

Point of Order—Mr. Penner

[English]

This is the point at which the Chair finds itself in some difficulty. It is not for the Chair to determine what constitutes a comprehensive response as this would be tantamount to judging the acceptability of the response. Clearly the Chair could not examine every committee report and every government response in order to make this determination. The nature of the response must be left to the discretion of the Government and, if Hon. Members are dissatisfied, there are avenues available through which they can pursue the matter.

A similar point of order was raised on April 18, 1986, and Mr. Speaker Bosley, in his ruling of April 22, indicated as I have just done, "that the Chair would be in a very difficult position were it called upon to rule on the quality of government responses".

[Translation]

After having simply expressed their dissatisfaction, the Hon. Members for Nickel Belt and La Prairie may very possibly still feel that their grievance is well-founded. It is certainly possible for them, thanks to the parliamentary reform which has extended the powers of the standing committees, to raise this issue at the Standing Committee on Employment and Immigration, which is empowered to examine such a grievance.

[English]

Members are entitled to express dissatisfaction with government responses to committee reports, as with ministerial answers to questions, but such complaints can only be pursued through the political process. They should definitely not be raised as questions of privilege and, even when raised as points of order, there is little that the Chair can do except allow the matter to be brought to the attention of the House. This has been done, the complaint has been aired with considerable eloquence, and it could be further pursued by the committee should it see fit.

Having said that, I would point out that obviously the rule must have had some meaning. When Hon. Members feel that that meaning has not been met, then I point out that time is taken in this place because Hon. Members may feel that they have no other place to go but to air their grievance before the Chair.

As I have indicated, the committee has other ways to pursue this, but I also point out that there ought to be in my view every effort made to try to follow the plain meaning of the wording of a rule.

POINT OF ORDER

INDIAN ACT, 1985—FILING OF REPORT BY MINISTER—MR. SPEAKER'S RULING

Mr. Speaker: I shall now deal with the point of order raised on June 26 by the Hon. Member for Cochrane—Superior (Mr. Penner), since it concerns a related although not identical matter. He argued that the report to Parliament tabled by the Hon. Minister of Indian Affairs and Northern Development (Mr. McKnight) on the implementation of the 1985 changes to the Indian Act failed to meet the requirements of the statute on two counts. He claimed that it did not provide the complete response required by the statute and that the standing committee of this House to which the report was referred is not the appropriate committee.

I will deal with the second point first. The Act refers to a committee of Parliament, and the Hon. Member contends that this can only mean a special joint committee of both House appointed *ad hoc* to consider the report.

While the interpretation of statutes is not a function of the Chair, I think it can be said that any committee of this House or of the other place, or a joint committee, must be a committee of Parliament. Therefore I can find no procedural violation in the reference of the report to the Standing Committee on Aboriginal Affairs and Northern Development pursuant to Standing Order 67(4).

I would suggest, however, that the committee has a clear duty to examine the report to enable the Hon. Member for Cochrane—Superior and other members of the committee to express any concerns they may have in the light of the report.

● (1530)

As to the adequacy or inadequacy of the response provided by the report, I can only repeat what I said earlier in ruling on the question of privilege of the Hon. Member for Nickel Belt (Mr. Rodriguez). The Chair cannot pass judgment on the contents of any document tabled in this House. It cannot determine the adequacy of a report tabled pursuant to an Act of Parliament any more than it can determine whether or not a government response to a report of a parliamentary committee is comprehensive. Such complaints can only be pursued through the political process. Nevertheless, as I think I have indicated earlier in this judgment, I recognize that it is very important that they should be pursued, and in this case the appropriate forum in which to do so is the Standing Committee on Aboriginal Affairs and Northern Development to which the report stands deferred.

I think I can add this, that rules have to have some meaning. While it is certainly true and procedurally correct, it is not the place for the Chair to interpret all the words in every rule that we have. It would be very helpful for the business of this place if all Hon. Members try to put as reasonable an interpretation on those words as is possible.

I thank Hon. Members for their interventions.