

Mr. Speaker: Order. If hon. members wish to pursue this matter further, and can persuade me that this is not an appeal from the decision I made with respect to the question asked by the hon. member for Oshawa-Whitby, I shall be happy to hear further contributions. But no matter how respectfully it is discussed, the fact remains that I did make a decision with respect to that question. I am sure it is subject to several interpretations.

An hon. Member: It certainly is.

Some hon. Members: Shame!

Mr. Speaker: Order, please. To repeat my ruling of yesterday, the answer given by the President of the Treasury Board seemed to me to leave no room for doubt that the contribution of the government was to be based on a percentage, even to the extent of saying that if the cost went up the government's contribution would go up, and that if the cost went down the government's contribution would come down. This may be an answer which hon. members would wish to debate at some time in the future. But to permit that question to be repeated today would, it seems to me, go directly in the face of guidelines which have been well established in connection with the question period. If hon. members wish to make contributions toward changing those guidelines, I shall be glad to receive them at any time.

Mr. Stanfield: I, too, rise on a question of privilege, Mr. Speaker—I assume you have dealt with the last one. In my capacity as Leader of the Opposition I should like to make two points, one with respect to answers from ministers. I accept the fact that ministers are not obliged to answer questions but I submit, with all respect that it is not proper for a minister to give an answer—and I regret the hon. gentleman is not in his place today—such as the Minister of Energy, Mines and Resources gave in response to my hon. friend from Calgary. He was not compelled to answer the question, but I do not think it contributes to the business of House for him to twist the question out of all proportion—and I say that in all sincerity.

● (1530)

Secondly, some interest was expressed in maintaining the position of the opposition in this House. With all respect, it seems to me that on at least two occasions recently, perhaps three, motions under Standing Order 43 have been used in a manner in which it was never intended they should be used to disrupt the proceedings of the House.

Some hon. Members: Hear, hear!

Mr. Stanfield: The reason I rise is that I am concerned that this use of these motions could bring the operations of the opposition collectively in this House into disrepute.

Some hon. Members: Hear, hear!

Mr. Speaker: Is the hon. member for New Westminster rising on the same point of privilege?

Mr. Leggatt: Yes, Mr. Speaker. I think a brief response on this particular subject is merited. I am well aware of the provisions of Standing Order 12(1) under which we do

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not enter into debate on the subject. But the point has been made in the House that this party has been abusing the rules in so far as Standing Order 43 is concerned.

Some hon. Members: Hear, hear!

Mr. Leggatt: I should like to refer Your Honour to paragraph 194(1) of Beaudesne, which reads as follows:

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.

When one looks at the terms of Standing Order 43 and then at the motions that today and yesterday were not approved, a very clear inconsistency arises, and I think it is the right of all hon. members of the House to know where they stand regarding use of this particular standing order.

Let me give the House an example of what I mean, Mr. Speaker. If the Fraser River in my riding floods and the hon. member for Fraser Valley West asks the House under Standing Order 43 to approve a motion because the city of Mission is half flooded, and the motion is denied, does this mean that I cannot stand in the House, if the lower mainland is under water, and put another motion under Standing Order 43? The subject matter is the same, but the substance of the motion is significant and very, very different. One aspect of that subject may not be important, but another aspect may be very, very important to the people of this country.

I submit to Your Honour that the aspect of Standing Order 43 that is confusing some hon. members of the House, and I must say is very confusing to me, is whether it is the subject matter or the substance of the motion that is the deciding factor. I submit with the greatest respect that consideration be given to the fact that under Standing Order 43 it is the substance of the motion, not the subject matter, upon which Your Honour must decide whether the particular motion should be approved.

In the same way, Mr. Speaker, if the CANDU reactor at Pickering were to leak, this may be the subject matter of a motion. If the same CANDU reactor lost its storage facilities and the people of the city of Toronto were dying, the subject matter—the CANDU reactor—would be the same but the substance would be quite different. I would ask Your Honour please to carefully review Standing Order 43.

Mr. Speaker: Order, please. As the hon. member will well appreciate, some difficulties have risen in regard to Standing Order 43. I have attempted to take a very hard line on Standing Order 43 from the very start, and to interpose myself between the mover and the House in order to make a determination whether or not a motion does qualify as a matter of urgent and pressing necessity. As a result of certain difficulties which arose, I called together the House leaders to discuss the matter in an effort to reach some understanding as to how the rule ought to be treated, and we had some extensive discussions. Very shortly after these discussions, it seems to me we were again facing the same problem.