

Supply—Justice

remaining for another special purpose, making a total of 38 days referred to in our standing orders.

Mr. Bell (Carleton): Mr. Chairman, with the greatest of respect for you, and the sincere affection I have for you personally, I must appeal the ruling and ask that you call Mr. Speaker.

Mr. Speaker resumed the chair, and the Chairman of the committee made the following report:

Mr. Speaker, in committee of supply the Chairman interrupted proceedings and stated that in accordance with the provisions of special orders made April 26 and June 26 last, he intended to proceed to put forthwith the question on all votes now before the committee of supply.

Whereupon, the hon. member for Carleton raised a point of order to the effect that no provision could be found in any standing order which would permit the committee of supply to continue sitting beyond ten o'clock p.m. The Chairman ruled that in his opinion the authority to sit beyond ten o'clock p.m. and to proceed with the business of supply was to be found in the provisional amendment to standing order 56 and under the terms of standing order 6(5) (b).

Thereupon, the hon. member for Carleton appealed the Chairman's decision to Mr. Speaker.

Hon. R. A. Bell (Carleton): The point has been stated with clarity and brevity and I appreciate the manner in which it has been presented to Your Honour. I shall endeavour to present my point of view with equal clarity and brevity because I believe an issue of very considerable significance related to responsible parliamentary government is at stake. My position, sir, is that the rules governing the adjournment of the house are mandatory and absolute. They are to be found in standing order 6. May I read subsection 4 of that standing order:

Subject to the exceptions stated in section (5) of this order, at 10 o'clock p.m. on Mondays, Tuesdays and Thursdays—

I do not need to point out that this is Thursday.

—and at six o'clock p.m. on Wednesdays and Fridays, Mr. Speaker shall adjourn the house, without question put, until the next sitting day.

The exception is in section 5 of the standing order. Section 5(a) reads:

When, pursuant to standing order 39A, a motion to adjourn is deemed to have been proposed at ten o'clock p.m. on Mondays, Tuesdays, and Thursdays, the house shall not be adjourned until the said motion is deemed to have been adopted.

I venture to suggest that section is irrelevant for our particular purpose, but subsection (b) is relevant, and especially so.

When a sitting is extended pursuant to section (6) of this order—

[The Chairman.]

I venture to suggest section 6 is not relevant.

or when it is provided in any other standing order that the business under consideration at the ordinary time of adjournment shall be disposed of or concluded, the adjournment proceedings in that sitting shall be suspended—

It is the adjournment proceedings that are to be suspended.

—and that sitting shall not be adjourned except pursuant to a motion to adjourn moved by a minister of the crown.

What we must find in this issue is whether there is any other standing order that the business under consideration at the ordinary time of adjournment shall be disposed of or concluded. Now, where is that? So far as I can see, the only place that it could possibly be would be in the special order of the house adopted April 26, 1967, which appears in our text of the standing orders opposite standing order 56. I go immediately to subsection 5(c), which reads:

● (10:40 p.m.)

Subject to the conditions specified below there shall be an over-all limitation of thirty eight days allotted to the business of supply during the session. For the purposes of this order the business of supply shall consist of supply motions; main estimates, interim supply with the exceptions noted below; supplementary and additional estimates with the exception noted below; and supply bills based on the foregoing.

I do not think any of the exceptions noted here are relevant at all to the argument that is before the chair at this time.

I venture to submit to Your Honour that in no way does that standing order provide that the business under consideration at the ordinary time of adjournment shall be disposed of or concluded. It simply specifies a certain number of days. Clearly the number of days have elapsed, the house has reached ten o'clock, and that is it. My colleague from Kamloops (Mr. Fulton) points out to me that 38 days have not elapsed, that in fact 36 days have elapsed; but I think that matter is probably governed by a special order of the house and I make no particular point of that.

However, Mr. Speaker, I do make a point of the fact that the Minister of National Health and Welfare (Mr. MacEachen), in attempting to meet exactly the point that has been raised, on June 26 prepared a motion which was adopted by the house. Subsection 5 of that motion reads:

That on Thursday, July 6, 1967, at 9.30 o'clock p.m., the proceedings of the house or the committee of supply or ways and means, as the case may be, shall be interrupted, and every question shall