

*Point of Order—Mr. MacEachen*

referred to your decisions on previous occasions, but is it possible to go against a rule as clear as that? A motion to adjourn can be moved at any time. Unless there is a specific rule forbidding such a procedure during this period, I do not understand how you can conclude that your decision can visibly contradict one of our rules. This is my first point.

The second, Mr. Speaker, is that we must also consider the purpose of Standing Order 25. As Mr. Stanfield explained in 1971, the purpose of this rule is to express the displeasure of the House with the way the government carries on its business. Obviously, this displeasure can be expressed, as in the case of Mr. Stanfield, just as well during oral question period as at any other time. Otherwise, the rules make no sense.

I therefore appeal to you, Mr. Speaker, since you have already gone against a past decision, to think about going against it another time in keeping with the spirit and the letter of Standing Order 25.

[English]

**Mr. Speaker:** The Leader of the Opposition (Mr. Trudeau) is perfectly correct. The first time this problem arose some five years ago, I might have taken the view that, because it is said in our Standing Orders that motions pursuant to Standing Order 25 are always in order, they could be received at any time. I might also have believed I was open to take the interpretation that, because of the way in which we had rearranged our proceedings, it was not open to the Chair to receive motions during the question period. In my view, both interpretations were open to me.

The one I chose is the one I announced six months ago in February of this year, a repeat of a decision I had made several times previously. No grievance was raised at that time. It was an interpretation I have made very clearly on several occasions based not only on the Standing Order but also on the way we have adopted practices since the Lamoureux ruling which has been referred to. My language is quite clear and I have no intention of reversing my ruling.

Order, please. I have notice of six questions of privilege—

**Mr. MacEachen:** I have a point of order related to the question period.

**Mr. Speaker:** I have now ruled on this three different times.

**Mr. MacEachen:** It is a different point, Mr. Speaker.

● (1220)

MR. MAC EACHEN—RAISING OF POINTS OF ORDER DURING ORAL QUESTION PERIOD

**Hon. Allan J. MacEachen (Cape Breton Highlands-Canso):** Mr. Speaker, I want to raise a point of order on what appeared to be a ruling on your part that it was impossible to hear a point of order during the Oral Question Period. Your Honour will recall that at a certain point some years ago the Standing Committee on Procedure and Organization made a report to the House in which it requested the House to absolve the Oral

[Mr. Trudeau.]

Question Period from questions of privilege and points of order. That concurrence was granted, but it was put under a specific time limit as to its duration. That time limit has long since expired.

When I was leader of the government, I approached hon. members opposite to have that rule continued in the House of Commons, and they were not in favour of doing that. At that point, when that proposal from the standing committee was not reinstated, the preceding regime came into play, namely, that it is possible during the question period to raise a point of order or a question of privilege unless by consent or by agreement of the House that is not possible.

There was a point of order raised during the question period. It was not heard. I am arguing that if there is a rule in the authorities—Beauchesne or any of the British authorities—which is crystal clear, it is that when a breach of order is apprehended to take place, then it must be heard; and I am arguing that unless there is consent or action by the House of Commons to reinstitute the report of the standing committee, it is open to hon. members, if they wish, to raise questions of privilege or points of order during the Oral Question Period. If not, we have to take whole pages of Beauchesne, tear them up and throw them out.

I am putting that before Your Honour for consideration. I am not one to seek to create disorder in the question period. This is the first time that we in the opposition since we moved over here have raised a point of order in the Oral Question Period. We were denied an opportunity to have that point of order heard, and I believe it ought to be considered very carefully as to whether an important right of the opposition has not been abrogated.

**Some hon. Members:** Hear, hear!

**Mr. Speaker:** The point of the hon. member for Cape Breton Highlands-Canso (Mr. MacEachen) is well taken, and after the session to which the hon. member referred in his remarks—that is to say, that arrangement had a sessional life which has long since gone out of formal existence—I indicated to the House that that practice seemed to be one which was successful in the management of the question period. In addition, it seemed to be one which had, for that reason, very general acceptance, and therefore I would continue to be guided by that practice on behalf of the House, notwithstanding the fact that it probably does not have a sound legal foundation.

I still intend to be guided by that practice, not because I am directed to do it, but because I believe I am expressing the consensus of the House that it is, in general a successful practice.

**Some hon. Members:** Hear, hear!

**Mr. MacEachen:** What consensus? On the other side is the consensus.

**Mr. Speaker:** The hon. member raises a point about the ability of a member to raise a point of order or a question of