

page 4498 of yesterday's *Hansard*. This is the motion of the Prime Minister:

That at this sitting of the committee of the whole house on bill 298, an act to establish the Northern Ontario Pipe Line Crown Corporation, the further consideration of clauses 1, 2, 3, 4, 5, 6, 7, the title of the said bill and any amendments proposed thereto, shall be the first business of this committee and shall not further be postponed.

I draw your attention, sir, to the words, "at this sitting." The sitting to which those words had reference was clearly the sitting of May 31 and not the sitting of Friday, June 1. For that reason, sir, as well as for other reasons that I shall now lay before you, now that you are hearing points of order after your refusal to hear points of order at the time when they would have been significant, I am submitting to you that the motion is abortive and the proceedings that you have attempted to preside at this afternoon in this committee of the whole are abortive and a nullity. If the rules mean anything any more—

**Mr. Knowles:** They don't.

**Mr. Fleming:**—and it is doubtful if anything remains of them after today but the merest shreds and tatters—standing order 33 provides, or did provide formerly, as follows:

Immediately before the order of the day for resuming an adjourned debate is called, or if the house be in committee of the whole, or of supply, or of ways and means, any Minister of the Crown who, standing in his place, shall have given notice at a previous sitting of his intention so to do, may move that the debate shall not be further adjourned, or that the further consideration of any resolution or resolutions, clause or clauses, section or sections, preamble or preambles, title or titles, shall be the first business of the committee, and shall not further be postponed; and in either case such question shall be decided without debate or amendment; and if the same shall be resolved in the affirmative, no member shall thereafter speak more than once, or longer than 20 minutes in any such adjourned debate; or, if in committee, on any such resolution, clause, section, preamble or title; and if such adjourned debate or postponed consideration shall not have been resumed or concluded before one o'clock in the morning, no member shall rise to speak after that hour, but all such questions as must be decided in order to conclude such adjourned debate or postponed consideration, shall be decided forthwith.

Let me boil down the language of that lengthy rule so as to confine the statement of it to the points that are strictly relevant to the point now raised in committee of the whole. The words, I think, remaining, would be these:

Immediately . . . in committee of the whole . . . any Minister of the Crown who, standing in his place, shall have given notice at a previous sitting of his intention so to do, may move . . .

—a motion concerning the postponement of consideration of any clause. I would like

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to be able to argue the question, but I take it that it is useless here arguing a question which was raised yesterday, in regard to the application of rule 33 to the kind of motion that the Prime Minister put forward. Whilst yielding nothing on the point that was raised yesterday by my colleague, the hon. member for Kamloops, I proceed from that point on the assumption that the action taken by the committee, in my opinion quite improperly, on an invalid ruling of your own prevents me from attacking the motion as such. I therefore argue the point now, sir, on the basis that, although such a motion may be in order in proper circumstances, it is not in order today. That is the point that I tried to put before you, when you turned a deaf ear to all such points. I was trying to say to you that, even though the ruling of yesterday, which was purported to be sustained by the Chair today, was a ruling that the motion was in order yesterday, that is not tantamount to its being in order today, because it was a motion relating to yesterday's sitting. It is not and never was a motion relating to today's sitting.

Note that language of rule 33. Notice that may be given by a minister of the Crown is notice given at a previous sitting of his intention to move. I take it that it is arguable, in view of the word "a" before "previous sitting", that it is not strictly necessary that the minister of the Crown giving his notice of his sectional closure should give it for the next day. He could give it for a later date. For instance, when the Prime Minister gave his notice on Wednesday, he might have chosen to give it for Friday instead of Thursday. That might be an arguable point, in view of the word "a" before the words "previous sitting." Whilst that may be an arguable position, sir, I submit to you that, if the notice is given for the next sitting of the house and if the motion is moved at that next sitting, its effect is immediate as to that particular day. In that respect it is different from other motions. This is a particular type of motion.

Rule 33 is the only code in the standing orders attempting to deal with the procedure on closure motions. We have a situation, undoubtedly, which is unprecedented, and in that unprecedented situation I say to you that to permit this motion to be put today means a wrenching of the provisions of standing order 33 out of all possible recognition.

If that motion had been resolved in the affirmative yesterday, its effects would be immediate as to yesterday. Immediately on its being passed, all speeches would be confined to 20 minutes, and the questions before