

## BRITISH NORTH AMERICA ACT

[English]

## AMENDMENT RESPECTING ABOLITION OF THE SENATE

## On the Order: Private Members' Public Bills.

Second reading and reference to the Standing Committee on Justice and Legal Affairs of Bill C-243, an act to amend the British North America Act, 1867 (abolition of the Senate).

**The Acting Speaker (Mr. Blaker):** In that case we will proceed, until I receive notice that the Gentleman Usher of the Black Rod is here; we will proceed on the basis that so much time has gone by and that perhaps the hon. member for Winnipeg North Centre (Mr. Knowles) might not want to proceed.

**Hon. Stanley Knowles (Winnipeg North Centre):** Mr. Speaker, you raise an interesting question. I have always found it difficult to get the Senate abolished in an hour. When that hour is cut down to about 20 minutes, I think that it puts quite a handicap before me. I do know that usually the Gentleman Usher of the Black Rod is late—he never gets here on time, but that I suppose is a point of order. I would not mind settling for the House having a half an hour to debate my bill today, but if the Gentleman Usher of the Black Rod does arrive at 5.45 p.m. and we have not had much time on this bill, maybe the House would consent to it being at the top of the list of bills the next time for another half hour? My suggestion is put with the condition that it depends on when the Gentleman Usher of the Black Rod arrives.

**Mr. Collenette:** Mr. Speaker, from our point I think this would be agreeable. Quite often on Thursdays on notice of motions for the production of papers private members' hour does end prematurely. Perhaps we could stipulate that when and if we arrive at this situation in the future on a Thursday, namely, instead of calling it six o'clock we may proceed with the balance of the minutes outstanding on the bill in the name of the hon. member for Winnipeg North Centre (Mr. Knowles)?

**Mr. Knowles:** Mr. Speaker, that arrangement is satisfactory to me. I am glad the hon. member assumes that I will be here.

**Mr. Nielsen:** Mr. Speaker, we will agree to that procedure today. As for the future, perhaps it should be a matter to be discussed as suggested by the Chair.

**Mr. Herbert:** Mr. Speaker, I am agreeable to that procedure. However, we should go on notice now as having a point of order in connection with this bill which we are leaving aside because of the limited time at our disposal. I assume the hon. member for Winnipeg North Centre (Mr. Knowles) will be prepared to argue the particular point in question the next time the bill is called.

**Mr. Harquail:** Mr. Speaker, on the same point of order, I am seeking information as to whether or not we can delay recognizing the Gentleman Usher of the Black Rod at the door of the House until such time as the half hour in today's debate has expired. The hon. member for Winnipeg North Centre

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(Mr. Knowles) would have had his opportunity and there would be a portion of time to get some response to his proposal before we recognize the call at the door for us to go to the other place.

**The Acting Speaker (Mr. Blaker):** The House can do as it wishes. It is somewhat similar to God; there are no limitations on the will of the House. There are a lot of limitations on the Chair though so I am not in a position to unilaterally declare what the House ought to do. I can only attempt to further the will of the House. If some hon. member, including the hon. member for Restigouche (Mr. Harquail) wishes to raise a motion of that nature, I suppose I will have to deal with it. In the meantime, my sense of the House is that that may not be the case, and I see the hon. member for Winnipeg North Centre rising. I suspect what will be proposed is what has already been proposed namely, that we get on with Bill C-243 otherwise we will be all night just debating procedure.

**Mr. Knowles:** Mr. Speaker, I was not proposing that we keep the Gentleman Usher of the Black Rod waiting at the door. I merely suggested that what we do another day be determined by how many minutes we have today.

**The Acting Speaker (Mr. Blaker):** That is understood.

I now have to deal with the point raised by the hon. member for Vaudreuil (Mr. Herbert) who made a point but did not explain it. I think what he was alluding to was a question as to the admissibility of this bill. I am waiting to see whether that is the case.

**Mr. Herbert:** Mr. Speaker, in the remaining time of about 15 minutes it might be just as well to come to the point right away, and at least some of the arguments will have been presented. Essentially the bill to be discussed in private members' hour is a bill which, as a result of past rulings, and I refer to a ruling which came from the Supreme Court of Canada, is no longer subject to passage through this House of Commons.

If a bill cannot come to a vote, then I suggest it is equally not admissible for discussion. I could elaborate at length, but I suggest to you—and I was not wanting to get a ruling today for the obvious reason—that I was prepared to listen to the speech of the hon. member for Winnipeg North Centre as I felt that was appropriate in the circumstances. I still hope he will have the opportunity, if not today, at least the next time the bill is called, which may be as early as next week, to present his point of view, repetitious though it may be, because I have listened to him give the speech on this subject on several previous occasions and, undoubtedly, it is not likely to contain much new material. Nevertheless, since all of us are most interested—

● (1730)

**An hon. Member:** You never know.

**Mr. Herbert:** Since all of us are interested in the composition of the Senate in varying degrees—in fact, I discussed this subject on the floor of the House just a few weeks ago—I