

debate. Consequently, unanimous consent is unnecessary.

Second, raising a point of order becomes a technicality. In the past, I have had occasion to recognize a minister on a point of order, but any minister of the Crown may rise to give this kind of notice within normal sitting hours.

So the minister may raise a point of order to give this kind of notice, and I have on occasion recognized a member on a point of order that was not really a point of order. I stand corrected if I am wrong, but I think the Standing Orders allow any minister of the Crown to give this notice at any time, within normal sitting hours.

Mr. Gauthier: Mr. Speaker, I certainly do not want to challenge your decision, but I would appreciate some clarification. Standing Order 78(3)(a) says:

A Minister of the Crown who from his place in the House has stated—

Whatever the Standing Order provides with respect to time allocation.

• (1720)

From his place in the House infers that the minister had the floor. However, on a point of order, the minister does not have the floor in debate. Rising on a point of order means the minister wishes to make some kind of comment on how Standing Orders should be applied in the House.

Perhaps the Chair could tell me if the words from his place in this particular Standing Order mean or confirm that the minister has the floor whenever he rises in the House? The Chair just said that often a minister may rise to make a statement or comment.

As I see it, the minister is a member just like any other, and to speak in the House, we must be recognized by the Chair, either in debate or for a specific procedure. Sometimes parliamentary procedure says that with the Speaker in the Chair, a minister may do such and such a thing. Sometimes it says when a minister rises in his place, he may move such and such, but I always infer from that that he has the floor.

In this case, the minister did not have the floor. He rose on a point of order. I asked on what point of order, and the Chair answered: "Standing Order 87(3)." Well, Standing Order 78(3) says, and quite clearly, that the

Government Orders

minister in question, from his place in the House, has stated at a previous sitting that an agreement could not be reached under the provisions of sections (1) and (2), after the appropriate consultations.

My question is this: Did the minister have the floor to move the motion? I maintain that he may have been recognized on a point of order, but he did not have the floor in debate and could not do what he did without having the floor. If the minister wanted to do this, he should have been recognized in debate.

The Acting Speaker (Mr. DeBlois): I certainly would not dismiss the opinion of a member as experienced as the hon. member for Ottawa—Vanier, but I can say that since I became Assistant Deputy Chairman two years ago, I have often given a minister the floor, without any objections from members or the clerks at the Table. I even saw the government House leader rise before the debate on the adjournment motion.

Finally, to ensure I am not mistaken, I will take the comments made by the hon. member for Ottawa—Vanier under advisement, to avoid creating a precedent and to ensure that the Chair is acting in accordance with the Standing Orders and the traditions of this House.

[*English*]

Mr. Dan Heap (Trinity—Spadina): Mr. Speaker, I rise to oppose Bill C-86, an act to amend the Immigration Act and other acts in consequence thereof, because the bill as it stands has too many faults and too few virtues.

One fault which has been mentioned already by the previous speaker is that it takes too much of the power of debate and decision from the House of Commons. It asks the House of Commons to surrender too much power to the cabinet, to the minister, and to immigration officials such as the senior immigration officer at the port of entry.

Another fault is that it threatens to reject retroactively some of the over 300,000 applications for immigrant visas completed or in progress.

Another fault is that it opens the immigration process to what would in effect be planned discrimination. No matter what the intent was it would be not accidental but would be by order of the cabinet. That is by allowing rules of admission to be radically changed from time to time by the cabinet without adequate notice to the public or to Parliament and with no serious possibility of debate