

directs its committees, its members, its officers, the order of its own proceedings and the acts of all persons they concern; by its resolutions the House declares its own opinions and purposes.

(2) When a motion is adopted, it becomes the resolution or order of the House. Therefore, its form must consequently be so framed, and its language so expressed that, if it meets the approbation of the House, it may at once become the resolution or order of the House which it purports to be.

On the basis of the citations to which I have referred, Madam Speaker, it would seem that the House may, by unanimous consent, set aside its usual rules and practices and that within that authority the House may consider motions that could not otherwise be moved. Because unanimous consent may be granted to set aside rules that would otherwise block a motion from being moved, the seeking of unanimous consent from being moved, the seeking of unanimous consent cannot be said to be out of order, in my submission.

As well, the seeking of unanimous consent to move a motion is a separate proposition submitted by a Member to the Speaker who must, according to the ordinary practices of the House, put the question, that is: Is there or is there not unanimous consent? The question, in this case, requires the unanimous decision of the House and should meet the other requirements set forth in Citation 412, such that if it is agreed to it may at once become the resolution of the House that it purports to be.

In this case, the question, the seeking of unanimous consent, if agreed to becomes a resolution of the House to permit the Member to move his or her motion. Thus, the motion is completely regular within the terms of Citation 412.

The next issue that has to be considered, Madam Speaker, is whether or not the House business question is the appropriate occasion for Members to rise on points of order to seek unanimous consent to move motions dealing with business that is now, or will soon be, before the House. I can think of no more appropriate time to seek the consent of the House to move a motion that would facilitate the business of the House than during the House business question. Indeed, this is a practice often followed by the House Leaders for all Parties in the House. Citation 158 of Beauchesne's Fifth Edition refers to the House business question in the following manner in paragraph 4, found at page 50:

(4) As a matter of practice, since 1968, each Thursday following the Question Period, the Government House Leader states, in reply to a question put by the House Leader of the Official Opposition, the projected business of the House for the forthcoming week.

The practice with respect to the House business question has evolved somewhat further since the Fifth Edition of Beauchesne's was published. It is now quite common for Members to seek unanimous consent for motions during the business question, while still retaining the understanding that matters should not be debated in the course of the question. In fact, this practice is evident in a ruling that you made in the course of a House business question, as reported at page 21845 of *Hansard* for December 22, 1982, found under the heading Business of the House. There was quite a discussion that day. At page 21845 you are recorded as having said:

Business of the House

Order, please. I am just asking Hon. Members to please not debate the Bill now. It has not been put to the House. I can allow a few questions back and forth on what the order of business might be in the House, but I cannot allow Hon. Members to debate this matter.

It is becoming obvious to me that there is no unanimous consent as to the manner in which this Bill could be passed through the House today. Unless some other Members have something specific to say on the manner in which we could proceed to put the Bill through the House today and try to seek unanimous consent on a particular proposal, I will not allow any debating of the question.

Further on, at page 21846, you are reported as having said:

Order, please. Members at this point are obviously debating. It is clear to the Chair that there is no unanimous consent over the manner in which this Bill can be put through the House.

Clearly, Madam Speaker, while you felt that it would not be permissible to debate the matter of the passage of a Bill that was before the House that day, you indicated that it would be permissible to bring forward various proposals to expedite the passage of the Bill and that it was in order to seek unanimous consent to deal with those matters.

The situation that faces the House today is identical to that which faced the House on December 22 of last year. Members on this side of the House are attempting to find a means of facilitating debate on a Bill that will be before the House this afternoon and are rising to seek an indication of the Government's intent and to seek the unanimous consent of the House to be allowed to put their motions, which certainly cannot be the subject of any valued judgment of any Member until they are heard. If this was in order on December 22, 1982, then, I submit, Madam Speaker, that it should be in order today.

Finally, Madam Speaker, I would like to return to my contention that you are obliged to put the question to the House when Hon. Members rise to seek unanimous consent.

I have a further reference from *Hansard* that I think will firmly establish the existence of this obligation. I take delight in citing as authority for my arguments the well-reasoned and sound judgments of the Chair which have been rendered from time to time, and this is the finest I have seen in your tenure in the chair. It is to be found at page 27997 of *Hansard*. It arose again under Business of the House, Weekly Statement. There was a fairly long discussion involving myself, the Government House Leader, the Hon. Member for Nepean-Carleton, the Hon. Member for St. John's East and a few others. You had this to say at the page quoted:

● (1550)

At any rate, perhaps that is a good suggestion. I leave it to Hon. Members, but I do have an obligation to ask the House if it will give its unanimous consent to move acceptance of the seven reports on parliamentary reform.

Some Hon. Members: Hear, hear!

Mr. Nielsen: Madam Speaker, on the basis of those most excellent authorities I submit that any Hon. Member can rise in his or her place and ask you to seek unanimous consent of the House on the specific proposal on which the Member rising seeks to obtain unanimous consent. There is no other decision you can come to, Madam Speaker, and I would respectfully submit that you allow the process to conclude in its normal, healthy fashion.