

British North America Act

that the matter of the quorum of the House of Commons, or for that matter the quorum of the other place, is exclusively federal, so there is no question but that we have the right here in the parliament of Canada to amend section 48 of the British North America Act if we see fit to do so.

There has been only one amendment to the British North America Act since the amendment of 1949 which gave the parliament of Canada that authority. I refer to the amendment respecting the basis of redistribution, which amending bill was put through in 1952 on the motion of the Minister of Citizenship and Immigration (Mr. Harris). We had a most interesting discussion at that time, particularly in the committee on redistribution, as to the form in which any amending bill would be drafted that would seek to give effect to the authority of this parliament to amend the British North America Act. Several courses of action were suggested, but it seemed to be generally agreed that we had the right here in this parliament to amend that statute even though it might be referred to as the statute of another country.

The answer to the question that arises when one puts it that way is that technically speaking it is the crown which enacts legislation. It was the crown which enacted the British North America Act in 1867. It did so on the advice of the Lords and Commons of the United Kingdom at that time. Now when we amend the British North America Act, as we did in 1952 in respect of redistribution, or as we could do in respect to the quorum, it will be the crown which will be enacting that change on the advice of the Senate and House of Commons of Canada. That may be a bit of digression from the main purpose of the bill, but I confess to an interest in the constitutional aspects that arise out of this simple bill.

As I have indicated by referring to the report of the committee in 1925, it was recognized 29 years ago that it was desirable to increase the quorum but apparently nothing was done because of the necessity of presenting an address by both houses to Westminster. That hurdle is now out of the way; we can do it now by a bill dealt with by both houses of this parliament.

I suggest that we should take advantage of that opportunity to make this minor but significant change. Some hon. members will say of course that it is not very much to increase the quorum from 20 to 30. I agree, and I have pointed out already that I would like to see the figure much larger. However, knowing the difficulty that one has in getting anything of great substance through around

here I prefer to ask only for the number I have suggested, which simply maintains the same percentage.

These days, and I suppose this has always been the case, parliament is frequently under criticism by the public for a variety of reasons. We get criticized if we let things go through the House of Commons without adequate discussion, and we get criticized if we talk too much. As the hon. member for Kamloops pointed out on a former occasion, members of parliament get criticized if they are down here in Ottawa instead of being home meeting their constituents, and if they are back home meeting their constituents they are criticized for not being here in parliament. That is in the nature of things, and one has no complaint to make about it.

But one of the things we get criticized for is our attendance. I refer to attendance under two headings, on the one hand being here in Ottawa and on the other hand being in this chamber of the House of Commons when legislation is under consideration. It seems to me that the least we can do to show the public that we are taking our jobs seriously would be to increase the quorum and make sure that there are more members here all the time than is the case under the present quorum of 20.

There are those who have argued against this bill on the ground that hon. members have other things to do, that they have committees to attend, that they have correspondence to deal with in their offices and so on. But we know all that, and it applies to everyone; yet there are some of us who are able to be here a great deal of the time. I see no reason why we should not increase the requirement as to the attendance in the house.

With regard to the argument about committees requiring the attendance of members elsewhere, hon. members know very well that even in respect of rooms where committees can meet in this building, accommodation is quite limited, and I am sure I am setting an outside figure when I suggest it is not possible to hold enough committees at the same time to take 100 members out of this chamber at any one time.

An hon. Member: Oh, yes.

Mr. Knowles: Oh, no. I have checked the figures; and even in the fall session of 1951, when we had a great many committees meeting, at no time were over 100 members required in attendance in the committees that were sitting. That was during the session when sometimes committees were sitting so often that we even adjourned the sittings of the house. Even if we make the