

Taxation

Mr. Baker (Nepean-Carleton): But what he has forgotten about is that the subject matter of the bill relates to certain taxes and to provide other authority for the raising of funds. It would be helpful if the hon. member could remember the subject matter of the bill which, incidentally, ministers were not here to introduce on that evening.

Naturally, I am in the hands of the Chair. But I believe the matter is open to the interpretation that I have asked the Chair to put on it, that is, that it was a grievance relating to the general economy. Not once did I talk in that debate about the statute law relating to certain taxes or to provide other authority for the raising of funds. Not once did I do that. And the parliamentary secretary took great pains to omit telling the Chair that that was the case.

Hon. Erik Nielsen (Yukon): Madam Speaker, I just want to reinforce two points. First, that the subject matter of the grievance raised in the initial instance by the hon. member for Nepean-Carleton (Mr. Baker) was the economy. There is no doubt about that. The second point is more important. He had proceeded with his grievance for some time in the House during very roisterous circumstances, to say the least. As the Chair will recall, there were various specious points of order raised and questions of privilege. Roughly halfway between the time when the grievance was first raised and The Gentlemen Usher of the Black Rod arrived, the parliamentary secretary rose.

I suggest, Madam Speaker, that it is not possible to interrupt a grievance which the hon. member for Nepean-Carleton was speaking to at the time by using a point of order for the purpose of slicing the grievance at that stage by introducing a government order. I make that submission to you. In our practice you cannot interrupt that process. The grievance procedure process itself has been in disuse since 1968, except upon extremely rare occasions. That is what was done here. The parliamentary secretary, after about five or ten minutes of the grievance discussion, intervened on a point of order to have the government order read.

I suggest there have been oversights in the past which the Chair itself has drawn to the attention of the House. For instance, the exchange between a member on our side and the Minister of National Health and Welfare (Miss Begin) when the Chair allowed certain questions to be asked and then prevented subsequent questions on the same subject. The Chair will recognize that.

I suggest that in the confusion of the discussion of that grievance the Order was called on a point that was not in keeping with our customary practices in this place. In fact, what I am suggesting to you, Madam Speaker, is that the Order should not have been called and it should not be on the record as such. There was no opportunity to raise it at that time because the Gentleman Usher of the Black Rod arrived and the vote was taken. The Order has not been called again until today.

In my final submission, may I suggest to you that it would be a very bad precedent to allow the government's position to

be adopted and placed on the records of this place. It will mean that this remnant of past procedures prior to 1968 when grievances were allowed in very rare circumstances will be completely wiped out if the Chair finds that it was proper to put the Order, Bill C-93, to the House on that occasion.

I strongly submit that the matter under discussion was a grievance and that it was incapable of being interrupted by a point of order for the purpose of calling a government order, and I suggest the Chair should so find and thus avoid the very undesirable precedent of eliminating completely the grievance procedure. That is precisely what a contrary ruling would mean. Once again, the opposition would be seriously weakened by another tool of the opposition being denied to it.

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I just want to speak very briefly on this point. It might be very helpful to you and to the House if we read the rest of the record of that date as recorded in *Hansard*, part of which was read by the government House leader (Mr. Pinard). Your Honour will find on page 16031 that the hon. member for Thunder Bay-Nipigon (Mr. Masters) intervened to say:

Many of us would like to be involved in the debate, if I only knew at which point I could have the floor. Certainly members on all sides welcome the opportunity to speak in this House.

I should point out that this was well after the intervention made by the parliamentary secretary to the government House leader. Order was called and Your Honour then said:

If I may give the hon. member clarification in this period when we are awaiting a message from the other place, it is a time when grievances may be expressed.

SOME HON. MEMBERS: Hear, hear!

MADAM SPEAKER: That process had begun when the parliamentary secretary asked me to put a certain motion to the House, which I have. Debate has begun on that motion I think, although I am not sure whether that is the motion being debated. But the hon. member for Nepean-Carleton (Mr. Baker) did get up and he has the floor.

Down at the bottom of page 16031, Madam Speaker, you were forced to intervene again after some attempts to get attention from the hon. member for Longueuil (Mr. Olivier).

After that, Madam Speaker, you said:

I wish that the hon. member for Nepean-Carleton (Mr. Baker) would be allowed to explain the grievance that he wishes to raise in the House. I understand that hon. members are perhaps not willing to hear this grievance, but as Speaker of this House, I must hear it. This is a time when grievances can be brought before the House. I have recognized the hon. member for Nepean-Carleton and I wish that hon. members would respect that.

At that point it seems clear that you had found we were in the middle of a grievance procedure. That grievance procedure was ended only by the appearance of the Gentleman Usher of the Black Rod.

That reading from the record of your own remarks and findings of that night may well help you to resolve the question raised by my colleague from Nepean-Carleton (Mr. Baker).

Madam Speaker: We can all recognize that was a very confusing period in the House during a hiatus created because the House Order had not been transmitted to all officers of the House. Of course, the hon. member for Nepean-Carleton (Mr.