

Point of Order—Mr. Nielsen

which stipulates that the proceedings of the House will be interrupted either by a call to order by the Speaker or on a point raised by another Member of the House. It is very brief and I will read that for the record as well. It states:

Any Member addressing the House, if called to order either by Mr. Speaker or on a point raised by another member, shall sit down while the point is being stated, after which he may explain. Mr. Speaker may permit debate on the point of order before giving his decision, but such debate must be strictly relevant to the point of order taken.

In this case, Your Honour recognized that I had risen before you had adjourned the House and I refer the Chair specifically to page 215—

Madam Speaker: Order. Just for the record, no, I had not recognized that. I said, "The Hon. Member says that he has risen before. I had not seen him, but if he says that he has risen before, I will take his word for it". I had not recognized that, just for the record.

Mr. Nielsen: I will be reading that excerpt from *Hansard* into the record to support my point of order, Madam Speaker, and the judgment can be made on the basis of the evidence which will be then available. I was referring to page 21588 of *Hansard*, where this exchange is reported in the right-hand column:

MADAM SPEAKER: I did not see the Hon. Member rise before I adjourned the House.

MR. NIELSEN: Yes.

MADAM SPEAKER: But apparently he had risen. Will the House allow me—

SOME HON. MEMBERS: No, no.

I think it appropriate, at this stage, to review the events of last night, commencing at page 21587 of *Hansard*. I specifically draw the attention of the Chair to that page where the time is noted, as it is in all of our issues of *Hansard*. From time to time, the time is noted by the *Hansard* reporters as they are recording our proceedings. Your Honour will note that immediately following the vote itself, the list of the Members having been recorded, the time is noted as being 22:05, which was, of course, five minutes past ten. That time bears direct relation to the Standing Orders which I have already cited for the Chair with respect to the hour of adjournment. Then the Hon. Member for Calgary Centre (Mr. Andre) rose on a point of order, which was heard, and then Your Honour said:

The Motion is lost. The Hon. Minister of Agriculture (Mr. Whelan) has the floor—

That specifically relates to a decision of the Chair when the then Acting Speaker, Mr. Ethier, was in the Chair, and when it was drawn to the Chair's attention by Mr. Collette that that was an impossible procedure, and he certainly had the positive reaction and decision of the Chair on that point. Concerning the point at which I rose to take part in that exchange immediately following your statement from the chair, the Minister of Agriculture (Mr. Whelan) is recorded as making probably the most intelligent contribution to any debate that he has made in the House in his whole career when he said:

Madam Speaker—

That was the extent of his contribution. The exchange continued:

MR. NIELSEN: Madam Speaker, Madam Speaker—

SOME HON. MEMBERS: Oh, oh!

AN HON. MEMBER: No way.

MADAM SPEAKER: —and it now being ten o'clock, the House is adjourned until tomorrow at 2 p.m.

SOME HON. MEMBERS: Oh, oh!

MADAM SPEAKER: Order, please.

MR. NIELSEN: I rise on a point of order. Point of order. You cannot, Madam Speaker, with great respect—

● (1650)

Then on the following page we find the following:

MADAM SPEAKER: Order, please. The Hon. Member—I am not sure whether the Hon. Member rose before I adjourned the House—

SOME HON. MEMBERS: He did. He did.

MR. NIELSEN: Yes.

AN HON. MEMBER: Yes, two of them did, Madam Speaker.

MADAM SPEAKER: —but it seems from the protest—

SOME HON. MEMBERS: Oh, oh!

AN HON. MEMBER: No way.

MADAM SPEAKER: Therefore, if the Hon.—

MR. NIELSEN: I cannot be heard until they turn the mike on.

That is another point of order that I would like to get into some day. It goes on to read.

MADAM SPEAKER: Let us not get excited.

MR. NIELSEN: Madam Speaker—

MADAM SPEAKER: I did not see the Hon. Member rise before I adjourned the House.

MR. NIELSEN: Yes.

MADAM SPEAKER: But apparently he had risen. Will the House allow me—

There were some noes, and therefore the House rose.

As a result of my rising, prior to your statement that the House was adjourned—and the adjournment is recorded, incidentally, in *Hansard* at 10:08—the adjournment, in my submission, should not have taken place. Had you so directed the House, pursuant to Standing Order 34(1), a debate on my point of order might have taken place before you delivered your opinion on that point. I will not burden the House with reading Standing Order 34(1) again; I have already placed it on the record.

Why was it important that my point of order be heard at that time? I would like to refer you, Madam Speaker, to the Fifth Edition of *Beauchesne* at pages 78 and 79, and specifically to Citations 233.(1), 235 and 237. Those Citations are as follows:

233. (1) 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.

Mr. Smith: How many of the points of order today did that?

Mr. Nielsen: I cannot be blamed for the lack of comprehension of the candy-backed Parliamentary Secretary to the President of the Privy Council.

Some Hon. Members: Hear, hear!