

No. 184

JOURNALS

OF THE

HOUSE OF COMMONS

OF CANADA

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OTTAWA, TUESDAY, JULY 8, 1969.

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2.00 o'clock p.m.

PRAYERS.

Mr. Blair, seconded by Mr. Deachman, moved,—That the Third Report of the Standing Committee on Procedure and Organization, presented to the House on Friday, June 20, 1969, be concurred in.

The honourable Member for Peace River (Mr. Baldwin) raised a point of order to the effect that the proposed Standing Order 75-A was not consistent with the constitutional provision that states that questions arising in the House shall be decided by a majority of voices.

RULING BY MR. SPEAKER

Mr. SPEAKER: As I am sure the honourable Member for Peace River (Mr. Baldwin) suspects the Chair would have to rule that the point of order he has made at the present time is not so much a point of order as a point of debate which would perhaps be valid in the course of the discussion. I would assume the honourable Member would raise the point when we reach the moment in our proceedings when the substance of the honourable Member's motion is before us.

I have had occasion in the past to indicate that it is not the responsibility of the Chair to rule on questions of law or on constitutional questions. This ruling has been made in many instances by previous Speakers. I should like, if honourable Members would allow me to do so, to quote at this time a ruling made by the Deputy Speaker on Friday October 25, 1963. It reviews some of the authorities on this point: "I have listened with much interest to the argument made by the Honourable and learned Member for Rosedale (Mr. Macdonald). I gather the essence of the argument he submits now is that the bill should not be considered, that it is out of order because it is *ultra vires* the Parliament of Canada. My submission at this time is that it should not be the responsibility of the Chair to rule whether a particular bill or particular piece of legislation submitted to Parliament is or is not within the competence