

Routine Proceedings

Mr. Dingwall: "Could not be reached," Mr. Speaker. We suggest to you respectfully, Sir, that under the provisions of Standing Orders 78(1) and 78(2), there was no attempt at any agreement whatsoever.

The provisions of Standing Order 78(3) are not applicable. Therefore, the motion is null and void.

In conclusion, one of the most fundamental responsibilities of the Chair in the House is to make certain members of Parliament, all members of Parliament, abide by the rules of the House of Commons.

If members came into this Chamber dressed inappropriately, Mr. Speaker, you would draw that to their attention and corrective action would be taken. I suggest to you, Sir, that these rules have been broken by hon. members opposite. It is clear beyond a shadow of a doubt that they are in breach of the Standing Orders and I would hope, Mr. Speaker, that you would find a *prima facie* case on the question of privilege of the hon. member for Ottawa—Vanier.

Mr. Peter Milliken (Kingston and the Islands): Mr. Speaker, I want to be quite brief in my dealings with Standing Order 78(3). It seems to me the rule is very clear, notwithstanding the precedent that the government House leader has cited in Your Honour's ruling in March of this year, I believe it was.

I submit that the quality of the negotiations is not what we are asking Your Honour to inquire into. We are asking Your Honour to determine that there were, in fact, no negotiations. It is our submission that negotiations are required under Standing Order 78(3) before the minister can stand in the House and say that agreement could not be reached.

The minister himself is now saying that he did not say that. He said there was no agreement. I submit that saying that there is no agreement is one thing, and it is not what he is required to say. He has to say that no agreement could be reached, and in order to reach an agreement you have to have negotiations. That is elementary. There were no negotiations in this case. There was no consultation in this case. I came into the House at four o'clock. I was in here for a short time. I was in my office. The parliamentary secretary knows he can deal with me.

Mr. Speaker: I can save a lot of time. We are all interested in all interventions. I do not need to hear anything more on what was or was not said. I am asking

the hon. member who has considerable legal training in his own right to address the very direct question I have posed, and that is the wording of the rule.

Mr. Milliken: Mr. Speaker, the wording of the rule is that an agreement, and I quote it again:

—that an agreement could not be reached—

It is my submission that, in order to attempt to get an agreement, you must negotiate. You must make an effort. You must go and ask, and I submit there has been no asking in this case.

In my limited experience in the House, and I will admit that my experience with this rule in terms of negotiations is relatively limited, but I did witness it once with the predecessor of the current government House leader. He came into the opposition lobby one day and said: "This is a formal consultation. Is there agreement under 78(1) or 78(2) to limit debate on this bill?" Our House leader at the time, the hon. member for Ottawa—Vanier, said: "No, there is no such agreement." The minister said: "Thank you very much." He left and moved a time allocation order. That is the way it is done. It is elementary.

I submit that that was not done in this case. For the minister to stand up and say, in fact, that there has been no agreement may have been true, but there was no negotiation and he had to say more than that. He had to say that he could not get an agreement and he did not say it. In my submission, the notice given yesterday is null and void.

Mr. Speaker: I will reserve for a little while my decision on this matter. In the meantime, we will proceed with Routine Proceedings.

ROUTINE PROCEEDINGS

[*Translation*]

ORDER IN COUNCIL APPOINTMENTS

TABLING AND REFERENCE

Hon. Pierre H. Cadioux (Solicitor General of Canada): Mr. Speaker, I am pleased to table, in both official languages, a number of Order in Council appointments which were made by the government. While I have the floor, Mr. Speaker—