

Business of the House

Accordingly, I am now giving notice that at the next sitting of the House I shall move, pursuant to Standing Order 75C, that four additional days be allotted to the committee on the whole stage of this bill.

Some hon. Members: Oh, oh!

Some hon. Members: Hear, hear!

Mr. Woolliams: What generosity!

Mr. G. W. Baldwin (Peace River): On a point of order, Mr. Speaker, if I can be heard through the unseemly merriment on the other side which hardly seems justified I want to take what I consider to be some well-founded and reasonable technical objections to the procedure as it has been launched. Other hon. members will have opportunities to speculate on the wisdom of this course after the very sensible proposal made by my leader which was stupidly rejected. Because of that but also because of the fact this is the first time the government has attempted to pursue its very vague way throughout the dangers, shoals and reefs of Standing Order 75, and because we are treading new roads and establishing precedents for the future, I think it is essential that I take exception. After listening to the President of the Privy Council I think I can do so in two respects.

• (2:50 p.m.)

I know that Your Honour is well aware of the provisions of Standing Order 75, but I must go through all the provisions in order to lay the foundation for the argument I propose to make. Standing Order 75A provides:

When a Minister of the Crown, from his place in this House, states that there is agreement among the representatives of all parties to allot a specified number of days or hours to the proceedings at one or more stages of any public bill, he may propose a motion—

I emphasize the words “one or more stages”. Standing Order 75B is just a little different but the difference is significant. It reads:

When a Minister of the Crown, from his place in the House, states that a majority of the representatives of the several parties have come to an agreement in respect of a proposed allotment of days or hours for the proceedings at any stage of the passing of a public bill, he may propose a motion—

Standing Order 75C reads:

A Minister of the Crown who from his place in the House at a previous sitting has stated that an agreement could not be reached under the provisions of Standing Order 75A or 75B in respect of proceedings at the stage at which a public bill was then under consideration—

I admit at once that, when we were holding the discussions which constitute the conditions precedent before the minister would even have the legal status to launch this application, we considered the number of days which would be required with respect to the committee stage and third reading. I think my friends will agree that in doing so so many days were suggested in respect of the committee stage and so many days were suggested in respect of the third reading stage. However, Mr. Speaker, we were dealing with a package proposition. We are not met here, as we should, must and have to be met, with a situation where a minister of the Crown, within the terms of the Standing Order, states that there was a specific

request to limit the numbers of days for the committee of the whole stage alone.

I suggest this is like a tax bill. Under the interpretation of statutes it must be construed strictly against the government. Unless the minister is able to say to the House that he had a discussion with regard to the committee stage alone, the stage in respect of which he proposes to move at a later date—I will have something to say about that later—he is out of court. I will be quite candid and say that in respect of the agreement which we had been discussing I told the minister yesterday that it was impossible for us to meet the terms of Standing Order 75A or 75B.

With the greatest of respect, I suggest that in coming here today the minister must be prepared to state categorically that he offered to the representatives of the other parties, within the meaning of Standing Order 75, a suggestion that there should be a limited time with respect to the debate on the committee stage alone. That was not done. We discussed a package deal. In the package deal there was a division. It was compartmentalized. We considered the total number of days divided between the committee stage and the third reading stage.

This is not simply a technicality. We are dealing with a very serious matter, an attempt to impose fiscal measures upon this country through the use of closure. I ask for Your Honour's serious consideration of that argument.

As I understood the words of the minister, he said “I will be moving on the following day”. I assume that to be tomorrow. He used the words “the following day”.

I may be premature but I also wish to point out the following under the provisions of Standing Order 75C:

—and has given notice of his intention so to do may propose a motion for the purpose of allotting a specified number of days—

I suggest that any motion proposed must be considered in relation to the terms of Standing Order 42(1) which reads:

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—

Throughout the years I have been in this House it has been standard practice as far as a substantive motion is concerned that, unless there is wording in the particular Standing Order to the contrary upon which the government or the mover of the motion may rely, 48 hours' notice is essential and is a condition precedent before the motion can be put.

Some hon. Members: Hear, hear!

Mr. Horner: The Liberals use closure.

Mr. Baldwin: Your Honour may not be called upon to make a clear decision on this point today. If the minister, pursuant to what I understand is his announced intention, rises in the House tomorrow to move, as he indicated he will, the allocation of time, the guillotine, I will expand on this argument tomorrow. I make my argument now to Your Honour for the two reasons I have indicated. The notice which the minister sought to give today is not one of which he can avail himself in order to make tomorrow this particular motion with which he has threatened us today.