

Constitution of Canada

319 of the 4th edition of Beauchesne's Parliamentary Rules and Forms has been quoted to this House:

The report of the committee must be signed by the Chairman. No other signature should be affixed to a report for the purpose of showing any division of opinion in the committee, nor can it be accompanied by any counter statement from the minority, as such is unknown in British parliamentary practice.

I would add, by the way, that it is also unknown in Canadian parliamentary practice.

I keep on quoting:

The Chairman only signs by way of authentication on behalf of the committee. He should sign even if he dissented with the majority of the committee. No minority report should be made to the House.

It should be noted that Bourinot refers to the fact that in certain circumstances, a minority report has been attached as an appendix to the majority report of the committee.

It must be indicated also that the precedent quoted to justify this practice dates back to 1874. It might perhaps be useful if I were to read this quotation from the 4th edition of Bourinot's. Here it is:

• (1520)

[English]

No signatures should be affixed to a report for the purpose of showing any division of opinion in the committee; nor can it be accompanied by any counter-statement or protest from the minority, as such a report is as unknown to Canadian as to English practice. When the chairman signs a report, it is only by way of authentication. In 1879, a report of a dissenting member was brought in and appeared in the votes, but attention having been called to the irregularity of the proceeding, this minority report was ordered not to be entered on the journals. The rule with respect to such matters, however, has been more than once practically evaded by permitting a minority report to appear in the appendix to the report of the committee;

[Translation]

This is where reference is made to a precedent dating back to 1874.

On the other hand, hon. members, especially the hon. member for St. Paul's (Mr. Wahn) and the hon. member for Lotbinière (Mr. Fortin) have stated that in recent years, especially in 1971, the report of the Committee on External Affairs and National Defence included the dissident or minority opinions of some members.

I find nothing in the precedents established by the House to prevent such a procedure. What the Standing Orders and parliamentary practice forbid is the tabling of minority reports. It is somewhat in the nature of an *obiter dictum* to suggest that a report may include dissident or minority opinions.

But what reaches us eventually is a single report, the majority report, and the report of the Standing Committee on External Affairs and National Defence which was presented last year contained dissenting opinions of course but only one report was presented and no suggestion was made that the House should receive at the same time a second, third, or fourth minority report.

In view of the circumstances, I really cannot see how I could ignore this long parliamentary tradition and allow the hon. member for Charlevoix, the hon. member for Lafontaine (Mr. Lachance), the hon. member for Green-

[Mr. Speaker.]

wood (Mr. Brewin), in short all hon. members who said that they had minority reports to present, to table those minority reports.

In very eloquent terms, the hon. member for Greenwood suggested that time has come to change the Standing Orders. It is possible. Some members have said that time has come for Parliament to give members of a committee the opportunity of expressing their diverging points of view in a minority report. Perhaps, but unfortunately it is not up to the Chair to make such a decision.

The hon. member for Greenwood and, I believe, the hon. member for Winnipeg North Centre (Mr. Knowles) suggested it. The proposal is valid, interesting and could easily be studied by the Procedure and Organization Committee. Many times, I took the liberty of recommending that this committee examine some parliamentary practices. Here is one which I think could be usefully studied by the committee.

Having said that, I do not think I can comply with the hon. member's request that the minority reports be now presented.

Hon. Martial Asselin (Charlevoix): Mr. Speaker, when I raised on a point of order, I reserved the right to move the appropriate motion pursuant to Standing Order 43. Without contemplating an appeal from your decision, far from it, I would like to obtain the unanimous consent of the House.

May I move my motion immediately or should I do so on motions?

Mr. Speaker: Obviously, the hon. member should wait for motions, which will be called in a moment, I think.

* * *

HOUSE OF COMMONS

PRESENTATION OF MINORITY COMMITTEE REPORTS— REQUEST FOR UNANIMOUS CONSENT TO MOVE MOTION UNDER S.O. 43

Hon. Martial Asselin (Charlevoix): Mr. Speaker, pursuant to Standing Order 43, I ask unanimous consent of the House to move a motion providing for hon. members who so desire to present minority reports on the Canadian Constitution.

Mr. Speaker: The House has heard the motion presented by the hon. member for Charlevoix. That motion requires the unanimous consent of the House, pursuant to Standing order 43. Is there unanimous consent?

Some hon. Members: No.

Mr. Speaker: As there is no unanimous consent, the motion cannot be put.

Mr. André Fortier (Lotbinière): Mr. Speaker, I rise on a point of order.

It seems that we have reached a point where a minority of one single hon. member can defeat the majority.

Mr. Speaker: Order, please.