

*Extension of Sittings*

House of Commons of Canada and on parliamentary tradition in Canada and other jurisdictions, so far as they may be applicable to the House.

I submit that if there is one question that can be thought of, to go back to the Standing Order I just read, as being a case not provided for by the rules, the one before us, or which may come before us if you so decide, is such a question. The motion introduced by the Government starts with the words "Notwithstanding any Standing Order or practice of the House". That certainly falls outside our rules. I submit that in a case like this, because of Standing Order 1 and because of our past practices, only the Speaker can determine whether this motion is allowable.

[Translation]

Mr. Speaker, it seems to me it is obvious that under Standing Order 1, only the Speaker can decide, in this case, whether the question before the House is in order.

However, to help Your Honour in reaching a decision, I would like to submit my position and that of my Party. I maintain that the beginning of the motion, which starts with the word:

That, notwithstanding any Standing Order or practice of the House . . .

. . . renders the motion inadmissible for the purposes of debate. I say inadmissible, because the Chair cannot allow suspension of the Standing Orders. There is a basic principle in our parliamentary system which has come down to us from the Mother of Parliaments, the Parliament at Westminster, and it is that all democratic debate in these precincts is governed by certain rules.

The motion the Government is trying to present in the House starts with the premise that the Standing Orders must be suspended.

I submit that, because of that fact alone, the motion the Government wishes to present is inadmissible, not only because it requests suspension of the Standing Orders but because it also requests a suspension of the practices of the House of Commons.

Mr. Speaker, I also maintain that besides being unacceptable, the motion is even out of order, because, in my opinion, it is undemocratic. The whole set of Standing Orders before us, which has been accepted over the years, usually by all Members and all political parties unanimously, is based on the following principle: that debates in the House take place in accordance with established rules known to every Member.

Mr. Speaker, I maintain that the first right of an elected Member is to be able to enter and sit in this House. But probably his most important privilege is to be assured at all times that the debates that take place here comply with known and established rules that cannot be changed unless the Standing Orders themselves are changed or unless unanimous consent to override them is given by those who sit in the House at a particular time.

I maintain that in the present case, even discussing a motion that begins with the words "That, notwithstanding any Standing Order or practice of the House . . ." is in itself undemocratic because this way of proceeding holds independent Members and minorities in this House in contempt. For the first time, this would sanction the possibility for a Government to use its majority, an overwhelming majority in the House, to operate completely outside the established rules and to impose its will.

Mr. Speaker, within this motion—and I do not want to get into the specific contents, but only mention them in passing—there are already things that are hard for an Opposition party to accept. But the most important one is that the motion begins by suggesting that the Standing Orders will not apply.

And I would like to suggest, perhaps on a jocular note, Mr. Speaker, that were I to draw a parallel between the House of Commons and a court of justice, if this were a court, the Minister of State (Treasury Board) who put the motion would have to answer for his actions. He would have to sit in the box in the House of Commons to account for his illegal act, and illegal it is in the light of our Standing Orders because this is something that goes against the Standing Orders.

• (1020)

Mr. Speaker, I would like to make another point, because the argument will be made that on occasions the House strayed procedurally from its Standing Orders. This indeed has happened, but I would remind Your Honour that usually, or rather at all times when some Members, for reasons of convenience, request to be exempted from the rules, this is granted admittedly, but with unanimous consent.

For instance, we have seen on many occasions, in order to accommodate one or all Members sitting here, that it is agreed not to see the clock, for instance in order for a colleague to complete his comments. Also, we have seen Hon. Members unanimously agree to revert for instance to Motions or to Tabling of Bills, where a Minister would have entered the House after the time provided for doing so had elapsed. On a number of occasions we have seen Hon. Members grant unanimous consent for the Chair to be exempted from reading a motion that is often very long. We even have seen Hon. Members give unanimous consent for the Chair to do away with the ringing of the bells for calling in the Members for a vote. Is there a more sacred right than that of a Member in this House to know when a vote will be held and to have his attention called by the bells? Points of order have been raised previously on that, in this House. However, it happens quite regularly that we give unanimous consent for the Chair to be exempted from ringing the bells, when everyone agrees that a vote was held earlier an Hon. Members who are supposed to be here already are in their places.

Yet, Mr. Speaker, you will note that whenever the Chair is authorized to set aside our Standing Orders, to use a procedure or a way of doing things which is contrary to that provided for