

Mr. Langdon: Mr. Speaker, there are three points which I believe show flaws in the argument which the Conservative Members have put before you this afternoon on this important point of order. The first flaw is that the agreement itself has not yet been tabled. If there had been a mere delay in the tabling on Monday, perhaps that would have represented a mild oversight which, as the Deputy Prime Minister (Mr. Mazankowski) has noted, was recognized by the Leader of the Official Opposition during the debate. However, that does not offer any excuse for the agreement not to be tabled for the rest of the week.

Second, the question was raised on Monday as to what unanimous consent was being given. It seems quite clear to me, and I believe to most Members of the House, that unanimous consent was being given to Standing Order 68 rather than Standing Order 108. Standing Order 68 states that 48 hours notice shall be given of a motion for leave to present a Bill, resolution or address. That was the exemption which we accepted unanimously in order to facilitate consideration of the Bill. There was no intimation at any time that Standing Order 108 was, itself, being exempted by unanimous consent.

Finally, it must be made very clear that it was not the Bill that was voted on, but a procedural amendment to put the Bill off for a period of time. There has not been any vote on the Bill itself. Instead, it is a question of a procedural amendment which took place and one that would have removed the Bill for some considerable time before such a vote took place. I suggest that argument is essentially hollow.

In view of these facts and the lack of willingness on the part of the other two Parties in the House to talk seriously about some arrangement which might take us through the impasse—about which I have spoken to representatives of the other Parties—unfortunately it now becomes incumbent upon you to come to a decision. I would urge that that decision be very much in accordance with the rules of the House so that there is no precedent that under any circumstances rules can somehow be overlooked.

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, in order to be of assistance to you in making a decision, I want to draw your attention to a precedent. This happened on June 26, 1984, in the second session of the Thirty-Second Parliament, when the matter under discussion was the second reading of the Western Arctic (Inuvialuit) Claims Settlement Act. The citation can be found on page 5139 of *Hansard* for that day. At that time something very similar happened, again on page 2, Clause 2 of the Bill under discussion. The blanks and the number of the agreement had been omitted from the Bill. I argued then just as strenuously as the Opposition is now arguing that the Bill was therefore defective and should not be admitted.

However, at that time, members of the Liberal Party argued that this was merely a technicality and should not prevent discussion of the Bill as it stood. The Deputy Speaker at the time found in favour of the Liberal Government Members who

had argued that it was merely a technicality and should not prevent discussion of the Bill. I think you might want to look at that precedent before you render your decision.

Mr. de Corneille: Mr. Speaker, the House can do almost anything in terms of the way we proceed if it so agrees by unanimous consent. I imagine that we could have proceeded if we were dealing with a subject that was debatable and one which we felt the Government wanted to debate. However, when we hear the Minister for International Trade (Miss Carney) state that there are further changes that might be negotiated in the Memorandum of Understanding, we may find when it is tabled that that part of the debate which has taken place was not totally relevant because changes may have been made therein. On the basis of that type of problem, we are faced with the Government's text, not the text of the House of Commons. The very fact that it might be renegotiated means the Government must state clearly whether it is tabling a final Memorandum of Understanding, or will it also be under review? Will the Government use its power to obstruct that?

This is a very serious matter. We are talking about an untabled document that is related to the debate that has taken place so far. We may find that it has changed or that the Government may want to change it in the future. The question before us is one of a Bill that we see one minute and not the other.

I believe this is a matter of principle and precedent. I do not believe that the question of this Memorandum of Understanding, that is so basic to the whole Bill, can be called a small technicality.

Mr. Murphy: Mr. Speaker, it was not my intention to rise again on this point of order. However, in the ensuing discussion I feel there has been an attempt—I am sure not a deliberate attempt—to kind of muddy the waters. I think it is very clear that under our new rule, Standing Order 108:

● (1510)

No bill may be introduced either in blank or in an imperfect shape.

According to *Hansard* on January 19, 1987, page 2370, the Minister for International Trade (Miss Carney) moved:

—that Bill C-37, an Act respecting the imposition of a charge on the export of certain softwood lumber products, be now read the first time and be printed.

That is when we ran into problems. We assumed, and rightly so, that the Bill was in perfect shape and was able to be introduced and printed at that time. The Bill before us, as has been explained by a number of Hon. Members, is not perfect. It is not complete and does in fact have a blank on the top of page 2. That is the problem we face.

The Government had an obligation to prepare and to present a Bill in a perfect and complete form. That is the intent and the exact wording of Standing Order 108. The Government failed in that obligation. As a result, it is possible for the Government to now put almost any memorandum or piece of