

Point of Order—Mr. Gray (Windsor West)

Sudbury from 1977 to 1980 received a phone call from the Deputy Prime Minister's (Mr. Mazankowski) office asking for information of a factual nature.

I do not feel personally affronted by the nature of the question asked of my former secretary, but I do believe this is a breach of my privilege as a Member of Parliament. I would suggest, Sir, that this is harassment of my duties as a Member of Parliament and I would suggest, if I can—just one last sentence, Mr. Speaker—that if the Deputy Prime Minister has time to check into the backgrounds of Members of Parliament he might want to start with Members of his own Cabinet.

Mr. Speaker: The Hon. Member for Sudbury (Mr. Frith) has raised a matter which obviously has caused him some concern. It is outside the House. The comments have been made and have, no doubt, been heard.

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POINT OF ORDER

ALLEGED IMPERFECTION—BILL C-37—S.O. 108

Hon. Herb Gray (Windsor West): Mr. Speaker, I will just give you notice of a point of order pertaining to today's Government Orders. We are shortly going to be returning to the debate on second reading of Bill C-37. Clause 2 (3) of the Bill reads as follows:

In interpreting the schedule, recourse may be had to the Memorandum of Understanding concerning trade in certain softwood lumber products between the Government of Canada and the Government of the United States dated December 30, 1986 and tabled in the House of Commons on January 19, 1987 and recorded as document number—

And there is clearly a blank there, Mr. Speaker. The same words appear in the other official language.

I had inquiries made of the Table. I am informed that the document referred to in Clause 2(3) was not tabled on January 19 or subsequently.

Quite apart from that, Sir, I submit that the words of this paragraph and the fact of their incomplete nature clearly infringe Standing Order 108 which reads:

No Bill may be introduced either in blank or in an imperfect shape.

Clearly this clause involves a blank. It is clearly imperfect. Therefore, the Bill purports to have been introduced contrary to this very clear rule.

You will recall, Mr. Speaker, that on Monday of this week we agreed, in order to facilitate discussion of this Bill, to abridge greatly the normal procedure for introducing legislation. We allowed first reading of the Bill and, in fact, the beginning of the debate on second reading to come the same day on which the Ways and Means motion was voted.

Mr. Mazankowski: To accommodate you.

Mr. Gray (Windsor West): The Government House Leader has interjected from the sidelines saying to accommodate the

Opposition. For days prior to the House opening the Deputy Prime Minister (Mr. Mazankowski) was saying that he intended to call this Bill on Monday. My point, just by way of comment, is that there was very little time to study the Bill as to form. I mention this in the event it is argued that this point should have been raised earlier. Also in that regard, there is nothing in Standing Order 108 limiting the time as to when a point of order can be validly raised and sustained with respect to a breach of Standing Order 108.

I submit that Standing Order 108 has clearly been breached. The rules have been contravened and, therefore, I suggest that the debate until this point on this Bill has been a nullity and the Government must re-introduce the Bill and commence the debate all over again.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I appreciate the point which my colleague has quite properly made. The Memorandum of Understanding, which is referred to in the Bill, could not have had a document number or what might be called a sessional paper number in either the Ways and Means notice of the motion or the first reading version of the Bill which the Government had preprinted before Monday's introduction of the Bill.

The House has accepted from Monday until now both documents in that format, as have the law officers of the Crown and the table officers. There has been full and frank debate on the issue at hand, the substance of the matter approaching, I understand, some 20 hours.

The date of January 19, 1987 was used in both the Ways and Means motion and the first reading version of the Bill debated last Monday because the Minister had intended to table the Memorandum of Understanding in both official languages but, by an oversight, which is admitted, in all the printing preparations for last Monday the Memorandum of Understanding did not get tabled. The Minister is ready to table that Memorandum of Understanding today. We apologize and admit that that should have been done.

We are all in the same boat. We have all debated at length the substance of the Bill. We would all have to say that we have not examined every last clause and the impact of that last clause on the substance of the Bill. We are doing that now, quite rightly, with a procedural discussion.

The Memorandum of Understanding, which was a lengthy document and not necessary to have in both official languages for the purposes of an understanding between the United States Government and the Government of Canada, but necessary for presentation in this House, has now been translated. I am sure that that document was used by Members of the House in preparing their comments. We are now looking at the tabling of the document.

It has been a very busy week for the Minister and for all officers of the House. There was a clerical error made. We are not denying that the responsibility is here. We are not denying that we all share responsibility for it.