

HOUSE OF COMMONS

Thursday, July 17, 1969

The house met at 2 p.m.

ROUTINE PROCEEDINGS

HOUSE OF COMMONS

MOTION UNDER STANDING ORDER 42(1)
TO ADJOURN AT 4 P.M.

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, I rise for the purpose of making a motion under the authority of Standing Order 42(1). Your Honour has in recent days had to deal with a number of motions tendered under Standing Order 43. This one is under Standing Order 42(1), which reads in part as follows:

Forty-eight hours' notice shall be given of a motion for leave to present a bill, resolution or address, for the appointment of any committee, or for placing a question on the order paper; but this rule shall not apply to bills after their introduction, or to private bills, or to the times of meeting or adjournment of the house.

My motion will have to do with the time of the adjournment of the house this day. May I point out that citation 51 of Beauchesne's fourth edition, to be found on page 40, reads as follows:

No notice is required for a motion relating to "the times of meeting or adjournment of the house."

There appears in parenthesis "S.O. 45", which referred to Standing Order 45. That was its number when this book was published but it is now Standing Order 42(1). I continue with citation 51:

The word "times" is translated by "heures" in the French version of S.O. 41. It seems therefore that if a motion does not relate to the hour but to the day on which the house is to sit, a notice must be given. See decision given by Speaker Rhodes on May 21st, 1920.

There are a few more words in that citation, and the concluding sentence is:

The reason why no notice is required is that Standing Order 41 which provides for notices to be given says that the rule shall not apply "to the times of meeting or adjournment of the house".

I would also draw Your Honour's attention to a ruling made in the course of a debate

which took place in the house on Thursday, December 20, 1951. It just so happens that the motion made that day was in the name of the hon. member for Winnipeg North Centre.

Some hon. Members: Hear, hear.

Mr. Knowles (Winnipeg North Centre): Its procedural validity was contested by certain members of the house who were not very friendly to us on that occasion. Times have changed.

Some hon. Members: Oh, oh.

Mr. Knowles (Winnipeg North Centre): When the Conservatives objected to the validity of the amendment I moved that day, a point of order was raised and Mr. Speaker Macdonald made a ruling which appears at pages 2257 and 2258 of *Hansard* for December 20, 1951. My motion on that occasion—it was perhaps a bit novel—proposed that the hours of sitting for that day be altered, specifically that we not rise for the luncheon or dinner breaks and that we sit, if necessary, after the evening time of adjournment.

Some hon. Members: Carried.

Mr. Knowles (Winnipeg North Centre): I am not moving that one today.

Some hon. Members: Oh, oh.

Mr. Knowles (Winnipeg North Centre): When the matter came to a head procedurally, Mr. Speaker Macdonald made a very clear ruling. He went back to Mr. Speaker Rhodes and read the Standing Order in both languages, and so on. He made it clear that if my motion had had to do with days of sitting it would have required notice, but since it dealt only with the hours of sitting on that day, and that day only, it was in order. Mr. Speaker Ross Macdonald so ruled at the top of page 2258 of *Hansard* for December 20, 1951.

I have carried out further research on this matter and I find there have been other such occasions and it has always been held that if an effort is being made to determine the days the house might sit, 48 hours notice must be given, or it requires unanimous consent; but a motion dealing only with the hours of sitting on that day does not require