

POINT OF ORDER

STANDING ORDER 52

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I just noticed that you skipped over the routine proceedings that call for applications pursuant to Standing Order 52. You were right in calling orders of the day but I would like to make the point that some of us in this House feel that because of yesterday's proceedings, the privileges of some of the members in this House have not in my view been protected by the Standing Orders as they exist today.

The argument that I am going to make is that you received on January 18 last a letter, signed by the hon. member for Beauséjour, asking for an emergency debate on the fishing situation, the escalating crisis in the cod, lobster, snow crab, and herring roe fisheries in Atlantic Canada, characterized by numerous shutdowns of fish plants, loss of jobs, and essentially closing entire communities.

That, Mr. Speaker, to us on this side of the House is a very important and very difficult question. We thought at the time that the request under Standing Order 52 was appropriate and should be given due consideration.

• (1140)

Of course we realize that in using Standing Order 52, which is a complex Standing Order, the discretionary decision was yours and we abide by that all the time.

The difficulty yesterday was that the government, in its resistance to having VIA Rail discussed on a motion moved by my friend from Thunder Bay—Atikokan to concur in a standing committee report, had the same parliamentary secretary who a few minutes ago said that he would never infringe upon the rights of members of the House of Commons move a dilatory motion.

I put it to him that yesterday he did infringe upon the right of some members of the House of Commons to debate a very, very serious matter, not by his own will or by his own design, but nevertheless the rules are made that way. When he moved that we proceed to Orders of the Day, he thwarted every effort of this House to try to

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discuss a very serious and deep concern of many Canadians about the fishing industry in the Atlantic provinces.

The arguments that I would like to put to you deal with Standing Order 52 pertaining to emergency debates. I do not want to read the whole section because it is quite extensive, but I want to ask that you consider Standing Order 52(15). I will read that clause which is the last clause of that Standing Order, because I think it is important. It reads this way:

The provisions of this Standing Order shall not be suspended by the operation of any other Standing Order relating to the hours of sitting or in respect of the consideration of any other business; provided that, in cases of conflict, the Speaker shall determine when such other business shall be considered or disposed of and the Speaker shall make any consequential interpretation of any Standing Order that may be necessary in relation thereto.

That, Mr. Speaker, is my point. Yesterday the government decided that in its judgment it did not want to proceed with debate on the motion moved by the member for Thunder Bay—Atikokan concerning VIA Rail. The government moved what I would call a dilatory motion. The government short-circuited the whole system. We did not get a chance to reach the point in Routine Proceedings that call for your decision upon an emergency debate asked for in good faith by the member for Beauséjour. Therefore, today I thought you would call that item.

You have had the motion since January 18. There is nothing in the Standing Order which says that you had to call it yesterday or today. If something happens, within the rules, that prevents it from being called, we take it then that the Speaker will call it the following day. Now today we find that you did not call it.

I know you did not call it because I was told by the Table that we would have to retable or resubmit the letter. That to me is a bureaucratic decision which I cannot accept. Nothing in the Standing Order says that we must do that. Nothing in the Standing Order says that you must resubmit an emergency debate request.

An emergency debate is something that happens that day or happens that week or happens in that period. The emergency is still there. Why do we have to go through this rigmarole repeating the process of resubmitting a letter which calls for an emergency debate when indeed section 15 of Standing Order 52 gives it, in my judgment, authority to decide any interpretation of those rules.