sir, that you rule that when someone makes statements outside of Parliament in terms of the contents of a piece of legislation that that in fact is a breach of the privilege of Members of the House.

**Mr. Speaker:** I wish to thank the Hon. Member for Regina West (Mr. Benjamin). I now call upon the Parliamentary Secretary to the Deputy Prime Minister and President of the Privy Council (Mr. Lewis).

**Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council):** Mr. Speaker, I have a few brief points with respect to procedure which I would like to raise. First, I wish to compliment my colleague, the Hon. Member for Kamloops—Shuswap (Mr. Riis), who, as everyone knows, is a well-informed Member of Parliament. Based on the fact that he is a well-informed Member of Parliament, I suggest to Your Honour that he saw this program, and I believe this is what he stated, on Tuesday evening, November 18. Citation 81 of Beauchesne's states in part:

By its nature, a question of privilege is of such importance that it may be raised at any time, and S.O. 17 makes provision for the precedence of a question of privilege over all other business of the House.