

## HOUSE OF COMMONS

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Thursday, February 26, 1959

The house met at 2.30 p.m.

### HOUSE OF COMMONS

ORDERS FOR RETURNS—ORAL QUESTIONS—  
STATEMENT BY MR. SPEAKER

**Mr. Speaker:** Before calling the orders of the day may I be permitted a minute to deal with a matter which arose yesterday, and also to make a correction in yesterday's *Hansard*. At the foot of page 1367, the first column, I commented on the procedure in asking that written or starred questions be made orders for returns, and I think I incorrectly stated the effect of the rule—incidentally the rule is No. 39, clause 5—when I said:

It is so ordered, then, that this question be made an order for return. Consent of the house is not necessary.

The rule, as hon. members will see, says that the minister having expressed a willingness to lay a return upon the table, his statement shall, unless otherwise ordered by the house, be deemed an order of the house. I did not want the record to be erroneous in the conclusion as to the effect of rule 39.

Another point on the same rule was raised by the hon. member for Laurier, who suggested that a starred question could not be made an order for return under this rule. I find I was correct in rejecting that view. The authority for so doing is the report of the special committee appointed to consider with Mr. Speaker the procedure of the House of Commons. Their report, dated Tuesday, June 14, 1955, which was accepted by the house, states that clause 5 of rule 39 contains a consequential amendment in respect of questions, starred and unstarred, passed as orders for returns. This would clear up that point.

The other problem that arose was on the interpretation of our practice on oral questions. I think there is no part of our procedure about which it is more difficult to arrive at clear decisions which are not susceptible of argument one way or the other. I have set down my views of the practice very briefly, and I should like to give them to the house at this time.

The standing orders, rules 39, 40 and 41, provide only for written questions to be answered by the tabling of written answers or, if marked with an asterisk, to be

answered orally on Wednesdays within the first hour or on other days after the last order of business. Other oral questions asked upon the calling of the orders of the day are sanctioned only by usage. The following principles have been applied to oral questions:

1. The question should seek information or press for action on a matter relating to public affairs of such immediate urgency that it would be inappropriate to put it on the order paper.

2. Both the question and the answer should be concise, factual and free of opinion and argument or observations which might lead to debate.

**Some hon. Members:** Oh, oh.

**Mr. Speaker:** That is a rule of procedure that is rather honoured in the breach on both sides.

3. An explanation can be sought regarding the intention of the government but not an explanation of opinion upon matters of policy. That is citation 178 of Beauchesne's fourth edition.

4. Other detailed limitations, some 40 in number, are set out in citation 171 of Beauchesne's fourth edition, which was cited yesterday, and apply to oral questions as well as to written questions.

5. Supplementary questions are matters of grace.

6. The minister is entitled to notice, and answers cannot be insisted on nor is it regular to comment on the refusal to answer an oral question.

I may say this principle relates to oral questions and perhaps not to questions on the order paper.

In effect, oral questions are a limited supplement to questions which may be put on the order paper, and are for the purpose of enabling members to get information on public affairs of urgent importance without delay and to bring such matters to the attention of the government.

I hope this resumé will be helpful to hon. members. In reviewing the questions that were asked yesterday I find that the question asked by the hon. member for Essex East was wrong in form because, as he put it originally, it only asked the Prime Minister to confirm a newspaper report. Then he himself made some modification of the question, and the hon. member for Trinity asked