

*Effect of Budgetary Proposals*

[English]

I have serious doubts myself. I have to express my lack of confidence as to whether this is a motion of non-confidence, but I think that the matter would be much too technical for me to make a ruling on that basis, and I have no intention of doing so. At the same time, I have great sympathy for those who suggest that motions of this kind perhaps ought to be drafted more clearly.

Having said this, I shall now deal with what I consider to be the more important points which have been made in this respect. Obviously, the serious procedural objections which can be made and have been made during this debate, and the most serious defect, relate to the well established practice that the House cannot be asked to vote twice on the same subject during the course of the same session. There are many citations and precedents in support of this rule. Hon. members have referred to Citation 201 of Beauchesne's Fourth Edition. I think all hon. members will agree that it is a fundamental rule of parliamentary debate. Certainly, there could not be intelligent, logical and meaningful debate if the same motion were voted on by the House from time to time and repeatedly during the same session. There is no doubt that that rule is important and hon. members should try, both in their motions and amendments, to bear it in mind.

However, the rule so clear in principle is not always easy of application, and difficulty often arises as to whether a question put for determination by the House is really the same as that on which the House has already expressed itself. It could well be argued, in support of the procedural acceptability of this motion, that the motion proposed for decision today is not the same as that on which a vote was taken following the budget debate. That is the point made forcibly by the hon. member for Peace River (Mr. Baldwin) and supported by the hon. member for Trinity (Mr. Hellyer). I put some value and importance on the point made by the hon. member for Trinity. I agree with him that he added an aspect of the situation that perhaps had not been made too clear before.

The House resolved in a previous vote that it agreed in general with the government's budgetary policy. The hon. member for Peace River suggested that the present proposed motion is a different motion in that it refers more specifically to a combination of certain aspects of the 1972 budget and proposals contained in the 1973 budget. In other words, the suggestion has been made that even if the House had approved, by its vote, the government's budgetary policy, that it may not agree to the combination of those recent proposals and those proposals contained in the 1972 budget. The argument, of course, is deserving of very serious consideration by the Chair.

I think the point made by the hon. member for Lotbinière is also quite relevant. The Standing Order allows non-confidence motions to be moved on so-called opposition days. The Standing Order which allows non-confidence motions on opposition days is couched in very general terms. Standing Order 58(3) reads:

Opposition motions . . . may relate to any matter within the jurisdiction of the Parliament of Canada . . .

That point was made by the hon. member for Lotbinière and I think it is quite relevant. The Standing Order, as the hon. member said, gives the opposition very wide scope in

proposing motions. That is one of the reasons why, since the inception of this particular Standing Order in 1968, not a single opposition motion has ever been ruled out of order. On a number of occasions the Chair expressed doubts as to whether an opposition motion would not bring forward for the consideration of the House a matter on which a decision had already been taken in the course of the then current session. However, in all cases the mover was given the benefit of the doubt. The hon. member for Winnipeg North Centre indicated that this had happened from time to time, but suggested that perhaps this kind of argument had never been made by the Chair or that the point of order had never been raised in the case of a supply motion which was, at the same time, a non-confidence motion.

There is at least one instance on which this point was made by the Chair. It was made when a motion was moved on January 29, 1969 by the Leader of the Opposition. On that occasion I expressed some reservation as to whether that motion, then moved by the Leader of the Opposition under Standing Order 58, might not tend to revive a question which had already been decided; but, for certain reasons, because we were operating under this very wide Standing Order, and in order to provide an opportunity for debate, the Chair reached the decision that the hon. member should be given the benefit of the doubt.

I would be inclined to reach the same decision in this instance. This is an opposition day, when a non-confidence motion can be introduced on a subject to be chosen by the mover. In my view the Speaker should not intervene to prevent debate, or a vote, unless the motion is clearly and undoubtedly irregular. When the procedural aspect is open to reasonable argument, I suggest it is the duty of the Chair to accept the motion and allow the House to make the decision on the question of confidence.

I feel very strongly that when there may be debate on whether a question is in order or not and when a reasonable argument can be made to suggest that a motion is in order, it would be extremely difficult for the Chair to interfere in such circumstances and say that the motion is out of order, cannot be submitted, cannot be debated, and cannot be voted upon. I am not setting aside in any way the arguments put forward by the hon. member for Winnipeg North Centre and by the President of the Privy Council (Mr. MacEachen). I recognize how important it is to maintain the traditions and principles which indicate that the House should not be in the position of being asked to vote twice in the same session on the same subject.

Because there is some doubt in my mind, as evidenced by the arguments which were submitted and by the lengthy procedural debate through which we have just gone, as to whether this is a different question and as to whether hon. members are being asked to vote for a second time on the same point, I think it is the duty of the Chair to give the benefit of the doubt to the mover of the motion. On that basis, I feel that the motion has the right to be put and that the Leader of the Opposition should be heard.