

*Speaker's Ruling*

more fairly and more widely distributed among Members' questions requiring shorter answers. As for those converted to motions, as the Chief Government Whip (Mr. Hawkes) has pointed out, the decision whether these more "expensive" answers should be provided would then be made by the House.

[*English*]

Unfortunately, it appears that this proposed solution may carry with it a new set of problems. It has been suggested that the use of this Standing Order might result in unreasonable limits in the freedom of Members to ask questions; it is even speculated that privilege might be involved. It has also been suggested that the Standing Order has survived so long unchanged because it has remained unused for the past 60 years; that its use in today's context may not be what was intended; and that it no longer fits the conditions of the present House of Commons, and certainly not those brought about by the McGrath reforms.

I share the view expressed by several Members that the direct consequence of transforming a written question into a Notice of Motion, to be eventually considered under Private Members' Business when transferred for debate, will be to diminish considerably the chances of the item ever being put before the House again. But it is interesting to see that such a difficulty had also been envisaged back in 1906 when Standing Order 39(6) was first adopted by the House. May I quote from the House of Commons Debates on July 10, 1906 at page 7602:

Mr. Sproule: Then after a certain stage in the session notices of motion cannot be reached and in the case of a long question, if the government do not want to give the information all they have to do is say: You must move for it. There may be no opportunity to move and therefore the opposition are prevented from getting the information.

Certainly, I can tell the House that a request to invoke Standing Order 39(6) would undoubtedly always put the Speaker in a difficult position. It would require the Chair to make a series of decisions on non-procedural matters for which there is no information available and which only the Government, with its expert staff, is able to judge accurately: the probable length of answers which

have not yet been produced. It is also true that no objective definition of "lengthy" has been provided; and in any case, it would be rash to suppose that the difficulty of answering a question must vary according to its length, or that the value of an answer is in any way proportionate to its length.

[*Translation*]

In addition, not all questions rejected as unanswerable can reasonably be converted into motions requesting the tabling of documents. Unless the question itself inquires specifically about a document, converting it into a notice of motion for the production of papers might well make it even harder to answer satisfactorily.

Another concept with which the Chair has some difficulty is that of placing on the Order Paper, in the name of a Member of this House, a notice of motion which that Member has not signed or indicated any interest in presenting. As the Hon. Member for Mackenzie (Mr. Althouse) pointed out, if a Member has a question refused and wishes to present a notice of motion on the same subject, he or she is perfectly able to do so.

[*English*]

I have examined very carefully the request of the Parliamentary Secretary to the Government House Leader (Mr. Cooper) and find that I am unable for several reasons to comply with the terms of the Standing Order in today's context without prejudicing the right of private Members to control fully their business by choosing for themselves how best to seek information: by placing questions on the Order Paper, perhaps requesting an answer from the Government within a 45-day period; or by having a Notice of Motion, if successful in the draw, debated during Private Member's Business.

The House will understand that two new elements which were recently incorporated in the Standing Orders on written questions have practically eliminated the kind of abuses on House time that existed in 1906. I am referring specifically to Standing Order 39(4) limiting the number of questions on the Order Paper to four per Member at any one time and to Standing Order 39(5) allowing a Member to request that the Ministry respond to a question within 45 days.