

I submit that we are not attempting to extend the period beyond the five year term.

Mr. Blaikie: Whoever said you were?

Mr. Lewis: My hon. friend makes great reference to the fact that the parliamentary calendar has been agreed upon. I do not disagree with him. But my hon. friend, to use legal terms, can't suck and blow at the same time. One can't delay and delay and be everywhere in *Hansard* and the media saying: "We are going to stop free trade", and then when the Government wants to extend the hours of sitting to take care of an initiative of the House, complain that we are extending the time. One cannot have it both ways.

Mr. Blaikie: Bring in closure.

Mr. Lewis: We do not intend to bring in closure just now.

Mr. Blaikie: Take responsibility.

Mr. Lewis: We want to debate this issue on the merits. I submit that we have made the case that this is procedurally correct. I appreciate that the Chair will want some time to consider the procedural arguments. I can assure the House that when the procedural arguments are finished, we will be fully prepared to move on to other business, which is on the Order Paper, by the way, and we will be prepared to await your decision.

Mr. Jean-Robert Gauthier (Ottawa—Vanier): I wish to make a few points, and I would like to pick up from where the Minister left off on his reference to Standing Order 57(1)(o). Indeed, that Standing Order states: "for the suspension of any Standing Order unless otherwise provided". It says "unless otherwise provided". In the Standing Orders we have a calendar provided for by the House and agreed to, after reform, by Members of the House.

Standing Order 5 states:

5. Whenever the House stands adjourned, if the Speaker is satisfied, after consultation with the Government, that the public interest requires that the House should meet at an earlier time, the Speaker may give notice that being so satisfied the House shall meet, and thereupon the House shall meet to transact its business . . .

If the Speaker has that authority, in my view, that is the point. The motion before us at this time is not in order. It addresses a point that only you, Mr. Speaker, with the reform of the rules, with the Standing Orders, have the authority to recall the House and to transact the business of the House.

I know some of the issues that have been put to the House today and repeated by some Members, for example, in regard to whether it is appropriate to have the motion before us, is it in order, or was it presented to the House in the appropriate form. Well, it was indeed presented on June 3 as a notice of motion, and it was transferred to government business. I do not want to argue whether the motion here is in order. I believe it is not in order, because it is not in the spirit of the new rules as they stand today.

Extension of Sittings

I wish to make the point to the Speaker that there could be a good argument made, if one goes back to 1950 or 1960 when motions were regularly put down by the Government to extend hours. They were done in a very normal and accepted manner basically because the House only sat a few months in the year and it suited the purpose of all Members that the Government did have that motion there. But then there developed a need to reform the rules of the House, essentially because the business of the House became full time and not part time and rules which were in force at that time had to be changed.

I refer you to the McGrath report, Mr. Speaker.

[*Translation*]

the report of the Special Committee on the Reform of the House of Commons, the Committee that tabled the report that formed the basis for parliamentary reform. I would like to quote a very interesting paragraph, at page 11:

For nearly a hundred years after Confederation, federal parliamentarians showed great reluctance to change the Standing Orders. A closure rule was introduced in 1913, but it was in answer to an immediate crisis and was seldom used in later years. Some reforms were effected in 1927, chiefly a forty-minute limit on most speeches, but this went no real distance towards improving the effectiveness of the House, regulating debates or apportioning time.

And the Committee goes on to relate various attempts at procedural reform from 1940 to 1950.

And I quote at page 12:

In 1958 a government was elected with the largest majority in Canadian history. During this period greater use was made of standing committees. However, the procedures of the House remained, in most substantive respects, those of 1867.

The same Government that was elected in 1958 with a very hefty majority in the House did not survive more than one and a half or two Parliaments, when it was defeated. Today, the Government is using the same strong arm methods to deal with the minority, and it too will be defeated because it does not understand the meaning of our Standing Orders or democracy.

Mr. Speaker, I may recall that when you referred to Section 49 of the BNA Act, which provides, and I quote:

Questions arising in the House of Commons shall be decided by a Majority of Voices other than that of the Speaker, and when the Voices are equal, but not otherwise, the Speaker shall have a Vote.

Questions rising in the House of Commons! Mr. Speaker, those questions refer to substantive issues before the House, not to procedural issues. Perhaps I may recall the experience of yours truly here in the House, when at six o'clock, the Chair interrupted a vote called by the House, a vote that was not held because the Chair interrupted the proceedings, claiming that at 6 p.m. the motion had lapsed.

Mr. Speaker, in my opinion that was an infringement, a contradiction and even a violation of section 49 of our Constitution. However, the Speaker said in the House: "No, you are mistaken, Mr. Gauthier". I said: "Well, all right". I accepted his decision. But I would like to point out that our present Speaker told me himself that on procedural issues, the decision was up to him. I can agree with that. But I maintain that