

Debating Time Allotment

The second matter is with regard to the terms of 16A. If I have an opportunity of debating the substantive proposals, I will go into at some length the manner in which the proposed 75(A), (B) and (C) differ from 16A. I suggest they differ very substantially in the form of procedure provided. There appeared to be concurrence on the other side of the house at the time they were under consideration.

Going back to my previous point, I think the real consideration to be looked at is how the committee could be seized with the question at all if, as the hon. member for Peace River (Mr. Baldwin) said, it was out of order. If so, how can we give further consideration in the course of this session, to the question of allocation of time at the instance of the minister?

The final point that has to be made is that in effect the proceedings which occurred on December 20, as hon. members know, were, as a whole, the subject matter of agreement among all parties in the house. The Leader of the Opposition (Mr. Stanfield) withdrew his amendment; I withdrew my proposal with regard to 16A and we arrived at a certain proposal with regard to dealing with the subject matter further. In other words, I submit that the various proceedings on that afternoon of December 20 should be regarded as a whole. They are not to be regarded as a negating by this house of the principle of time allocation, including the possibility that time be allocated in accordance with an order to be introduced by a minister. For that reason, the motion I put this evening is not out of order.

• (9:40 p.m.)

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, I thank the President of the Privy Council (Mr. Macdonald) for getting to the floor ahead of me in the course of this debate because the argument he has put forward is so easy to demolish. I had hoped he would advance it, and he has done so.

The hon. member for Peace River (Mr. Baldwin) has already read citations which lay down the basic rules of parliament in the matter of dealing again in the same session with something which has already been dealt with earlier in the session. To have this basic law as part of my remarks, I wish to read a couple of citations from Beauchesne. I draw attention first to citation 194(1):

(1) A motion or amendment cannot be brought forward which is the same in substance as a question which has already been decided, because a

proposition being once submitted and carried in the affirmative or negative cannot be questioned again but must stand as the judgment of the house.

Citation 200(1) states this again. I read it for emphasis:

(1) An old rule of parliament reads: "That a question being once made and carried in the affirmative or negative, cannot be questioned again but must stand as the judgment of the house." Unless such a rule were in existence, the time of the house might be used in the discussion of motions of the same nature and contradictory decisions would be sometimes arrived at in the course of the same session.

That rule is quoted again in citation 203(7). The wording there is the same, so I need not read it. May I also point out, Mr. Speaker, that this rule has been used as the basis for some important decisions from the Chair in recent years. I refer in particular to the effort of Mr. Pickersgill, the former minister of transport, who back in January of 1967 tried to get a reversal of a decision that had been made on matters having to do with Crowsnest Pass rates. The Chair ruled very clearly on that occasion that a decision had been taken by the house in committee of the whole and it could not be reversed in that session, even though the attempt to reverse it was spelled out in language that was slightly different from the motion which had earlier been defeated.

The hon. member for Peace River (Mr. Baldwin) has also drawn attention to the 5 per cent surtax measure that was defeated on third reading in the last parliament, following which the former minister of finance tried to bring in another measure which was so similar to the first one that the Chair had to rule it out of order. The rule is there. The practice of the house is clear and so are the rulings of the Chair.

The President of the Privy Council now stands and says, oh, but just a minute, a motion was passed by this house on December 20, 1968, which covers the matter. What did that motion say, Mr. Speaker? The motion said that this matter was to be referred to a committee, the committee was to discuss and consider this matter and it was given authority to bring back a report. I suggest that if the President of the Privy Council had not brought in his motion, but had let the hon. member for Grenville-Carleton (Mr. Blair) move concurrence in the report of the committee, it would be in order. It would be in keeping with the instruction that was given to that committee by the house.