

*Conduct of House Business*

Mr. Chairman, we hope that following our remarks the Government will take it upon themselves to move amendments to the proposed Resolution 15.

At any rate, I have an amendment to move but I would be ready to withdraw it if the Government had a similar one to propose.

I move, seconded by the member for Roberval (Mr. Gauthier), that paragraph 2 of Resolution 15 be amended by deleting all the words appearing after the word "decision" in paragraph 1 of section 12 of the Standing Orders.

Mr. Chairman, I apologize for having only one copy of this amendment to offer, for I had to prepare it after the house unanimously agreed to our conditions. I also apologize to my English speaking colleagues for not having an English copy. I usually have one, but did not have time to prepare one today.

Mr. Chairman, I do want to point out that in the French text of the proposed resolution No. 15, which reads as follows, we see in the last two lines of standing order 12, section 1:

Aucun débat n'est permis sur une telle décision qui ne peut faire l'objet d'aucun appel à la Chambre.

The word "decision" is used only once in French and we move that all the words following this word "decision" be deleted.

The English version reads:

• (9:20 p.m.)

[English]

No debate shall be permitted on any such decision, nor shall any such decision be subject to an appeal to the House.

[Translation]

—the word "ruling" appears twice. We wish to strike out all the words in the English version following the first "ruling". We believe that those explanations were necessary and will be sufficient.

Mr. Chairman, I believe that we have proved clearly that this section must be amended along the line suggested. We admit that there be no debate on a Speaker's ruling, but none the less we believe that the house should retain this right of appeal from a Speaker's ruling. Furthermore, it has always been recognized in the British parliamentary tradition that the house is master of its own rules, master of its own rulings, and we believe that in accordance with this tradition, the right of appeal from a Speaker's ruling should be maintained.

[English]

The Acting Chairman (Mr. Tardif): Is the Committee ready for the question?

[Mr. Grégoire.]

Some hon. Members: Question.

Mr. Aiken: Mr. Chairman, before the amendment is put to the Committee I should like to make just a very few comments on the question of appeals. I think there is one provision that has not been included in the proposed amendments and which should have been included. The hon. Member who has just proposed an amendment has pointed out that there is a provision to do away with appeals from Speaker's rulings and there will be an appeal from a decision of the Chairman of Committees of the Whole House to the Speaker. But there has been a point in very great doubt over the years which I suggest could very easily be put into the rules to round out the question of appeals. I refer to the question of appeals from rulings of Chairmen of Standing and Special Committees. For quite some time there has been a good deal of difference of opinion in Standing and Special Committees whether or not there can be an appeal from the Chairman's ruling. Various committee Chairmen have held that there is no appeal from the decision of the Chairman of a committee. Other chairmen have permitted appeals from their own rulings to the committee as it sits and still others have held that there is no appeal except to the House.

This has caused a good deal of confusion. I should therefore like to suggest, although not by way of amendment at this point, that in order to round out this question of appeals there should be a provision regarding appeals from the decisions of Chairmen of Standing and Special Committees. My suggestion would be that the appeal should be to the committee itself, if any appeal at all is to be allowed, and that no appeal should be allowed to the House. That is a matter of opinion, but I think this should be included in order to leave no doubt about the question of appeals from decisions of Chairmen of committees. That is the first point I would like to make and I believe it might well be considered because there has been confusion and this is the very time to correct the situation.

Second, on the question of appeals—

Mr. McIlraith: Mr. Chairman, on that one point could I ask a question for clarification? Would the hon. Member propose that such clarification take place by way of a provision put into paragraph 9 of the order following the provision dealing with appeals from the Chairman of Committees of the Whole House?

Mr. Aiken: Mr. Chairman, I certainly would not like to suggest the wording but it is a