

Speaker's Ruling

Some hon. members: Agreed.

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POINT OF ORDER

PETITIONS PRESENTED IN THE HOUSE—SPEAKER'S RULING

The Deputy Speaker: Dear colleagues, the Chair is now ready to deal with the point of order raised by the hon. member for Chicoutimi, on Monday, April 18, 1994, concerning the manner in which certain petitions have recently been presented in the House.

The right of the public to petition Parliament is very important because it constitutes the only means by which individual Canadians can directly place grievances before this body and make their concerns known. As is noted in *Bourinot's* Fourth Edition at page 231, the signing and presentation of public petitions is highly appreciated by Parliament and in many cases assists it in forming its opinions and in taking appropriate action.

[English]

Since individual Canadians are not permitted to address the House directly, as members know, petitions are presented by members. Groups and individuals with petitions for the House must therefore enlist the aid of MPs to have their petitions certified and presented. Citation 1038 of Beauchesne's sixth edition states that members are not bound to present petitions and cannot be compelled to do so. Nevertheless, it is not unusual for members to present a petition to the House whether or not they agree with its contents.

Under the provisions of the standing orders a petition may be presented in one of two ways. Standing Order 36(5) states:

A petition to the House may be presented by a Member at any time during the sitting of the House by filing the same with the Clerk of the House.

This is also known as tabling by the back door. The second method of presenting a public petition is prescribed by Standing Order 36(6) which states:

Any Member desiring to present a petition, in his or her place in the House may do so on "Presenting Petitions", a period not to exceed 15 minutes, during the ordinary daily routine of business.

As noted at page 111 of the Annotated Standing Orders, several conditions apply to the presentation of petitions in the House during Routine Proceedings, the most notable of which is the prohibition contained in Standing Order 36(7) on "debate on or in relation to" petitions presented.

On February 26, 1986, Speaker Bosley issued guidelines which not only reiterated provisions of Standing Order 36(7) but

also invoked the practices which had evolved here on the manner of presenting petitions, and I quote:

In presenting a petition during Routine Proceedings, the member may make a brief—

• (1515)

I underline the word brief.

—summary of the prayer of the petition, state the parties from whom it comes and the number of signatures it contains, but may not make a speech or enter into debate on or in relation to the petition. The member should also indicate that the petition has been certified in order, pursuant to the standing orders.

[Translation]

Therefore, commenting in any way on the merits of a petition could be considered a form of debate on the petition. In this Parliament, on several occasions some Members have commented favourably or adversely on the petitions they are presenting, prompting other members to voice various objections to those comments.

Since there is only a limited period during each sitting when members may present petitions, saying anything other than what is normally permitted takes time away from other members who wish to present petitions. Members should bear in mind that the Member presenting a petition in the House or filing it with the Clerk is acting as a messenger or intermediary between Parliament and the petitioners.

If the rules permitted debate on petitions or if the subject of the petition were to come before the House for debate in some other manner, the member's view on the subject matter would be relevant and vital to the process. As things stand, however, the role of the member, while essential, is limited.

Therefore the Chair would ask members to refrain from commenting on petitions they present other than to simply note the prayer of the petition, the number of signatories, and their place of residence.

[English]

Finally, should members choose to present petitions with which they disagree they may do so during Routing Proceedings without comment or simply file them with the Clerk of the House at any time.

Both methods of presentation fulfil the requirements of the standing orders and both are equally valid.

[Translation]

I hope this brief statement will help explain the procedure on presenting petitions to the House.

I thank the hon. member for Chicoutimi for raising this matter and thus allowing the Chair to provide the House with an explanation of the process.