

Point of Order—Mr. Lewis

Hon. Members may note that I did not go on. I stopped at that point. I did not go on to say: "Is it the pleasure of the House to adopt the motion?" Now, it seems to me under the circumstances, the better view is that the motion has not been completely put to the House. That seems to me consistent with not only logic when one takes a look at the form the Speaker is asked to read, but also it is consistent, I think, with what happened yesterday, and on that particular occasion, of course, that was done in the way it was done as a courtesy to Hon. Members of the Opposition who clearly wished to question the propriety of the motion.

That seems to me is the situation we are faced with here. So it is up to the Hon. Minister to decide whether he wishes to proceed with this motion, and I have already ruled that if he proceeds with this motion, it would go to a legislative committee, and he has every right to do that, but he cannot, and I want to make it very clear, he cannot under the rules at the moment make a motion that would move this to a Committee of the Whole because the other motion which we argued about yesterday and which we decided upon today, which purports to give the Government that particular power, has not yet been passed.

Mr. Lewis: Mr. Speaker, in my original intervention, I asked for guidance from the Chair as to whether or not if the procedural motion *vis-à-vis* the calendar were passed prior to the motion which the Hon. Minister would move, that is to a legislative committee, if the procedural motion were passed prior to the motion being put on second reading, would that procedural motion not then dictate that that particular Bill, Bill C-2, would then go to a Committee of the Whole House rather than a legislative committee?

Mr. Gauthier: Mr. Speaker, I think we are getting along here and we could possibly find an acceptable solution to the impasse the Government got itself into. I do think one should read Standing Order 73(1),(2) and (3), and I refer you to the Standing Orders which are still with us and are still in effect the Orders of the Day. Standing Order 73(1) reads:

"Every public Bill shall be read twice and referred to a committee before any amendment may be made thereto."

Standing order 73(2) reads:

"Unless otherwise ordered, in giving a Bill second reading, the same shall be referred to a legislative committee, except as provided in section (3) of this Standing Order. A motion to refer a Bill to a committee shall be decided without amendment or debate."

And 73(3), and this is the part I think is interesting, reads:

"Any Bill based on a Supply motion—"

And this one is.

"—shall, after second reading, stand referred to a Committee of the Whole."

So the Minister can amend on his feet now with the Speaker the motion before the House and make it that that committee, a Committee of the Whole, will be the route we will follow. I do not see any difficulty with that.

Mr. Lewis: I welcome my hon. friend's suggestion, but I would ask, Mr. Speaker, if you could rule on my first question and, depending on that, we can perhaps follow my hon. friend's suggestion.

Mr. Speaker: The Speaker is always reluctant in a complicated matter to rule too quickly. I understand perfectly the point the Hon. Minister is making. The Hon. Member for Ottawa—Vanier (Mr. Gauthier), who has some considerable skill in the rules of this place and customs of this place, has made a suggestion that might be useful.

SITTING SUSPENDED

Mr. Speaker: I am going to ask the House to stand down for ten minutes and I think it might be appropriate for the House Leaders to have a discussion.

The sitting of the House was suspended at 3.29 p.m.

SITTING RESUMED

The House resumed at 4.52 p.m.

Mr. Speaker: Perhaps we could come to order. I think it would be appropriate to hear first from the Hon. Minister.

Mr. Lewis: Mr. Speaker, there have been discussions among the House Leaders, very helpful discussions I would add, and I want to pay tribute to the Hon. Member for Windsor West (Mr. Gray) for his suggestion.