

Point of Order—Mr. Nielsen

everyone, this will avoid the need for the House to consider separate bills which can be dealt with together, which is not irregular or abnormal and which could perhaps become a more usual practice in the future for combining related provisions.

The House is here for the exact purpose of considering separate legislative items through a process of three readings. The government would have us look more and more at unholy and illogical combinations to enable it to exercise more control over hon. members' right of debate, amendment and committee consideration. We will resist this planned elimination of hard-won rights with all of our strength. We appeal to the Chair for an exercise of your authority, Madam Speaker, on behalf of those rights, and on behalf of all hon. members who collectively possess those rights.

Some hon. Members: Hear, hear!

[Translation]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, there is nothing new in the point raised by the hon. member for Yukon (Mr. Nielsen). I think that each time an omnibus bill has been introduced by the government in this House, a member of the opposition has raised a point of order to complain about this practice and to try to do away with a custom, a practice and a right which are well-established and well-recognized.

The same grounds are consistently put forth, whether to the effect that this infringes on the rights of hon. members to discuss separate bills or that certain members would prefer considering a bill in a standing committee of the House rather than in Committee of the Whole, and the opinions expressed in this regard vary according to those who argue these points of order. Some of the members maintain that a more comprehensive examination is possible in Committee of the Whole because each clause is analysed on the floor of the House and the members have every opportunity to discuss not just the various parts of the bill, but also all of the clauses successively. In any case, as the government House leader, I have no alternative, Madam Speaker, but to refer to this well-established practice which I mentioned a few moments ago and with which you are certainly quite familiar. If I may, I will simply identify various well-known bills of the past 25 years which included different provisions and constituted omnibus bills and which were accepted as valid by the Speaker of the House after they had been discussed under points of order.

The House will recall the National Defence Act of 1953, the Criminal Code amendments of 1968-69, the Government Organization Bill of 1970-71, the Western Grain Stabilization Act of 1971, the Crimes of Violence Bill of 1976 and the Arms Control Bill of 1977, to mention just a few. Your predecessors, Madam Speaker, namely, Mr. Speaker Jerome and Mr. Speaker Lamoureux, were asked to consider the arguments raised by members of the opposition and they studied the matter in depth and recognized in each instance that until a formal parliamentary reform has been completed, they had their

hands tied by what must bind this institution, namely, the Standing Orders, parliamentary practice and precedents. In this case, I respectfully submit that my learned colleague has put forth absolutely no new argument that could justify a reversal of this very stringent jurisprudence, this well-established practice, to force the government to break up legislation, supposedly to allow the opposition to debate certain bills separately and make a more detailed study of such bills. I submit that this is not a valid point anyway, because for the detailed discussion of either an omnibus or a separate bill, opposition members under the Standing Orders are under no time limit unless the government requests clause by clause discussion in Committee of the Whole. Therefore, Madam Speaker, the legislation that has just been introduced includes an aspect allowing the government to borrow certain sums of money and other measures to levy imposts or taxes. The connection between the three measures is that they are all tax measures, which justifies their being linked and combined together. With that obvious connection it seems to me that there is no basis either in our Standing Orders, practices or precedents, for the hon. member opposite to suggest that this legislation or any future one should be divided, because everyone knows that a bill will be introduced shortly on energy security, and I wonder if the aim is not to prepare the ground for fighting that other legislation dealing with energy measures. I can refer to it because there has been a draft bill published on the issue. If they want to raise this point anew, they will be true to norm, Madam Speaker, they will be consistent with themselves, because to my knowledge, it very seldom happens that an omnibus bill is not met by points of order. But this will not improve their case as long as there is no proper change in our rules.

Madam Speaker, I mentioned earlier Mr. Speaker Lamoureux and Mr. Speaker Jerome. I would like to refer you to an omnibus bill on which Mr. Speaker Jerome had to analyse a similar point of order and he based his decision on a previous one by Mr. Speaker Lamoureux. This means that with one quote I can bring the views of both Speakers and spare you a list or accumulation of the numerous precedents in which those Speakers were involved and where they favoured the government's view. But first let me respond to the point of fact raised by my learned colleague from Yukon, who argued in particular that if you do not separate this legislation we would be penalized and would not be able to go before the Standing Committee of this House on the borrowing authority aspect, since the other provisions implied the levy of taxes and would therefore be studied in Committee of the Whole.

That argument cannot stand, Madam Speaker, for the mere reason that since 1953 the borrowing authority bill has always included a clause dealing with income tax and in the last 25 years, this bill has never been deferred to a standing committee of the House. Such an argument is not justified because indeed what is called the borrowing authority bill or the legislation