

*Canada-U.S. Free Trade Agreement*

been three considered in Committee of the Whole and postponed. Consideration was proceeding on Clause 4 and had proceeded for some considerable time. The Government moved a similar motion to the one moved today, that further consideration of all the clauses not be postponed. It was then that Mr. Knowles, among others, and Mr. Fulton, who was a former colleague of some of the people on the other side of the Chamber, raised points of order objecting to the proposal that had been put before the House.

The Chairman ruled that the motion as proposed was in order. The Chairman's ruling was appealed to the Chair. The Speaker also ruled that it was in order, and his decision was appealed to the House and upheld on appeal. That decision was made on Friday, June 1, a day referred to by former colleagues opposite as Black Friday. On the following Monday they were so disturbed that the Speaker had made such a ruling that they moved a motion of non confidence in the Speaker of the House, an unprecedented move, and debated that for some days in an effort to undermine his authority.

There are no other precedents of which I am aware, or that I have been able to find where this rule has been used in Committee of the Whole.

● (1600)

Based upon a review of those authorities, I submit that the motion now before us is out of order. I submit to the Chair that the 1932 ruling, upheld in 1956, constitutes a bad decision and one which ought not to be followed. As a consequence, the Chair should ignore the rulings of 1932 and 1956.

R. MacGregor-Dawson, in his book *Procedures in the Canadian House of Commons*, published in 1962, states, at page 130: "The precedent established in 1932 and strengthened in 1956 is obviously an undesirable one. A system under which only a few clauses of a Bill are considered before being passed is neither wise nor sensible."

In addition, the Speaker of this House, on Thursday, December 15 last, made a ruling on a previous closure motion moved by the Deputy Government House Leader, and I should like to quote from that ruling. At page 78 of *Hansard*, we read the following:

After a very careful consideration of this point, I am more persuaded by the weight of precedent and practice. Taking into consideration the gravity of the measure to be invoked and the necessity of protecting the rights of the minority, it is my feeling and decision that the intention of the Standing Order as drafted and as it has been applied is to allow a majority to impose closure only after

debate on the question has begun. This is to ensure that such a debate is not unfairly or prematurely curtailed. In this instance, debate on the motion had clearly not begun when the Hon. Minister served notice.

And I submit that debate on any clause but Clause 2 of Bill C-2 had not begun at the time of the notice of motion calling for closure, or the motion itself.

**Some Hon. Members:** Hear, hear!

**Mr. Milliken:** If you are not persuaded that the rulings of 1932 and 1956 are incorrect, then I say to you, Mr. Chairman, that there is another significant difference. I have in my hand the 1932 Bill that was under consideration. As can be seen, it is one page in length, with a title page. I also have in my hand the pipeline Bill, which comprises some seven or eight pages and a title page. And I now have in my hand Bill C-2, the Bill which we are being asked to conclude committee consideration of today, having only discussed one clause, and one can readily see how thick it is. In addition to the Bill itself, it has schedule, after schedule, after schedule.

Mr. Chairman, I suggest to you that the 1932 and 1956 precedents, being poor rulings, ought to be overlooked by you, and that you should take cognizance of the precedents established in 1913, twice in 1917, and again in 1919, precedents established in accordance with the view of the author of the closure rule as to how that rule should operate in this House.

I submit that that is the proper course for the Chair to follow. The motion of the Deputy Government Leader ought to be ruled out of order, and we should proceed to clause-by-clause consideration of the Bill.

**Some Hon. Members:** Hear, hear!

**Mr. Axworthy (Winnipeg South Centre):** What is your answer, Doug?

**The Chairman:** The Chair recognizes the Hon. Member for Kamloops (Mr. Riis), on the same point of order.

**Mr. Riis:** Mr. Chairman, at the outset, I must say that the case presented by the Hon. Member for Kingston and the Islands is an extremely convincing one.

**Some Hon. Members:** Hear, hear!

**Mr. Riis:** I simply wish to add two points, the first of which is to repeat again that the last time we saw this procedural blitzkrieg take place was back in 1956, 32 years ago, during the pipeline debate.