

It seems to me that we had two choices at 2.15. One of them was, by virtue of having put a motion pursuant to Standing Order 43, to set aside the question period at 2.15 because the debate was under way.

I respectfully say that was an observation, not a ruling, and I respectfully suggest that observation was not correct. I say that with great respect, because that is not the choice.

Your Honour continued:

Obviously the danger with that is that if we set aside the Question Period and the debate carries on—for example, until three o'clock or later—we would need the consent of the House to restore the question period.

I do not think you need the consent of the House. What you have now are rules and Standing Orders which would restore the question period. And then Your Honour said:

So, the risk is that if we continue with the debate at 2.15 we wipe out the question period—

I suggest not, Mr. Speaker, I do not think parliament is faced with that Hobson's choice. I say it would be appropriate, with respect, that in any interpretation of the Standing Order the 2.15 question period set by time, the private members' hour set by time, the dinner adjournment set by time, or the luncheon adjournment set by time, is no different than the question period set by time.

Since you left the question open, I feel it is important because it relates to the ability of this House to debate this motion. The question is what we do about it. There was some suggestion that we might go to the Standing Committee on Procedure and Organization to discuss this, but I do not think that is necessary. All of us have duties in this House: the Chair has onerous duties and difficult responsibilities, my friends on the other side have duties and we have them as well. All of us have the duty to attempt to frame our motions as best we can, whether from this or the other side of the House of Commons; that they are reasonable having regard to the urgent aspect of them, the representations that are made, the lack of innuendo and a host of other things—these are duties on all of us and we have the standing orders to guide us in the operation of the House of Commons.

If we are to achieve the sense of fairness and the sense of justice that the minister has indicated he wants, I think that capability is within the standing orders and their enforcement. If the matter is urgent and the House itself has ruled the matter urgent, then it should be debated if the House chooses to debate it. That is where the fairness is. The unfairness my hon. friend complains of is in the fact that he did not have an opportunity to answer. The reason he did not have an opportunity to answer is that when the question was put to him in a particular case, he said no.

Mr. MacEachen: I never said no.

Mr. Speaker: With respect, on that particular point the hon. member is indicating that the yes or no must be made before the hon. member has an opportunity to answer. That is the fundamental difference.

Mr. Baker (Grenville-Carleton): Mr. Speaker, I am saying that once you have decided the mover of the question has

Point of Order—Mr. MacEachen

addressed the question of urgency and that therefore the matter should be put to the House for consent, at that point there lies in the hands of every member of the House of Commons the responsibility and/or liability to say no to that. If the word is no, the issue ends there, but if the answer is yes on any matter, then the debate begins. It is in that debate that the issue can be discussed. Of course, if the Standing Order 43 motion is embarrassing, is an improper representation, if it contains innuendo, if it is a speech—all of those things are out of order.

Some hon. Members: Hear, hear!

Mr. Baker (Grenville-Carleton): They are out of order from both sides, so my friends opposite should not cheer too loudly. They are out of order, and there is a responsibility on the Chair to make the judgment on whether the question of urgency was addressed in the first place. I think there is that power in the rules.

I started off by saying there was a sense of responsibility on the Chair with respect to that first decision. It is the responsibility of the Chair. I hope, sir, that you will consider that. I submit that with the respect I have tried to impart in bringing that point of view to your attention. I hope you will also consider very carefully the observations you made in answer to the hon. member for Saskatoon-Biggar. My respectful submission is that if we have to make the Hobson's choice I spoke of, then the House of Commons itself, not just the government and not just the Leader of the Opposition, could be in great danger of either falling back on its motions under Standing Order 43, which is diminishing its rights, on the one hand, or losing the question period on the other. I suggest we should no more lose the question period than there should be more importance given to one break over another or any subdivision in the parliamentary day. Those are the submissions I have to make with respect to this very important matter.

Finally, sir, I want to say that we look to you as the protector of the rights of private members in this House. Through a variety of circumstances over the years, which the Chair has not been part of, the rights of private members have gradually been diminished. I hope, sir, that you will consider the question with respect to Standing Order 43 motions, the propriety of them coming forward, and the question as to the time limits and how they apply to impede the business of the House as consented to by the House. I hope you will consider very carefully the judgments you will make which may and could remove one of the rights of private members, that is, to have a motion accepted and debated in the ordinary course, and also the right to question the government during question period.

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, I suppose we need to have this debate every once in a while, but I am not sure it is getting us anywhere today. If the government House leader (Mr. MacEachen) feels the debate is taking too much time, he has only himself to blame. If he had not raised the point of order and asked for a day's debate, we would be on government business now. I was a little sorry he