

Oral Questions

tee so that the committee could amend it in such and such a manner. The House will know the reason for the request, from the Conservatives, incidentally, to refer the report for the purpose of bringing in a very specific amendment and so it will be in a position to debate the question.

Yet, by the very nature of this procedure, indeed it is still the committee which will have to make the amendments. That is exactly the procedure. Things would have been different had we had before the House—

An hon. Member: Order!

Mr. Pinard: If my colleague wishes to get a complete answer, I will continue. If he prefers not to get full answer he will continue to remain in the dark.

Had we put this resolution directly before the House the opposition could not have taken advantage of the three-stage debate that we are now having. Then, of course, the resolution itself could have been amended on the floor of the House. And thanks to the government majority we would not have been bound by any proposal whatsoever. Yet we chose the option of referring it to the committee because we respect this institution and because it gives hon. members more opportunities to express their points of view at three stages rather than only one.

[English]

Mr. Clark: Madam Speaker, there were a great number of "ifs" in that answer that will never come to pass. The government House leader knows that the committee to which he would return the matter, if there were amendments, will no longer exist. That committee ends on the twelfth day of December. It is dead; absolutely *functus*; it no longer exists. He should consult his colleague, Senator McIlraith, on that point. But it is a clear point: there is no committee to which Parliament can refer back amendments.

My question is a very simple one. It is based upon the principle that Parliament might want to amend the substance of the report that comes from the joint committee. Will Parliament have the power to amend the substance of the report that comes from the committee?

• (1125)

[Translation]

Mr. Pinard: Madam Speaker, I just explained to the Leader of the Opposition that at this stage it is necessary to speculate about the content of the committee's report to express an opinion about it. I do not think it is normal to answer purely hypothetical questions, but I have been nice and considerate enough to explain to him the way I see the whole situation. He just repeated the very same question. In these circumstances, I must tell him: Let us wait until we appoint the committee. But if he were wise, careful and above all sincere, he would use the opportunity which the committee offers him to propose the constructive amendments he has in mind, if any, to facilitate

progress on the constitutional issues and help renew federalism.

[English]

Mr. Clark: Madam Speaker, we will be in committee proposing amendments, but the matter which might arise, as it has very often in this House of Commons, is that after the committee reports this Parliament may, in its wisdom, decide to change what the committee recommends. That has happened before. The procedure which the government has established, does not, according to Senator McIlraith, provide us with that opportunity. The minister has three times declined to answer my question, perhaps because he does not know. I presume the government had a legal opinion on which it based this most unusual procedure.

I have two simple questions, we do not need long answers. The first is this: Does the government have a legal opinion on the question raised by Senator McIlraith? I will rephrase the question so it is clear. Does the government have a legal opinion guaranteeing the right of Parliament to change the substance of the committee report after it has come from committee? If so, will the government House leader in the interests of civilized procedure in this House—I am sorry to borrow the hon. member's word—table that legal opinion?

[Translation]

Mr. Pinard: Madam Speaker, I just gave an opinion to the Leader of the Official Opposition and I told him that we chose to follow the avenue which will allow the largest possible number of members on both sides of the House to propose amendments to the resolution which will be examined by the joint committee of the House and the Senate when, at last, that committee is allowed to form and meet.

[English]

REQUEST FOR GUARANTEE TO MEMBERS OF RIGHT TO SPEAK

Hon. Elmer M. MacKay (Central Nova): Madam Speaker, in view of the rather convoluted and esoteric answers given by the government House leader, may I direct my question to the Deputy Prime Minister, who I presume is also the Acting Prime Minister. In view of the unprecedented anger and confusion caused to the House of Commons—which is probably unique even in his long parliamentary experience—can the Deputy Prime Minister assure myself and other members in this House that there will be ample opportunity for members to speak, as was intimated but not guaranteed by the Prime Minister yesterday when he used the word "indeterminate", which is a weasel word if I ever heard one? I think the Prime Minister said there will be an indeterminate time for us to look into this matter later.

May I have the basic guarantee from this respected parliamentarian that indeed members of the House of Commons—every one of them—will have an opportunity to speak in this chamber on the paramount importance of the country's constitution, as they so obviously want to do? Can he give us that guarantee without any equivocation?