

Canada-U.S. Free Trade Agreement

I refer the Chair to Citation 334(8) of *Beauchesne's Fifth Edition*, which makes it perfectly clear that the precedents conflict as to whether closure may be moved on a clause which has not yet been called and postponed in Committee of the Whole.

As the Hon. Member for Kingston and the Islands has indicated, on four occasions—1913, twice in 1917, and in 1919—all of the clauses had been postponed before closure was moved; and on two occasions, in 1932, in connection with the unemployment and farm relief legislation, and in 1956, in connection with the pipeline legislation, closure was used on clauses which had not yet been called.

Obviously the precedents conflict; there are precedents on both sides of the argument. But, I think that we in this House would be well advised to look to the most recent decision of our own Speaker, a decision brought in on December 15 last in respect of the attempt by the Deputy Government House Leader to give notice of closure in respect of a debate which had not yet begun.

In his ruling, the Speaker made it perfectly clear that such a course was unacceptable; that procedurally, such a course was inappropriate.

I submit to the Chair that we are in exactly the same position at this time. We are being asked now to accept the notion that we can discuss closure on questions that have yet to be put. I suggest to the Chair that the motion of the Deputy House Leader to invoke closure be ruled out of order.

The Chairman: The Chair recognizes the Minister of State.

Mr. Lewis: Mr. Chairman, at the outset let me compliment the Hon. Member for Kingston and the Islands on his initial foray into the procedures of this House. I compliment him on the considerations which he raised in his argument.

He asked us to follow comments made during debate in this House, and that we consider to be a worthwhile effort. Such comments are always instructive. However, I think the Chair would agree, as would all Members, that we are more inclined to follow the precedents set by previous Speakers than we are comments made during the course of debate.

Rather than asking the Chair to overrule the decisions of previous Speakers, we request that the Chair follow precedent.

The Hon. Member for Kamloops made the comment that, on December 15 last, a notice of closure was ruled out of order—and, yes, it was. That notice of motion to invoke closure was ruled out of order clearly because it had been given before the debate on the motion for the second reading of the Bill had commenced. I understand that. At the time I commented that we had ventured into that area knowing that there was no precedent. I can recall saying at the time that we had decided that we would test it to see if we could make it stick—and it didn't stick, and I can recall complimenting the Chair at the time on its ruling.

Obviously, the notice of closure should come at the proper time. I grant that. But I suggest to the Hon. Member that there is a big difference between the situation of December 15, which involved our having given notice of closure before the debate had actually started, and the situation which prevailed last evening, at which point we gave notice that we would be moving closure during Committee of the Whole consideration at the first crack.

I draw to the attention of the House the actual wording of the Standing Order 57, which states that any Minister of the Crown may move that the debate shall not be further adjourned, or that the further consideration of any resolution or resolutions, clause or clauses, shall be the first business of the committee and shall not further be postponed, and so forth.

In accordance with Standing Order 57, I gave notice yesterday of our intention to move closure today. We are now in Committee of the Whole, having resumed Committee of the Whole consideration of the Bill, and it is for that reason that I have put the motion at this time.

I submit to the Chair that we have used all of the proper and required forms, proposing that all of the elements of the Bill, none of which had been voted or stood by the committee at the time of the putting of the motion, be the subject of the closure motion. All clauses and all elements of the Bill were included in the notice, and the request was that it be dealt with as the first business of the Committee of the Whole.

There is an "s" or a pluralized form in the standing order that has been unchanged since 1913, other than, as has been mentioned, to change the hour from 2 a.m. to 1 a.m. The clear intention of the order is that one closure motion can be moved with respect to all parts of the Bill, or any specific parts. We went on to add schedules and to make sure that our notice was all-inclusive.