

Let me now come to a ruling that you will undoubtedly wish to consult before rendering your decision on my point of order. On May 15, 1985, my colleague, the House Leader for the Official Opposition, rose on a point of order to argue that a government notice of time allocation was not in order as it had been listed under Government Notices of Motions and not Motions, where it had been the usual practice to move this motion orally and without notice. In his ruling, contained on pages 4821 and 4822 of *Hansard* for that day, Speaker Bosley made several comments that may influence your decision on my point of order, Mr. Speaker.

However, at the outset I want to state categorically that it is my view that a time allocation motion can indeed be listed under Government Notices of Motions because in most instances it deals exclusively with a government order which is strictly the business or affair of the Government. This position is logically consistent with the argument that I have advanced today.

As reported at page 4822 of *Hansard*, Speaker Bosley makes several points that I would like to deal with in order. First, Speaker Bosley begins by referring to Citation 268 of Beauchesne's Fifth Edition which states, as I noted earlier, that the Government may put on the *Notice Paper* notices of motions dealing with the business of the House. I addressed that argument earlier when I indicated that if one considers Citation 270(1) of Beauchesne's, in addition to the precedents that I have cited, it becomes clear that Citation 268 is imprecise and that the phrase "business of the house" can be broken down into two quite different types of motions.

Speaker Bosley then quoted Erskine May, Twentieth Edition, at page 296 which attempts to define the types of motions that are considered to be government motions. It states:

Also classified under this heading are the motions regularly brought forward by the government for regulating the length of the Christmas, Easter, spring and summer adjournments of the House—another important example is that of allocation of time or 'guillotine' orders, which the government moves in order to hasten progress on one or more of its Bills . . .

I would like to suggest that taken out of context this excerpt may be very misleading. If we refer back to Citation 270(1) of the Canadian authority, Beauchesne, a new or different interpretation can be attached to this excerpt from Erskine May. Again, Citation 270(1) reads in part:

Motions respecting changes in the time of meeting or adjournments deal with the business of the House rather than government affairs—

● (1540)

The important part is this:

—and are moved by the Government House Leader who is responsible for the arrangements of the business of the session—

The point I wish to stress here is that Beauchesne clearly indicates that even though a motion deals with the business of the House, as distinguished from government business, only the Government House Leader can move this motion because only he or she is responsible for the arrangements of the

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business for the session, not simply government business for the session, but all of the business. Thus, when Erskine May seems to suggest that a motion to change the ordinary days of adjournment is a government motion, it fails to recognize the distinction that our Canadian procedural authority, Beauchesne, makes clear. It is not, as the rulings that I have cited, a government notice of motion in the usual sense, but because only the Government House Leader can move it, it gets lumped in with everything else, like a motion for time allocation. A time allocation motion is almost invariably moved to limit debate on a government order. Surely we cannot lump such a motion together with a motion to change the date of adjournment. It is like comparing procedural apples with procedural oranges.

Speaker Bosley went on to state, as recorded on page 4822:

Once again, review of our recent practice relating to motions dealing with the sittings of the House and its adjournments show that they have been appearing under Motions on the Order Paper, but a review of the order papers of the 1940s, 1950s and 1960s shows that such motions have most often appeared under Government Notices of Motions.

This is, indeed, correct but only in part. As I indicated earlier, prior to 1955 many such motions appeared on the Notice Paper under Government Notices of Motions. However, as you are aware, Mr. Speaker, the Standing Orders underwent a revision in 1955. The Standing Committee on Procedure, in its second report to the House on June 14, 1955, which was subsequently adopted unanimously by all Parties, recommended a number of changes to the Standing Orders and practices of the House as they then existed. These proposals are contained in *Journals* for that day.

One of the changes that the committee recommended, which was adopted when the report was concurred in, dealt with motions for changing the days or times of the sittings of the House. On page 746 of *Journals* for June 14, 1955 it states under "Other Proposals Relating to Procedures" at Section 2:

That motions for concurrence in reports of any standing or special committee, for the suspension of any Standing Order, or such other motions as may be required for the observances of the proprieties of the House, the maintenance of its authority, the appointment or conduct of its officers, the management of its business, the arrangement of its proceedings, the correctness of its records, the fixing of its sitting days or the times of its meeting or adjournment shall be listed, where notice is required, called and disposed of under "Motions".

Therein lies the critical decision that what we have done ought to be called and disposed of under Motions. This was in 1955. Yet, if we return to Speaker Bosley's ruling on May 16, 1985, on the point of order of the Hon. Member for Windsor West (Mr. Gray), he states:

—a review of the Order Paper for the 1940s, 1950s and 1960s shows that such motions have most often appeared under Government Notices of Motions.

As I indicated earlier, I will concede that prior to 1955 this was the practice. However, I have had a chance in the last number of days to review some of the Order Papers for the late 1950s and 1960s on those days when such adjournment motions were moved—and I have them right here—but I could