

*Privilege—Mr. W. Baker*

ways and means motions mentioned earlier; in other words, they are dealt with at another sitting and then without debate.

The gist of the complaint of the hon. member for Nepean-Carleton is that what the Minister of Finance was doing last Monday was to all intents presenting a budget without adhering to the established procedures for budget presentation, and he thereby deprived opposition members from replying in the usual six-day debate that follows.

On the other hand, the position of the Minister of Finance appears to be that, whatever he did in the chamber last Monday night, he did not present a budget as envisaged by our rules but rather spoke in the context of the debate on the Speech from the Throne, and also tabled ways and means motions permitted by Standing Order 60(1), which tabling was not required to be preceded by a budget presentation.

Because the practice in respect of taxation procedures has changed considerably since 1969, the pre-1969 rulings are perhaps not as relevant, particularly since the taxation proposals were debatable then, and the complaint here is that no debate is being permitted on what is alleged to be a budget presentation.

Certain things are clear. First, taxation proposals may be tabled by a minister of the Crown at any time during a sitting. Second, a motion for their adoption is not permitted on the same day they are tabled. Third, the motion for their adoption is not debatable. Fourth, the Standing Orders of the House of Commons provide a procedure for a budget presentation. Fifth, a budget presentation for which the Standing Orders provide a procedure may be presented at a time when the government is so disposed.

Finally, it would be difficult to argue that any member may not address himself or herself to any subject when speaking during the debate on the Speech from the Throne. The practice of the House, as the records will show, has been to allow much greater leniency and not insist strictly on relevancy in the debate on the Speech from the Throne.

While the complaint, if I may so refer to it, is that the Minister of Finance showed disrespect to the House in the manner that he proceeded, the House has set down rules and has built up a practice in regard to the proceedings for ways and means, or procedures in respect of taxation, and therefore

from a procedural point of view the complaint relates to the regularity of these proceedings and accordingly is a matter relating to order rather than privilege or contempt. Therefore, it seems to me that the basic criteria for a question of privilege are lacking in this instance.

[Translation]

The complaint made by the hon. member relates to the regularity of these proceedings rather than to privilege or contempt. Therefore, it seems to me that the basic criteria for a question of privilege are lacking in this instance.

● (1510)

[English]

The House of Commons is guided by its rules and how they have been practised. While the spirit of the rules respecting taxation procedure may have been strained last Monday night, compared with the recent practice of October 20, 1977, when the then minister of finance tabled taxation proposals during his interventions in the debate on the Speech from the Throne for that session, in my view there was not that element of irregularity in the procedures of the Minister of Finance last Monday night which would require me to intervene.

[Translation]

Concerning the agreement or what some people assumed to be an agreement between the parties on the order in which speakers should have been heard, the House found itself in an almost identical situation in 1977. However, at that time, the Chair had been advised of an agreement between all party leaders and it was able to fulfil the wishes of the House without any confusion. I quote from *Hansard* of October 20, 1977, on page 98, when the then parliamentary secretary to the president of the privy council had the floor:

I rise on a point of order, Mr. Speaker. There is hardly two minutes left and we agreed with each party's representatives to adjourn the debate at six o'clock to allow the Minister of Finance—

—who was then Mr. Chrétien—

—to have the floor at eight o'clock.

The minister would be followed by a speaker for the Progressive Conservative Party, one for the New Democratic Party and finally one for the Social Credit Party of Canada. The agreement was that the previous speaker—the one who just spoke—would close his remarks at six o'clock. Since it is now a few seconds to six—

—and I am still quoting the Parliamentary Secretary—

—I ask that the House call it six o'clock to comply with the agreement we had reached.

[English]

If the House wishes to depart from the conventional principles regulating the process of debate, it should do so by a clear agreement, or preferably by an order of the House, if the Chair is to be the servant of the House.