

Speaker's ruling

• (1500)

[Translation]

Hon. Marcel Masse (Minister of Communications): Mr. Speaker, the mandate of the National Arts Centre is well known. The budget was discussed in a parliamentary committee. I am quite aware that there is a labour conflict there, as there has been in many other places, and that labour conflict must be settled between the orchestra and the directors of the National Arts Centre.

[English]

Mrs. Beryl Gaffney (Nepean): Mr. Speaker, my question is to the same minister. We have a National Arts Centre that is starved financially and the response from the minister implies that its problems are not solely financial.

Rumours are rife that the minister is prepared to allow the National Arts Centre to become a regional rather than a national centre. The orchestra is at risk. Newspapers across this country have stated that the orchestra's demise would be a capital offence.

Will the minister move swiftly to bring the NAC from its knees to its feet and assure Canadians that this government is committed to the National Arts Centre as its national cultural institution?

[Translation]

Mr. Masse: Mr. Speaker, I do not think that the House of Commons is the place to comment on the rumours going around Ottawa.

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[English]

POINT OF ORDER

STANDING ORDER 86(5)—SPEAKER'S RULING

Mr. Speaker: Before I call orders of the day, I have an important point of order to respond to raised by the hon. member for New Westminster—Burnaby on October 20 and again on October 26.

The member questioned the inclusion on the Notice Paper of two items which she argued appeared to be substantially the same as two other private members' bills now on the Order Paper, namely Bill C-261, standing in the name of the hon. member for York South—Weston, and Bill C-266, standing in the name of the hon. member for Lambton—Middlesex. These two

bills were introduced and read a first time on September 27, 1989 and October 10, 1989 respectively.

[Translation]

The first of these is a bill introduced by the member for Scarborough—West (Mr. Wappel) on October 20. It is an Act to Amend the Criminal Code (Human Being). The second was introduced last Thursday, October 26, by the member for Glengarry—Prescott—Russell (Mr. Boudria); it is an Act to Amend the Criminal Code (Destruction of Foetus).

[English]

Standing Order 86(5) states:

The Speaker shall be responsible for determining whether two or more items are so similar as to be substantially the same, in which case he or she shall so inform the Member or Members whose items were received last and the same shall be returned to the Member or Members without having appeared on the *Notice Paper*.

The hon. member is invoking this standing order to ask the Chair to use its discretionary power to keep these items from appearing on the *Notice Paper*.

When I say "to keep these items from appearing on the *Notice Paper*", I should point out that the hon. member has put the application forward on a perfectly logical and proper procedural motion and that is, of course, the only basis upon which I can respond. I want members and the public to know that the hon. member for New Westminster—Burnaby is raising a procedural point and she certainly has every right to raise it and to have it argued.

I have carefully considered the argument presented by the hon. member and have reviewed the items in question with equal care. I should say that in the view of the Chair, two or more items are substantially the same if, first, they have the same purpose and, second, they obtain their purpose by the same means.

Accordingly, there could be several bills addressing the same subject, but if they took a different approach to the issue the Chair would judge them to be sufficiently different so as not to be substantially the same.

In my view, that is exactly the case we have here.

It is clear that the two bills which have already been given first reading, and the other two bills introduced and now awaiting first reading treat the same subject matter. Hon. members will know, and the public should know, that the subject matter is the question of the unborn child and what the law ought to be with respect to that. On these grounds, they meet the first criteria for being substantially the same. However, on examination