

*British North America Act*

When the parliament of Canada was set up and the House of Commons was established it had a membership of 181. It seems to me that those in that first House of Commons might well have increased that quorum of 20, which applied to 130 members, to a higher figure proportionate to the new membership of 181; but they did not choose to do so, and I think the reason is quite clear. They were starting off with the rules of the new House of Commons in the simplest way they could. They just took over the book that had been in use in the legislative assembly of the late province of Canada. Since 1867 the membership of this house has increased on a number of occasions from the 181 in the first instance until we now have in this present house a membership of 265, but down across those years no change has been made in the quorum of this house.

**Mr. Macdonnell:** Has any change ever been proposed?

**Mr. Knowles:** The hon. member for Greenwood (Mr. Macdonnell) anticipates the very next point I am going to make by asking me whether changes have been proposed. The answer is yes, that a change was proposed on at least one occasion. I hold in my hand a copy of the *Journals* of the House of Commons for 1925. During that session a special committee was established to consider the rules of the house. There is an interesting little story behind the appointment of that committee. It arose out of a private member's motion, in fact a motion made by Mr. William Irvine, who many hon. members of this house will remember as having been here not many years ago. His motion was amended by the then prime minister, Mr. King, and as a result the committee was set up and did an exhaustive job.

It went over all the rules of procedure that then comprised the standing orders of this house and made suggestions for changes in quite a number. Following that report, in the next year, 1926, quite a number of those changes were put into effect. The rules that we operate under today are more or less the rules as put into effect in 1926. Any changes that have been made since have been few in number.

One of the suggestions that committee made in its report back to the House of Commons on Friday, May 29, 1925, related to this very question of the quorum. Let me read a paragraph from the report of that committee, as follows:

The presence of twenty members forms a quorum of the house under section 48 of the British North America Act which was passed when the Canadian Commons consisted of only 182 members.

[Mr. Knowles.]

I regret having to pause at this point to make a correction in one of the official records of this house. I am sorry to state that they were wrong at that point in 1925. It may have been only a typographical error, but if one will consult the British North America Act he will discover that the membership was 181 rather than 182. Perhaps the confusion arose from the fact that there were 82 members for the province of Ontario. To go on with the recommendation made to the House of Commons by that committee:

According to the proportion then accepted—

That is the proportion accepted in 1867.—the quorum should now be raised to 27 members.

That was the view expressed by the special committee in 1925.

But this even does not seem to be sufficient.

I could not agree more than I do with the members of that committee in 1925 who suggested that even 27 did not seem to be sufficient. The recommendation continues:

Your committee being of opinion that a larger quorum will be conducive to better attendance, recommends that the quorum should now consist of thirty members.

In reply to the hon. member for Greenwood (Mr. Macdonnell) I think I have a good basis for the suggestion made in my bill. The next sentence or two in the recommendation probably makes it clear why nothing was done:

In order to make this change, it will be necessary to present an address to the parliament of Great Britain requesting that section 48 of the British North America Act be amended so as to substitute the word "thirty" for the word "twenty" therein.

I suggest that that requirement was the main reason nothing was done in regard to that recommendation. The rest of the changes proposed in the report were within the competence of the House of Commons to put into effect, but so far as the quorum of the house was concerned it was obvious that it could be changed only by amending the British North America Act. The only way to amend the British North America Act at that time was by presenting an address to Westminster. Apparently at that time the House of Commons did not feel that the issue was of sufficient importance to warrant the presenting of an address from both houses to the crown requesting such a change.

However, in the meantime we have had the amendment to the British North America Act which was passed in the fall session of 1949, and which gives the parliament of Canada authority to amend the British North America Act in respect of any matter exclusively federal. There are other details in that amendment which I need not recite at this time, but I think it is quite clear