

*Western Grain Transportation Act*

Fifth Edition indicates that prior to the House making its judgment I am entitled to make a statement. I wish to exercise that right now, with the approval of the Chair, of course.

I regret the episode which occurred this evening. I regret it most profoundly. I have been a Member of the legislature of the Province of Ontario and a Member of Parliament for a total of almost 17 years. Never in my time as a Member representing the people of Hamilton have I been expelled from either of the two Chambers.

I rose on a point of order. It is my understanding from reading the rules that a Member is entitled so to do. Also it is my understanding from reading the rules that it is the requirement of the Chair to recognize a Member rising on a point of order. That did not happen. I want to apologize to you in advance for what occurred, but I believed at the time—and I still believe—it was within my right to request the floor on a point of order, and I was not given the floor according to the rules of Parliament.

**Some Hon. Members:** Hear, hear!

[*Translation*]

**Mr. Pinard:** Mr. Speaker, I appreciate the fact that my colleague, the Hon. Member for Hamilton Mountain (Mr. Deans) is apologizing and taking this opportunity to explain himself. However, I do feel that if we are to comply with the rules of parliamentary procedure, we have no other choice but to proceed with a vote, because the explanation he has just furnished, in accordance with paragraph 25.2 of Beauséne, indicates clearly that this must be done before I can present my motion. Paragraph (3) reads as follows and I quote:

If the Member satisfies the House by an apology, no further action is necessary. If the Member's statement is insufficient, it is the duty of the Government House Leader to present a motion proposing a suitable penalty.

It would therefore seem that these explanations should have been supplied immediately after the Hon. Member was named by the Speaker.

Therefore, I think that it is a noble gesture on his part to provide an explanation and to apologize. However, from a procedural standpoint, I think that, regrettably, we have no other alternative but to proceed with the vote.

The House divided on the motion (Mr. Pinard) which was agreed to on the following division:

*(Division No. 373)*

YEAS  
Messrs.

Axworthy  
Bachand  
Beauchamp-Niquet  
(Mrs.)  
Bloomfield  
Bockstael  
Campbell (Miss)  
(South West Nova)

Campbell  
(Cardigan)  
Clark  
(Brandon-Souris)  
Cook  
Côté (Mrs.)  
Cousineau  
Dubois

Epp  
Ethier  
Evans  
Ferguson  
Flis  
Forrestall  
Friesen  
Gurbin

Messrs.

Gustafson  
Hargrave  
Hnatyshyn  
Hopkins  
Huntington  
King  
Landers  
Laniel  
Lapointe  
(Beauce)  
Leduc  
Mackasey

Malépart  
Malone  
Maltais  
Massé  
Masters  
Mayer  
Mazankowski  
McKnight  
Neil  
Nielsen  
Olivier  
Peterson

Pinard  
Reid  
(Kenora-Rainy River)  
Savard  
Schellenberger  
Schroder  
Siddon  
Taylor  
Tousignant  
Turner  
Weatherhead—53.

NAYS

Messrs.

Althouse  
Anguish  
Benjamin  
Hovdebo  
Kristiansen

Manly  
Miller  
Mitchell (Mrs.)  
Murphy

Nystrom  
Parker  
Sargeant  
Waddell—13.

● (0145)

[*English*]

**Mr. Deputy Speaker:** I declare the motion carried. I have to direct the Hon. Member for Hamilton Mountain (Mr. Deans) to withdraw in compliance with the order that the House has just made.

**Some Hon. Members:** Hear, hear!

*And Mr. Deans having withdrawn:*

**Mr. Nystrom:** Mr. Speaker, I want to rise on the same point of order as the Hon. Member for Hamilton Mountain (Mr. Deans). I want you to consider four different citations, if you will be so kind as to do so, from Beauséne's Fifth Edition. They are Citations 233(1), 233(2), 235, 237 and 239(1). I would like to take one moment to elaborate. If you look at Beauséne's Fifth Edition, you will find that Citation 233(1) reads:

Points of order are questions raised with the view of calling attention to any departure from the Standing Orders or the customary modes of proceeding in debate or in the conduct of legislative business and may be raised at virtually any time by any Member, whether he has previously spoken or not.

(2) A question of order concerns the interpretation to be put upon the rules of procedure and is a matter for the Speaker or, in a committee, for the Chairman to determine.

I think the person has to be heard before determination can be made. Second, I refer to the Chair to Citation 235 of Beauséne. I quote part of the citation:

Any Member is entitled, even bound, to bring to the Speaker's immediate notice any instance of what he considers a breach of order. He may interrupt and lay the point in question precisely before the Speaker. He should do so as soon as he perceives an irregularity in the proceedings which are engaging the attention of the House.

In rapid conclusion, Mr. Speaker, I want to refer Citation 237 of Beauséne's. I quote:

A point of order—

**Mr. Deputy Speaker:** Order please. The Hon. Member was recognized for the purpose of debate. He is raising a point of order. The Chair would ask the Hon. Member if his point of order relates to the proceedings that have just been completed in this House.

**Mr. Nystrom:** No.