

*Point of Order—Mr. MacEachen*

territorial waters as recognized by the sector theory be bartered away?

**Hon. Donald C. Jamieson (Secretary of State for External Affairs):** Mr. Speaker, I think I can assure the hon. member that we have taken a particularly firm stand. We want to get the absolute maximum that we can for this country.

In so far as formal claims by the United States are concerned, for obvious reasons I would want to check and see what has been laid down as a formal claim as distinct from certain positions proposed in negotiations. I will try to get that information for the hon. member.

Perhaps a more general answer would suffice at the present time, in that Canada has recognized no claims by the United States for any boundary lines or any other proposal that they have put forward on the west coast. As I told the hon. member a few moments ago, the whole thing is very much a matter of negotiation, with no final decision made as to how it will be disposed of, whether by bilateral negotiation or third party arbitration.

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**POINTS OF ORDER**

MR. MACEACHEN—OPERATION OF STANDING ORDER 43—  
RULING BY MR. SPEAKER

**Mr. Speaker:** A point of order under Standing Order 43 has long been outstanding before the House. I am conscious of the fact that today is an allotted day for the opposition but I should like to dispose of this ruling at this time. I have given it very careful consideration and I do not think the House will find that it will take an undue length of time, bearing in mind our desire to start proceedings on the opposition motion.

This point of order came up in respect to difficulty with proceedings pursuant to Standing Order 43 but obviously, through the very extensive discussion, it touched on long standing concerns on both sides of the House about the proceedings pursuant to this Standing Order which we have now organized as our first item of business every day and which proceedings have given us a rather troubled history.

The Standing Order began, innocently enough, simply as the written expression, perhaps even unnecessary, that with unanimous consent we could free ourselves from the shackles of our own rules. In due time it found its way into the hands of all members as a rather regularly used device during motions which in the previous arrangement of our business followed questions each day.

Early in this parliament we re-arranged our order of business in a way which I feel, and which I think other hon. members feel, greatly improved not only our question period but which consecrated our opening few minutes to applications pursuant to this Standing Order every day. I think it cannot be overlooked that this represented a clear confirmation of support in the House for the practice.

[Mr. Nielsen.]

It also introduced an element of self-discipline, since the time not taken up with these motions would be available for additional questions and, as a result, I believe I became more lenient in my own interpretation of Standing Order—perhaps as discussion on all sides of the House indicated, a little too lenient. In any case, I certainly welcomed this point of order when it was raised late last year.

I want to say at the outset that the extensive discussion, containing a number of very reasoned contributions, has in itself done a great deal to reduce the difficulty, especially in the consensus which I felt was evident, that the practice, however imperfect, fills an important purpose and must be preserved, and that I must exercise my authority to check obvious abuses.

Drawing upon this consensus, I hope members have noticed that since the day of this discussion I have intervened on several occasions to reject applications from both sides of the House which contained inflammatory preambles which are of a purely partisan nature, which lack urgency, and which are frivolous; and even today I set aside one of those applications which came from the government side of the House. As I say, I have tried to do that on both sides of the House and to draw upon the consensus raised in the discussion that I ought to do so in order to preserve this practice. Equally, I have refused to put the application to the House where the motion endeavours to express congratulatory messages or relates to procedural problems.

I want to stress to the House that I have taken this approach as a direct response to contributions from all sides—from the government side, of course, but equally from the hon. member for Hamilton West (Mr. Alexander), the hon. member for St. John's East (Mr. McGrath) and the hon. member for Winnipeg North Centre (Mr. Knowles).

Among the contributions I received I stress those members because in each case the member stressed that it was hoped I would find a way to reduce the misuse of the rule in order to safeguard it. I, therefore, say I was drawing upon a consensus. With the support of the House I will continue to do so in order to ensure that access to this procedure remains available every day to those who seek to bring to the attention of the House matters which are worthy of urgent consideration.

I also want to resolve the point of order related to the conflict with our schedule when consent is given, the motion is put and debate begins. I am convinced that the committee which recommended the excellent pre-arrangement of our routine proceedings did not anticipate this problem, and so we are without specific guidance.

I am faced with some very clear language in Standing Order 15(2), which protects the hours of question period each day, and Standing Order 45(2), which transfers to government orders any interrupted or adjourned debate. I have therefore followed the practice of transferring to government orders any debate under Standing Order 43 which is interrupted by the question period. It seems to me that to do otherwise I would have to ignore these Standing Orders and give motions pursuant to Standing Order 43 a priority over all other business,