

Canada-U.S. Free Trade Agreement

power, to prevent a Government of any stripe from acting as though we were a one-Party state. I do not think, Sir, that my colleagues on the government side want to give even the appearance of acting as a one-Party state. Majorities come and go. Minorities come and go. However, the operations of this institution cannot just come and go. They cannot be left up to whatever happens to be the current situation. You, Sir, and all of us have to think about subsequent events. Therefore, Sir, I ask that you agree that the time has arrived for you to act upon that warning of Speaker Lamoureux. Whether or not I or anyone else likes your ruling is not the point. The ball is in your court and I ask that you decide and rule on what is acceptable.

I hope you will decide and rule that the amending of 27 statutes in one Bill goes beyond the normal and acceptable practices of this place and that it is not acceptable. I am not sure about the rules, and maybe my House Leader can help you, but I suggest that you could even request or order that each of these statutes to be amended shall be sent to the appropriate standing or legislative committee and dealt with separately and that the Bill will be broken up into certain logical and sensible sections, two, three, four or five, whatever you decide. However, I think the time to act is now.

It is your decision and I do not envy you that decision. Certainly I hope my pleadings were sufficient to bring tears to a jury full of bankers. I do not want to trivialize the case I and my colleagues have been trying to make, I just want to say that it is time for you to act now.

Mr. Speaker: I thank the Hon. Member. I think perhaps we will hear from the Parliamentary Secretary for a few minutes.

Mr. Jim Hawkes (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, we are well into the third hour of Members providing helpful advice to you about procedure, which, I suggest, they are obliged to do.

Mr. Foster: You rang the bells for 14 days.

Mr. Hawkes: I think it is fair to say that Members of the House, whether in opposition or on the government side, feel strongly about the substance of the Bill. The Government believes it will indeed lower prices and create more and better paying jobs for Canadians. The Opposition believes the agreement should be torn up. Yet the importance of the Bill should not lead us to provide procedural advice to you in an extended manner. It is the importance of the procedure that should lead us to provide you with advice. I suggest that when Members start to get up and indicate that they personally are not sure about the rules, when indeed we are talking about the rules, we are perhaps in danger of abusing the rules by using House time, which could be spent on substantive debate about the motion, to argue the substance of the motion rather than the procedures.

If we go back to the beginning of today's interventions, the Government has been remarkably silent. I am only the second person to stand while six members of the Opposition have spoken. What the House Leaders asked you to do was to look at the first Standing Order, because it is indeed that order that gives you the power to decide procedural questions that are not dealt with in the Standing Orders. However, it requires you to pay attention to usages, forms, customs and precedents, primarily of this House but also of other Houses.

The Opposition has not been particularly clear, in my mind, as to what they are asking for. Different people may indeed be asking for different things in somewhat different ways. However, I would like to draw your attention to *Hansard* of May 11, 1977. I believe Mr. Speaker Jerome was in the chair and the issue was a motion to refer to the Standing Committee on Justice and Legal Affairs Bill C-51, an Act to amend the Criminal Code. I picked this one, but there are many others. However, I believe its clarity could be helpful to the Chair. He said:

—there can be no doubt that a motion containing two or more substantive provisions is quite distinct from a procedural motion or a motion which is generally described as having only the effect of dealing with the progress of a bill.

The Government is bringing forward the motion on second reading. It is the traditional second reading motion dealing with the progress of a Bill. The Bill is to give effect to a trade arrangement.

● (1550)

On that same page Speaker Jerome also deals with what I think is perhaps the second ribbon which comes from the opposition side. He says:

I should emphasize as well that the remedy sought by the hon. member is not to divide the bill according to the separate statutes to be amended but by subject matter. Were that to be attempted, it would place before the Chair, it seems to me, questions of interpretation and responsibility for the drafting of an extremely complex order, which in my opinion the Chair ought not to attempt.

He goes on to say:

—I certainly am bound by the clear language of our precedent rulings and previous practices to reject the point of order of the hon. member for New Westminster, and I decline to make the order which he requests.

We have done our homework. In the history of the Canadian Parliament no Speaker acting on his or her own initiative has ever ruled a second reading motion out of order and no Speaker acting on his or her own initiative has ever split a government Bill.

With that as precedent, and on the basis that your behaviour is bound by customs and precedent, it is difficult to imagine circumstances under which you should leap into the fray and take this new action.

There was, I think, the possibility of an argument on the finding of your behaviour which comes out of the terms "usages and forms", because usages and forms have indeed been changed by this Parliament. We have changed the