

committee is placed in a difficult, if not impossible, position. I cannot see how we can proceed.

Mr. Jerome: Sit down then.

Mr. Hogarth: Sit down if you don't want to proceed.

Mr. McGrath: Notwithstanding the interjections made by the hon. member from his seat, which is all he has been doing since this debate started, I feel we cannot proceed as a result of Your Honour's ruling.

The Chairman: As the hon. member for St. John's East is entitled to do, he has appealed the ruling of the Chair. My position is to state the appeal to Mr. Speaker. Will the committee now permit me to do that?

Mr. Paproski: I would like to call it six o'clock, Mr. Chairman.

The Chairman: Order, please. The Speaker is not in the Chair. At this point I have no authority.

Mr. Paproski: Will you settle for 4:25, Mr. Chairman?

Mr. Francis: Mr. Chairman, I wonder if hon. members opposite are prepared to stand this clause for a moment and go on with the next clause of the bill.

Mr. Peters: That does not follow.

Mr. Paproski: You are in a complete mess. Why should we wait?

The Chairman: Order, please. The committee has some difficulty. The hon. member has appealed the Chair's ruling to the Speaker, as he is entitled to do. The difficulty is that, unfortunately, Mr. Speaker is not in the building at this moment. He will be returning, but I have no information as to when. This is something the committee will have to decide. I express a preference when I mention the alternatives. One is that as Deputy Speaker, if the committee so wishes, I could take the Chair and rule on an appeal on my own ruling. I do not want to do that.

Mr. Knowles (Winnipeg North Centre): It has been done before.

The Chairman: The hon. member for Winnipeg North Centre says it has been done before. I understand that is the case. I would do that very reluctantly. Of course, I am at the service of the committee. The alternative is to stand the matter of the ruling on the appeal as well as the amendment, by unanimous consent of the committee, and proceed with another part of the bill now under consideration by the committee. I will be pleased to hear from hon. members as to which course they wish to pursue.

Mr. Drury: Mr. Chairman, the suggestion seems eminently sensible. The committee agreed yesterday that, in the absence of the minister concerned, we would not proceed with those parts of the bill until such time as he was in the House. The Minister of Energy, Mines and Resources has explained his absence this afternoon. I suggest that we proceed with Part III of the bill, which does not involve a minister who is absent, nor does it

Government Organization Act, 1970

involve a department whose name is being changed for which an appropriation is being entered in the estimate book, which after all are only a set of proposals as is the bill.

Mr. Nielsen: Mr. Chairman, I submit with respect to the suggestion made by Your Honour, that Your Honour has no jurisdiction to continue the sitting any longer. The point of order having arisen pursuant to the Standing Order, the ruling which has been appealed must be put to Mr. Speaker before we can continue. Beauchesne's citation 59(4) requires Your Honour to maintain order in the committee of the whole and decide all questions of order subject to an appeal from the House. I submit that the question of order must be put to Mr. Speaker forthwith. It is very unfortunate that His Honour is not here so that this can be done. I urge upon Your Honour that the jurisdiction to do anything else simply is not here.

Mr. Knowles (Winnipeg North Centre): Mr. Chairman, surely we do not have to spend any time on that point of order. The hon. member for Yukon is perfectly right. The rule has to be followed unless there is unanimous consent. Either there is or there is not unanimous consent.

The Chairman: That is the very point the Chair tried to make when I indicated that I was without jurisdiction and subsequently made suggestions. Of course, there must be unanimous consent. Is there unanimous consent?

Some hon. Members: Agreed.

Some hon. Members: No.

The Chairman: There is no unanimous consent. The committee is adjourned. I say, subject to correction, that I have no jurisdiction as chairman of this committee. As the hon. member for Yukon and the hon. member for Winnipeg North Centre have pointed out, I have lost jurisdiction unless the committee is unanimously prepared to give it to me.

● (4:30 p.m.)

Some hon. Members: Agreed.

An hon. Member: No, it is not.

The Chairman: The Chair put the question and there was no unanimous consent. I think I have lost jurisdiction, and I do not feel I should try to assume it in the absence of unanimous consent.

Mr. Drury: On a point of order, I understand there has been an appeal from your ruling while the committee was discussing clause 2 of the bill. Subject to Mr. Speaker's ruling on that question we obviously cannot proceed on it. Do I understand, however, that because an appeal has been made on this particular point of order Your Honour has no jurisdiction to continue while the committee considers other parts of the bill which are unrelated to the point at issue? I do not think hon. members would want to say that you had no competence, or no jurisdiction to preside over this committee while it dealt with parts of the bill unrelated to the point of order or the appeal in question.