

Point of Order—Mr. H. Gray

feel that we should get on with your ruling, Mr. Speaker, and then move on to Orders of the Day.

Mr. George Baker (Gander—Twillingate): Mr. Speaker, a very exact rule of order is involved here. The rule is Standing Order 108 which indicates that no Bill may be introduced either in blank or in an imperfect shape. What we have here is a Bill that has been introduced in both a blank shape and an imperfect shape. It is not one or the other but both.

Where is the blank? The blank is on page 2, line 12 of the Bill. There is the blank.

Mr. Speaker: I would ask the Hon. Member if he can see the blank.

Some Hon. Members: Oh, oh!

Mr. Baker: Mr. Speaker, I can see the blank because there are dots there. In fact, there are about 15 dots there. That, Mr. Speaker, is a blank.

What is the imperfect shape of the Bill, Mr. Speaker?

Mr. Speaker: The blank?

Mr. Baker: No, Mr. Speaker, the blank is in a perfect shape. It is in a straight line and it is all dots.

What about the imperfect shape of the Bill? We know the Government is imperfect and perhaps that is what led to the introduction of this imperfect Bill.

It is interesting to listen to lawyers discussing issues in this House. Of course, Mr. Speaker, you are a lawyer and you will know the truth of what I am about to say. Two lawyers are arguing back and forth about what should or should not be in a Bill, but they know that a Bill that is not complete cannot be introduced into the House of Commons. As you know, Mr. Speaker, a judge has to make rulings on the basis of the intent of legislation.

In this particular clause, there is the following phrase: "in interpreting the Schedule, you can use a document which is number" blank. What are we coming to in this Chamber? Any logger, anyone in the forest industry, would know what the Schedule is. It talks about dressed lumber, drilled lumber, treated lumber, rough lumber and softwood lumber. That is what the Bill is all about. However, in interpreting the all-important Schedule you have to refer to document number, blank.

● (1440)

We are not blaming the drafters of the legislation. They are trying to do their best. We have some of the best drafters of legislation in the world; overworked, underpaid, but they are the best in the parliamentary system of Government. However, in drafting this particular clause the draftsman had nothing to work with. Not only did he not have the document, he did not have the number. What did he do? He had to leave a blank and he put in 15 or 16 dots. It now comes to the Parliament of

Canada. It went to the Minister's office, was ordered to be printed by this House, but we did not know there were blanks in it. We can see there are blanks in it now. How were we to know then that the Government of Canada for the first time, as I understand it, brought a Bill in with blanks in it? We did not know that when it was first being printed. We only noticed it a few hours ago.

Some Hon. Members: Oh, oh!

Mr. Baker: The rule is clear. We ask you to rule on the basis of Standing Order 108. This Bill is both blank and in imperfect shape. It is also certainly a good reflection of the Government of the day.

Mr. Alan Redway (York East): Mr. Speaker, today's debate has revolved around the interpretation of Standing Order 108. As you well know, that says that no Bill may be introduced either in blank or in imperfect shape. That is quite true, but of course the House has the power to change any rule by unanimous consent. You will note that in Beauchesne's Fifth Edition, page 6, Citation 13, there is comment to the effect that within the ambit of its own rules the House may proceed as it chooses. It is a common practice for the House to ignore its own rules by unanimous consent. Thus Bills may be passed through all of their stages in one day, or the House may decide to alter its normal order of business or its adjournment hour as it sees fit. The House is perfectly able to give consent to set aside its Standing Orders and give its unanimous consent to waive procedural requirements and precedents concerning notice and things of that sort. Whenever the House proceeds by way of unanimous consent that procedure does not constitute a precedent.

It is not in order for one Member to ask for unanimous consent to compel another Member to do something.

You will recall, Mr. Speaker, that on January 19, as recorded in *Hansard* at page 2370, when this legislation was introduced, the Minister for International Trade (Miss Carney) moved that Bill C-37, an Act respecting the imposition of a charge on the export of certain softwood lumber products, be now read the first time and be printed. The motion was agreed to, the Bill read the first time and ordered to be printed. That was done through unanimous consent. What happened, in my respectful submission, is that the House, in accordance with the provisions of Citation 13 of Beauchesne's Fifth Edition, has by unanimous consent agreed to introduce this Bill. In effect, to introduce it in whatever form it was in.

You will remember that at that time you were being pressed by the Right Hon. Leader of the Opposition (Mr. Turner) to proceed with an emergency debate on this very issue. All sides of the House were most anxious to press on with the debate. It is my submission that *Hansard* indicates there was unanimous consent to the introduction of the Bill. In effect, the House accepted the Bill in the form it was in by unanimous consent and there is no question whatsoever about Standing Order 108