

Business of the House

Transportation Act and may thereby make an interim ex parte order or orders.

Mr. Tobin: Madam Speaker, I rise on a point of order, for clarification. The Hon. Member is reading a motion which he has not yet received unanimous consent to present to the House. Technically, it may take one or two hours to present the motion before my consent as a Member or the consent of any Member of this House is received to even read the motion. It is clearly out of order for the Member to be reading a motion to the House which this House has not yet given its consent for him to present in the House.

Madam Speaker: I fail to see how Members could give their consent or refuse their consent if they have not heard what the motion is all about. I believe what the Hon. Member is referring to is that if consent is given, then of course the Speaker will have to put the motion to the House. However, we are now just hearing the Hon. Member tell us what the motion is all about so that the House can pronounce itself on whatever he is proposing.

Mr. Flis: Madam Speaker, I rise on a point of order. I wonder if the Hon. Member could clarify something for the House. I know that he is an excellent reader. I have been following very closely and it seems to me that he is reading Motion No. 58, which is already on the Order Paper. Can he clarify for the House why he is re-reading an amendment which is on the Order Paper as Motion No. 58?

● (1610)

[Translation]

Mr. Pinard: Madam Speaker, first of all, I agree wholeheartedly with the point made by the Hon. Member who spoke before the previous speaker. As I said earlier, it is clear that we are not consenting to any request at this time for amendments to Bill C-155. Obviously this is a waste of time and a clear case of filibustering, and I may refer the Chair to Beauchesne's Parliamentary Rules and Forms, Fifth Edition, Citation 238, which allows the Chair to interrupt these silly games, since, and I quote:

Points of order are justified when there is some flagrant misuse of the rules, but they are unfortunate necessities which should not be regarded as usual phases of procedure and ought not to develop into long arguments with the Speaker who, being in a quasi-judicial position, should not be drawn into controversial discussions.

Furthermore, Citation 234(2) prescribes, and I quote:

(2) A Member cannot rise on a point of order to move a motion.

So when they ask for unanimous consent, they are proposing a motion. That is clear. It is common knowledge. It seems we have wasted one hour and ten minutes. The Progressive Conservatives did not want a vote today. There will be none on the time allocation motion. We are going to propose the motion to limit debate just the same, but it seems to me that for the sake of order in this House, the Chair should not allow members to abuse the authority of the House and the Standing Orders in this fashion.

Madam Speaker: The Hon. Member is simply asking whether the House could waive the usual notice for proposing an amendment. I am very sorry, but I fail to see how I could agree with the arguments of the Hon. Minister. I think I have no choice but to ask the House whether . . . I cannot allow the House to refuse unanimous consent outright without knowing what for. I think that goes beyond the duties of the Speaker. I think the House may dispose of the matter, but it cannot do so unless it knows what that matter is.

That is why I am allowing Hon. Members, notwithstanding all the time this is taking . . . I agree with the Hon. Minister, it is taking a lot of time, but I am not in the Chair to decide whether the business of the House should be accelerated or slowed down. I am in the Chair to apply the Standing Orders of the House. According to my best judgment, it seems to me quite legitimate at this time to allow Hon. Members to ask the House that notice of motion for their amendments be waived.

Mr. Pinard: Madam Speaker, I may refer you to *Hansard* for Monday afternoon. The Member for Yukon (Mr. Nielsen) himself maintained, and he is on record as saying so, that asking for unanimous consent is in itself a motion, which should be submitted in writing if requested, and in fact, Monday afternoon a Government Member was asked to make a written request for unanimous consent, seconded by another Member. I am referring to the Parliamentary Secretary to the Minister of Transport, who decided to withdraw his request. Thus, to get back to the point made by the Member for Yukon, a request for unanimous consent is a motion in itself. We are asking that it be submitted in writing today, and since it is a motion, the citation from Beauchesne to which I referred earlier forbids a Member to use a point of order to propose a motion. That was Citation 234(2).

The Clerk was in the House Monday afternoon. He can tell the Chair what happened. It is the same point that was made by my Hon. Colleague for Yukon who said: Asking for unanimous consent is a motion. If a Member demands that a request for unanimous consent be made in writing, it then becomes a motion and that is what we are doing now. We are demanding that the request for unanimous consent be made in writing, duly seconded, thereby becoming a motion and consequently inadmissible on a point of order, in accordance with Citation 234(2) of Beauchesne's Parliamentary Rules and Forms, Fifth Edition.

Madam Speaker: I am afraid the Hon. Minister is confusing a request for proposing a motion, a request for unanimous consent for proposing a motion and a request for waiving the notice required to propose a motion. I must therefore allow the Hon. Member for Saskatoon West (Mr. Hnatyshyn) to proceed.

[English]

Mr. Hnatyshyn: Madam Speaker, in order to save time, I will not begin again. I have lost the drift of the motions. The