

*Routine Proceedings***QUESTIONS ON THE ORDER PAPER**

Mr. Bill Kempling (Parliamentary Secretary to Minister of Employment and Immigration): Madam Speaker, I ask that all questions on the Order Paper be allowed to stand.

The Acting Speaker (Mrs. Champagne): Shall all questions be allowed to stand?

Some hon. members: Agreed.

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EXCISE TAX ACT

POINT OF ORDER—SPEAKER'S RULING

The Acting Speaker (Mrs. Champagne): Last Wednesday, January 31, the hon. member for Okanagan—Similkameen—Merritt concluded his remarks in debate on second reading of Bill C-62, by moving that the House do now adjourn. That motion was subsequently defeated on a recorded division.

When debate was resumed on the bill, the hon. member for Edmonton East rose on a point of order to suggest that the House was still entitled to the opportunity to proceed to the 10 minute question and comment period on the hon. member's speech.

[*Translation*]

The hon. member for Churchill and the hon. member for Esquimalt—Juan de Fuca have argued that the right to proceed with the 10-minute questions and comments period is the prerogative of the House, not that of the member who has just ended his remarks.

After listening to arguments the Chair deferred ruling on the point of order to check precedents and past practices and then recognized the hon. member for Calgary West.

The Chair indicated as well that the House would be allowed the 10-minute period if the point of order raised by the hon. member for Edmonton East were deemed to be legitimate.

[*English*]

The Chair is now prepared to offer a ruling. According to Standing Order 74(2), following the speeches of members speaking 20 minutes on the second reading of a

bill, a period of 10 minutes, if required, is provided for questions and comments. The rule does not mention any qualification which would prevent the House from claiming this 10 minutes.

By practice, however, it has been established that if proceedings are interrupted before the 10 minute period is reached or exhausted and the member is not present in the House when debate is resumed, the Chair will recognize the next member seeking the floor. It is also true that there have been occasions when members moved superseding motions that were negated only to have the House carry on to another member who was recognized without a claim being made for the 10 minute question and comment period.

On the other hand the House has frequently claimed its right to the 10 minute period after members have moved amendments to the motion for second reading or motions to extend the sitting in order to prolong the debate and the claim has not been denied.

[*Translation*]

However our research uncovered the fact that during second reading debate on a bill on March 14 and 15, 1985, the hon. member for Vancouver—Kingsway, now Member for Port Moody—Coquitlam, moved the adjournment of the House. The motion was defeated in the ensuing vote. When debate resumed the following day the hon. member asked for a 10-minute questions and comments period. Speaker Bosley ruled that the fact that the hon. member had concluded his remarks by moving a dilatory motion did not prevent the House from proceeding with the 10-minute period.

In the case now under consideration, which is practically a repeat performance of the precedent I have just referred to, the Chair must keep previous practice in mind and allow a 10-minute period when second reading debate on Bill C-62 resumes, if the hon. member for Okanagan—Similkameen—Merritt is in the House to respond.

[*English*]

The Chair would like to thank all members for their understanding and for giving the Chair the necessary time to do some research and some reflection on this very technical point before rendering its decision.