

[English]

• (1650)

This argument would appear to be conclusive justification for finding that a *prima facie* case of breach of privilege exists following the submission of the honourable senator.

I would also like to refer honourable senators to a ruling of former House of Commons Speaker Jerome, given on July 23, 1977 which supports what has been said earlier and which Madam Sauvé herself referred to in the ruling previously cited.

Upon review of the submission by the Honourable Senator Carney and of parliamentary precedents cited, I therefore rule that a *prima facie* case of privilege has been established.

REFERRED TO COMMITTEE

Hon. Pat Carney: Honourable colleagues, I should like to thank the Speaker for his ruling. I did not realise that it had been so rarely granted in the past. I move:

THAT the allegations made in the Canadian Press article by Mr. Gordon MacIntosh which appeared in a number of newspapers on or about March 27, 1993 concerning the issue of the missing ministerial international trade papers be referred to the Standing Committee on Privileges, Standing Rules and Orders.

On motion of Senator Carney, matter referred to the Standing Committee on Privileges, Standing Rules and Orders.

BUSINESS OF THE SENATE

The Hon. the Speaker pro tempore: Honourable senators, I am in a somewhat difficult situation. I have to ask for the opinion of honourable senators.

I am referring to rule 45(8). Rule 45 deals with the situation which just occurred. When a *prima facie* case has been made and there is a motion such as the motion which has been carried, subsection (8) states:

If the Senate had previously completed consideration of the Orders of the Day for that sitting, after the debate on the motion is concluded —

That is, the motion which was just passed.

— and the question has been put, a motion to adjourn the Senate shall be deemed to have been moved and adopted.

Therefore, I can only try to solicit the will of the Senate as to whether a motion to adjourn is deemed to have been moved and passed, or whether there is an agreement not to implement that provision.

Hon. John Lynch-Staunton (Deputy Leader of the Government): Honourable senators, can we assume that we will remember this the next time, and for today we shall waive the rule?

The Hon. the Speaker pro tempore: Is that agreed, honourable senators?

Hon. Gildas L. Molgat (Deputy Leader of the Opposition): Honourable senators, I am, frankly, tempted not to. I think we have stupid rules and here is a perfect example. However, I will not be obstinate. The rest of the matters before us are not of great import, so I am prepared to carry on with the balance of the Order Paper. I think most of it will stand, in any case.

INCOME TAX ACT CANADA PENSION PLAN INCOME TAX CONVENTIONS INTERPRETATION ACT TAX REBATE DISCOUNTING ACT UNEMPLOYMENT INSURANCE ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker pro tempore informed the Senate that a message had been received from the House of Commons with Bill C-92, to amend the Income Tax Act, the Canada Pension Plan, the Income Tax Conventions Interpretation Act, the Tax Rebate Discounting Act, the Unemployment Insurance Act and certain related acts.

Bill read first time.

The Hon. the Speaker pro tempore: Honourable senators, when shall this bill be read the second time?

On motion of Senator Lynch-Staunton, bill placed on the Orders of the Day for second reading on Monday, April 5, 1993.

The Senate adjourned until tomorrow at 9 a.m.