

Income Tax Act

Some Hon. Members: Hear, hear!

Mr. Nielsen: In the interim, and I only have a few seconds left before one o'clock, the Chair will undoubtedly want to go back to the debates of 1968—

Mr. Tobin: You are wasting time.

Mr. Nielsen: We are not wasting time of the House, that is obvious. We are here.

Some Hon. Members: Hear, hear!

Mr. Nielsen: The Chair will want to consult the debates of February, 1968 where a similar situation arose.

Mr. Fisher: It is hot air.

Mr. Nielsen: While it arose when the House was sitting and not while the Committee of the Whole was sitting, the parallels, I intend to submit, are the same and the consequences are the same. I will be making a submission that the solution which was sought and applied in February, 1968 cannot be sought and applied in a situation such as that which has just occurred.

Some Hon. Members: Hear, hear!

Mr. Nielsen: Mr. Chairman, so that I might be heard further on this matter, either in this mode or, if it be the preference of the House to present an interim report to the Chair, while the House is sitting, it now being one o'clock I call it one o'clock.

Some Hon. Members: Hear, hear!

The Deputy Chairman: Order, please. I wonder if Hon. Members would do the Chair the courtesy of allowing me a word. I think the most important point to be dealt with by the Chair at this moment is that it has been argued by the Hon. Member for Yukon that, in my words, the clause having been lost constitutes a complete closing of the subject and that other points of order are not legitimate, if I may put it that way. I want to say that at the moment I do not share that concept. I will over the lunch hour examine it. I would not want to deny other Hon. Members an opportunity to enter into the issue of whether the vote was correct or not correct. I think Hon. Members should understand before the lunch hour that the Chair and the Table officers will research the matter carefully to determine whether or not the rights of all Hon. Members to enter into this point of order can be protected. With that, I call it one o'clock.

Progress reported.

The Acting Speaker (Mr. Blaker): It being after one o'clock, I do now leave the chair until two o'clock this afternoon.

At 1.03 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

Mr. Nielsen: Madam Speaker, I rise on a point of order.

Madam Speaker: I would be willing to entertain the Hon. Member's point of order later. Standing Orders quite clearly indicate that points of order may not be raised during Question Period or Statements under Standing Order 21. I will certainly hear the Hon. Member's point of order later on.

Mr. Nielsen: Madam Speaker, I rise on a statement then.

Madam Speaker: I recognize the Hon. Member on a statement. I did not call Statements yet. Statements by Hon. Members.

STATEMENTS PURSUANT TO S.O. 21

[English]

MOTION TO ADJOURN HOUSE

Hon. Erik Nielsen (Yukon): Madam Speaker, since it is our view that, constitutionally, this Parliament has ceased to exist—

Some Hon. Members: Oh, oh!

Mr. Nielsen:—despite the jeers of those who think they own it, since we feel that we have a constitutional right to be heard on our point of order in this very extraordinarily unique situation, and since the Chair will not hear that point of order now, I move, seconded by the Leader of the Opposition (Mr. Mulroney):

That this House do now adjourn.

Some Hon. Members: Hear, hear!

Madam Speaker: In other circumstances the motion of the Hon. Member might be in order, but I am sorry to have to declare that it is not in order since the House is operating under an order which stipulates that all votes pertaining to certain questions should be put at six o'clock. Therefore, dilatory motions are not in order under those circumstances. I would tell the Hon. Member that Standing Order 8(3) reads as follows:

When it is provided in any Standing or Special Order of this House that any business specified by such Order shall be continued, forthwith disposed of, or concluded in any sitting, the House shall not be adjourned before such proceedings have been completed except pursuant to a motion to adjourn proposed by a Minister of the Crown.

I am sorry, but I have to declare that the Hon. Member's motion is not in order.