

Point of Order—Mr. Gray (Windsor West)

required. But, if written notice is given, it still must be initially taken up by the House, not under Government Notices of Motions but under Motions. By giving 48 hours written notice of a motion to be put down under Government Notices of Motion, the Government is not giving notice of a motion pursuant to Standing Order 82, but is giving notice of a substantive motion which, at the appropriate time, will be transferred to Government Orders for eventual debate without being subject to the special time limits applied to a motion pursuant to Standing Order 82.

To conclude, Mr. Speaker, if the motion of which the Government has given notice is supposed to be a motion pursuant to Standing Order 82, it ought to appear under Motions rather than under Government Notices of Motions. Only then would the limits on speeches, the over-all limit on the length of debate, apply. Any written notice of a motion pursuant to Standing Order 82, if it is to be treated as a motion subject to the provisions of that Standing Order, must be taken up under the heading assigned to motions relating to the management of the business of the House, that is to say, Motions.

I want to draw to your attention, Mr. Speaker, the serious defect in today's Notice Paper and I would ask you to take the appropriate action.

Mr. Ian Deans (Hamilton Mountain): Mr. Speaker, I rise on the same point of order to support the representations made by my colleague. In attempting to determine whether or not such a move has been undertaken by a Government in the past, my staff and I have been unable to come up with a situation similar to this. The normal practice has been in the past that the question of time allocation, which this is, be dealt with under Motions during the routine business of the House, and the transferral from the normal practice to a practice generally reserved for considerably different types of motions is a practice which I think would set a dangerous precedent which this House would live to regret.

I would ask, Sir, that you ask the Government to simply adhere to the procedures which have heretofore proved to be satisfactory, and require of the Government that it deal with this motion in the appropriate and normal way.

Hon. Ray Hnatyshyn (President of the Privy Council): Mr. Speaker, I am quite frankly somewhat surprised to hear this point of order. I thought I was doing the Opposition a great favour in proceeding in this particular manner. The position of giving appropriate notice to the Opposition so that it would be in a position to proceed on any debate is one which I had thought would have been welcomed with open arms by Hon. Members of the Opposition. We have completely complied with every procedure available under our Standing Orders, and I have to tell you, Mr. Speaker, in all fairness, that the Standing Orders do speak for themselves. It is not a question of the Government deviating from the Standing Orders. There has been no suggestion made that we are deviating from the Standing Orders. We have complied in every respect with the Standing Orders.

The House Leader of the Official Opposition makes reference to the appropriate motion and the procedure available with respect to time allocation. I think that particular Standing Order is one which is clear, unequivocal, and in fact is one which is quite properly the subject of moving because it is in the name of a Minister of the Crown, and is only available to a Minister of the Crown as an item which is subject, and can be subject, to a Notice of Motion with respect to Government Orders.

This is a Government Order, a government initiative, which clearly is contemplated by the Standing Orders which allow us to give notice so that the matter can be debated on a timely basis and the House can arrive at a decision. The purpose of the rules and the Standing Orders is not to avoid coming to conclusions. They have to be interpreted, Mr. Speaker, as being established so that Hon. Members can vote on issues and come to conclusions, not the contrary.

What I have done here is criticized because it has not been done before. I take that as a compliment. As the Government House Leader, I like to look at the Standing Orders and take their clear and direct meaning. It is clear to me that the Standing Orders do contemplate that we can, in fact, proceed by way of Government Notices of Motions. We can have discussions—I am in discussion with the Opposition House Leaders about appropriate timing—and try to come to agreement with respect to the extent of a debate.

However, what I have done here, I repeat, Mr. Speaker, is for the purpose of allowing Members of Parliament, and especially Hon. Members of the Opposition, an opportunity to be well prepared for any debate which may come along with respect to this important step of time allocation. I have bent over backwards to be helpful to the Opposition, Mr. Speaker, and I am now faced with the proposition—which surprises me—that the Opposition is somehow challenging the Standing Orders, when in fact I have complied in every respect with all of the facets contained in the Standing Orders.

When a Standing Order speaks in very specific terms about a particular procedure it speaks for itself. I know that in the past this has been done under Motions, and that is quite acceptable. But for the reasons I have outlined, Mr. Speaker, when a motion is in the name of a Minister of the Crown, and can only be in the name of a Minister of the Crown, there can be nothing clearer than the fact that this is a matter of a Government initiative with respect to time allocation.

I believe that if you give this matter some serious consideration, Mr. Speaker, you will come to only one conclusion. Whenever we abide by the Standing Orders we do so for the purpose of going along with orders under which this House operates, not for the purpose of deviating or using any device which does not reflect the rules. It is the wisdom of this House that we operate under these Standing Orders. The fact is that I did not have a part in the drawing up of the Standing Orders. They were the subject of great debate and were brought in by the Party of the House Leader of the Official Opposition who now complains about these Standing Orders. But he was a party to bringing these matters in.