

Point of Order—Mr. Beatty

But the problem arising as a result of the questions put to the chairman of the committee is that if the reference had been made to the committee, this might have prevented the government from controlling and disposing of the business of the House in accordance with Standing Order 18(2). In this respect, first of all, as government House leader I believe I was quite justified in giving the government's point of view in reply to the question put to the chairman of the committee.

The second point I wish to clarify, still subsidiarily, since the reference from Erskine May disposes of the question substantively, is that the member for Wellington-Dufferin-Simcoe (Mr. Beatty) quoted Beauchesne, fifth edition, Citation 366.

But if he had read more slowly in the first place, he would have noticed the last part of Citation 363(1), which says, and I quote:

—A member may put a question but has no right to insist upon an answer.

So he has absolutely no grounds for complaining that he received no answer from the chairman of the committee. And subsidiarily, as my third point, in the final instance, after everything was placed in its proper context and after I had an opportunity to explain why a reference to a committee has some effect on the order of business in the House, it was obvious that in fact, the hon. member had ample time to answer in a manner that was both clear, brief, precise, exemplary and unambiguous, the question put by the Leader of the Opposition (Mr. Clark), which summarized all previous questions directed to the committee chairman. In the circumstances, Madam Speaker, it is abundantly clear that the members opposite have absolutely no reason, either under the rules or according to parliamentary practice, to raise a point of order.

Finally, I would like to add that if these members are sincere in their desire to know the facts about the order in council and the government's decision to cut back VIA Rail services, in that case, they should be satisfied with the offer made by the Minister of Transport (Mr. Pepin) to appear before the appropriate committees in order to explain his policy and to give the government's point of view. It seems to me that if they were solely interested in obtaining the facts, they would be satisfied with this generous offer by the Minister of Transport, and in the best interests of the Canadian people, they would refrain from using the rules of the House to indulge in petty politicking and disrupt the government's order of priorities.

[*English*]

Hon. Erik Nielsen (Yukon): Madam Speaker, ordinarily I would not rise on this matter because the hon. member for Wellington-Dufferin-Simcoe (Mr. Beatty) put the case on this very important question in a most articulate and able manner. After hearing the intervention by the government House leader on behalf of the government, however, I feel compelled to respond.

During the question period this hon. gentleman ran interference for a very embarrassed chairman of the Standing

Committee on Transport not once, not twice, but three times, thus gagging a proper procedure aimed at getting a response from that chairman on the business of the committee.

On the fourth occasion that he rose, it was not any longer for the purpose of keeping the muzzle on, because it was becoming embarrassing and the heat was too intense, but in order to say that the chairman of that committee could now respond to the question being put to him. Having done that, presumably in the guise of it being legitimate parliamentary procedure, he then cited May's Parliamentary Practice to say that it cannot be done.

What could be more ridiculous, Madam Speaker? He was the very one who did precisely what he said could not be done, basing his action on the theory that we in this place are governed by the rules of Westminster. That is not so, Madam Speaker. There are legions of differences between the practices of this House and the practices of Westminster. One only has to point to Standing Order 43 as one of the more apparent differences. The citation from May's which the hon. member used has no application here in view of Citation 366 of Beauchesne.

There is another difference to which I can draw the attention of the Chair with respect to the way in which we treat substantive motions and non-substantive motions. At page 365 of May's nineteenth edition, a motion to concur in a committee report is classified as a non-substantive motion, yet it is clear from our practices that it is so regarded. There are legions of such differences.

I would invite the Table officers to advise Your Honour on the matter that has been raised since its importance commands your consideration, and then perhaps we could have a ruling tomorrow.

What has happened is that apparently we are not going to have a reference to a committee for whatever reasons the government has, and I do not know what they might be. It seems that the Minister of Transport (Mr. Pepin) does not want to appear before the transport committee because it might make a report. Of course, that is the whole thrust of the reasonable request to have this question examined, in order to ascertain the truth of the facts that go into the government's decision. But the minister has said he does not want to appear and be examined by the committee because he is afraid—and I was astonished at his frankness—that the committee might report. Of course it might report. It might report and make the finding that I am sure the hon. member for Northumberland-Miramichi (Mr. Dionne) and other New Brunswick and Atlantic provinces members would like to see, namely, that the decision to cut those services was illegal. That could quite likely be the report from the committee.

I invite you, Madam Speaker, to consider this question very carefully. It seems to me that the whole difficulty might have been avoided had you followed your usual practice. When a question from this side is addressed to a member of the ministry, you usually see that minister. In this case, on three separate occasions questions were addressed to the hon. member for Northumberland-Miramichi as chairman. In his