

British North America Act

Bill No. 71, for the relief of Shirley Mary Davis Robertson.—Mr. Weir.

Bill No. 72, for the relief of Carlo Castelli.—Mr. Weir.

Bill No. 73, for the relief of Eveline Shaheen Sauvageau.—Mr. Weir.

Bill No. 74, for the relief of George William Swinwood.—Mr. Weir.

Bill No. 75, for the relief of Marguerite Frances Wiggins MacKay.—Mr. Weir.

BRITISH NORTH AMERICA ACT**AMENDMENT TO INCREASE QUORUM OF HOUSE OF COMMONS**

Mr. Stanley Knowles (Winnipeg North Centre) moved the second reading of Bill No. 81, to amend the British North America Acts, 1867 to 1952, with respect to the quorum of the House of Commons.

He said: Mr. Speaker, in rising to say a few words in support of this bill I wish to say at the outset that it is my view there is one thing wrong with it. It proposes that the quorum of the House of Commons should be increased from 20 members, which is the present figure, to 30 members.

What is wrong with this bill of mine—in my own personal estimation—is the figure 30. My view is that that figure should be much higher. Bearing in mind the fact that this house consists of 265 members, and bearing in mind the fact that most bodies that meet and transact business have much higher quorums—indeed in many cases the accepted quorum is at least a bare majority of the membership of the body in question—it does seem to me that we should be proposing a much higher quorum. It seems to me that it ought to be at least 50 members, or perhaps more. But, at any rate, for reasons which are well known to hon. members, I have proposed in this bill the figure of 30.

Lest there be any of the new members who are not aware of the reason for the proposed figure of 30, I would point out that when the British North America Act was passed in 1867 it provided for a quorum for the House of Commons of 20 members. But that quorum of 20 members as enacted in 1867 was in relation to a House of Commons the total membership of which was 181. Therefore, in view of the fact that the membership of the House of Commons today is 265, by a process of simple arithmetic one can determine that to maintain that same proportion calls today for a quorum of 29·2 members. It is on that basis that I suggest our quorum should be not fewer than 30. In other words, in suggesting that the quorum should be increased I go only so far as to

suggest that we should retain the same percentage that was established by the fathers of confederation.

Actually I do not mean to suggest that there is any sacredness in the percentage so arrived at by the fathers of confederation when they drafted the British North America Act. For example, I have found it a bit interesting to discover that the statutes that provided for the rules of procedure of the legislative assembly of the province of Canada—the one that was in existence from 1840 to 1867—included in the rules of that body the provision that the quorum was to be 20 members. Indeed, if one takes the trouble to look up the rules of the legislative assembly of the province of Canada, from 1840 to 1867, he will discover that for the most part our rules today, in particular those of our rules that give us a great deal of trouble, are simply rules that were carried forward in the same wording that was used by Upper and Lower Canada in the legislative assembly they had from 1840 to 1867.

Well, that was the simplest thing to do. In fact, when the parliament of Canada first met in 1867 the question arose as to what rules of procedure would be followed. Sir John A. Macdonald simply moved that the rules of the late province of Canada be the rules for the House of Commons until such time as a committee might work out alternative suggestions. On the same day he moved that a committee be appointed to work out rules for this House of Commons, and when that committee did its job it made very few changes in the rules that had been in effect in the legislative assembly of the former province of Canada. Therefore one of the rules that was carried forward was this rule that the quorum be 20 members.

I have tried, but I have had some difficulty in ferreting it out, to ascertain just how many members there were in the legislative assembly of the province of Canada. It looks to me as though there were 130. It is interesting to read the statutes that provided for that legislative assembly and discover how the information one seeks is buried in words. At any rate, provision was made for 65 members from Lower Canada, namely what is now the province of Quebec; and as I understand it the number was equal for the two parts of that province, namely Lower and Upper Canada. Therefore in that period from 1840 to 1867 you had an assembly of 130 members. That figure is subject to correction, but I believe it is correct. Out of that 130 members you had a quorum of 20.