

Point of Order—Hon. Walter Baker

reservation on that, perhaps for further argument, but at least to establish and take a look at the law.

Mr. Ray Skelly (Comox-Powell River): Madam Speaker, I would just like to reinforce the remarks that this in fact is not a minor administrative matter and that there appears to be mechanisms available for statutory justification.

This is an issue beyond the House of Commons. Referenda across the country have shown that 75 per cent to 80 per cent of the Canadian public is vitally interested. Demonstrations have brought out thousands of people opposed to this, yet the House of Commons is not in a position to provide further information or investigate the matter. I would urge, Madam Speaker, with the information you have available and the knowledge of how important the issue is viewed not only by legislators in the House but citizens across the country, to rule in favour of allowing this matter to proceed to committee for closer scrutiny.

Mr. David Smith (Parliamentary Secretary to President of the Privy Council): Madam Speaker, this is the first time this new provision in the Standing Orders has been discussed in the House. It is important that it be made absolutely clear that all Members who serve on that Committee hope that we will try to resolve what these new provisions mean in a spirit of good faith.

It is not my view that the Statutes which the Hon. Member for Nepean-Carleton (Mr. Baker) cited really draw this matter into the particular ambit. Notwithstanding, I think he has made his arguments in good faith. I do not think it goes that far, but it is important to appreciate what the Minister said.

The Minister said that he would look at it. It is quite possible that he will, notwithstanding his conclusion that he is not obliged by the Standing Orders to refer the matter to the Committee, give a reference to the Standing Committee. I hope that people would not then jump on a gesture of good faith which flowed from his tabling the letters as a courtesy to the House and try to establish it as a precedent. I hope all Members try to keep it in that perspective.

Mr. Mark Rose (Mission-Port Moody): Madam Speaker, I will not speak very long because we have heard a great deal on this matter already. The Hon. Member who just spoke talked about a gesture of good faith; I would like to underline it. If we use a legalism to escape the reference of a very important subject to a committee, a subject as important to all Canadians as this one—that is, the Cruise testing agreement—then I think all the good faith which has been built up throughout Committee study will be destroyed or severely damaged.

The differences I noticed between this House and Westminster were attitudinal ones which make the difference between a House co-operating and one always in conflict.

● (1220)

I would just add my plea that a reference to committee needs to be immediate. Allowing it two months from now after all the facts are out or when it is too late and the horse is out of

the barn is not good for this House of Commons. So I would urge the Minister to make that reference. One of the reasons we have these new rules and new powers conferred upon committees is to make them important to backbenchers, not just some place for busy work by Liberal Members. We wanted these committees to have powers, decision-making capacities and powers of initiative. The new rules were set up and designed for that purpose.

I hope the Minister will reconsider and send this matter to committee immediately; otherwise, I think much of the work of the Special Parliamentary Reform Committee will have been destroyed and the good faith lost.

Mr. Baker (Nepean-Carleton): Madam Speaker, I suggested, respectfully, that the matter might be reserved so that the Minister, the Chair and everyone involved might check the law. The Parliamentary Secretary to the President of the Privy Council (Mr. Smith) suggested that the matter would be considered by the Minister and considered, I assume from what he said, reasonably quickly.

Given that sense of urgency about looking at the rules and being sure they operate properly, the guts of the issue, there are two grounds for saying that there might be a reservation of the matter today so it could be considered by the Secretary of State for External Affairs (Mr. MacEachen), if that is agreeable to the Chair. I, who raised the point of order, would certainly be agreeable. We are charting new waters in terms of the rules and we may not have to decide the point of order with respect to this particular matter.

Mr. Dan Heap (Spadina): Madam Speaker, this is a matter of Canadian sovereignty. This is a matter of our relationship with another country and whether the Canadian people through their elected representatives have appropriate control over decisions made with a foreign power. It would be very dismaying, not just to thousands of people I know of in Spadina but to people all across the country, if we were to find that even the new and revised rules of Parliament make it impossible for Parliament to consider a matter as important as this. Hundreds and hundreds of thousands of Canadians have registered this concern by their votes and by their presence in public activities. This is a matter of Canadian sovereignty. I hope the rules will not prevent us from dealing with it.

Madam Speaker: That, of course, was debate. The Hon. Member did not speak to the point of order. I should have interrupted him but I wanted to see if he was going to discuss the point of order.

I think Hon. Members are quite right. This is a change in the rules and we are faced with a new situation. I believe we would all like to think about it and reflect on what the consequences of that exact wording would be.

I tend to agree with the Hon. Member for Nepean-Carleton (Mr. Baker), and I think all Members would be of the same opinion, that these changes in the rules were worded precisely to give Members a better opportunity to discuss matters in committee.