

Point of Order—Mr. Riis

not find a single example of when such a motion was not moved under Motions as opposed to Government Notices of Motions. Not a single example was uncovered.

On Thursday, October 17, 1973, the then Secretary of State moved, under Motions, a motion to extend the hours of sitting on a number of days. Similarly, the Order Paper for Monday, August 4, 1958, shows that the Prime Minister moved a motion to change the hours of sitting. Again this motion was moved during Routine Proceedings under Motions as had been ordered when the procedure committee's report on the Standing Orders was concurred in by the House in 1955. I have others, Mr. Speaker. I have the Order Paper for Monday, July 14, 1958; the Order Paper for Monday, February 20, 1956 and so on. At page 15723 of *Hansard* for May 24, 1988, you said:

I am reminded of Dean Swift when he said that lawyers are a race of men among us who believe that anything that has been done before may legally be done again. I think that it is always important not to get caught up in that adage too closely . . . However, the difficulty of the Chair in a case such as this is that if a practice has so fallen into disuse that it is not in the minds and in the contemplation of Members on either side of the House when the particular form—and that is of course what Beauchesne says it is—is followed, then the question is whether it is a better course of wisdom for the Speaker to reach back too far to pick something out of the mists of time to say that suddenly without any particular expectation, it applies.

I must say that this is practice that I would not want to take part in unless I had some very clear direction from all sides of the House that, indeed, some ancient practice ought to be reinstated and ought to be part of the consideration of the House at all times.

I would suggest that the principle you applied in your ruling of several weeks ago be applied here today. What the Government has done has not been done since the early 1950s. In 1955 there was a committee report adopted unanimously by the House of Commons specifying that motions which regulate the times of sitting or the date of adjournment had to be moved during Routine Proceedings under Motions. As I have said, I can find no precedent since the adoption of that committee report that would show that this motion has to be moved at any time except under Motions.

I suspect that some may argue that in extending the House past the normal date of adjournment, the Government if allowing for extra days to debate Government Orders or government affairs, as it is referred to in Citation 270(1) of Beauchesne, would not eliminate Question Period or Private Members' Hour. Are these two items government business? Of course not. Private Members' Hour, as you are well aware has, since parliamentary reform of the last several years, come to belong more than ever to the private Members on all sides of the House. In other words, it is ideally free from interference in any way by the Cabinet or executive. In no way could this valuable time be construed as belonging to the Government or being in any way government business.

What of Routine Proceedings, Mr. Speaker? I can refer back to Speaker Lamoureux's decision in 1970 that I quoted earlier to indicate that he clearly stated that Routine Proceedings were not government business. Routine Proceedings are when, for example, Members can present petitions, and belong

to the whole House. Therefore, it is my view that to argue that the Government can extend the sittings of the House for the purpose of dealing with Government Orders does not take into account that this House deals on a daily basis with items that are not government business. Any motion to extend the sittings of the House can, therefore, affect the initiatives of any Member of the House and must, therefore, be seen as affecting the whole House and not simply Government Orders.

In conclusion, I would like to say that I was disturbed, to say the least, when I saw the Government's motion on the *Notice Paper* yesterday. It is a testament to the legislative mismanagement of this Government that it has some 40 or so government initiatives that it wants passed before the summer adjournment. I hope you will consider the arguments that I have made here today to indicate the Government has shown a disturbing tendency in recent months to disregard the rules and practices of this place even when those rules are explicit and those practices longstanding. I hope, Mr. Speaker, that you will rule that even a Government with an overwhelming parliamentary majority must respect the customs, traditions and practices of this place.

I thank you for your patience, Sir.

Mr. Speaker: The Hon. Member for Windsor West (Mr. Gray) may want to make a few remarks.

Hon. Herb Gray (Windsor West): Mr. Speaker, yesterday when we saw the motion by the Government to suspend the rules and, as a result, to force the House to continue sitting through the summer with the additional requirement to sit without a break from two o'clock in the afternoon until ten o'clock at night, I raised the point of order that this was not a motion that could be made on a number of grounds, including the breach by this motion of the traditional practices of the House as well as various factors pertaining to the Standing Orders themselves. At that time, in view of what you said when I made a similar argument with respect to the motion by the Government to suspend the rules of the House when it attempted to table a motion contrary to our normal Standing Orders on abortion, I noted you said that such an argument should be made if and when the motion was called.

Yesterday I reserved my right to make an argument at some length about the impropriety of the action of the Government in attempting to suspend the rules, not just simply to help itself get out of a tight corner on one issue, namely, abortion, but to help itself get out of a tight corner with respect to the total mismanagement of its entire program.

• (1550)

I said yesterday and I repeat now that I have some arguments which I believe are well founded as to why the Government's motion to suspend the rules of the House should not be accepted by you, Mr. Speaker. However, I do not intend to offer these arguments at this time. I just want to make sure that the record shows that I have these points to make and that I also have points to make about whether the Government's