

Point of Order—Mr. Riis

Last week, in the interest of democracy there was a vote on concurrence on the Ways and Means Motion. While I appreciate that the Chair has reserved on this matter, there were two earlier votes on the question of whether or not leave was required or whether concurrence made it a direction to the House to consider it. We also had a vote on the key question as to whether or not the Bill should be read a first time and printed. The essence of the question to us on that day was whether or not it was printed. I suggest to you that that has been done. However, Citation 378 of Beuchesne, Fourth Edition, states that the words are:

... purely formal and proposed with the object of placing the Bill on the agenda ...

According to the precedents, it is seen as a mere formality.

In conclusion, it is the business of the Government to call the business of the House. Standing Order 111(1) states:

Every bill shall receive three several readings, on different days, previously to being passed. On urgent or extraordinary occasions, a bill may be read twice or thrice, or advanced two or more stages in one day.

I suggest that the comment: "When shall the Bill be read a second time?" is a question to the House as to whether or not there has been consent to proceed to second reading today. If that consent exists then the Speaker is, in effect, asking if there is that consent or willingness to proceed today. If not, it seems to me that according to Standing Order 111 it must automatically be the next day or the day thereafter.

I suggest that in the context of today's Standing Orders and the way this House runs, when you ask the question: "When shall the Bill be read a second time?", it is really a question as to whether or not there is consent to proceed to second reading that day. Failing that consent, according to Standing Order 111, it shall not be today but a second date.

It is a very interesting argument and I appreciate that my hon. friend is trying to find every way he can to delay debate on this very important issue. I appreciate that it is part of his role as Opposition House Leader, but I suggest the Standing Orders are clear. You have asked whether there is consent in the House to proceed today. Failing that consent being given, we then fall back to Standing Order 111 and it shall be tomorrow or a succeeding day in the Business of the House.

Mr. Speaker: First, I want to make it clear to Hon. Members exactly what has occurred here. The Hon. Minister of State (Mr. Lewis) has pointed out that there was a vote on concurrence on the matter of the trade Bill and today there were two further votes, one for the introduction of the Bill and a second for first reading.

It is also quite accurate that in the first vote the Chair gave what I could refer to as the benefit of the doubt to the Opposition in the interest of order in this place and in the interest of effective procedures. However, I think I pointed out that that was not necessarily a precedent.

The Hon. Member for Kamloops—Shuswap (Mr. Riis) has raised a matter that I must say had not gone unnoticed by the

Chair some days ago. Therefore, I have had a chance to consider it with care. Let me say, however, and with some degree of admiration, that the argument put forward by the Hon. Member for Kamloops—Shuswap was thorough and rooted deep in history. It was succinct and a credit to the Hon. Member, and of assistance to other Hon. Members who wish to respond to it.

The Hon. Member for Windsor West (Mr. Gray) has added somewhat to that argument and I am indebted to him for his remarks. Of course, I appreciate the comments of the Hon. Minister of State.

I was able to scribble a few notes during the noon break, I believe in anticipation of most of the argument of the Hon. Member for Kamloops—Shuswap. I shall refer partly to these notes in the interest of clarity.

First, I might say that the Hon. Member for Kamloops—Shuswap has raised a matter which one could say has rarely been raised in many, many years. I should point out to the Hon. Member that while I have looked carefully at the passage in Bourinot, the cases upon which that passage is based go back well over 100 years. The Hon. Member for Kamloops—Shuswap has made that very clear.

When I say that it has rarely been raised in many, many years, it is because I have not been able to find any instance of it being raised, save one single instance a few years ago. I bring that to Hon. Members' attention.

This occurred on January 19, 1984, when Speaker Francis was in the chair. He was responding to a matter raised by the then Hon. Member for Yukon. He commented on some argument that had been put forward. He then went on to say, with respect to Citation 722 of Beuchesne's, which, as Hon. Members will remember, takes a different position from the Bourinot citation of many years before:

● (1530)

The Chair has, however, relied on Citation 722 of Beuchesne's, which reads—

I am now quoting what was read by Speaker Francis:

Appointment for Second Reading

When the House has agreed to the first reading of a bill, the Speaker at once proceeds to ask: "When shall the bill be read a second time?" The answer is generally: "At the next sitting of the House." The bill is placed on the *Order Paper*, in its proper place, for a second reading at a future time. It is purely formal and is proposed with the object of placing the bill on the agenda for a second reading at which time all discussion can more regularly and conveniently take place.

I quote that not to say that it is an observation with extensive reasoning to it. It is not. However, it is the only citation that I have been able to find which indicates in contemporary times what any Speaker of this place has thought with respect to the distinction between Bourinot and Beuchesne. There at least is some guidance. Clearly, Speaker Francis at that point is making the point that the procedure is purely a formal one.