

Criminal Code

[English]

Mr. Taylor: If anybody was asleep it was the Hon. Member. He should have been up on his feet discussing his own Bill. What are you afraid of? Are you ashamed of it?

Mr. Munro (Esquimalt-Saanich): Of course he is.

The Acting Speaker (Mr. Blaker): The Chair is obligated to recognize Hon. Members on points of orders, but I did take very considerable pain and time to explain the procedure that we were using. I do not think it would be proper for Hon. Members to comment on the decision that the House has just made or upon the decision that the Chair has just made.

Mr. Benjamin: Mr. Speaker, may I first say to the Parliamentary Secretary to the Government House Leader that we appreciate the effort he made. Arrangements are made in consultation with the Clerks re Private Members' Day every Wednesday as to which Members' Bills will be called for debate.

What happened today was that the Hon. Member for Chambly (Mr. Dupont) seemed to obtain a reference of the content of his Bill to the standing committee. All Members on all sides of the House want that to happen to their Bills. I suspect we will have a problem on succeeding Wednesdays. If an Hon. Member is prepared to have his Bill presented for second reading debate, other Members who wish to participate in it should be provided with that alternative, unless there is previous agreement that there will be no debate and there is agreement on all sides to refer the subject matter thereof to the appropriate standing committee. That has occurred a number of times. I was fortunate to have it happen a couple of times with my Bills. But unless there is some agreement beforehand to refer by unanimous consent or to refer without debate—

● (1630)

The Acting Speaker (Mr. Blaker): The direction—

Mr. Benjamin: Mr. Speaker, this has to do with the order of the House, not with the Bill—

The Acting Speaker (Mr. Blaker): Exactly. It has to do with the order of the House, as the Hon. Member says. The direction his argument takes is that somehow there must be, in addition to the existing Standing Orders, a further Standing Order which refers to an agreement among Parties. The Chair has no knowledge of any such invisible and imaginary Standing Order. The function of the Chair is to apply the Standing Orders as they are, not to suggest that there are other Orders that the Chair ought to apply without those Orders being in force.

The Chair suggests that the House move on to the next order of business. I will recognize points of order but I do not think it is advisable to continue this debate now.

Mr. Benjamin: Mr. Speaker, on a further point of order, it now becomes a case of all of us serving notice on one another. On the one day that is available for Private Members' Business

and for which there is agreement, the Member sponsoring the Bill himself says to the Clerk who calls his office: "Oh, yes, I am ready to speak to my Bill today," and then other Members on all sides are notified of that when it comes out on a sheet of paper. If that does not happen, then we will have to be much more formal. There will have to be a formal motion moved for every Private Members' Bill every Wednesday. If that is the way they want to play the game, that is the way we will play it.

The Acting Speaker (Mr. Blaker): Order, please. Order. The difficulty I have is that the Hon. Member is not really arguing a point of order. If he wants to argue a point of privilege as to the manner in which the House operates, that may be a question he can raise, although I would like to indicate in advance that I have some doubts about that. We have gone through a very careful process to assure all Hon. Members of the possibility that they might overturn a decision by unanimous consent. There was not unanimous consent to do that. In all fairness, I do not think that I can entertain further points of order on a decision the House has already made.

Mr. Taylor: Mr. Speaker, I rise on a point of privilege. There is a great deal of substance in what the Hon. Member for Regina West (Mr. Benjamin) has said. The only one that I know of who refused to—

The Acting Speaker (Mr. Blaker): Order. Order, please. The Hon. Member is well aware that the Standing Orders prohibit questioning the motivations of Hon. Members for the manner in which they carry out their votes. I could not begin to accept that as the subject matter of a point of order.

Shall all orders listed under Private Members'—

Mr. Taylor: Mr. Speaker, I rise on a point of privilege and I believe that the Chair should at least hear it.

The Acting Speaker (Mr. Blaker): I will hear the Hon. Member who claims he rises on a point of privilege but I will not permit him to question the motivations of Hon. Members.

Mr. Taylor: Mr. Speaker, before one of these Bills is put on the Order Paper, a Member must agree that he wants it debated when it is called. Obviously debate does not continue until that Member stands up and makes his speech. This all happened so quickly. When the Member himself is the only one in the House who refuses unanimous consent, that is a point of privilege affecting the rest of us. We have rights too.

The Acting Speaker (Mr. Blaker): Order, please.

Mr. Taylor: The Member ran away from the House before we had time to say boo. He was afraid to debate his Bill. Whether the Chair agrees with me or not, it is a point of privilege to my mind.

The Acting Speaker (Mr. Blaker): The Hon. Member for Bow River knows that I respect his views. Unfortunately, it is my responsibility to make a decision in that regard and I hope