

*Point of Order*

I want to lend my voice of support to my hon. friend from Ottawa—Vanier's intervention. I want to remind you of a comment you made in this House on December 15, 1988 when you spoke some very thoughtful and guiding words for this moment. I quote from page 78 of *Hansard*: the following:

After a very careful consideration of this point, I am more persuaded by the weight of precedent and practice. Taking into consideration the gravity of the measure to be invoked and the necessity of protecting the rights of the minority, it is my feeling and decision that the intention of the Standing Order as drafted and as it has been applied is to allow a majority to impose closure only after debate on the question has begun. This is to ensure that such debate is not unfairly or prematurely curtailed. In this instance, debate on the motion had clearly not begun when the Hon. Minister served notice.

• (1620)

Mr. Speaker, that was your comment in December of last year. Obviously the debate has not commenced. The debate has not begun. If we are to be consistent in this House, the government House Leader has to learn to accept the fact that while he is anxious to invoke closure or time allocation, he must at least wait until we have begun to debate this stage of the legislation. I know he finds that difficult, but surely to goodness he should at least allow the debate to commence even for a few minutes before he invokes closure and muzzles Parliament.

**An Hon. Member:** Hear, hear.

**Mr. Cooper:** Mr. Speaker, the order was called this morning. We did have a vote moving to Orders of the Day. The order was called—

**An Hon. Member:** There was no debate.

**Mr. Cooper:** Orders of the Day were called. The debate started. It was very clear. If all members had listened very carefully they would know that everything was started. We are now in the time slot where that debate is on the floor of the House. If members choose to debate that particular issue or if they choose to go on at great length on a point of order on another subject, that is their option. However, Mr. Speaker, I think it is very clear that in fact the order has been called for debate and the notice of motion, as presented by the Minister of Finance, is acceptable to the House and is totally in order.

**An Hon. Member:** It is not.

**Mr. Cooper:** Certainly, it is.

**Mr. Speaker:** I will check the record and come back to the House and clarify this matter.

The hon. member for Kamloops may want to rise on the other matter we were discussing.

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**POINT OF ORDER**

BILL C-21

**Mr. Nelson A. Riis (Kamloops):** Mr. Speaker, indeed, I do want to rise on this other matter.

I think the position of the New Democratic Party *vis-à-vis* the Senate is well known. Unlike the other two political parties in this House our view of the Senate and its role is well known. We do not believe it has any place as presently constituted in a democratic society. As a matter of fact, I think you would look long and hard to find a Parliament anywhere in the world of unelected representatives that have acted in the way we have seen the present Senate. I just make that point at the outset.

I listened with interest to the government House leader's remarks. I regret the fact that he did not circulate his notes ahead of time. I know we do not necessarily do this, but this is not a normal discussion. This is not a normal intervention. What we are doing here is questioning the very basis of the Canadian parliamentary system, whether or not the Senate of Canada has the right to amend legislation successfully passed through the House of Commons.

The government has already accepted certain amendments made by the Senate to Bill C-21. Now to say the Senate has no right to amend the legislation seems to be inconsistent. That alone puts the comments of the government House Leader in the appropriate context, that while I appreciate his concern and frustration the logic seems rather loose.

Since the government has refused to allow the people of Canada to be heard on bills such as Bill C-21 the Senate has taken it upon themselves to hear from the people of Canada through extensive hearings and report back on the findings obtained after listening to the people of Canada.

I think what we are also discussing here is a future implication. With the clawback legislation the government has abandoned the universality of our pension system and our family allowance system. I wonder if the Senate would not feel similarly in that hearings ought to