

[English]

Mr. Baker (Nepean-Carleton): I rise on a point of order, Madam Speaker.

Madam Speaker: The hon. member for Nepean-Carleton.

Mr. Baker (Nepean-Carleton): Madam Speaker, you called "orders of the day". Rule 33 reads in this way:

Immediately before the order of the day—

You have called it and that is the beginning of the process on the order of the day and it is finished for the day. You have called it, and from then on any motion under Standing Order 33 is out of order. Because it says:

Immediately before the order of the day—

You called for motions and he missed it.

Madam Speaker: I was taking time to look at the reference, but quite clearly there is no problem in the proceedings. I called the orders of the day, which is exact. Before the Clerk read the order of the day, the minister was on his feet seeking the floor.

Some hon. Members: Oh!

Madam Speaker: I recognized the minister—

Mr. Clark: René Beaudoin!

An hon. Member: He is challenging the Chair!

Madam Speaker:—and he was about to read his motion.

[Translation]

Mr. Pinard: Madam Speaker, I was about to finish reading the motion which I should like to resume where I left off when I was interrupted:

—respecting the Constitution of Canada, and any amendment or subamendment thereto, shall not be further adjourned.

I have given the text of motion to the Clerk of the House.

[English]

Mr. Baker (Nepean-Carleton): Madam Speaker, I want to make it quite clear what had happened. You called motions and you called orders of the day. You are the presiding officer in this House, not the Clerk.

Mr. Clark: That is right.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): And I mean no disrespect to the Clerk when I say that. Standing Order 33, because it mitigates against the right of members to speak for as long as they wish to speak, is a rule of this House which must be strictly interpreted in favour of the right of members to speak.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): If there is any doubt about that, Madam Speaker, then I would suggest that perhaps your

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Honour should take advice with respect to it. Also, I say with respect—

Mr. Fox: Sounds like the Supreme Court.

Mr. Baker (Nepean-Carleton): The hon. member says it sounds like the Supreme Court. This is the Supreme Court.

Some hon. Members: Right on!

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): And in case it has escaped the Secretary of State and Minister of Communications, the Speaker is a judicial officer in that court—the judicial officer in that court.

My argument is this, Madam Speaker. The government has every right to move a motion if it wishes to do so, however tasteless and however wrong in terms of Parliament that might be. It can move that whenever it wants to, except that under the rules of the House they have to move it at the right time.

You had called orders of the day, Madam Speaker. The record can be checked. The Clerk is silent in the House; your Honour presides. Then my friend, the government House leader, rose to put his motion. I say, Madam Speaker, that he was out of time and that that motion is not now receivable. It was not receivable when he put it.

● (1530)

Mr. Nielsen: You can't weasel out of it.

Mr. Baker (Nepean-Carleton): You cannot back up the proceedings of this House and date them back and say that something happened that never happened before.

Some hon. Members: Hear, hear!

Mr. Baker (Nepean-Carleton): There is at least one former Speaker in this House of Commons, and if there was ever a time in the life of this Parliament when the Speaker of this House should take advice, it is now. I say that because I have a great respect for the institution of the Chair and also for these rules. I think you know that, Madam Speaker.

Therefore, before you make a ruling with respect to this matter—because there is no appeal from your ruling—you should look at and listen to the video tapes of the proceedings and look at the blues. If necessary, we are prepared to suspend the proceedings in this House for as long as it will take for you to make the decision. This is a very important ruling that you are about to make, Madam Speaker.

Mr. Knowles: Madam Speaker, I wish to say a word with respect to the point of order which has been raised by the hon. member for Nepean-Carleton (Mr. Baker). May I be permitted to say, so that it will be very clear, that my colleagues and I are opposed to the introduction of the closure motion. We shall be voting against it, and I shall have something to say about the whole practice of closure if I get the floor later today.