

**Mr. Speaker:** I have to confine the hon. member to the practice of the House in that regard. He is entitled to put questions and if he is dissatisfied with the answers he is entitled to have access to the opportunity provided by the adjournment debate. As I have indicated to other members, in order to found a question of privilege he really must immediately develop an argument that there is misinformation to the extent that it clearly touches the privileges of the House. The Chair has to decide quickly and early in this argument whether or not the hon. member is attempting to raise what is obviously a disagreement, a matter of debate, or whether in fact the allegation contains an element which might touch the privileges of the House.

I have to tell the hon. member that in this case, as surely he must understand, he is in the area of disagreement and debate. If he wants to question the matter further, to establish the point that I am in error, I would invite him to use the adjournment debate proceedings for that purpose.

MR. HERBERT—UNAVAILABILITY OF PAPERS PURSUANT TO NOTICE OF MOTION FOR PRODUCTION OF PAPERS

**Mr. Hal Herbert (Vaudreuil):** Mr. Speaker, if I heard you correctly this afternoon you said a question of privilege must be founded upon interference with an hon. member in carrying out his duties, since it is a fundamental right of an hon. member to carry out those duties without impediment.

First of all, Mr. Speaker, I shall be quoting from *Beauchesne*. I want to say that, as far as timing is concerned, this is the first opportunity on my part to raise this matter because of what I read in the debates of yesterday and, as you are aware, Mr. Speaker, I have given you due notice. My question of privilege derives from *Beauchesne's* fifth edition, citation 79 on page 24, which reads:

The House maintains sole control over documents in its possession. The public may see papers which have been tabled in the House.

I move to citation 57 on page 20, where I read:

Under the provisions of the Senate and House of Commons Act any report, paper, votes or proceedings of the House enjoys an absolute privilege—

Reading further, I find that citation 390 on page 138 states the general principles governing Notices of Motions for Production of Papers to be as follows:

(1) To enable members of Parliament to secure factual information about the operations of government to carry out their parliamentary duties and to make public as much factual information as possible—

Having read from *Beauchesne*, Mr. Speaker, I will tell you why I am raising this question of privilege today. I have several illustrations to support my contention that, possibly not intentionally—and I say possibly not intentionally because, again consulting *Beauchesne*, I am told I must avoid the use of words such as “deception”, “distortion”, “falsehood”, “misleading”, and so on, and that I must not say “deliberate” or “intentional”—

**An hon. Member:** Come on!

*Privilege—Mr. Herbert*

**Mr. Herbert:** Nevertheless, I shall produce evidence which will indicate that if it is not intentional, it is grossly negligent. My specific point of order will deal with motion No. 15, but to support my argument on that motion I want also to refer to three other motions, motions 18, 20 and 23.

On October 31 of this year a motion was passed by the House stating that papers would be deposited. These documents would then become available not just to myself but to all members of Parliament, according to the citation from *Beauchesne* which I have just read, as well as to the public generally. I have experienced considerable difficulty in my constituency. These documents are supposed to deal with public transportation—I am using this as an illustration of my point; there is more than one example—

**Mr. Speaker:** Order, please. I wonder whether the hon. member would direct his attention to the fact that we call Notices of Motions for Production of Papers every Wednesday as we do, now, call Questions on the Order Paper every day. It is for the convenience of hon. members that every day we allow questions on the order paper which are not answered to stand; and similarly we allow Notices of Motions for Production of Papers which have not been dealt with to stand every Wednesday when they are called, when they have not been dealt with.

When that question is asked each day with reference to Questions on the Order Paper and every Wednesday with reference to Notices of Motions for the Production of Papers, any member who is aggrieved either by failure to deal with a notice of motion or a question, or by inaction with regard to any which have been dealt with, can raise the point at that time. If the hon. member now wishes to make the point that a Notice of Motion for Production of Papers in his name has been dealt with by the House in some way but that the response has not been satisfactory, he ought to make his objection when that item is called on Wednesdays and not by way of a general question of privilege.

**Mr. Herbert:** Perhaps Your Honour would indulge me for a few moments longer because there is an essential point here, one which genuinely affects me. Might I have the attention of the House for a few moments?

**Some hon. Members:** Filibuster!

**Mr. Herbert:** Maybe I digressed by giving other examples. I started off by talking about motion No. 15. Motion No. 15 is directly relevant to the decision I may have to make today and it affects my rights as a member in that if, because of actions initiated by the government, I am forced to make a decision, then I am deprived of information which has theoretically been made public in accordance with a motion adopted by this House on November 14 but which has not in fact been made public.

I refer to a copy of the report of the Canada Mortgage and Housing Corporation on the deductibility of mortgage interest which is directly relevant to what we are debating today. The government has admitted that there is such a report and has stated that it is prepared to table it in the House. In fact,