

I wish to make it clear that, so far as this party is concerned, that is our wish.

Some hon. Members: Hear, hear!

[*Translation*]

Madam Speaker: Under the circumstances, it would make things easier if I gave a ruling on the question of privilege on which we have spent enough time this afternoon. If I were to dispose of the matter, we could then proceed with orders of the day. Hon. members could then deal with the matter they want to discuss in the House today.

I recognize that the Leader of the Official Opposition (Mr. Clark) may have felt impelled to rise on a question of privilege on what could in fact be a serious grievance. I can understand that he should have tried to get a statement for his information and guidance. I do understand that his grievance can have some importance; still, I am sure hon. members will also understand that I am faced with a serious dilemma, in that all the interventions we have heard during this debate on the question of privilege clearly established that the question of privilege was in no way founded on a breach of our rules. The Leader of the Opposition indicated so himself. There was no breach of our rules, but rather one of the common courtesies and customs in current usage in this House, and on that I agree with him. I should perhaps read the Standing Order which authorizes the minister to do exactly as he did, namely Standing Order 60(1) that stipulates, and I quote:

60. (1) A notice of a ways and means motion may be laid upon the table of the House at any time during a sitting by a minister of the Crown, but such a motion may not be proposed in the same sitting.

The minister has then clearly chosen a valid procedure, as was his right. It is not up to me to choose the procedure, it is up to the members of this House, and the one that was indeed chosen is in accordance with the Standing Orders, and if I may remind hon. members, none of the participants in the debate has denied it.

I note in passing that one of the objections raised was that this occurred on a Friday afternoon, or more precisely on a Friday morning. I remind hon. members that any day of the week is appropriate for debating issues in the House, whether it be Friday, Monday or Wednesday. Every day, in my opinion, is appropriate, so obviously I did not entertain that argument.

One of the grievances was to the effect that the minister did not make a statement. There again, I must remind hon. members that it is open to the minister to make a statement or not when tabling a ways and means motion. He decided not to do so and I have the impression the debate on the question of privilege came very close to what it would have been had the minister made a statement, since he had to give so many explanations on what had happened. However, if later on in our proceedings the minister should rise to make a statement, we shall see what will happen then.

Point of Order—Mr. Andre

As to the question of all the courtesies that should be extended to the House, hon. members will also understand quite easily that it is not up to me to discuss them, any more than I have any say in the agreements reached by the leaders of the various parties in the House. It is entirely up to the members and party leaders in the House. I am bound by the rules which say very clearly that what the minister did was in order, which rules the House in its wisdom gave itself. For the benefit of the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty), I should like to say that I am bound by the written rules. Customs and practices are a different matter. Of course, I always consult the precedents, but I always consider them in terms of the present Standing Orders.

So I cannot find that there is a question of privilege despite the fact I recognize the grievance was perhaps very important. I suggest that we proceed now with orders of the day.

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[*English*]

POINT OF ORDER

MR. ANDRE—IMPOSITION OF LEVY UNDER PETROLEUM ADMINISTRATION ACT

Mr. Harvie Andre (Calgary Centre): Madam Speaker, I rise at the earliest opportunity after the minister's tabling of the notice of ways and means motion to raise a point of order which shows, I believe, that the notice of ways and means motion is in fact out of order, and that the minister cannot, through this mechanism, impose a tax as of midnight tonight. I think it is a point of order that has to be discussed and decided on today because of that implication.

The reason for that, Madam Speaker, is quite straightforward and simple. The notice of ways and means motion purports to amend the Petroleum Administration Act in regard to the charge imposed, levied and collected on each barrel of oil processed in the country.

The relevant section of the Petroleum Administration Act is section 65.12, which states that there should be imposed, levied and collected on, in part, (a) each barrel of domestic production and, in part, (b) each barrel of foreign production, and then it reads in the same language as the notice of motion and continues as follows:

—in any month after the month in which this part comes into force, a charge in such amount not exceeding one dollar a barrel as may be prescribed in a tariff of charges for that month made by order of the governor in council.

This act was not introduced by a ways and means motion. It is not a taxation bill but is a statute of Parliament to establish a program for subsidizing synthetic fuels in the country and to establish a fund outside the purview of parliamentary examination, outside the estimates procedure, outside the normal checks and balances available to the people through their representatives—a revolving external fund, by statute, without ways and means associated with it. The act describes this charge as a levy.