

1984, from Rod Murphy, MP, Churchill. The subject is "Re: Motion on Order Paper" and it reads as follows:

I submitted a motion last week which still remains on the Order Paper under 62(9). Following the decision of the Speaker on Thursday morning, I have decided I would like the motion to remain on the Order Paper. Please have it changed however to a 62(11). Thank you.

It is purportedly signed by the Hon. Member for Churchill. The Hon. Member clearly recognized the distinction between motions filed under Standing Order 62(9) and those filed under Standing Order 62(11), and in order to get around that distinction he attempted to play a shell game. Leave the motion on the Order Paper, states his letter, but change the notation with respect to the filing of the motion. What we have before us today is a hybrid motion. It was laid on the Order Paper on May 30, 1984, with the understanding that the House would be required to divide on it and yet it appears today, suddenly transformed into a motion on which the House cannot under any circumstance vote.

Well, Mr. Speaker, which is it? Is it a motion pursuant to Standing Order 62(9), or is it a motion pursuant to Standing Order 62(11)? There is no doubt that had the Hon. Member filed a new motion with the Table yesterday, it would have been debatable under the provisions of Standing Order 62(11) today. If, on the other hand, the motion were filed pursuant to Standing Order 62(9), no matter how long ago, it cannot be debated today.

• (1125)

Had the Hon. Member for Churchill written to the Table requesting that a motion similar in form to the one that he filed on May 30 be placed on the Order Paper pursuant to Standing Order 62(11), there would be two motions standing on the Order Paper in his name today. Had he asked that the original motion be withdrawn and that one similarly worded be placed on the Order Paper pursuant to Standing Order 62(11), there would be only one motion on the Order Paper today in his name. The Hon. Member could have chosen either of these options. Instead, he wrote to the Table and said: "I have an apple on the Order Paper; please make it an orange". Lo and behold, Mr. Speaker, a miracle occurred and the motion changed form, but it did so without going through the proper intervening steps, and I think this sort of short-cut should not be permitted.

Mr. Fulton: Who wrote this for you, Ray?

Mr. Hnatyshyn: I can only say to the Hon. Members of the New Democratic Party that the last time they attempted to dilly-dally with the House Leader for the Official Opposition, their House Leader got mugged in Paris. The same thing may happen to them later on. I will not say that because I know they are a little sensitive.

Would this procedure, for example, be permitted in the opposite direction? Had the second motion under Standing Order 62(9) not already been dealt with in this period, and had the Opposition day fallen on a Friday, would the Hon. Member have been permitted to make his casual change?

Supply

Surely he could argue that notice had been given of his motion pursuant to the terms of Standing Order 62(9) even if it had not been filed under that Standing Order. Why then not change the designation from Standing Order 62(11) to Standing Order 62(9)? It is only incidental that such a change would bring on a vote on a motion that had not previously been votable and would do so within a time frame normally prohibited by the Standing Orders.

For that reason alone, Mr. Speaker, I submit that the Hon. Member's motion is not in proper form to be debated today and that there is no reason for you to exercise your authority to select the motion to be debated.

If you do not find that argument sufficiently persuasive, Sir, I would ask you to consider the terms of the motion which the Hon. Member proposes to put to the House today. For the first three and one-half lines the motion is perfectly acceptable. It complains of a lack of Government action in an important area of public policy. This is very much in accord with the general object of the business of Supply. However, in the remainder of the motion the Hon. Member goes on to argue that a lack of Government action has put:

—the health and safety of Canadian workers at the mercy of long-standing Conservative resistance to such improvements in labour legislation.

Here, Mr. Speaker, we get into some pretty rocky procedural ground. As you are aware, Citation 423 of Beauchesne's Fifth Edition states the following:

A motion should be neither argumentative, nor in the style of a speech, nor contain unnecessary provisions or objectionable words. It is usually expressed in the affirmative, even where its purpose and effect are negative.

It is clear that the motion proposed by the Hon. Member is argumentative; it is in the style of a speech and it contains both unnecessary provisions and objectionable words. Furthermore, its allegations are blatantly false. Once again, Mr. Speaker, it can be seen that the motion is not in order as to form, and I submit that the Chair is, therefore, not obliged to exercise its authority under Standing Order 62(4)(c), but need merely call the motion standing on the Order Paper in the name of the Hon. Member for Fraser Valley West, which does meet the requirements of the Standing Orders as to form.

For all of the reasons I have outlined, Sir, I would ask that you call my hon. colleague's motion for debate this morning.

Mr. Rod Murphy (Churchill): Mr. Speaker, it is not my intent to spend half an hour talking about procedures. I will simply say that we will trust the fairness and the judgment of the Chair to determine that we have followed the proper procedures and that the wording is acceptable, even though the House Leader of the Conservative Party says that the word "Conservative" is negative and objectionable.

I believe the procedures were followed, that we did give proper notification of change, that we are entitled, under the rulings that have been made in the past, to this Opposition day. I would rather spend our time debating the need for changes in the Canada Labour Code than wasting the time of the House in a procedural wrangle which has taken half an hour of the proceedings of this House.