

Extension of Sittings

parliamentary democracy, or at least parliamentary democracy as it pertains to the House of Commons, is that there has to be a session of Parliament at least once each year and that a Parliament cannot last more than five years. That is it. Everything Canadians consider to be fundamental parts of our parliamentary democracy is really established and confirmed only by these Standing Orders, our rules.

If this motion is accepted by you and then proceeded with and forced through by the Government, the Government would be saying that it does not give a damn for the rules and practices of Parliament which reflect and involve our traditions of parliamentary democracy and it will do anything to save its own skin. It will know it can suspend or throw out the rules any time it thinks doing so will help it achieve its aims and survive. The only protection against this attempted abusive and arrogant use of its majority by the Government to suspend the rules and thus undermine our parliamentary democracy is the use of the authority you have, Sir, to refuse to accept and to put this motion.

This authority comes from Standing Order 1 of the rules of this House. It comes from the statement of parliamentary law as expressed by Sir John Bourinot. I think it is expressed in citation 120 on page 39 of *Beauchesne's* which reads:

Foremost among his many responsibilities, the Speaker has the duty to maintain an orderly conduct of debate by repressing disorder when it arises, by refusing to propose the question upon motions and amendments which are irregular, and by calling the attention of the House to bills which are out of order. He rules on points of order submitted to him by Members on questions as they arise. Many powers have been vested in the Speaker by virtue of the Standing Orders.

I also respectfully refer you to citation 424(3) at page 153 of *Beauchesne's* which reads:

It is the Speaker's duty to call the attention of the mover and of the House to the irregularity of a motion; whereupon the motion is usually withdrawn or so modified as to be no longer objectionable. If the motion is of such a nature that objection cannot be removed, the Speaker may refuse to put the motion to the House. He treats it as a nullity.

I call upon you, Sir, to carry out your duty to protect the minority in this House. I call upon you, Sir, to use your authority to preserve the foundations of our parliamentary democracy as expressed in the Standing Orders of this House and to reject this motion.

I want to make sure that this House and the Canadian people recognize that this is not a normal procedural motion usually brought forward at this time. Instead, it is to do something which is not reflected in our rules and that is to suspend a part of the rules which are as important and as integral to those rules as any other part and that is about when this House sits.

If the Government can get away with this kind of motion, then nothing else in our parliamentary procedure which a Government does not like or which it may be worried about from day to day or from time to time will be safe, whether it is Question Period or debate on second or third reading or committee stage. I realize I am asking you to assume a heavy

responsibility, but you have been selected by secret ballot of all Members of the House to act on behalf of all Members, to speak for this institution and to preserve what it means for this country and for future generations. You have the authority to reject this motion. I call upon you to do so in the interests of this House and all its Members and in the interests of our parliamentary democracy.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I am not terribly pleased to be participating in the debate on this point of order, knowing what the Government is attempting to do.

• (1550)

To begin with, I want to remind everyone that you as Speaker are the defender of the rights of all Members. You are a servant of Members of the House of Commons, whether a Conservative Member, a Liberal Member, or a New Democrat Member, or an independent Member for that matter. You rule to ensure that the rights and privileges of all Members are respected. I submit that today the Government has indicated it wishes to abandon the rules of the House of Commons, to set aside our Standing Orders, and implement the will of its huge majority in the House to draft a new set of rules and have us do something we would not normally do. I want to make some specific procedural remarks in that respect and then come back to that point in a moment or two.

You will recall that last Tuesday I rose on a point of order to argue that the Government had breached the rules and customs of this place by giving notice of this motion that we are debating at the moment under Government Notices of Motions rather than under Motions, as had been the custom. I would like to briefly review that argument and add to it to reinforce my very firm belief that improper notice was given to deal with this motion.

As I am sure you will recall, my argument rested on three main points, and I would like to briefly summarize each of them. The first deals with Citation 270(1) of *Beauchesne's* Fifth Edition which makes a distinction between motions moved to deal with government affairs or Government Orders and those moved to regulate the business of the whole House, that is the fixing of sitting dates or the time of the meetings. As you know, motions that deal exclusively with Government Orders or government business such as a time allocation motion on a government Bill are properly given notice under Government Notices of Motions. Those other motions that deal with the business of the House as a whole must be moved under Motions.

My second point relates to the practices of the House as spelled out in the Report of the Procedure Committee to the House on June 14, 1955. As you will recall from your study of past Parliaments, this report, which was of course adopted unanimously, led to the very first comprehensive revision of the Standing Orders since Confederation. We just went through a similar process in the last few years. In that report, which was