

opposite were aware of this so-called imperfection for some time. That is based on the remarks they have made. I suggest that if that was in fact the case, they were duty bound to bring forth the notice of breach of order to the House at the earliest possible opportunity. They failed to do so.

● (1250)

Quite frankly, I believe the Parliamentary Secretary has outlined the background to this issue in fairly succinct form. However, to clearly answer your question about whether prejudice has been suffered, in my humble submission, I believe the answer is no.

Mr. Gray (Windsor West): Mr. Speaker, I rise on another point of order. The Hon. Government House Leader seems to have referred to Standing Order 235. My set of Standing Orders only goes up to Standing Order 158.

Mr. Mazankowski: I am sorry, I was referring to Beauchesne, Citation 235.

Mr. Gray (Windsor West): May I say that a citation of the kind found in Citation 235 cannot override the clear and precise words of a Standing Order. I further submit that, in any event, the breach of order we are complaining of did not happen only on Monday, but began on Monday and continued without a break until this very moment. Even if this precedent has some relevance, which I submit it does not, I think we are consistent with it because the breach in question began on Monday and continued without a break until this very moment, and continues as we speak.

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I believe there are three crucial issues we face on this point of order, and with which you obviously are faced in making a decision. First is the very cogent case that has been made by the House Leader for the Liberal Party which I believe, from my reading of the sections of the rules as a relatively new Member, would appear to be absolutely clear-cut.

I think there is a second, equally important consideration. It is that a great many of the issues which have been debated and discussed before us as Members of Parliament have themselves been questions of fact, and difference of fact, which would indeed have been greatly facilitated by the tabling of the original agreement with the United States. In particular, I recall an exchange between myself and the Minister for International Trade (Miss Carney) in which she made the point that what we believed to be clearly part of the agreement was, to her mind, clearly not part of the agreement. I suggest that the tabling of the document would have been of considerable benefit in facilitating a logical debate.

Third, I believe a logical contradiction has emerged in the Government's defence to this fairly serious charge. First, it has claimed that these documents were not tabled because they were not translated. It has turned around to say that they were translated on January 5. Clearly, the documents could have been tabled in both official languages.

Point of Order—Mr. Gray (Windsor West)

Finally, we would not want to see this week's debate simply disappear and wiped off the record. I believe we feel a sense of grievance about the attempt to cut off debate which was taken last night. I think that is probably part of what underlines what is taking place here today. However, I believe that it should not be beyond the capacity of the Speaker, perhaps with the House Leaders, to work out some compromise by which this period of debate can stand, yet still allow the possibility of more extensive debate next week, making it possible to have full scale consideration of what I believe is one of the most dangerous pieces of legislation that has ever come before the House of Commons.

Mr. John Nunziata (York South—Weston): Mr. Speaker, certain facts are clear. First, a piece of legislation, Bill C-37, was introduced in the House of Commons in an imperfect form.

Mr. Gray (Windsor West): And in a blank form.

Mr. Nunziata: And in a blank form. In my view, the issue is whether the imperfection of Bill C-37 would render the introduction of the Bill and the debate to date void *ab initio*. It is my respectful submission that the imperfection of Bill C-37 renders the proceedings to date void and that the only proper course at this point is for the Government to reintroduce a Bill in perfect form.

To accept a Bill in this form would, first, be in direct breach of Standing Order 108 which is clear and unequivocal. It states:

No Bill may be introduced either in blank or in an imperfect shape.

In my respectful submission, you ought to ask yourself why did Parliament in its wisdom adopt that particular Standing Order? I think the reason is obvious. A Bill has to be complete. It would be contrary to the principles of natural justice and the rule of law for a Parliament or any legislature or governing body to introduce a Bill that contains some blanks.

The Government argues that it is a clerical error or a minor imperfection. However, how does the Government intend to correct the imperfection? When will the blank be filled in, and how is that done? It seems to me that the only way to correct the imperfection is to either start again or introduce another Bill to fill in the blank.

You indicated in your comments that the standard to be used is whether prejudice has been suffered as a result of the imperfection.

Mr. Speaker: I am listening very carefully to the words of the Hon. Member for York South—Weston (Mr. Nunziata). I would not want any misunderstanding here. The Chair was not saying that that is necessarily the standard. The Chair was trying to get at the common sense of the matter and asking Hon. Members to address that. That is why I asked what prejudice has anyone suffered so far? However, I am listening to all of the arguments and I am not predisposed to making any decision.