

*Debating Time Allotment*

There is nothing in that sentence which says that the matter being anticipated has to be one already under discussion. In fact, the next sentence reads:

The anticipation rule, which forbids discussion of a matter standing on the Paper being forestalled, is dependent on the same principle as that which forbids the same question being twice raised in the same session.

The words in that sentence that I would underline are "a matter standing on the order paper". There is no question but that the motion in the name of the hon. member for Grenville-Carleton, which he placed there in his capacity as chairman of the Standing Committee on Procedure and Organization, is standing on the order paper. Therefore, in our view the motion now proposed by the President of the Privy Council is one that would anticipate a matter that is standing on the order paper, and I suggest this is a case in which the rule on anticipation should be applied.

However, Mr. Speaker, in case the arguments of the President of the Privy Council on this point carry more weight than I think they should, may I go a step further and deal with the situation that could develop in a day or so, whenever we get to this matter. Is it not a fact, even if the arguments of the President of the Privy Council are correct, that once one of these debates is started, then the other cannot be commenced? Therefore, the decision that will be made by Your Honour, or by whoever does make it, as to which of these debates is first called will be a decision in favour of the rules of the house being amended, on the one hand by debating the report of the committee, or on the other hand by means of a motion blatantly brought in by the government itself.

If this situation seems to put Your Honour in a difficult spot, then I recognize that. But it seems to me that the President of the Privy Council has, in effect, already put you in that spot in quite an unfair way. He has argued that what Your Honour has to look at is the efficiency or effectiveness of the operation of either motion. He has quoted those words from various authorities and has argued that his motion is at least as effective as the motion of the hon. member for Grenville-Carleton in bringing this matter to a head. Therefore, in effect he is asking you to decide on the merits of these two motions, on which is the more effective and better motion.

I submit that Your Honour should not be put in this position. Your Honour is not concerned with substance and should not have to

[Mr. Knowles (Winnipeg North Centre).]

decide which is the better of two motions. But I do argue that Your Honour does have the right and responsibility to protect the rights of the house, and in particular to protect the rights of the private members of this house.

What is involved in this issue is a very simple question: Are we going to approach the amending of the rules of parliament on the basis of a report brought in by a committee of all parties, even though that report is of the kind that we have already described, or are the rules of parliament going to be amended on the basis of a government notice of motion brought in by the government house leader on behalf of the Prime Minister and the cabinet? In that situation, if the issue is as simple as I have tried to state it, if it is between parliament and the government on the matter of the rules of parliament, I submit Your Honour should rule in favour of parliament, not in favour of the government.

Another argument that was advanced by the President of the Privy Council was what I noted as his impotence argument. He suggested that, if the ruling for which we are asking were made, the result would be to hamstring parliament from here on and turn it into a congressional system or something or other. I am not going to deal at length with that argument, but I would point out both to Your Honour and to the President of the Privy Council that the rules are quite clear: A private member's public bill, under the rule on anticipation, cannot anticipate or block a government measure.

As a matter of fact, there is a pretty good precedent on this score. A few years ago I had a private member's public bill before the house having to do with an aspect of the labour code. The Conservative government of that day brought in a bill touching on the same matter, and as soon as this proposal was brought in the debate on my private member's public bill had to stop. So there is no basis at all for the argument that a ruling such as we are calling for would make parliament impotent in the future and would create a situation in which private members could block the operation of parliament as the government wants it operated. I submit that this was a case of much ado about nothing, if I may indulge slightly in the kind of references which have been made up to this point.

Let me move on the another point. The hon. member for Peace River (Mr. Baldwin) has already indicated that the motion in the name of the President of the Privy Council