

Designation of Ministers

House of Commons and find out whether they include a provision that deals specifically with the problem or the question raised. In fact, Standing Order 15(3) offers a very clear answer. I quote:

(3) On statements by ministers, as listed in Section (2) of this Standing Order, a Minister of the Crown may make a short factual announcement or statement of government policy.

Under this provision, a minister of the Crown is not obliged to make a statement in the House. The minister has the option of doing so, and may, if he considers it desirable or appropriate, make a statement on a matter of government policy. In the cases raised by my colleague, the ministers of the Crown may, for very specific reasons, have decided to use their discretion to make a statement. But the question is: Were they obliged to do so? And the answer we find in the Standing Orders is that they are not, they have the option of doing so but they are not obliged to do so. Madam Speaker, with due respect, I submit that this is your answer. I would add that, to my knowledge, you yourself and your predecessor have often had cause to refer to this provision of Standing Order 15(3) to deal with points of order raised by the members opposite when they expressed their indignation that a policy had been announced outside the House instead of in the House, and without wishing to judge the reasons for my colleague's indignation—I will come back to this shortly and very briefly—strictly as a matter of law and according to parliamentary procedure, there is absolutely no obligation on the Prime Minister or a minister of the Crown to make a statement on a change in policy, whatever it may be.

Now, I should like to point out to the hon. member that I have often had occasion to provide clarification on the subject he has raised and brought to our attention when he himself, his leader and his predecessor as House leader for the official opposition questioned the legality of the procedure. I am not getting a reaction, and assume they were convinced by the relevant legislation I quoted last week, in which a distinction is made, and I shall not go into this again, between creating a new ministry of state and appointing ministers of state responsible for assisting other ministers. So, the entire procedure is perfectly legal. In fact, I explained this in the House last week, during a debate on procedure. Finally, Parliament will still have a chance to discuss the changes since two new ministries of State have been created and under the legislation I mentioned last week, the government must submit its decision to create the two ministries of State to Parliament for approval.

For all practical purposes, the points raised by the hon. member for Yukon are dealt with not only in the Standing Orders but also in the Statutes, and Parliament will have a chance to debate the changes. Therefore, I submit that the hon. member's point of order was not supported by the Standing Orders of the House of Commons, nor by parliamentary practice or legislation.

Finally, the hon. member also referred to the statement made by the Minister of Transport (Mr. Pepin) earlier today, and complained that once again he was deprived of his right to make a statement in the House under Standing Order 15. His objection is again dismissed by the same legal arguments, and here again, I would remind the hon. member that there are still a number of opposition days between now and March 26, and that between March 26 and June 30 there will be thirteen additional opposition days, so that the opposition will have plenty of time to raise the subject mentioned in the statement made by the Minister of Transport in western Canada today. In any case, I do not see why a Canadian minister should not announce important policies to the people who are going to be directly affected by them, and in this case, the people in the west.

Here again, both parliamentary practice and the Standing Orders have been observed by the Minister of Transport, and Parliament will, if the opposition wishes, have a chance to debate the subject of the statement made by the Minister of Transport earlier today. Therefore, for all these reasons, Madam Speaker, I submit that we should proceed without further delay with the debate on a major bill aimed at assisting certain home owners in Canada, and tabled by the Minister of Public Works (Mr. Cosgrove).

● (1520)

[English]

Hon. Walter Baker (Nepean-Carleton): Madam Speaker, we are not questioning the matter of legality. The politics might suggest that the shifts we are talking about in the ministry was another infusion of tired blood into the ministry.

Mr. Nielsen: Changing the pallbearers.

Mr. Baker (Nepean-Carleton): And in any other way one might describe it. I am going to argue that because I do not believe the government House leader is quite correct in his interpretation of the rules respecting statements by ministers. In this connection I am looking at our rules, specifically Standing Order 15(3), dealing with statements by ministers. At the top of page 10 it deals with a factual announcement or a statement of government policy. It is in that sense that the rule reads:

—a minister of the Crown may make a short factual announcement or statement of government policy.

It may apply to many things ministers announce. Frankly, I do not like these major announcements being made outside of the House, but it could be argued that the rule may apply there too. But we are talking about much more than that when we talk about a major shift in the ministry. That is not a factual announcement or a statement of government policy in the sense of Subsection (3) of Standing Order 15, particularly having regard to a precedent on February 18, 1972, when the Prime Minister (Mr. Trudeau) made an announcement in the House of Commons. At that time there were no new ministers drawn into the ministry; rather, there was a shift in responsi-