

3) Does such a motion, if in order, require unanimous consent or simply a majority decision of the House?

4) If the motion is in order according to precedence, has the recent parliamentary reform changed our practice fundamentally and rendered prior precedents inapplicable?

Before attempting to answer those basic issues, I believe it would be useful to remind Hon. Members and the public of the specific effect of this government motion if it is adopted by the House. I should also reassure Hon. Members that its passage would not throw out the rule book, nor would it destroy the major recent reforms. It would, however, most definitely affect many Standing Orders from the period of its adoption to September 9, 1988. This motion would clearly suspend:

a) Standing Order 4 which provides for a parliamentary calendar;

b) Paragraph 1 of Standing Order 9 would be suspended and the adjournment of the House on Mondays, Tuesdays and Thursdays would take place at 10 p.m.;

c) Standing Order 66 relating to the adjournment debate or "Late Show" would also be suspended until September 9;

d) Standing Order 10 which provides for an extended sitting motion would also be ineffective.

[*Translation*]

Those are the only Standing Orders that this motion proposes to suspend. Nevertheless, the motion provides that only Government Orders will be debated in sittings after 6 p.m.

[*English*]

However, other provisions for the daily business such as Statements by Members, Question Period, Routine Proceedings and Private Members' Business remain unaffected. In the opinion of the Chair, none of the traditional debating procedures would be curtailed and indeed more debating time is provided for.

The Chair will now address the first issue, that is, was it proper for the Government to give notice under Government Notices of Motions.

On June 7, 1988, the Hon. Member for Kamloops—Shuswap argued that the item filed on the *Notice Paper* under the heading Government Notices of Motions dealing with the extension of the sittings of the House of Commons was incorrectly placed and that it should have appeared under the heading Motions. He pointed out that since 1955, all motions dealing with an extension of the sittings of the House have been filed under the heading Motions and not Government Notices of Motions. This, he stated, was because the issue dealt with the business of the House and not the business of the Government.

This issue poses several problems for the Chair. I should first underline that the Standing Orders of the House are silent on interpreting which items should appear under Motions and

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which items should appear under Government Notices of Motions. The Chair must give some consideration to what types of motions can be filed under these headings.

Can a distinction be made between those types of motions placed under Motions and those under Government Notices of Motions based solely upon their content? I would suggest it cannot.

For example, in this current session, there are eight instances where the House made decisions regarding the Standing Orders under Motions by unanimous consent. However, on June 3, 1987, when the Provisional Standing Orders were further amended and made permanent, arguably the most significant decision on the Standing Orders made this session, this was accomplished after two days' debate on a motion which was called under Government Business. On June 2, the opposition Parties registered their dissatisfaction that the Government chose to proceed unilaterally with amending the rules, but no procedural objection was made to the fact that this was done under Government Orders and not Motions.

These instances reveal the fact that the Standing Orders have often been and perhaps usually are amended under Motions. However, the Government has also proceeded under Government Orders.

The question then becomes, what is the distinction between a Government Notice of Motion and a motion? I would suggest a Government Notice of Motion is any motion that the Government gives notice of. In other words, a Government Notice of Motion is not based on the content of the motion, but rather upon the mover. In many cases, therefore, a notice of motion could go under more than one heading and it is up to the Minister giving notice to decide which heading should be chosen. Clearly a Government Notice of Motion can only be moved by the Government, but the Government can choose to place it either under Motions or under Government Notices of Motion.

● (1510)

This concept is borne out in a ruling on May 16, 1985, by Speaker Bosley. He was called upon to rule on whether a time allocation motion had to be moved under Motions during Routine Proceedings or whether it could be placed under Government Notices of Motion and then transferred to Government Orders.

His decision was that it could be proceeded with in either way and that the choice was up to the Minister moving it.

[*Translation*]

The Standing Orders do not define what is to be in a motion or notice of motion from the Government. In view of Speaker Bosley's decision, which I have already quoted, I must therefore say that when there is no distinction, the Minister may choose under what heading he wishes to place his motion. I am, however, unable to support the Hon. Member for