

the report stage of the borrowing authority? If he would tell us that, then I think we could deal with it. I am not playing games with my hon. friend; I want to know what today's business of the House is?

**Mr. Pinard:** Madam Speaker, I am sorry, perhaps my colleague misunderstood me. I will repeat. The Minister of State for Finance will, if we reach motions, move the motion to allocate time on the borrowing authority bill. I am saying now in English exactly the same thing that I said in French a minute ago.

**Mr. Baker (Nepean-Carleton):** It is the translation.

**Mr. Pinard:** I am sorry if my colleague did not understand it. That is very clear and unequivocal, and that is what the minister is going to do.

**Mr. Blenkarn:** Would the government House leader advise, if we were to complete the discussion on whether closure should be employed under 75C, whether we would continue with the borrowing authority bill tomorrow and Thursday?

**Mr. Pinard:** Madam Speaker, closure cannot be imposed on 75C. That is a motion dealing with the allocation of time. Once it has been decided later on today, then the government knows that two days will have to be allotted to complete the report and third reading stages of the bill.

Will those two days be tomorrow and the following day? All I can say to the hon. member is that it will be very soon, but I would like to look at our plans later today once I know we have a House order that will allot two specific days to conclude debate on that bill. I cannot give the undertaking now that this bill will be discussed tomorrow and the following day, but I can give the undertaking that it will be dealt with in the very near future.

● (1520)

**Madam Speaker:** Do I understand, then, that the House wants to continue the normal procedures at this time and perhaps negotiations can take place later on? There is no agreement now to go to anything else but the normal procedures at this time?

**Mr. Baker (Nepean-Carleton):** Madam Speaker, no, we have not discussed that. The question we were discussing, just to be clear, is exactly what business we would deal with if and when we get to orders of the day, or what would normally be motions. I wanted to know the business of the House. In view of the offers and the exchange of offers which have been made in the House, we now know what it is. That is all; there is no question of an agreement. The government House leader has given his unequivocal undertaking on that point.

**Madam Speaker:** Very well. However, I want to tell the House that I received notice of eight questions of privilege to be heard at this time. I am prepared to hear them, and I want all hon. members to have a chance to raise their questions of privilege. If all are to be heard today, I would suggest that

### *Privilege—Mr. McGrath*

hon. members try within ten minutes to expose their questions of privilege, so that each and every member who has given notice is able to proceed with his question of privilege.

The first one is in the name of the hon. member for St. John's East. Before recognizing the hon. member for St. John's East, I should like to indicate that since there is some similarity between the question of privilege of the hon. member for St. John's East and the one of the hon. member for St. John's West (Mr. Crosbie), I will hear those two questions at the same time. Once I have heard the hon. member for St. John's East, I will ask the hon. member for St. John's West to make quite sure he is not overlapping the first question of privilege.

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### PRIVILEGE

#### MR. McGRATH—THE CONSTITUTION—DECISION OF NEWFOUNDLAND COURT OF APPEAL

**Hon. James A. McGrath (St. John's East):** Madam Speaker, I am very conscious of your ruling today on the point of order raised a few days ago by the Right Hon. Leader of the Opposition (Mr. Clark). I want to impress upon Your Honour at the outset that my question of privilege raises a whole new point. It does not attempt to go over the ground which was so ably put forward by the Right Hon. Leader of the Opposition.

It is interesting that in Your Honour's ruling today, if I may refer to it—I am not questioning it; I accept it—you pointed out precedents of your illustrious predecessors in which they stated that the Chair was merely to rule on questions of order, not on questions of law; that it was not for the Chair to decide whether or not a question was constitutional, within the Constitution, or ultra vires of the Constitution; that, in fact, was a question for the courts to decide.

It is interesting that my question of privilege today arises out of just such a situation. It arises out of the unanimous ruling brought down earlier today by the appeal division of the Supreme Court of Newfoundland on questions submitted to it by the six provinces. It is not without interest that the ruling should come down on the thirty-second anniversary of the dominion of Newfoundland becoming the tenth province of Canada.

I intend to lay out what I consider to be a very important question of privilege arising out of the decision of the Supreme Court of Newfoundland and the business before the House. The questions on which the court ruled were four in number, three of which were submitted by the six provinces; the fourth question dealing specifically with the terms of union between Newfoundland and Canada was submitted by the province of Newfoundland. It is important for me to read the questions because they are relevant. I think it is important that they should be on the record. Certainly in terms of my argument it is important that they be placed within the context of my question of privilege before Your Honour. They read as follows: