

That is the only provision anywhere in the Standing Orders for the withdrawal of a motion once it has been moved. However, as it is there, as it is provided for, it is the procedure that must be followed.

Second, the Chair having deemed this withdrawal last evening went on to say, and I am quoting now from the "blues" of the committee hearing, so there may be some adjustment hereafter: "It is therefore my order as chairman that the resolution produced by the House by Mr. Soetens is deemed withdrawn and that the House proceed and the committee proceed to the following order".

The chairman then went on to make his lengthy and completely detailed time allocation order.

However, there is provision in the Standing Orders for the moving and passing of time allocation orders. It is to be found in Standing Order 67 which states:

(1) The following motions are debatable:

Every motion:

(p) such other motion — as may be required for the observance of the proprieties of the House—the management of its business, the arrangement of its proceedings, the correctness of its records, the fixing of its sitting days or the times of its meeting or adjournment.

Such motions must be made in order to create a time allocation situation and once made are debatable. That is clear. It is provided for in the Standing Orders. I agree that at least in part this is unclear at this point, but if the Chair last night moved a motion of time allocation himself, he would be out of order right off the top because as I note in Beauchesne's fifth edition:

411.(1) Every matter is determined — on a proposition submitted by a Member —

— not by the Chair, not by the Speaker, but by a member, Mr. Speaker. So if in fact what he was doing was proposing a time allocation motion it was out of order on the grounds that he was not capable of proposing it as the Chair of the committee.

If, however, he was making a ruling, he was out of order on that count because according to the Standing Orders he exceeded his authority in attempting by a ruling to construct a time allocation situation. Either way, that was beyond the scope of the Chair's authority.

Privilege

As well, I note in Standing Order 10 it states: "In deciding a point of order or practice, the Speaker" in this instance the Chair "shall state the Standing Order or other authority applicable to the case".

No such authority was cited in the committee last night—none—despite repeated attempts by some of us to elicit a statement of authority for the extraordinary actions undertaken.

I learned after the committee was adjourned that the entire procedure was being founded upon the instance of June 6, 1984 in the Standing Committee on Justice and Legal Affairs. As has already been pointed out by the member for Yorkton—Melville, there are clear and serious discrepancies between what occurred last night and what occurred on June 6, 1984.

Even setting that aside, I wish to draw to your attention that a bad decision is not a precedent and that one decision is not by itself a determinant of convention or procedure thereafter. I would submit that what we have in the instance of June 6, 1984 is a bad decision, in fact a decision that the Chair of the committee himself recognized as a bad decision, which he feared would taint the further work of that committee, to use his own word, and for which he felt responsibility sufficient to compel him to tender his resignation having made that ruling.

It would be extremely unfortunate if the House, in its consideration of the goods and services tax here or in committee, felt itself in any degree bound by such bad rulings or in any way accorded to those bad ruling any sort of precedential status.

With that, Mr. Speaker, I will end my remarks and wish you the very best of luck in reaching your judgment.

Mr. Speaker: I thank the hon. member and I thank hon. members for being succinct. I might indicate to hon. members, so that it may be of assistance to them, I was very much involved in the committee of 1984, as I was at that time a spokesperson on Solicitor General matters for the Official Opposition. I have a vivid memory of events and of course the record is clear. I do not think that members need to concern themselves as to whether or not I have a clear recollection of exactly what did happen.

In listening to the hon. members who have risen, I have a pretty good idea of the essence of the case. I would like the next member to rise to deal directly with