

Order of Business

Also there are Bills S-6 and S-7. Both of these bills appeared on Thursday, February 13, 1969, as respectively Nos. 1 and 2 on the order paper. They were debated as reported from the Standing Committee on Finance, Trade and Economic Affairs. On March 25, when they reappeared, they were at the end of the list as Nos. 6 and 7. Bill S-6 was an act respecting the Canada Trust Company. Bill S-7 was an act respecting the Huron and Erie Mortgage Company. Of course, they were Senate bills.

On March 13, 1969, there was Bill C-101 appearing in the name of Mr. Lind. The constituency name was not mentioned. It was an act respecting London and Midland General Insurance Company, and it appeared as No. 1 under private bills. It was moved after it had been debated in committee of the whole. It appeared subsequently on October 22 at the end of the list as No. 5. It was listed as follows:

House again in committee of the whole on Bill C-101—

This bill was debated once at that stage, and the next time it appeared on the order paper it was at the bottom of the list.

Also Bill C-208 was mentioned by the hon. member for Red Deer and I will not refer to it too much. It was on top of the list on February 13. I have the list of private members' bills for Monday, February 16, 1976, where the same bill has been moved down to No. 8.

Finally there is Bill C-242 which was the first item under public bills, "an act respecting relief to non-smokers in transit, as reported (with amendments) from the Standing Committee on Health, Welfare and Social Affairs." It was presented by the hon. member for Toronto-Lakeshore (Mr. Robinson) with amendments, from the committee. It was debated on Friday, June 4, 1976, and on Monday, June 7, it appeared as No. 42 and read as follows:

Resuming debate on the motion of Mr. Robinson, seconded by Mr. Francis, for the third reading of Bill C-242—

Also there is Bill C-29, and perhaps there are others. That completes the list of precedents which indicate to me that the practices and traditions of the House have been well established. But it still remained in my mind whether or not this practice developed without being questioned, or corresponded to our Standing Orders, so I felt I should go deeper into the matter and examine the Standing Orders more thoroughly. This brought me to a new Standing Order which was accepted by the House on Tuesday, June 14, 1955, which reads as follows:

After any bill or other order in the name of a private member has been considered in the House or in any committee of the whole and any proceeding thereon has been adjourned or interrupted, the said bill or order shall be placed on the order paper for the next sitting at the foot of the list under the respective heading for such bills or orders.

That is more or less the same standing order we have now. There is an interesting comment which has been written in relation to that new Standing Order. It reads as follows:

The practice in regard to private members' business is not consistent. Under the present Standing Order 15(4) bills are dropped to the bottom of the list after being debated on a Tuesday or a Friday but under the present Standing Order 110(2) a private bill considered in a committee of the whole on the said days remains at the top of the list for consideration at the next sitting.

[Mr. Deputy Speaker.]

In order that a uniform principle may be established, this new section proposes that after any bill, motion or order in the name of a private member has been considered at any sitting, it shall be placed at the foot of the list of bills or orders under its respective heading on the order paper.

If I read this well, I can identify an intent by the introduction of that Standing Order to permit a bill reported from a committee of getting some kind of priority upon report but, not keeping that priority further than the possibility of being debated and being put before the House once, after which it would be treated just as any other private member's bill or order.

So I decided to examine more attentively the present Standing Order. We are faced with three Standing Orders which concern us at this time. Standing Order 18(1) reads as follows:

All items standing on the orders of the day, except government orders, shall be taken up according to the precedence assigned to each on the order paper.

It is very clear that Standing Order 18(1) singles out private members' business.

Standing Order 20(1) reads as follows:

The day to day precedence on the order paper of private members' business, except as otherwise provided, shall be as follows:

When the hon. parliamentary secretary referred to Standing Order 20(1), he missed the three or four words "except as otherwise provided".

• (1740)

[Translation]

When the parliamentary secretary read Standing Order 20(1), I wonder if he forgot to mention that that clause reads as follows:

—except as otherwise provided—

In my opinion, those words leave the door open to the possibility of an exception which might be defined elsewhere in the Standing Orders.

[English]

The fact that Standing Order 20(1) includes these words "except as otherwise provided" certainly means that somewhere in the Standing Orders there must be a provision whereby there can be an exception. I believe this exception is found immediately under Standing Order 20(2) which says:

After any bill or other order in the name of a private member has been considered in the House or in any committee of the whole and any proceeding thereon has been adjourned or interrupted, the said bill or order shall be placed on the order paper for the next sitting at the foot of the list under the respective heading for such bills or orders.

My first conclusion was that, although there is a list of priorities for private members' business on the order paper, this priority should not and does not exist for a time longer than necessary to bring that order again before the House for debate.

I did look into the precedents to see if the words "respective heading" for such bills or orders, which appear in Standing Order 20(2), met the interpretation given by the hon. member for Vaudreuil (Mr. Herbert) in the way that his bill, even after being debated for third reading, should have stayed at the top