

Point of Order

Today we have a different procedure. We have under Routine Proceedings a situation where the government is treating these two positions as agents, officers, if I may use the word, of the House of Commons. They are not, Madam Speaker, I humbly submit to you, officers of the House of Commons. They are officers of Parliament.

The government has given notice under Standing Order 67(1)(p) which, in my view, is not in order. I humbly submit that we should scratch or eliminate that reference in our Routine Proceedings and also on the Order Paper and that the proper procedure be used, that the government transfer these two nominations to Government Orders as required, in my view, by the importance of the nominations, by the impact they will have, and also in my interest and this caucus' interest in our willingness to try to get the government to give an opportunity to Parliament to discuss all appointments, as we do today. I would like to see that done in the near future, Madam Speaker.

Hon. Harvie Andre (Minister of State and Leader of the Government in the House of Commons): Madam Speaker, it was precisely for that purpose that we proceeded in this way. The hon. House leader of the Official Opposition seems to imply some sort of conspiracy here or some attempt to bypass in some irregular way or some such notion. I suggest that he is perhaps thinking back to practices of previous governments because no such thing was intended.

The law in respect of both of these appointments requires a resolution of this House so as to make it clear that these individuals when appointed are not public servants in the same sense as being accountable to the government. The government does not have the authority under the law to direct or order those individuals. They are like the Auditor General. They account to this House for their actions and report through the appropriate committees. Yes, there is a minister who has responsibility administratively.

The Governor in Council appointment of these individuals, after resolutions of this House and the other place, is almost in the sense of a formality to give them the legal rights to collect salaries and have offices. But, in fact, these individuals are officers of this Parliament. What we sought was an appropriate means to get a resolution of this House. Standing Order 67(1)(p) states

that such motion dealing with the appointment of officers of this House is appropriate. So we moved forward under that heading to get a resolution of the House.

Why the hon. member thinks that a resolution of the House is somehow more sanctified if it comes as Government Orders, making it clear that we are talking about a government directed government decision, as opposed to having a resolution of the House under something that is not so clearly Government Orders but in fact a reflection of the House is beside me. Why he should get so worked up about it is ridiculous.

It would seem to me more appropriate to have under a provision of the House as opposed to Government Orders this motion coming forward because the individual is an officer of this House and of Parliament, not an officer of the government, not a part of government.

In Government Orders we bring forward things that the government wants to do for the benefit of the government, motions and otherwise.

• (1520)

This being an allotted day, I do not want to cut into the time of the opposition by proceeding with this. It seems to me a bit of a silly point since all that is being sought is compliance with the law that requires a resolution of this House and a resolution of the other place. How that resolution is done does not matter in terms of the law. This seemed an appropriate way. If it is not, there are the usual channels where we could discuss this and we need not further waste the time of the House.

Mr. Peter Milliken (Kingston and the Islands): Madam Speaker, I am surprised that the government House leader would treat this matter in such a cavalier way. I will be very brief because I recognize we are taking up time on an important debate concerning the role and responsibility of the other place to which I know the government House leader will want to contribute.

Nevertheless, there are some sections of Beauchesne's that are relevant and that in considering this matter the Chair will want to have regard to. I refer to citation 361 of the sixth edition which states:

The motions allowed under Routine Proceedings are those relating to the business of the House or to the discussion of committee reports.