

*Speaker's Ruling*

I do say to the Hon. Member that whatever I may decide he most certainly has a justifiable complaint and, as other Members will always find in a case like this, the Chair will listen very carefully.

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[Translation]

**CANADA-UNITED STATES FREE TRADE  
AGREEMENT IMPLEMENTATION ACT**

SPEAKER'S RULING CONCERNING ALLOCATION OF TIME TO  
CONSIDER REPORT AND THIRD READING STAGES OF BILL C-130

**Mr. Speaker:** I have a decision to render.

Yesterday the Honourable Minister of State (Treasury Board) (Mr. Lewis) gave oral notice of a motion for time allocation for the report stage and third reading stage of Bill C-130 the *Canada-United States Free Trade Agreement Implementation Act*, pursuant to Standing Order 117.

[English]

The Hon. Member for Windsor West (Mr. Gray) then rose on a point of order to argue that the notice was defective because it failed to specify the number of hours or days to be allocated. This morning he further claimed that the Minister could not proceed because agreement had been reached under Standing Order 116 "by a majority of the representatives of the several parties".

The Hon. Member for Kamloops—Shuswap (Mr. Riis) has supported the Hon. Member for Windsor West in both the arguments and took the position that the Government House Leader was precluded from resorting to Standing Order 117 because of a declared agreement between the Liberal Party and the New Democratic Party on a specific number of days for debate at report stage. That is, the agreement between the Liberal Party and the New Democratic Party indicated that they had agreed on 150 days at report stage and on 200 days at third reading with respect to the free trade Bill and, as they argued, as required in the Standing Order.

I will first address the issue relating to the deficiency of the oral notice. The basis of the argument against that notice was because it did not specify the amount of time to be allocated for further debate. The Chair has carefully reread Standing Order 117. When it deals with notice the Standing Order employs the words "and has given notice of his or her intention to do so". It appears to require only notice of intention and not notice of the text of the motion *per se*.

Furthermore, I can point to two precedents, on May 3, 1988 and June 3, 1988, when the same notice of intention was given without specifying a number of days. I should point out that I bring both these occasions to the attention of the House, not necessarily to suggest that just because it has been done once it

ought necessarily, to legally be done again but to bring the matter to the attention of the House. I do not take those two incidents as the basis of a legal, procedural precedent, but I do bring them to the attention of the House.

I remind Hon. Members that at the moment the motion which may eventually be proposed to the House by the Chair is one that has been proposed by the Hon. Minister. A point of order has interrupted that process. I am considering whether or not the Hon. Minister's motion is acceptable. If it is acceptable, then it would inevitably be proposed by the Chair, and the motion that might eventually be proposed to the House by the Chair is required to be specific and to provide for at least one sitting day for report stage and at least one sitting day for third reading. I think that comes from any clear reading of the rules.

I must therefore rule that the Minister has properly given notice of his intention and that his action was in keeping with the House's usual form.

The second point the Hon. Member for Windsor West argued this morning is more complex and simply restated is: Is a Minister of the Crown precluded from invoking Standing Order 117 if a majority of the Parties, not including the Government, states that it has reached an agreement under Standing Order 116?

[Translation]

The first sentence of Standing Order 116 hears repeating:

"When a Minister of the Crown from his or her place in the House, states that a majority of the representatives of the several parties have come to an agreement in respect of a proposed allotment of days or hours for the proceedings at any stage of the passing of a public bill . . ."

[English]

I have read carefully the words "representatives of the several Parties". The Hon. Member for Windsor West has stated that those words mean the three Party House Leaders, but the use of the word "representatives" is open to considerable interpretation and could mean a majority of the members of each Party or, indeed, even a majority of the Members of the House. I think the Hon. Member for Windsor West and the Hon. Member for Kamloops—Shuswap will remember that earlier I may have made a comment in that direction. I probably should have used the counsel of the seniors from whom I learned to do court work who always said that it was wise, a judge who did not comment while listening to an argument. In any event, these words have never been clarified. I have to say now, after having given both Hon. Members' submissions careful consideration, that I would tend to agree with the view that the words mean the House Leaders of the several Parties or their appointees, for no other definition is practicable since there is no former mechanism in the Standing Order to determine the majority of a larger group of Members.