

throughout the preceding week there had been discussions with officials of Massey, but contrary to my hon. friend's suggestion, no final decision had been taken by cabinet on the Thursday he mentioned; the final decision was not taken until after question period, after I left the House, and shortly prior to the posting of the notice in the Press Gallery at 2.15 p.m.

**An hon. Member:** Question period was still under way.

**Mr. Gray:** Whatever impression Massey officials may have had when they returned to Toronto, they had no way of knowing, they were not in a position to know, what the discussions were at the level of cabinet, discussions in which they could not participate, and could not participate any more than could my hon. friend. They may have certainly wanted to have an optimistic feeling, but whatever their impressions were they were not based on the facts of the situation as they then existed.

It is quite correct that material was prepared on a contingency basis, but that material was not finalized until after I left the House. In fact, I directed certain changes be made in it shortly before the decision was taken to post the notice in the Press Gallery, a decision taken by myself only a few minutes before the notice was actually posted at 2.15 p.m. The decision to post the notice was made by myself. I gave that direction immediately after the cabinet decision was confirmed.

So whatever conclusions my hon. friend has attempted to draw from circumstances, some of which are public, such as what I said in the House, other impressions which, while well intentioned, I think are mistaken, these conclusions are not accurate when he says that one way or another I misled the House when I gave the answer recorded in *Hansard*. Because my answer was correct. At that time the final decision had not been taken; therefore I did not mislead the House intentionally or unintentionally. I therefore suggest to the House that the hon. member's motion must fall simply on the basis of the facts of the situation.

If I might add one or two other comments, I would certainly be quite pleased if the House leaders work out a suitable time to make a statement in the House. I would also point out to my hon. friend that the other matter, which was the subject of the second question I received on the date in question, was put to me in the question period of the following week; that is, the question with respect to the participation of other governments, and I answered the question without any complaint by the House as a whole.

So I would repeat, Madam Speaker, that whatever impressions some may have received, the final decision had not been taken until after I left the House; and it was only after that decision was taken that I personally directed the notice be posted, a notice which was not posted until 2.15 p.m., and the press conference then ensued, leading to the issuing of the press release, making public the press release which my hon. friend read into the record.

**Hon. Erik Nielsen (Yukon):** My intervention will be very brief, Madam Speaker.

*Privilege—Mr. Stevens*

**An hon. Member:** I hope so.

**Mr. Nielsen:** I hear shouts over there of "I hope so". They would like to muzzle and do away with this nuisance opposition, as was done in Ghana.

I merely want to emphasize that the Chair has heard a statement of fact by the hon. member for York-Peel (Mr. Stevens); it has heard a statement of fact by the minister. I strongly submit that your task is not to determine the truth or untruth of those statements; your only task, I submit with great respect, Madam Speaker, is to determine whether or not, on the basis of the facts submitted by the two hon. members, a prima facie case of privilege has been made. Surely there must be sufficient doubt in your mind, Madam Speaker, based simply on the affirmation of the minister, with respect to the posting of the press release at 2.15 when it must have been prepared well in advance of the cabinet meeting that he asserts subsequently took place.

**Mr. Gray:** The notice was posted at 2.15.

**Mr. Nielsen:** The notice was posted, correct, but the release itself was on the Press Gallery bulletin board at 2.15. Am I incorrect in that?

**An hon. Member:** You are. Forty-five minutes after.

**Mr. Nielsen:** At three o'clock. There must be sufficient doubt in your mind, Madam Speaker, about the relationship between the timing of the posting of the press release, even accepting the minister's statement of fact, as to lead you inevitably to the conclusion that a prima facie case does indeed exist and that you should accept the motion of the hon. member for York-Peel.

May I suggest, because of the importance of the matter, that the Chair, perhaps out of sheer prudence, would want to read both those submissions very carefully before coming to a decision. I suggest, Madam Speaker, that you might take the luxury of having a look at it for whatever time is deemed essential, and then render your decision at a subsequent date.

**Mr. D. M. Collenette (Parliamentary Secretary to President of the Privy Council):** There are a few facts I would like to bring to the attention of the House, Madam Speaker. First of all, on the point just made by the hon. member for Yukon (Mr. Nielsen), he should realize the day we were talking about was a Friday. Question period is at eleven o'clock on Friday, so I think the hon. member has his timing as well as his facts mixed up.

Secondly, the hon. member for York-Peel (Mr. Stevens) cited two examples of precedents in this House concerning use of the words "deliberately misled". I am not sure that I followed the logic of his argument and he was seeking guidance from Your Honour about whether he could go ahead and use those words.