

Privilege

I have been informed that to date, agreement has not been reached—

There is a difference. The Standing Order says “could not” and the minister of state said yesterday “has not”. To have an agreement, one must have two or three people participating in a kind of dialogue where exchanges are made. That is what an agreement is. An agreement is when people, in accord with the parameters of the problem before them, decide to do certain things.

The minister yesterday said there has been no agreement. How the heck could he say that when he knows darn well that there was no consultation with anybody on this side of the House? How could the minister, in his great intelligence, decide that the opposition, after three speakers in the House, had been consulted because he heard from this side opposition views on that bill? Is that what he did? I would like to hear from the minister as to why he put that in there, that it has been a fact that an agreement could not be reached. That is wrong and false.

In the standing order the use of the language is the same as in the notice given: an agreement has not been possible. The wording does not precisely say that the minister has tried to reach an agreement. It does not say that. The following is stated in yesterday's *Hansard* at page 14016:

I have been informed that to date, agreement has not been reached—

What does that mean, Mr. Speaker?

I have been around here for 18 years and a lot of people in this House believed and thought that the customs, the procedures, and the usual way of doing things, the courteous thing, was to have consultations under Standing Order 78(1). That is the practice in the House, for those who are listening.

The rule says that the government comes to the opposition and says: “We would like to limit the debate on such and such a measure, or such a bill or motion. Would you agree to give us debate for maybe two or three days?” That has been done over the years since 1969. As I said before, that has been the practice. That has been the custom. That has been the rule of the House.

If the government could not get agreement under Standing Order 78(1) from all parties, maybe a majority

of the parties, maybe two of the three parties in the House, would agree. That was Standing Order 78(2). If not, then it could use Standing Order 78(3) and give notice that no agreement could be reached. But, Mr. Speaker, to get an agreement you have to try to get an agreement and they never even tried to get an agreement.

My argument to you, Mr. Speaker, is that by saying to Canadians and to the House that Standing Orders 78(1) and 78(2), as we used them, is false. The government never used Standing Order 78(1). It never used Standing Order 78(2). It is jumping the rules and using, in my view, the wrong approach. They are using the wrong—

Mr. Tobin: It is against the rules.

Mr. Gauthier: As the member says, it is against the rules to go and make that kind of statement.

There is more than an implication of the government. At least it must try under Standing Orders 78(1) and 78(2). Technically the government could argue—I will give him that—that it has not been possible to reach an agreement. It could say that and that we would have to accept.

Mr. Speaker, you would have to start by stating that you tried to get an agreement, and the government never tried to get an agreement.

In my experience here in this House as Whip and as House leader, every time the government has come to us for consultation on this matter we have given a fair, an open and a direct answer to its questions. And it has used it. Time allocation and closure are well known to this government. It will go down in history as the government that misused, abused, and used that continuously to gag the House, but that is not the point I am trying to make.

We have been consulted on this matter before. It is true that sometimes we do not agree, but at least it tried. Then it comes in and says: “Because we cannot get an agreement, we move the time allocation procedure allowed under Standing Order 78(3).” We accept that. We know that.

The government has to get this legislation through. We know there are time limits on debates sometimes. The throne speech debate is eight days. The budget speech is five days. We accept those things. Those are rules of this House, but you have to operate within the rules of the House.