

House of Commons

HOUSE OF COMMONS

MOTION TO AMEND PROVISIONAL STANDING ORDER RESPECTING ADJOURNMENT FOR MEALS

Hon. Gordon Churchill (Winnipeg South Centre): Mr. Speaker, I should like at this stage to move a motion based on rule 41 affecting the times of meeting of this house. The motion is expressed in the following terms. Moved by myself, seconded by the hon. member for Ontario (Mr. Starr):

That provisional standing order No. 6 be amended by adding after subsection (1) the following:

(2) At 6:00 o'clock p.m. on Mondays and Tuesdays and at 7:00 o'clock p.m. on Thursdays, Mr. Speaker shall leave the chair until 8:00 o'clock p.m.

(3) At 1:00 o'clock p.m. on any day upon which a morning sitting of the house is held Mr. Speaker shall leave the chair until 2:30 o'clock p.m. and that the present subsections (2) (3) and (4) be renumbered (4) (5) and (6).

• (3:00 p.m.)

Mr. Speaker: Order. As some members will suspect, there is some doubt as to whether this motion is acceptable at this time, and I would certainly like to hear the hon. member on the point of order. I suggest to him that this is a type of motion which can hardly be moved without notice, even at this time. If the hon. member wants to submit an argument refuting my suggestion I would be pleased to hear him. If not, I am prepared to enter a ruling on the point.

Mr. Churchill: Mr. Speaker, I should like to say something on that point of order. The reason for not giving notice of my motion is based on standing order 41 and on the precedent in 1951 when the hon. member for Winnipeg North Centre (Mr. Knowles) presented a motion to extend the sitting hours, which was followed by a debate on the point of order which I am now raising. Mr. Speaker Beaudoin found that it was within the right of a member to make such a motion without giving prior notice because it dealt with the hours of sitting of the house and not with days of sittings or with the adjournment.

My motion is based on the standing orders, with the sole exception of that section of my motion which deals with the retention of the private member's hour on Thursdays from 6 to 7 p.m. I admit that this could have been expressed in another way, namely by saying that the hours of sitting of the house shall be on Mondays and Tuesdays from 2.30 p.m. to 6 p.m. and from 8 p.m. to 10 p.m. and on Thursdays from 2.30 p.m. to 7 p.m. and from 8 p.m. to 10 p.m., and on Fridays from 11 a.m.

[Mr. Patterson.]

to 1 p.m. and 2.30 p.m. to 6 p.m. However, the wording of the two parts of my motion which indirectly determine the hours of sitting of the house by informing the house that the Speaker may vacate the chair at certain specified periods is based on the standing order.

I suggest that since my motion deals solely with the times of sittings of the house it is covered under standing order 41 and therefore is in order. Standing order 41 reads as follows:

Forty eight hours' notice shall be given of a motion for leave to present a bill, resolution or address, for the appointment of any committee, or for placing a question on the order paper; but this rule shall not apply to bills after their introduction, or to private bills, or to the times of meeting or adjournment of the house.

It was under that standing order that I felt I was within my right in making my motion without giving prior notice.

Mr. Speaker: Does the hon. member for Kamloops wish to support that argument?

Hon. E. D. Fulton (Kamloops): I was going to say that one further consideration might be taken into account by Your Honour, namely that the standing order says—

—this rule shall not apply to bills after their introduction, or to private bills or to the times of meeting or adjournment of the house.

I doubt very much whether Your Honour would reject the motion on these narrow grounds; however, if Your Honour were to say that this standing order does not apply to the motion by the hon. member for Winnipeg South Centre one could say equally well that a motion having to do with a dinner recess has nothing to do with the actual hours of meeting or adjournment of the house. This is the only ground on which it could possibly be held that the motion is not covered by standing order 41. I am sure Your Honour will not rule on that narrow ground, because surely the words "times of meeting or adjournment of the house" include the hours of sitting and the arrangements for the sittings of the house.

There is one other point I should like to ask Your Honour to consider in making your ruling. If Your Honour were to say, for instance, that this motion has nothing to do with the hours of meeting or adjournment of the house but is a motion to suspend the standing order, and Your Honour were inclined to rule against the motion on that basis, would you then give us a moment to change the wording