

No. 53

# JOURNALS

OF THE

## HOUSE OF COMMONS

OF CANADA

OTTAWA, TUESDAY, MAY 16, 1972

2.00 o'clock p.m.

### PRAYERS

#### RULING BY MR. SPEAKER

Mr. SPEAKER: Yesterday, the Right Honourable Member for Prince Albert proposed to move a motion under Standing Order 43 in the following words: "That the subject-matter of public statements made by the honourable Member, and in particular those which are of a disparaging nature to the integrity and independence of the bench, be immediately referred to the Standing Committee on Justice and Legal Affairs."

Before putting the question, the Chair expressed reservations about the procedural acceptability of the motion in accordance with the provisions of Standing Order 51. Although there appeared to be unanimous consent among honourable Members to proceed with the debate, the Chair undertook to look into the procedural aspects of the proposed motion.

It should be pointed out that the unanimous consent of the House contemplated by Standing Order 43 has reference only to the setting aside of the notice requirements provided in Standing Order 42. That is the sole purpose of the Standing Order. It does not set aside the ordinary rules applicable to the form and content of motions.

Thus, when a motion is proposed under the terms of Standing Order 43 the Chair has an obligation to ensure

that the ordinary usages of the House are observed. Even after the most serious and exhaustive consideration of the matter, the Chair has the same reservations as to the procedural aspects of a motion of this kind.

In the circumstances I would hope that it might be found possible either to redraft the motion and propose it in other terms or, if it is the unanimous desire of the House, to have a debate on this matter in some other form, perhaps under the provisions of another Standing Order or procedure. As honourable Members know, there have been discussions in this regard. Hopefully these consultations will result in due course in some understanding between all parties and individuals concerned. However, this is not for the Chair to decide, and for the moment I would have to leave this in the hands of honourable Members themselves.

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Mr. Wahn, from the Standing Committee on External Affairs and National Defence, presented the First Report of the said Committee, which is as follows:

Your Committee recommends that it be granted permission to adjourn from place to place within Canada from June 4 to June 9, 1972 in relation to the White