

# HOUSE OF COMMONS

Thursday, October 11, 1990

The House met at 11 a.m.

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*Prayers*

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[*Translation*]

## PRIVILEGE

### ALLEGED LACK OF CONSULTATION OF PARLIAMENT

**Mr. Jean-Robert Gauthier (Ottawa—Vanier):** Mr. Speaker, this morning I gave the Chair notice that I wanted to raise, at the first opportunity, a question of privilege on the manner in which the government proceeded yesterday, and I am referring to the fact that the Minister of State (Privatization and Regulatory Affairs) gave notice pursuant to Standing Order 78(3). I would like to read the following which appears at page 2095 of the *Votes and Proceedings* for Wednesday, October 10, 1990:

Mr. McDermid, a Member of the Queen's Privy Council, from his place in the House, stated that an agreement could not be reached under the provisions of Standing Orders 78(1) and 78(2) with respect to an allocation of time to the second reading stage of Bill C-84, An Act respecting the privatization of the national petroleum company of Canada, and, under the provisions of Standing Order 78(3), gave notice of his intention to move a motion at the next sitting of the House for the purpose of allotting a specified number of days, or a day, for the consideration and disposal of that stage of the said Bill.

Mr. Speaker, this happened late yesterday, after we had heard three speakers in a debate that started yesterday in the House—three speakers on a very important bill.

Mr. Speaker, I will try to be as brief as possible. The notice given by the minister is irregular, because he misled the House by implying that Standing Orders 78(1) and 78(2) had been used. Not so, Mr. Speaker! Neither 78(1) nor 78(2) were used, and as for 78(3), according to us, according to the traditions and customs of this House, in fact for more than 20 years, Mr. Speaker, since 1969, when the Standing Orders were amended, the government has always been required to make every effort to

consult with the party of the government's Official Opposition—in this case the Liberal Party—and the other parties in this House, in this case the New Democratic Party.

Mr. Speaker, I can assure you that neither the Parliamentary House Leader of the Liberal Party nor the Deputy House Leader and Whip, the hon. member for Cape Breton—Richmond East, nor my colleague, friend and deputy, the hon. member for Kingston and the Islands, nor the Deputy Whip of the Official Opposition, the member for Glengarry—Prescott—Russell, Mr. Boudria, were ever consulted.

Therefore, no one in this House can say there has been any attempt to consult with the Official Opposition pursuant to Standing Orders 78(1) and 78(2). Mr. Speaker, what do these Standing Orders say? I will read them, because this is very important.

[*English*]

78.(1) When a Minister of the Crown, from his or her place in the House, states that there is agreement among the representatives of all parties to allot a specified number of days or hours to the proceedings at one or more stages of any public bill, the Minister may propose a motion, without notice, setting forth the terms of such agreed allocation; and every such motion shall be decided forthwith, without debate or amendment.

Mr. Speaker, that has not been done. That was not done by the government.

Standing Order 78(2), Mr. Speaker, which flows after Standing Order 78(1), reads as follows:

(2) When a Minister of the Crown, from his or her place in the House, states that a majority of the representatives of the several parties have come to an agreement—

And I underline “several parties have come to an agreement”:

—in respect of a proposed allotment of days or hours for the proceedings at any stage of the passing of a public bill, the Minister may propose a motion, without notice, during proceedings under Government Orders, setting forth the terms of the said proposed allocation; provided that for the purposes of this section of this Standing Order an allocation may be proposed in one motion to cover the proceedings at both the report and the third reading stages of a bill if that motion is consistent with the provisions of Standing Order 76(10). During the consideration of any such motion no Member may speak more than once or longer than ten minutes. Not more than two hours after the commencement of proceedings