

Income Tax Act

not requested unanimous consent of the house, I rise on a point of order and ask that we move on to another item or that you call the Minister of Finance to order by pointing out to him that it is against the rules for him to put his motion to pass a resolution this evening, because notice of such a move was given less than 48 hours ago.

[English]

Mr. Knowles: Mr. Chairman, I rise really to express the hope that someone might comment on the point raised by the hon. member for Lapointe; perhaps someone who takes the other side of the argument.

It is generally known that the acting house leader did consult with spokesmen for the other parties today as to whether there would be consent to go on with this matter tonight. I hope I am not speaking out of turn in saying that. Speaking for our party, even though we may be opposed to the legislation, we are not opposed to the house proceeding with it today in spite of the fact that notice was given only yesterday. It does seem to me we are dealing with a procedural matter concerning things which are not completely clear. There are precedents for proceeding in committee of ways and means in a manner different from that by which we proceed in respect of other matters. But still it is pretty hard to get around both the letter and the spirit of standing order 41 which does require 48 hours notice before we proceed with any proposition.

• (8:10 p.m.)

I am speaking rather tentatively, Mr. Chairman, because we do have a committee on procedure that is taking a long, hard look at all our rules and we may solve this problem in due course. I wonder whether there is any way tonight whereby the general agreement that has been reached could be proceeded with, without seeming to set a precedent that overrules the right of one hon. member to raise the point that has been raised by the hon. member for Lapointe. I confess to having some sympathy with the hon. member with regard to the strict reading of standing order 41, but I think I also know the mood of the house, which is that we would be willing to proceed tonight. I hope we can work this out.

Mr. MacEachen: Mr. Chairman, it is true, as the hon. member for Winnipeg North Centre has stated, that there was an understanding that we would proceed with this resolution at eight o'clock this evening. The hon.

member for Winnipeg North Centre has suggested that there is some doubt with respect to the point of order raised by the hon. member for Lapointe.

Mr. Knowles: I think I expressed the doubt the other way. I think there is some doubt about our proceeding.

Mr. MacEachen: This is what I am referring to. We take the view that under the practice at the present time it is possible for the committee of ways and means to deal now with this resolution. However, it is a matter, for the Chair to decide, and we will accept the decision of the Chair. It is obvious that unanimous consent is not forthcoming. In the absence of unanimous consent we would ask for a ruling from the Chair. If it is favourable, we will continue tonight. If it is not, we will put off the resolution until tomorrow.

Mr. Churchill: Mr. Chairman, I have no objection to the waiving of standing order 41 tonight. That is not why I have risen. Also, I have no objection to the fact that I was not notified about this agreement.

Some hon. Members: Oh, oh.

Mr. Churchill: But I think the rights of hon. members have to be observed in this house. I object to the statement of the government house leader hinting that a ruling of the Chair will decide whether or not we shall proceed tonight. The only inference I can draw from this is that the government house leader wants the Chair to rule that standing order 41 in our rule book should be ignored.

Some hon. Members: No.

Mr. Churchill: I doubt very much whether under the circumstances that should be the case. On occasions where unanimous consent is required and that unanimous consent is not given, I see no recourse for the Chair but to abide by standing order 41.

Mr. Hees: Mr. Chairman, I rise to speak very briefly to the point of order. I think every member of this house would agree with the hon. member for Lapointe that this is a perfectly clear and well known rule. However, Mr. Chairman, I think there comes a time in the business of the parliament of Canada when something is more important than just the rules of the house. There is no question about it; the hon. member has a perfect right to draw attention to the rule. We all know that it exists. But I think we also know that

[Mr. Grégoire.]