

I leave the merits and the substance of the subject before us to others, but on the procedural point I hope that what I have said will be helpful to you.

[Translation]

**Hon. Yvon Pinard (President of the Privy Council):** Madam Speaker, the hon. member for Winnipeg North Centre (Mr. Knowles) has covered the question very well. It would be pretentious on my part if I wanted to add anything at all to the arguments he has raised. He has covered the question very well and I must confess that his rational and intelligent explanation did contrast with the remarks made by the member who spoke before him.

While resorting to his procrastination tactic the Leader of the Official Opposition (Mr. Clark) indicated that his party was serious and wanted the House to make progress in fields other than the constitutional issue. We will have a good opportunity today to test his sincerity. We will be in a position to do that very soon because again I want to confirm what the Minister of State for Finance (Mr. Bussi eres) said to the Progressive Conservative Party critic, namely, that when motions are called today we have the intention of moving the motion aimed at granting two days of debate to end the discussion on the bill authorizing the government to borrow a certain sum of money.

Since the adoption of that bill has become very urgent we have no alternative other than introducing that motion, and if the Leader of the Official Opposition had been really sincere—and that is why his remarks sound false—we would not have been forced to proceed with that motion today because he would have agreed to let that bill through report stage and third reading without our having to give the notice required under Standing Order 75C. But we will take him at his word today and see to what extent he can be sincere. If we can move that motion today and debate it for a maximum of two hours, as provided in the Standing Orders, we will see if at least we can make progress on a question of procedure since otherwise we cannot get anywhere on the constitutional question.

Therefore, Madam Speaker, I support the representations made to you by the hon. member for Winnipeg North Centre. His explanation really covers the entire matter, and I regret that the Leader of the Official Opposition has essentially tried to do indirectly what we are forbidden to do directly. There is an old legal principle, Madam Speaker, as any graduate in law will tell you—my colleague can ask his fellow member on his left to confirm this—which says that you cannot do indirectly what you are forbidden to do directly.

What the Leader of the Official Opposition did today was nothing but present the same question that he himself submitted last Friday when he asked you, on the basis of so-called precedents, to find that the House could not study the constitutional proposal because it had already been submitted to the Supreme Court. He is now submitting exactly the same ques-

tion, but since his argument could not be supported by the precedents, or by our rules, traditions, and practices, he is now saying that he is on new ground. Well, Madam Speaker, this is not a very good argument. Moreover, I respectfully submit that this is a way of doing indirectly what you had forbidden him from doing directly. I find it unfortunate that he has wasted one hour of the time of the House today in an attempt to abuse the rules of this House and get around what he had no right to do as your decision already covered this matter. In view of the circumstances—

[English]

**Mr. Baker (Nepean-Carleton):** On a point of order, Madam Speaker.

[Translation]

**Mr. Pinard:** We are already on a point of order.

[English]

**Madam Speaker:** Order please. We are already dealing with a point of order and I cannot entertain two at the same time.

**Mr. Baker (Nepean-Carleton):** I would ask the hon. member if he would entertain a question.

[Translation]

**Mr. Pinard:** Madam Speaker, I shall close by saying that your ruling of last Friday is another argument that I add to those given by the hon. member for Winnipeg North Centre. As indicated on page 8694 of *Hansard*, you stated the following in giving your ruling, and I quote from the English version of *Hansard*:

[English]

Sub judice is a convention which is "a voluntary restraint imposed by the House upon itself in the interests of justice and fair play", as stated in Citation 335 of *Beauchesne's* fifth edition. I have not been persuaded by the particular argument brought forward by the Leader of the Opposition which he offered in his presentation yesterday, namely that the House cannot debate that motion because the matter has been referred to the Supreme Court of Canada.

Therefore, Madam Speaker, you ruled on this very question, except last Friday you ruled on the basis of citations from *Beauchesne* and the rules and practices of this House. Today the Leader of the Opposition wants to try his case again. Since he lost it on the basis of practice, the rules and *Beauchesne*, he says it is now on new ground. I understand what kind of new ground he is talking about. He said, "I want to protect the Canadian way of doing things." If we look at what he did last week and what he is doing this afternoon, we certainly are on new ground, particularly when we see this kind of filibuster.

**Madam Speaker:** Order, please. I have a pretty good idea of what this point of order is all about. Several citations have been brought before us which I am sure will help me to make a judgment. I want to give notice that I will not be listening to too many interveners as I feel that many citations have been brought forward. When I find there are no new arguments being offered I will cut off debate.