

*House of Commons*

be suspended, and all such Bills be ordered for referral to Committee of the Whole.

What this means is that the provision in our rules calling for every Bill to be sent to a committee separate and apart from this House would be suspended. The Government, through this motion, is attempting to take away a concept that has been a part of the procedures of this House for some 20 years.

It has been a long time since Bills generally have been considered in Committee of the Whole rather than by a committee separate and apart from this House, where Members can question officials directly and summon before it witnesses from the private sector, witnesses from outside of this House of Commons.

• (1710)

I also want to point out that this paragraph is not limited to the trade legislation but applies to all Public Bills. It speaks of staying in existence for the duration of this session until otherwise ordered. I want to point out that this session does not end January 1. The way our rules are structured it can go on for several years, in fact for the entire term of Parliament.

The final paragraph of the motion says:

That immediately upon the House returning from the Senate after the first Royal Assent of this session, a Minister of the Crown may propose, without notice or debate, a motion to rescind this order.

The motion does not use the word "shall". There is no requirement that a Minister has to come into this House and propose a motion to rescind the order. If a Minister does not do that, the motion continues in effect indefinitely. Under the guise of taking a special measure to force the trade legislation through this House, it would appear the Government is bringing about a permanent and drastic change to our rules, our Standing Orders.

However, the Government now has given itself credit for the adoption of our current rules, our current Standing Orders. It has said before and likely during the election campaign that these Standing Orders are one of its paramount achievements, a supreme achievement of parliamentary reform, and has claimed it came about through its efforts, although this is not really so since it was an all-Party effort.

These reforms include confirming the House no longer sits at night. We have reasonable hours so there is quality debate and not legislation by exhaustion. This is a reform for which the Government takes credit. It has taken credit for us not sitting at night.

The reforms also provide that each Bill goes to a legislative committee for detailed and quality study, more quality study, the Government argues, than was possible in the old Committee of the Whole procedure where the House sat as a committee and witnesses could not be heard, whether they were officials or members of the public. As well, while the House sits as a committee, everything else before it is held up.

The Government has shown how little it really cares about parliamentary reform because it is saying through this motion that in order to get itself out of a tight corner, because it cannot live within the rules, the Government is ready to throw key elements of the rules out the window. Parliamentary reform means nothing to the Government so long as it can achieve its purpose of forcing this legislation through the House.

Last June the Government presented what appears to be a similar motion to this House, to suspend the rules, including those on the parliamentary calendar and the usual hours of the sitting of the House. When that motion was moved, arguments were made by myself and others that it was not in order and should be rejected by you. Of course, I have to say immediately that after hearing arguments, very patiently, with great consideration and attention, you gave a lengthy and detailed ruling in which you in effect ruled the motion was in order and debate on it could proceed.

I ask you to consider whether the motion before us now, and the motion you considered last June, are essentially the same, such that the ruling you made last June is equally applicable to the motion we are considering today. I submit this motion is different in substantial and important respects from the motion before this House last June, and therefore the ruling you made on the motion last June is not a precedent for the motion just called and which I am arguing should not be received and accepted by you.

The motion last June had a fixed expiry date, the date the House was to resume last September. The motion before us applies for an indefinite period.

Paragraph 1 of the motion before us appears to extend the days the House would meet for an indefinite period.

Paragraph 5 suspends the rules providing that Bills be considered by a legislative committee, for a period which is in effect indefinite. It has no fixed termination. You will note it also applies for the duration of this session or "until otherwise ordered".