

moment that the vote on the motion of the Minister was concluded, we had technically arrived at six o'clock and the only thing left to do was to move to adjourn.

At that point I contend that the Hon. Member for Yukon could have made the argument he made this morning. He could have risen and said that having been informed by the Table that they were not going to accept his motion, it was his opinion that a Speaker's ruling was required then and there on whether there was a necessity for unanimous consent or whether the Standing Orders and precedents he has cited today should and could prevail. The Hon. Member chose not to do that.

I would refer Your Honour to Beauchesne, page 78, Citation 235, which reads as follows:

Any Member is entitled, even bound, to bring to the Speaker's immediate—

I emphasize "immediate", Mr. Speaker.

—notice any instance of what he considers a breach of order. He may interrupt and lay the point in question concisely before the Speaker. He should do so as soon as he perceives an irregularity in the proceedings which are engaging the attention of the House. The Speaker's attention must be directed to a breach of order at the proper moment, namely the moment it occurred.

I contend that if there was a question to be decided at that point, it was not whether the Hon. Member was entitled to file, having been refused permission to do so by the Table; the question before him was, should he rise on a point of order and get a ruling from the Speaker to permit filing to take place? He chose not to do that. I cannot help but read into his actions that he believed he had exceeded the time limit under normal practice and that he was requiring the unanimous consent of the House to do that which otherwise he could not do. I contend that his rising on the question today at eleven o'clock, interesting though it is, is too late. The question was quite clearly before him and should have been raised in the House yesterday at 6.15 if, indeed, it was a point of order.

Frankly speaking, I suggest that although as a Member of the Opposition I would be happy if you could find a way to rule that we are entitled to file a notice of motion after six o'clock, as it would be to our advantage if the Opposition could file at any time, the practices of the past have made it necessary to conclude that filing must take place prior to six o'clock.

Since the Hon. Member missed the opportunity to raise that precise point of order at a time when it could have been ruled upon by the Speaker, and since today's decisions passed by without the Hon. Member having raised the point, the Hon. Member then pursued the matter through asking for unanimous consent which he must have believed at the time was necessary. With the benefit of overnight reflection he seems to have changed his mind, but unfortunately he has not made a case sufficient to justify overwhelming support.

As I started, Mr. Speaker, I end. The Hon. Member for Yukon is learned in the rules of the House, and he constantly informs us of this. He has frequently pointed out to me and others when we are in violation of the rules, and I have accepted his advice graciously on all occasions. I can only conclude on this occasion that because of his inadvertence,

neglect, tardiness, slipshod manner or whatever, he failed to do what is necessary. I regret that I cannot support the import of his argument although I do support the desire he has in mind.

**Mr. Deputy Speaker:** The Chair has heard one spokesman from each of the three Parties. The Chair will now propose to hear the Hon. Member in whose name the motion was attempted and then will render a decision on the matter.

**Hon. Perrin Beatty (Wellington-Dufferin-Simcoe):** Mr. Speaker, I appreciate your courtesy. There are a number of key points which the Chair will want to take into consideration. I want in particular to respond to one argument made by the Government House Leader and the House Leader of the New Democratic Party. It relates to the procedure followed yesterday afternoon when my House Leader rose following six o'clock to ask for unanimous consent to allow the motion to be filed.

The suggestion was made by the Government House Leader and the House Leader for the NDP that the action of my House Leader was in some way a confession on his part that he did not, by right, have the ability to file that notice of motion last night after six o'clock and that somehow the fact that he rose at that time prejudiced my ability to have my motion considered today. Nothing could be further from the truth, Mr. Speaker. The reason my House Leader rose when he did last night to seek unanimous consent was to avoid precisely what has happened this morning.

● (1200)

Instead of going on to debate the Crow, as the NDP would like, we on this side of the House want to debate a motion dealing with Revenue Canada. Our Members are prepared to deal with that motion. Many of us have worked for a considerable period of time in order to deal with it. What is essential here, Mr. Speaker, is that the ability of Hon. Members to act on motions such as this should not be circumscribed by a literal interpretation of procedures or by a decision made by the Table which would prejudice the rights of individual Hon. Members; in this case, myself.

What has happened today because of the New Democratic Party's unwillingness yesterday to give unanimous consent to the very reasonable request which was made by my House Leader is that we have already lost one hour of the time which is allotted for an Opposition day. Even if you find, Mr. Speaker, in our favour—as I hope you will and as I believe you must—the effect of the NDP refusal to give consent has been that a minimum of one hour has been lost to debate what would be the Order of the Day.

That was the reason my House Leader rose yesterday to seek unanimous consent. The record is very clear. He said: "There seems to be some doubt with respect to this." He did not say: "I believe I am no longer entitled to put down this motion". In order to eliminate any question and to facilitate the proceedings of the House, he asked quite properly for unanimous consent, which would have avoided the procedural debate we are having at the present time. It certainly would