

Points of Order

Finally, on December 19, 1989, I tabled a document entitled "The Goods and Services Tax" which superseded the August technical paper.

These are the documents that have been issued or tabled since our government started with the process of sales tax reform. I point out that none of these documents were required documents for the development of the legal authority to implement the GST. They were all useful documents from a policy development perspective but they were not necessary within the formal legislative process by which this House operates.

The Ways and Means motion that was tabled on Monday of this week, and was concurred in on the following day, is a different matter. It was, as members know, the first step in the legislative process of seeking legal authority from Parliament to implement the GST.

The Ways and Means motion adopted by this House on Tuesday of this week stands on its own as the first step in the legislative process, and it does not derive its authority from documents previously issued by the government or tabled in this House.

I submit, Mr. Speaker, that my hon. colleague's concerns about the implication of "a Ways and Means motion based on a non-parliamentary document" are misplaced. Policy development documents or discussion papers that precede the tabling of Ways and Means motions are often not formally tabled. I think the mistake that my hon. colleague makes is in confusing the policy development process with the process by which legislation derives its legal authority.

The truth of the matter is that, having come to the end of such a long process of policy development, the government did not wish to table a Ways and Means motion without providing the context. In short, we made reference to the August technical paper as a historical milestone of the GST policy development process in an effort to be helpful to members of this House.

You will note, Mr. Speaker, that our efforts in this regard were very clear. We listed the titles of the significant policy documents, their dates and how they were issued, either formally tabled or issued outside the House. Again, all of this to be helpful.

In closing, I would again submit that the Ways and Means motion tabled on Monday of this week stands on its own in providing the scope and the legal authority for

the GST legislation, with or without the reference to the August technical paper that my hon. colleague has referred to.

It follows from this that the scope of the Ways and Means motion is clearly defined, and that the rate of the GST cannot be amended to exceed 7 per cent. I can assure you that there was never any intent to forge new parliamentary traditions, and I do not believe that that has been the result.

With that said, Mr. Speaker, if it would be helpful to the Chair, I would certainly be prepared to table the August technical paper. I would like to thank the Chair for its indulgence in this matter and hope that the ambiguity perceived by my hon. colleague has been laid to rest.

Mr. Speaker: The hon. parliamentary secretary on the same point.

Mr. Albert Cooper (Parliamentary Secretary to Government House Leader): Mr. Speaker, I wish to enter into this discussion for a few moments this afternoon. I would like to make two arguments. The first one is that I think this is totally frivolous and that we should not be treating this point of order seriously. Second, I would like to put on the record for future reference, and I emphasize future reference, some of our comments on the process of Ways and Means motions.

Let me review the situation as I see it. The minister gave notice of his Ways and Means motion on Monday. On Tuesday the House voted and concurred in the Ways and Means motion. Yesterday, the GST bill was introduced and read the first time.

After reviewing the member's arguments, I cannot understand what point it is that he is really trying to make. If he or anyone else had a problem with the Ways and Means motion, why did they not express their concerns in the same way, for instance, that members do at the report stage on amendments placed on the Order Paper for debate, that being that any objections are presented before the item is moved and disposed of, or, as should have been the case here, before we voted to concur in the Ways and Means notice.

Raising his points now, after the House has decided by way of a vote on the Ways and Means motion, a vote that he took part in, is ridiculous and raises my concern that perhaps the member did not understand what he had in fact voted against.