

Point of Order—Mr. Nielsen

[Translation]

VACANCY

HON. WALTER DINSDALE FROM BRANDON-SOURIS DECEASED—
SEAT VACANT

Madam Speaker: I have the honour to inform the House that, following the notice of vacancy given in the House on Monday, December 13, 1982 by the Hon. Member for Provencher (Mr. Epp) and pursuant to Section 10 of the House of Commons Act, I have addressed my warrant to the Chief Electoral Officer for the issue of a new writ for the election of a member for the electoral district of Brandon-Souris.

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[English]

POINT OF ORDER

MR. NIELSEN—PROPOSED TIME ALLOCATION ON BILL C-85

Hon. Erik Nielsen (Yukon): Madam Speaker, I rise on a point of order. Last night, as recorded at page 21551 of *Hansard*, there will be found in the right-hand column the heading: "Business of the House—Time Allocation for Report Stage and Third Reading of Bill C-85". This statement by the Minister of Agriculture (Mr. Whelan) then follows:

Mr. Speaker, I wish to inform the House that there has been consultation among the representatives of the Parties and that it has not been possible to reach an agreement pursuant to Standing Order 75A or 75B with regard to the allocation of time on report stage and third reading stage of Bill C-85, an Act to establish a corporation called Canagrex to promote, facilitate and engage in the export of agricultural and food products from Canada. Therefore, at the next sitting of the House I shall propose a motion pursuant to Standing Order 75C to allocate one sitting day to each of the said stages of the said Bill.

As you know, Madam Speaker, I was unavoidably absent from the House when the Minister of Agriculture made that statement during debate on Bill C-139, an Act to amend the Income Tax Act. Upon being informed of the statement, at 9:55 p.m., as recorded at page 21556 of *Hansard* for December 13, 1982, I said, among other things:

I want to note, Mr. Speaker, that ordinarily this—

"This" referred to the Minister's remarks. My sentence continued:

—would trigger a debate tomorrow before Government Orders for two hours. I want to serve notice now that we do not accept the propriety of the procedure adopted by the Minister in giving that notice tonight. We do not accept the notice.

To support my submission which I will be making to you that that notice was out of order, I want to review some of the precedents with respect to the notices given since the implementation of new Standing Order 75C.

On December 1, 1971, at page 10046 of *Hansard*, the then President of Privy Council (Mr. MacEachen), under the heading "Business of the House—Notice of Time Allocation Motion for Committee of the Whole Stage on Income Tax Bill", gave notice with respect to the Bill then under consideration, which was Bill C-259, that he would move pursuant to Standing Order 75C that four additional days be allotted to the Committee of the Whole stage of that Bill.

The next precedent I wish to draw to the Chair's attention is recorded in *Hansard* for Monday, December 13, 1971 at page 10383, where again the then President of Privy Council gave notice during Routine Proceedings, dealing with Business of the House, that he would be imposing Standing Order 75C limiting debate and stating his intention to move a motion which would limit the debate at the third reading stage of Bill C-259 to an additional three days.

The next precedent is to be found in *Hansard* for November 12, 1975 where the then President of Privy Council, the Hon. Mitchell Sharp, gave notice that he would be invoking Standing Order 75C with respect to Bill C-58. He stated:

—I shall move that not more than five additional hours shall be allotted to the consideration and disposal of proceedings at the said stage of the said Bill.

That notice was given during debate on Bill C-58.

The next precedent in *Hansard* is found at page 11639 for March 9, 1976 appearing under the heading in *Hansard* of "Routine Proceedings—Business of the House". The then President of Privy Council, the Hon. Mitchell Sharp, again invoked the provisions of Standing Order 75C with respect to Bill C-68. He said that he gave notice that at the next sitting of the House we would move that not more than five hours shall be allotted on that bill.

At page 12340 and 12341 for March 31, 1976, Mr. Sharp, the then President of Privy Council, rose during the debate on the Bill on a point of order and informed the House that he would be invoking the provisions of Standing Order 75C with respect to Bill C-83, allocating a further four days for the consideration and disposal of second reading. Again, I point out that procedure took place during the debate on Bill C-83.

The next precedent is found in *Hansard* at page 2495 for January 28, 1977. Again under Routine Proceedings notice was given by the then Minister of Finance, the Hon. Donald S. Macdonald, invoking the provisions of Standing Order 75C with respect to Bill C-22 limiting Committee of the Whole stage consideration to an additional eight hours. Again, that action was taken under Routine Proceedings.

● (1510)

On February 8, 1977, at page 2830 of *Hansard*, again under Routine Proceedings, the then Minister of Finance, the Hon. Donald S. Macdonald, gave notice that he intended to move a motion limiting the proceedings at third reading stage and passage of Bill C-122 to one additional sitting day. Again, that action was taken by the then Minister under Routine Proceedings.

On March 28, 1977, at page 4377 of *Hansard*, again under Routine Proceedings, the then Minister of Employment and Immigration (Mr. Cullen) gave notice under Standing Order 75C which affected Bill C-27 and informed the House that a motion would be made at the next sitting for the purpose of allocating five further hours to the second reading stage of Bill C-27. Again, that announcement was made under Routine Proceedings.