

Proposed Changes in Procedure

matter was not being dealt with in committee of the whole house. I submit that the position taken by the Liberal leader of that day still holds at the present time.

So that is my first point. The others will not take so long. My first point is that the privileges of the house are clear, the rules are ours, and we have the right to be protected against one motion covering a whole host of rules, some of which we are for and some of which we are against. This denies us the opportunity to consider carefully this important matter. As I said, it has been done every time, except once, by reference to committee of the whole house, and that one time is not a precedent because it was opposed bitterly by the Liberals of the day. Furthermore, even on that occasion it was not a case of a report from a special committee but was rather a straight government motion on the order paper.

The second point I wish to make is that I have found at least one case—there may be others—where concurrence in a report with Mr. Speaker in the chair did not put into effect what was contained in the report. I will not take the time of the house to go into this now—I will be glad to present a memorandum on the point—but I submit there was some doubt as to whether the mere concurrence in a report with Mr. Speaker in the chair without the rules having been considered seriatim in committee of the whole would effect changes in our standing orders.

The third point is that I contend that although this motion seems proper because there is provision in the rules for motions to concur in committee reports, it is a disguised way of making us deal with a complicated question on one vote. May I remind Your Honour that on June 15, 1964, Mr. Speaker Macnaughton had to deal with this issue on the occasion of the flag debate, and those who were here will remember that that motion in its first form contained two separate sections. Some of us contended it was a complicated matter and we had the right to have it divided into its constituent parts. There was a procedural argument about it and Mr. Speaker Macnaughton gave his ruling on the day I indicated. That ruling is to be found in *Hansard* from page 4303 to page 4306. Mr. Speaker Macnaughton went over our own practices; he also went over the practices of the British House of Commons, and in the end he relied on standing order 1 of our rules which says that if nothing is provided for in our rules we have to go by the practices in the British house.

The precedents in the ruling he gave on that occasion made it clear that it is the Speaker's duty to see to it that members are not put in the position where they have to vote at once on several phases of a matter, to some of which they may be opposed and others which they may be prepared to support. I submit that this is what we are being presented with in disguise in the fourth report which is mentioned in the motion on the order paper at the moment, which contains some proposals which I for one am quite happy to support. It also contains at least one proposal to which I am strongly and bitterly opposed. I contend that I personally have the right to vote separately on those different rules in committee of the whole, and I contend that parliament as a whole has this right.

I found some interesting quotations in my research into these experiences during the past hundred years. One of them which amused me was back in 1876 when the rules were being revised. The house went into committee of the whole in the proper way. But one member complained bitterly that the changes in the rules were not going far enough. In fact he said, "If we don't watch out the sessions are going to get longer; they will be three months a year instead of two." This was in 1876. I also found many occasions when the chairman of the special committee, usually the Speaker himself, said to the house that the way we must deal with this is not on a partisan basis, not on the basis of government versus opposition, but in the full recognition that these are the rules of the parliament of Canada, a parliament that belongs not to us but to all the people. I submit, therefore, that we should not be confronted with any short cuts. We should deal with these rules in a way that has been made clear by the practices of this House of Commons for the past 100 years.

● (2:50 p.m.)

Hon. Donald S. Macdonald (President of the Privy Council): I can just deal briefly, Mr. Speaker, with the three points brought up by the hon. member for Winnipeg North Centre. His first proposition was that it is one of the privileges of the house that the rules should be amended by a procedure whereby a resolution is put in the committee of the whole house. I suggest, Mr. Speaker, that the precedents cited by the hon. member for Winnipeg North Centre indicated that there are at least two procedures for dealing with