

Point of Order—Mr. Wenman

as a result of the fact that the procedure in the House of Commons imposed little restriction on the raising of debate and the presentation of petitions; they served as a method of introducing subjects from outside the House and could be used for obstructing other kinds of business. Accordingly, in view of the great increase in the number of petitions, Standing Orders commenced in 1842 and subsequently amended made the presentation of petitions a formal proceeding incapable, except in rare cases, of giving rise to debate. They came in by the thousands. Debate is only permitted at the discretion of the Speaker when a petition relates to a present personal grievance requiring an immediate remedy.

Some idea of the infrequency of the Speaker's discretion being invoked to permit discussion is demonstrated by the fact that the last time the Speaker permitted debate was in 1844, when a petition claimed that letters were being secretly detained and opened by the Post Office. The precedent also provides us with some idea of what constitutes a present personal grievance for purposes of permitting debate.

While in the United Kingdom no formal report is presented to the House, it is not customary for members to submit petitions to the clerk of public petitions for scrutiny before presentation in the House. Following that, the present U.K. practice provides that a member, when presenting a petition, may read the prayer and make a statement as to the parties from whom it comes, the number of signatures and its material allegations. It may also be read by the Clerk. To proceed with it further, however, unless privilege is involved, the Speaker must find that the complaint relates to a present personal grievance.

This, however, is not quite the practice that has developed in this House. While in 1970 a member presenting a petition was denied the opportunity of explaining what the petition was about, the practice was subsequently developed for members to give a brief explanation of its content, from where it comes and the number of signatures. This is allowed today. While the substance of the petition may be set out by way of explanation when presented, the practice that developed once the report of the Clerk of Petitions had been reported is not to permit the petition to be read unless the House agrees by unanimous consent to do so.

Preliminary to seeking such consent, however, the Speaker must be satisfied that the content is a proper subject for a petition. Otherwise it will not be received, and for that matter the Speaker will have to be satisfied that it is receivable, whether or not there is a desire to have it read. In other words, the Clerk of Petitions certifies only as to the form of the petition; that is, that it is properly addressed and that it contains the formal prayer.

The Speaker having been satisfied that the petition is receivable, to permit the petition to be formally read would arise only where the member advises the House that the petition relates to a present personal grievance and he wishes to have it discussed, and the Speaker is satisfied that the prayer does relate to a present personal grievance requiring an immediate remedy. Otherwise, where there is no allegation that the

petition relates to a present personal grievance, the unanimous consent of the House would be required to have it read by the Clerk.

With respect to the subject matter of the petition of the hon. member for Fraser Valley West which he suggests relates to a present personal grievance requiring an immediate remedy, the hon. member will appreciate that, while high interest rates are a very serious matter, and whatever their cause, the petitioners are affected by them in common with many other citizens.

It seems to me, however, that the type of present personal grievance that the Standing Order has in mind is something akin to what was alleged in the 1844 United Kingdom case where the complaint was that one's mail was secretly detained and opened. In other words, it was personal in the sense that it did not arise as the result of the general law or, for example, as a result of the vagaries of supply and demand or as a result of the forces in the marketplace.

Second, the grievance would be one which could be alleviated forthwith rather than one which would require legislation or some other action, which is the case where interest rates are asked to be altered. In other words, the complaint of high interest rates is the very subject matter of a petition envisaged by Bourinot when he wrote, in 1916, and I quote:

The subjects embraced in these petitions are of a most varied nature. When the public mind is greatly interested in some question large numbers of petitions are presented in both Houses both for and against proposals which are being agitated in Parliament and in the press. This privilege is properly highly appreciated and in many instances assists Parliament in forming its opinion and in taking appropriate action.

● (1510)

But in order to discuss a petition in the House, both here and in the United Kingdom, in view of the great increase in the number of such petitions to either House, the rules mentioned earlier were laid down. Accordingly, while the subject of the petition the hon. member has presented is a very serious matter, one with which I may have the greatest sympathy, and while also it is certainly one of the very uses for which the practice of petitions arose, I am constrained by the long-standing practice both here and in the United Kingdom to say that it is not one where the Speaker has traditionally exercised discretion and permitted debate.

Mr. Wenman: Madam Speaker, I have a point of order on the Speaker's report. I would first like to thank the Speaker for her very thorough attention to this matter which is of grave concern to me in respect to the role of a private member in this House of Commons. In view of the detail and the time with which she has gone into this matter, I would want to reserve comment subject to studying the report. I would ask her—

Some hon. Members: Oh, oh!

Mr. Wenman: The point of order is, what is the—

Madam Speaker: Order. I am having quite a hard time in getting the hon. member for Fraser Valley West to understand that, unfortunately, although I would enjoy the discussion once the Speaker has ruled, the Speaker may not entertain com-