

If we do not have the constitutional right to do that, the Senate cannot change it. We would need a resolution of both houses for that, and I think the time would be quite inappropriate to try to get the assent of the other house to a resolution of that kind.

Hon. Mr. Flynn: You do not need the authority of the other house for a resolution of that kind. The one adopted in 1972 was adopted by the Senate, not by the other place. We have no act in which is provided authority similar to that of the Speaker of the House of Commons during the period of dissolution. We have nothing like that here. We have proceeded on precedents, and the opinion of the legal advisers of the Senate is that we can do that on the basis of practice. What I am saying is that the authority given in this resolution, which was passed in 1972, could possibly be widened in order to cover a problem like the one faced by the Science Policy Committee. It may be asking too much, of course, to try to settle this problem this afternoon. I am merely suggesting it and putting it on the record so that honourable senators may note it, and then we can, perhaps later, do our best to permit the continuation of certain activities that might usefully continue between Parliaments.

Hon. Mr. Hicks: Honourable senators, may I say a word on this? I can see that it may be difficult to extend the kind of authority which was given in the 1972 resolution, for a specific purpose, to cover such things as the meeting of the Special Committee on Science Policy in the interval between Parliaments in the event that there is dissolution, but surely it is unfortunate that we find ourselves debating this issue, and trying to find a way to do this, in what many honourable senators believe to be the dying hours of this 29th Parliament.

Would it not be wise for us to refer this whole question to the Committee on Legal and Constitutional Affairs in this session of Parliament, if possible, or, if not, in the next session of Parliament, so that a general formula could be arrived at and agreed to, which would enable the Senate to carry on these kinds of activities in periods of dissolution and between Parliaments? It seems to me that the Senate, with the relative permanence of its membership, ought to be able to provide the Canadian people with these services between Parliaments.

● (1500)

Hon. Mr. Langlois: Honourable senators, there is not much that I can add to what I have already said, except that I do not think the problem is all that serious. What Senator Lamontagne is asking for is leave to sit tomorrow. That is the only problem. I do not know what time dissolution will take place tomorrow, if it is to take place. Furthermore, I do not think we need to go into that problem at this stage.

On the other hand, I am told that this authority which was given in 1972 is not limited as to time, and is still applicable. If this authority is not sufficient, then I do not know how we can handle the situation except by getting a resolution of the two Houses of Parliament to amend the power to sit during dissolution. As I said, I cannot see how we can reasonably expect to secure such a resolution as this item having regard to the state of affairs in which we are living today. But, as I have said—and I have to repeat it—I have to go by the advice I have received, and I am

[Hon. Mr. Langlois.]

told that we have sufficient authority to do what is suggested should be done.

Hon. Mr. Flynn: Honourable senators, I agree that the only point raised by the motion is whether Senator Lamontagne's committee can sit tomorrow if Parliament has not been dissolved. That is all right, because even if the Senate is not sitting the committee can still sit. But the problem I have raised, because it is consequential, is whether the membership of the committee can continue their work after dissolution.

If the resolution adopted in 1972 is valid, even though it is not based on legislation—and I would like to point this out to my friend, Senator Molson, who appears to be rather doubtful about what I am saying—then a resolution giving wider powers to this special committee would equally be valid. The ideal solution, of course, would be legislation to provide for that very situation. Such legislation has been considered. We have had counsel look into the matter, and we have had bills drafted, but they have never found their way before us or the other place.

I further point out to Senator Langlois that the resolution passed in 1972 was not accepted by the other place, and that a resolution widening or clarifying the powers of this committee need not receive the approval of the other place.

The Hon. the Speaker: Honourable senators, in my opinion this debate is completely out of order because there is nothing before the Senate.

Hon. Mr. Flynn: But it has been useful.

The Hon. the Speaker: It is very important, I admit, and that is why I did not interrupt, but I think that all the good that is to be got out of this discussion has now been secured, and I think we should proceed with the business of the Senate.

I now call for Motions.

ADJOURNMENT

Hon. Mr. Langlois: Honourable senators, I move the adjournment of the Senate.

Hon. Mr. Prowse: Do we adjourn to a specific date?

Hon. Mr. Flynn: The motion has already been agreed to.

The Hon. the Speaker: It is moved by the Honourable Senator Langlois, seconded by the Honourable Senator Bourget, that the Senate do now adjourn. This is not a debatable motion.

Hon. Mr. Prowse: But do we adjourn to a specific date?

The Hon. the Speaker: The date is Tuesday, May 21, and that motion has already been agreed to.

Hon. Mr. Flynn: Senator Prowse is asking leave to revert to Notices of Motions. Agreed.

The Hon. the Speaker: Is it agreed, honourable senators?

Hon. Mr. Prowse: The situation is that there was a motion which was agreed to rather quickly, and I thought we might get a chance to speak to it on the adjournment. It is my view that that motion should be amended.