

Income Tax Act

The Deputy Chairman: I gave some thought to this issue over the lunch hour. The question is whether or not the privileges of all Members are breached if one or more Members cast their votes improperly. I did not have the time to review it.

I believe the Hon. Member has the beginnings of an issue, and I think the best way to pursue it at the moment is to point out, however, that in order to make his argument, he has to succeed in making an argument that some Members voted improperly or invalidly. We have not yet reached the stage of proceedings which would determine whether or not that is the case. Perhaps I might possibly, therefore, ask the Hon. Member for Thunder Bay-Atikokan to keep his question of privilege in hand, so to speak, and let us return to the point of order to determine whether or not one Hon. Member can raise the issue that he has raised.

So far, this question has been raised as points of order. It may well be that the Hon. Member has an argument on a question of privilege but with his permission, I would prefer not to rule on the matter of privilege because the House has been debating a point of order all afternoon. I would prefer it if we could stay on the point of order. Would that be agreeable to the Hon. Member?

Mr. McRae: Mr. Chairman, I gather that you are asking me to make the same point as a point of order, and I would be glad to do so at this particular time.

The Deputy Chairman: I do not know if the Hon. Member and I have understood each other. I will be clear. I do not want to rule on this question of privilege. I have indicated that the Hon. Member may have good grounds for a question of privilege, but I have asked whether, with his permission, we might put the question of privilege aside only for the moment because the House has been dealing with a point of order. That is the agreement I need.

Mr. McRae: Yes, you have it.

The Deputy Chairman: The Hon. Member has a right to a ruling on privilege if he wants it. Is the Hon. Member for Calgary West rising on a point of order? It is getting tiring here. The Hon. Member for Simcoe North on a point of order.

● (1650)

Mr. Lewis: Mr. Chairman, I appreciate that in trying to narrow down the debate and bring it along, you have ruled on certain things. I was prepared to address myself to those issues because I appreciate the seriousness of the Government losing a vote on a tax Bill. I can understand that it is concerned about going to the electorate.

What I should like to raise now is that, whether this is a point of order or a question of privilege, I suggest to the Chair that the charge that people came into the House late—which is one that the Chair did not pick up in the vote—is a very serious charge. I do not think it can be made in generalities. If Hon. Members opposite wish to lay that charge, surely they must lay it specifically. If they want to lay that charge and

contest the validity of the vote, I submit to the Chair that they have to name names. They are not prepared to do that.

I also make this point to the Chair, that time and time again in the House the Chair has ruled that the Opposition has been too late in making a submission. I submit to the Chair that in this case the Government has been too late. It was too late in not having enough Members in the House; it was too late in not naming the names of the people it suggests were not in the House when the vote started; it was too late in not raising the point of order at one o'clock; it was too late in not raising the point of order at two o'clock; and it was too late in not raising the point of order at three o'clock.

The Prime Minister said that the appeal should be made to a higher authority. The Government was too late and did not make that appeal to the higher authority. I submit to the Chair that it is too late now; the vote has been cast and the vote has been declared by the Chair. I appreciate that the Chair wants to suggest that that is not a ruling, but is a declaration. I submit that the Chair might want to take another look at that. Either way the Government lost the vote, and that is the issue before the House now; it lost the vote. It is too late to argue that the people who voted were not in the House. If you want to take that argument, you are going to have to look at both sides.

Mr. Tobin: Mr. Chairman—

The Deputy Chairman: The Hon. Parliamentary Secretary.

Mr. Tobin: Thank you very much, Mr. Chairman. I want to add a few words to this point of order as well. I find it very strange that we sit here as Members of the House debating this issue for some time and we have not had—and I will come to my point—one single, clear denial of the fact that 50 people came storming in like Attila the Hun—

Some Hon. Members: Oh, oh!

An Hon. Member: The Hon. Member for Yukon was the last one to come in.

Mr. Tobin: Mr. Chairman, what we have had instead—

The Deputy Chairman: Order, order.

Mr. Epp: You sit down.

Mr. Tobin: To the point of order, Mr. Chairman—

The Deputy Chairman: Order. I think it is desirable to avoid inflammatory remarks. I think it would be preferable to stay on the point of order. Procedure has so little by way of natural inflammation that perhaps we can keep it at its usual level.

Mr. Tobin: Thank you very much, Mr. Chairman. I shall take your advice. I just find it passing strange how the truth can become inflammatory when matched against an abuse of the rules of the House.

The question that has been put by Members opposite is, how do you know how many there were and how do you know who