

Point of Order

All of these arguments can be made, but, as I made very clear yesterday, I am accepting the suggestion of the hon. member for Kamloops on this matter.

Mr. Nelson A. Riis (Kamloops): Mr. Speaker, on another matter, before this House becomes a scene of another attack on democracy, I move:

That strangers be ordered to withdraw.

SPEAKER'S RULING

Mr. Speaker: The hon. member has moved a motion. First, I want to say to the hon. member that I think precedent and procedural law are such that it is not appropriate to move that motion unless the hon. member has the floor on debate, and I am so ruling. That does not mean that the hon. member may not move the motion at another time.

Mr. Gauthier: Mr. Speaker, before we proceed with anything else I would like the Chair to inform us which Standing Order says that we must be in debate. Standing Order 14 of this House states:

If any Member takes notice that strangers are present, the Speaker or the Chairman (as the case may be), shall forthwith put the question "That strangers be ordered to withdraw", without permitting any debate or amendment; provided that the Speaker or the Chairman may order the withdrawal of strangers.

That is it. I do not see any reason or need for us to be in debate on this question. I think it is a point of order that could be taken up at any time. I want to have quotations and the Standing Order that says we must be in debate to have that motion.

Mr. Riis: Mr. Speaker, obviously before I moved that motion to expel strangers it was well researched. I must say that on a number of occasions in this House, to say nothing of the Mother of Parliament in Britain, it has been used on a point of order. I would say that almost exclusively it has been used in the United Kingdom on a point of order.

As my hon. friend from Ottawa—Vanier has indicated, this is not open to discussion. Standing Order 14 reads:

If any Member takes notice that strangers are present, the Speaker or the Chairman (as the case may be), shall forthwith put the question "That strangers be ordered to withdraw", without permitting any debate or amendment; provided that the Speaker or the Chairman may order the withdrawal of strangers.

The critical word is "shall". It is not will, not may, but in fact shall. Mr. Speaker, if you will permit me, I can go

on at some length both in terms of precedents in our House and particularly in the Mother of Parliament.

SITTING SUSPENDED

Mr. Speaker: The hon. member for Ottawa—Vanier is concerned that there may have been an error in the Speaker's ruling and the hon. member for Kamloops is indicating that he wants some clarification as well. Speakers are not infallible. I am going to stand the House down for a few minutes to respond to the concern that has been mentioned. Is that agreed?

Some hon. members: Agreed.

The sitting of the House was suspended at 3.18 p.m.

SITTING RESUMED

The House resumed at 3.45 p.m.

SPEAKER'S RULING

Mr. Speaker: First of all, I want to thank all members of the House for their courtesy, especially the hon. member for Ottawa—Vanier and the hon. member for Kamloops for allowing me a few minutes to respond to the question put by both hon. members.

The matter arises from a motion put on a point of order by the hon. member for Kamloops at the end of Question Period. That motion is in effect a motion which when the hon. member sees a stranger involves putting the matter to the House. The House would vote as to whether or not the House ought to be cleared. That is, all people in this Chamber whether they are guests or the public or whether they work for the House, other than members of Parliament, would have to clear the House. The House would then move to a secret session.

The ruling I made was that it is not appropriate to move that particular motion on a point of order. At that point both hon. members in a very courteous way asked if I could give them authority to do that.

I have considered the authorities and I would like to share them with hon. members. First, I am referring to Beauchesne's fifth edition, citation 234(2):

A Member cannot rise on a point of order to move a motion.

The second citation I wish to bring to the attention of the House is Beauchesne's sixth edition, citation 318(2):