

National Defence Act Amendment

people serving Canada, without any incentive to do a good job for this country on behalf of their particular unit.

Mr. Chairman, I see it is five o'clock. I presume you will want to rise so that we may proceed to private members hour.

The Chairman: I think that under the terms of the standing order there will be no private members hour today. I would invite the hon. member to continue.

Mr. Aiken: As I read the rules, Mr. Chairman, it is fairly clear that there is no provision for the suspension of private members hour. If I may at this point, I should like to state my reason for suggesting that the Chairman should rise and report progress. Standing order 15A sets out the procedures to be followed during a debate on allocation of time. Paragraphs 7, 8 and 9 of that standing order indicate a special concern for the one-day allocation of time on third reading of a bill, but no special treatment for second reading of a bill, or committee stage, which we are now in.

● (5:00 p.m.)

I should like to point out particularly that the provision for one day on third reading has been given special consideration in section 7. The one day is allotted for third reading on three or four conditions. It states:

No motion made by a minister under sections (5) and (6) of this standing order shall provide for the allocation of a period of time less than two days for the second reading, two days for the committee stage, and one day for the third reading of any bill.

The specific provisions for third reading provide that it shall be called as the first item of business under government orders on a Monday, Tuesday, Thursday or Friday. Presumably that is so we will not have a short day such as Wednesday. It also provides that third reading shall have precedence over all other business on one of those days until the normal hour of adjournment.

Section 9 of this standing order provides that Mr. Speaker shall have the authority to extend the one day for third reading for four hours. Here again the rule obviously expresses some concern about the final day for the debate under the time allocation. It gives Mr. Speaker the opportunity to extend the time, if necessary. For the purposes of such an extension it would be necessary on a Friday, such as today, to carry the debate on third reading through until six o'clock because of the one hour notice requirement.

However, that is not the situation today. We are now at the committee stage. There may be some ambiguity in respect of section 7, although I do not see any. This section specifically states in the sixth line, "for the third reading of the bill".

The section then makes specific provision for the one day debate on third reading. In the present circumstances I would say that the words "it shall have precedence over all other business until the time of adjournment on that day" has reference to third reading. If there is any doubt in this regard let me remind hon. members that the private members hour is considered somewhat sacrosanct. It has never been set aside unless provided for by a specific rule. I do not think I need enlarge on that point, or stress it.

We as members have been very jealous of our private members hour. Under some provisions that hour can be set aside. Standing order 16 makes such a provision, but excepts debates for the purpose of discussing a definite matter of urgent public importance, or for a debate on allocation of time. In that regard private members hour cannot be suspended. The reference there to the allocation of time has nothing to do with this debate, but a debate such as we had yesterday. I thought we were a little bit off base yesterday in having a private members hour.

In any event there are provisions such as those contained in standing order 15 (4) and (5) which provide for the suspension of private members hour under certain conditions. Standing order 38 (2) provides that the address in reply to the Speech from the Throne shall have precedence over private members hour. There is nothing in any standing order which says that private members hour shall be suspended without specific provision for such suspension. I submit there is no provision for the suspension of private members hour at this stage of the debate. For that reason I think you, Mr. Chairman, should rise and report progress, if you believe there has been any, allowing Mr. Speaker to assume the chair during the private members hour.

Mr. Churchill: Mr. Chairman, there is a very important point which concerns us here in this regard. I was a little surprised that we did not immediately proceed to consideration of private members' business. I am not aware of any circumstances which would allow the government to encroach upon private members' time without a formal rule, or without a motion to suspend private members hours.