

HOUSE OF COMMONS

Monday, November 10, 1969

The House met at 2 p.m.

ROUTINE PROCEEDINGS

FARMERS' CREDITORS ARRANGEMENT ACT

NOTICE OF MOTION BY MEMBER FOR
PEACE RIVER

Mr. G. W. Baldwin (Peace River): Mr. Speaker, I rise on a question of privilege or a point of order to bring to Your Honour's attention, and the attention of the House, a situation with regard to a motion which I filed in the proper way last Friday. I accompanied it with a letter to the Clerk dated November 7 in which I wrote the following:

Enclosed please find a motion for the Order Paper for Monday next in connection with the introduction of a bill.

You will note that I am using the alternative means which is available under Standing Order 68(1), namely, a motion to appoint a committee to prepare and bring in the bill.

With kind regards, I am

Yours sincerely,

Gerald W. Baldwin,
Member for Peace River

The motion in question, which appears, as a matter of fact, on today's Order Paper under private members' notices of motions, reads as follows:

That a committee be appointed to prepare and bring in a bill to amend the Farmers' Creditors Arrangement Act, Chapter 111, R.S.C., in order to extend the application of the said act to debts incurred before January 1, 1969, and to authorize the Governor in Council to have the said amendment come into effect in such parts of Canada as may from time to time be designated by Order in Council.

The Clerk, exercising his discretion, felt that this type of motion could not be dealt with under routine proceedings, whereas I submitted it could be, and it has now been placed in the back of the Order Paper under private members' notices of motions.

I wish to argue very strenuously that I am entitled, as is any other hon. member, to have this motion dealt with in the daily routine of

business under Standing Order 68, which I shall read to Your Honour. It provides that:

Every bill is introduced upon motion for leave, specifying the title of the bill; or upon motion to appoint a committee to prepare and bring it in.

It was my feeling for several reasons that this was the type of proceeding which I would choose in this particular case. I point out that while it is true, as was pointed out to me, that Standing Order 69 provides that no bill may be introduced either in blank or in an imperfect shape, the nature of my motion is an interlocutory proceeding, a proceeding by which I am asking for the appointment of a committee pursuant to this Standing Order written in the plainest of language, according to which the committee could prepare and bring in the bill.

• (2:10 p.m.)

It should, therefore, be under the heading, "Introduction of Bills", despite the fact that the bill itself is not presented. The purpose of the order is to appoint a committee which would prepare the bill and bring it in. I submit that for that reason it should be placed on the Order Paper under "Daily Routine of Business" and, if not for that reason, then certainly according to the provisions of Standing Order 42(1) which provides that:

Forty-eight hours' notice shall be given of a motion for leave to present a bill, resolution or address, for the appointment of any committee—

This is just what I am trying to do.

There is nothing in the Standing Orders which says that this motion to appoint a committee must be a government motion. I submit that all too often a tradition has been allowed to grow up in this House of permitting things to be done only by the government when they are really matters for the House to settle. I will be quite frank and say that if effect is given to my application, then this motion becomes debatable under Standing Order 32(1)(m), which Standing Order defines a number of types of motions which may be debated. I believe that Standing Order 32(1)(m) provides that one of the motions that may be debated in this House is a motion for the appointment of a committee.

It is true that, for reasons best known to itself, the House at the time Standing Order