

*Tabling of Documents*

the administrative responsibilities of the government, and, thereupon, the same shall be deemed for all purposes to have been laid before the house.

All we sought to do when we drafted this rule was to get around the situation that has occurred on occasion, not too happily, when something that it was legitimate to table but was not required by an act was denied tabling because there was not unanimous consent. We tried, as I say, to get around that situation by the drafting of this rule. But I am sure we still meant this rule to apply only to official kinds of papers, to formal documents, and not to just any old paper that any minister of the crown might wish to table.

I realize that this raises the whole question of what is a kind of paper to be tabled. Your Honour knows that this question is dealt with at some length on pages 134 and 135 of Beauchesne's fourth edition. The citations there relate to kinds of documents that have to be tabled, and whether or not a document that has been cited must be tabled.

● (2:20 p.m.)

As a matter of fact these citations were read only last week, and Your Honour took the position that the mere reference to a paper did not constitute a reason for tabling as set out in those citations. I think it is also clear, from the material on the pages to which I have referred, that the only kinds of documents that must be tabled are those that have some kind of official status, some kind of official or governmental significance. I suggest that when a minister tries to table a document which simply represents his answers to a number of questions, answers that he does not want to make verbally, Your Honour has to review the situation. I am not asking that we go back to the old system under which unanimous consent is required to table a document, but I am asking that the import and the purport of the rule shall be observed.

I draw Your Honour's attention to the fact that when this matter came up on Monday of this week during the question period what happened was that the Secretary of State (Mr. Pelletier) sought, during the oral question period, to answer a number of questions that had been put to him on this subject. He admitted at the start that it would be a lengthy answer, but Your Honour suggested that he start and that you would rule later. He had not gone very long before you saw it would be lengthy and you interrupted him.

29180—3123

These are your words as recorded in *Hansard* of January 27 at page 4832:

Mr. Speaker: Order. I must interrupt the hon. minister at this time to suggest that the statement he is delivering must normally be made on motions, unless all hon. members are willing to hear the hon. minister's statement as a reply to a question. I do not think the hon. minister is entitled to continue any further.

Then there was a supplementary question by my parliamentary leader, and the Secretary of State made a reply at the end of which he said:

So many questions have been asked on that subject that I will not, so to speak, make any statement but rather reply in turn to the several questions that have been put to me and that have piled up.

Surely that was a commitment on the part of the Secretary of State, who realized that the questions he had to answer in a normal way could not be answered by a speech but could be briefly answered one by one; and there was your instruction, Sir, that it would be better if it were done on motions.

The Secretary of State sought yesterday to do indirectly what he was not permitted to do directly. He sought to bring into the official records of the house, by having it tabled, a lengthy document which consisted of answers to questions which Your Honour would not let him make during the question period but which Your Honour said he should make on motions.

If I am speaking rather critically, I do not mean it in that vein, but I am concerned about this procedure, because I can see that if this is allowed, all kinds of things will be tabled, not only the speeches that the Postmaster General (Mr. Kierans) is making around the country, but any kind of document; and what could be a real abuse of this rule would be for ministers to file statements that are argumentative on behalf of a certain piece of legislation before it is debated, or at a stage when it cannot be debated. So the rules of the house could be circumvented in this way.

I therefore feel very strongly that this is something that Your Honour will have to study. I say again that I do not want us to go back to the old practice of requiring unanimous consent for the tabling of any document, but precisely because we have done away with that requirement, the responsibility rests upon a minister to make sure that it is a proper paper that he is tabling. If there is any doubt about it, it is up to Your Honour to decide, and of course it is still