

*Motions*

● (1110)

Second, I suggest that the committees in this House are the masters of their own destiny. We set up committees under a legislative chairperson now, not under a government appointed chairperson. The Chair appoints those committee chairpersons from a panel and those committees operate and decide on the business of the committee independent of the House.

I think it is fair to suggest that the arrangement of the business of that committee, unless it is in the original motion sending the matter to the committee, should be left up to the committee. It is my understanding that, in this particular instance, the committee has decided not to travel.

It is very much the exception that committees travel. If one wishes to argue that this particular committee should travel, I would counter that by saying that standing committees of this House, one a joint committee with the Senate and one an independent committee of this House with no Senate membership, have already travelled this country to consider the issue of free trade. Before this legislative committee is the question as to whether or not Bill C-130 accurately brings into legislation the agreement between Canada and the United States on free trade. That is the narrow question before the legislative committee on Bill C-130. I think that speaks to why the committee should not travel.

In concluding my remarks I want to reiterate that I believe this motion should properly come under Private Members' Business, a motion for an allotted day, or proceedings on delegated legislation. Second, I want to refer to the argument which has always been before us, that is, that committees are masters of their own destiny. For those reasons I do not believe that this motion is in order.

**Mr. Nelson A. Riis (Kamloops—Shuswap):** Mr. Speaker, I appreciate the opportunity to reply to the Minister's point of order that this motion is out of order and should not be moved under Motions during Routine Proceedings.

I first want to refer to Beauchesne's Fifth Edition, citations 756 to 762 which list the rules and practices with regard to instructions to committees. I believe that if you consult these citations you will clearly find that the motion which the Member for Essex—Windsor (Mr. Langdon) has moved is in order in terms of the object which the motion seeks to achieve. Citation 756(1) states:

An Instruction is a motion empowering a committee to do something which it would not otherwise do, or to direct it to do something which it might otherwise not do . . .

Clearly, the object of this motion is to empower the committee to travel, a power which a legislative committee does not normally have, as the Hon. Minister has indicated. That is all the motion does. In that sense it is procedurally a "permissive" instruction.

Obviously, this type of motion has not been moved in this House by an opposition Member in a very long time. In fact, I believe the last time such an instruction was moved by

someone other than a government Minister was during the great pipeline debate in 1956. At page 604 of *Journals* for Wednesday, May 23, 1956, we find an instruction moved by Mr. Drew, seconded by Mr. Rowe, to enable the committee that was to study the pipeline legislation to divide the Bill into two separate orders.

As you are aware, Mr. Speaker, there was some discussion as to whether the motion required notice and whether or not the motion was debatable. Ultimately the Speaker of the day decided that the motion was in order and it was put to the House for a vote.

The principle which existed in 1956 has not been extinguished over time. The House now has the ability to instruct a committee to do something or permit it to do something that it might otherwise not be able to do. The right to move such instructions extends not only to government Ministers but to all Members of the House.

The right to move instructions is clearly recognized in Beauchesne. It is recognized in Bourinot at page 512 and in Erskine May Twentieth Edition at page 539. Nowhere in these citations does it indicate that such instructions can only be moved by Ministers of the Crown.

Proper notice has been given of this motion and it is my contention that the Hon. Member should be allowed to proceed with debate on this important issue. We are talking about enabling the committee to travel so that Canadians from coast to coast can come to these important deliberations and participate by presenting evidence on the effects of the trade deal. The Government may want to hide these hearings, to shut them off from the people of Canada, but we in this Party do not agree with this at all.

An instruction, if placed under Private Members' Business, as the Hon. Minister would have us do, would have almost no chance at all of ever coming up for debate. You, Mr. Speaker, know the process for private Members' initiatives. They go into a draw. I have had dozens in there for years which have never been drawn. In order to give instructions to a committee to act, we cannot go through the normal private Members' routine because the chance of that item being drawn for debate, and particularly for debate that would be followed by a vote, is virtually nil. It would be an exception.

If we are serious about giving instruction to a committee to travel this, in the absence of an initiative by a Minister, would seem to me to be the honourable way to do so, as has been tested time and again.

In response to the Minister's comment that there already had been travel, we all remember the farcical nature of the hearings when the committee was not debating the trade deal itself which was eventually signed by our Prime Minister (Mr. Mulroney), but the issue of free trade with the United States. Hearings were held across the country, allowing one single day per province. I remember the day they came to the Province of British Columbia, which I have the honour of representing.