

Point of Order—Mr. Nielsen

now that you cannot slip in notice during the middle of a debate on an entirely different matter.

Mr. Blaine A. Thacker (Lethbridge-Foothills): Madam Speaker, I wish to present an argument to you based on the broader aspect of parliamentary reform and procedure. As you know, there is a special parliamentary committee sitting which is designed to make this place more operable for Members of Parliament so that we can go back to our ridings and report on what is happening.

We have 282 Members of Parliament, soon to be 310 if the law is not changed, and there are a million different rules and procedures. We have come to rely on the fact that we are going to meet at two o'clock, and everyone will be here before we spread out over 20 committees and the special task forces. We have come to expect that during that time the Government will provide its notices. Indeed, if you look under "Routine Proceedings" on the Order Paper, there is a special heading entitled "Government Notices of Motions". That is a period when Government Members can stand and give notice of motions which they are going to present, and all of the precedents submitted by the Hon. Member for Yukon (Mr. Nielsen) show that, with the exception of five occasions when the House was actually involved in the debate on the Bill regarding which they gave notice. That is a reasonable exception because the people in the House at that time were involved with that very Bill. Therefore, they are the people who are interested.

Last night on the income tax Bill, if the Standing Committee on Agriculture had been sitting and all Hon. Members of this House who are interested in agriculture were off on another part of the Hill, the fact that the Minister stands up and gives notice on a Bill dealing with agriculture which affects 300,000 people directly in this land just will not wash, Madam Speaker. I submit to you, on that broad principle, that you have to find that the notice given by the Minister of Agriculture (Mr. Whelan) last night, slipped into a tax Bill, is not sufficient.

Mr. David Smith (Parliamentary Secretary to President of the Privy Council): Madam Speaker, I do not think it will take me as long to make my argument as it took the Hon. Member for Yukon (Mr. Nielsen), because I think our case is much stronger and speaks for itself. The proposition which the Hon. Member for Yukon has basically put forward, Madam Speaker, is that either notice has to be given under Routine Proceedings or during consideration of a Bill which is then under debate.

To clear that up we have to look, first of all, at the Standing Orders, Standing Order 75C. The Hon. Member read it but I suggest he did not go quite far enough. That Standing Order reads:

A Minister of the Crown who from his place in the House at a previous sitting has stated that an agreement could not be reached under the provisions of Standing Order 75A or 75B—

Did that happen? Yes, that happened. So far so good.

—in respect of proceedings at the stage at which a public bill was then under consideration—

I believe the many precedents to which the Hon. Member for Yukon referred in which this was done under Routine Proceedings destroys his own argument that it can only be done when the Bill in question is under debate. If you are interpreting it in the way he is suggesting, Madam Speaker, it would clearly suggest that to do it under Routine Proceedings would be some other way which is not specifically referred to here. I suggest that that is not the way it is meant to be interpreted.

It is abundantly clear that that is not the way it is to be interpreted if you, as Mackenzie King used to say, "read on, read on", because my hon. friend from Yukon stopped after the word "consideration". And what does it go on to say?

Mr. Nielsen: I don't have a crystal ball.

Mr. Smith: After the word "consideration" it says:

—either in the House or in any committee—

What does that phrase "or in any committee" mean?

An Hon. Member: It certainly does not mean last night.

Mr. Smith: It certainly would not suggest that the Bill had to be under debate in the House, because how could you apply Standing Order 75C to something which was going on in committee if you could only do it when the debate was going on in the House? Clearly, what that means is that the Bill is at a stage in which it can be called, it has been called for report stage, it has been dealt with at report stage, and it is a proper matter to be called at any point. I suggest, Madam Speaker, that that is the proper interpretation of what that Standing Order means.

I think it is quite clear that it does not mean it can only be done if the Bill in question is under debate, or all of those examples to which the Hon. Member for the Yukon referred where it was done under *Votes and Proceedings*, would be out of order. And how do you explain the phrase "in any committee", if that is what it means?

I think we can also look at precedents, and I thank the Hon. Member for Yukon for the very exhaustive number of precedents to which he referred where this was done under *Vote and Proceedings*. That is, of course, in my opinion, an appropriate occasion for it to be done, but certainly not the only occasion.

Mr. Nielsen: You mean Routine Proceedings.

Mr. Smith: I think if you go back to the first time it was used, as a matter of fact on December 1, 1971, it was done under *Votes and Proceedings*.

Mr. Nielsen: Routine Proceedings.

Mr. Smith: Routine Proceedings, yes. Clearly, the Bill had not been called at that point. So I suggest that it clearly does