

HOUSE OF COMMONS

PROCEDURE FOLLOWED IN MATTERS DEBATED ON ADJOURNMENT MOTION

On the orders of the day:

Hon. Gordon Churchill (Winnipeg South Centre): Mr. Speaker, I should like to raise a point of order dealing with a rule of the house that has application to the question period and the adjournment motion which comes at ten o'clock at night. I raise this point of order so that we may obtain a ruling from Your Honour to guide us in the future. I think there has crept in a flagrant abuse of rule No. 39, section 5, which reads in part as follows:

A member who is not satisfied with the answer given to a question asked on any day at this stage, or a member who has been told by Mr. Speaker that his question is not urgent, may give notice that he intends to raise the subject matter of his question on the adjournment of the house.

I suggest that at times hon. members have had questions ruled out of order by Your Honour but nevertheless have raised those questions on the adjournment motion. I do not believe this was the intention of the rule. Second, it was understood when this rule was first introduced that during the course of the adjournment debate we would not raise points of order or questions of privilege during that very short period, because a member has only seven minutes in which to present his case and the minister has only three minutes in which to reply.

I had to raise a question of privilege last night, and I notice that on other occasions points of order have been raised. On October 23, as reported at page 3410 of *Hansard*, Mr. Deputy Speaker interrupted to point out the following:

I should point out to the hon. member for Parry Sound-Muskoka (Mr. Aiken) that it is not usual, and certainly was not contemplated at the time when adjournment proceedings were instituted, that there should be any points of order during an adjournment debate.

I think that was understood when we introduced this rule. I suggest it was never contemplated that attacks would be made on members of this house during the adjournment debate; there would be simply a statement with regard to a question asked earlier in the house to which the member had not received a complete answer from the minister, and the minister would then be in a position to give a more comprehensive answer.

It appears now that the hon. member for Lotbinière (Mr. Choquette) is using this type

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of debate to make attacks. The attacks are being made on me, on other members of our party and on the Conservative party as such. I do not object to that provided this privilege is extended to others. I have not yet participated in adjournment debates, but I may do so.

I direct your attention, sir, to these facts. On October 4 a question was asked by the hon. member whom I have mentioned. It was not commented upon by Mr. Speaker. On October 5 a similar question was asked by the hon. member, as appears at page 2835 of *Hansard*, and it was declared out of order. Nevertheless the member somehow or other had the subject matter discussed on October 23. If you will examine page 3409 of *Hansard*, Mr. Speaker, you will find that the title of his statement is "Federal-Provincial Conference. The Two Nations Concept."

I cannot find any preceding question addressed to a minister on that subject. There was no question addressed to a minister in the course of the hon. member's statement. It was just an expression of opinion by the hon. member, followed by interruptions and points of order by the hon. member for Parry Sound-Muskoka, the hon. member for Brandon-Souris and others.

I ask the following question. First, how did that subject matter get on the order paper without a previous question having been put to a minister? The second question refers to yesterday's occurrence. On November 13 the hon. member for Lotbinière asked the following question, as reported at page 4228 of *Hansard*:

Mr. Speaker, a few days ago I asked the Minister of Justice (Mr. Trudeau) a question to determine whether the agenda of the federal-provincial conference which is to take place shortly had been decided upon.

The matter was discussed by the hon. member last night. In the course of his remarks he was chiefly concerned with making an attack upon me, which I was able to refute on a question of privilege. Then followed a statement by the Minister of Justice.

I am asking, sir, whether you will undertake—I am not asking for a ruling at this moment unless Your Honour feels you are prepared to give it—to review the use of this particular procedure in our house and decide whether there is validity to my claim that this rule is being flagrantly abused, by inadvertence or by hon. members not understanding the rule as it was put before us in the past.