

*Business of the House*

inviting the input of Hon. Members with respect to the acceptability or unacceptability of each of the amendments.

Moreover, until such time as Hon. Members have had the opportunity to study the Chair's comments with respect to the proposed amendments, it will be difficult to respond to the Chair's concerns, which undoubtedly will be raised with respect to their acceptance or non-acceptance. I would therefore put forward the suggestion, Madam Speaker, that members be given the opportunity to defend the procedural acceptability of the notices of amendments that are on the Order Paper in their name at the time those amendments would ordinarily come up for debate. This would serve to deal with procedural arguments in a more orderly manner than if all arguments were to be heard at the beginning of the debate, and indeed it might assist the Chair by focusing the arguments being made by Members to a particular procedural point.

As well, my suggestion should give Hon. Members the opportunity to study your remarks on the proposed amendments before making their submissions to the Chair, and it would alleviate the kind of uncertainty that occurred at the time when Bill C-124 came before the House and when you, Madam Speaker, were in the Chair. I am sure you will recall that that legislation had to do with the capping of civil service pensions. At that time, the Hon. Member for Churchill (Mr. Murphy) was, through your generosity and that of the House and indeed with the consent of the House, allowed to turn back the clock and make an intervention with respect to Motion No. 1 then standing in his name at a point when debate had already progressed to the consideration of Motion No. 4.

I will not develop that point in any further detail other than to refer the Chair to *Hansard* of July 30, 1982, at page 19866 and subsequent pages. I will perhaps read one brief quote from *Hansard* because the language used was so delightful, Madam Speaker. I am quoting you, Madam Speaker, from page 19959:

It is quite a dilemma because I have just given an interpretation of what my ruling said, and in my view it meant that I had ruled. If the House did not understand what I meant, I suppose there is nothing wrong with being generous.

You then asked for the consent of the House, and the Hon. Member for Churchill was allowed to develop his argument, which you then took under consideration, Madam Speaker, and subsequently ruled upon.

I would suggest, Madam Speaker, that before the announcement is made by the Chair, as such announcement inevitably will be made with respect to the grouping of the amendments, Members be allowed to present their submissions with respect to the acceptability or unacceptability of any of those motions within an intended grouping that may be of questionable procedural acceptability. In that way I think the procedural discussion, at least, would go ahead in a more orderly fashion. If that alternative is not accepted, then we agree that, even if the grouping occurs before the calling for submissions on the procedural acceptability or non-acceptability, it be clearly understood that Members could make submissions on each of the amendments the Chair intends to question procedurally.

● (1510)

I know that my next suggestion would place quite a burden on the Chair and the Table officers, having to deal overnight with 145, and possibly more, notices of motions bringing amendments to this measure but I wonder if, before the grouping tomorrow, the Chair might point out, as far as is possible, those amendments which might cause the Chair some concern with respect to their acceptability or non-acceptability. That could be taken as a signal to Members that they could work up their submissions in that regard.

I have other concerns with respect to the interpretation of Standing Order 79(6) and the form of the notices of motions that have been filed under that Standing Order, but I can deal with those seriatim as they arise, as I expect they will, in the order in which they appear on today's *Order Paper*.

[*Translation*]

**Mr. Pinard:** Madam Speaker, I would like to speak to this point of order. I feel that the interpretation of the Standing Order given by the Member for Yukon (Mr. Nielsen) is exaggerated, and I can not subscribe at all to his suggestion on how to interpret the Standing Order, which in my view is quite clear and gives the Chair full discretionary powers. The fact, however, that Standing Order 79(10) gives the Chair this power and discretion does not alter the fact that according to parliamentary practice and other Standing Orders, Hon. Members are not allowed to discuss, comment on, or appeal, the rulings of the Chair. Perhaps I may remind the Chair, since I know, Madam Speaker, that you will read over the comments made by the Member for Yukon and will also take the time to read this particular Standing Order, which is quite clear, perhaps I may draw your attention to the paragraph in question which, basically, says two things: first, it gives the Speaker the power to select or combine amendments and clauses to be proposed at the report stage.

The Standing Order also gives the Speaker, and this is where the interpretation given by the Member for Yukon runs counter to the Standing Order of the House, to what this Standing Order empowers the Speaker to do, it is the power, freedom and discretion, in case of doubt, to call upon any Member who has given the Chair notice of an amendment to give such explanation of the subject of the amendment as may enable the Speaker to form a judgment upon it. There are two aspects here: the Speaker may combine or select the amendments, and once the Chair's decision is made, it cannot be discussed or appealed in the House; the second power conferred on the Speaker by Standing Order 79(10) is probably based on concern for full consideration of the matter and for ensuring that members proposing the amendments are treated in a just and equitable manner—that the Speaker is free to consult Hon. Members until the debate begins, within the period prescribed by the Standing Orders, that is, the Speaker may call upon Members and ask them for explanations, and that should be sufficient for the Chair to draw its conclusions and make a ruling, and decide whether an amendment is acceptable or not.