

Tar Sands

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, I rise on a point of order with respect to the right of my colleague, the hon. member for Winnipeg North (Mr. Orlikow), to present the motion which he has just presented to the Chair. Citation 194(1), which begins on page 164 of Beauchesne's Fourth Edition, is very clear. It reads:

A motion or amendment cannot be brought forward which is the same in substance as a question which has already been decided, because a proposition being once submitted and carried in the affirmative or negative cannot be questioned again but must stand as the judgment of the House.

Mr. Guay (St. Boniface): The same in substance.

An hon. Member: Shut up, Joe.

Some hon. Members: Oh, oh!

Mr. Knowles (Winnipeg North Centre): If the hon. member for St. Boniface (Mr. Guay) feels he has not been sufficiently answered, I would emphasize that the citation I have just read does not say "on the same subject" but "the same in substance". That rule makes it very clear that if a member were to seek to move under Standing Order 43 a motion which was the same in substance as one which had already been decided, Your Honour would be quite correct in declining to ask the House whether there was consent to that motion. However, I submit to you that although the several motions under Standing Order 43 which have been proposed today are on the same subject in that they are in the general area of Syncrude, they are different in substance.

I submit that the rule I have just read, and which I think Your Honour has been using, does not apply when the proposed motions are different in substance. I also think it is unfair to the members of the government majority to infer that because they said no to one motion, they will necessarily say no to the next.

Mr. Guay (St. Boniface): I will.

Mr. Knowles (Winnipeg North Centre): It does not follow automatically that because they have always said no they will always continue to do so. Every motion under Standing Order 43 is a new one, and the fact that the record is poor on the government side is of no relevance as long as the motion is different in substance. I submit that the motion submitted by the hon. member for Winnipeg North, though on the subject of Syncrude, is different in substance from those presented earlier, and that Your Honour should put it to the House.

Mr. Guay (St. Boniface): On the point of order, Mr. Speaker, it is very seldom I say no; but if the motion is put, this time I will.

Mr. McGrath: Mr. Speaker, I should like to call the attention of the House to Standing Order 12(1) which reads as follows:

Mr. Speaker shall preserve order and decorum, and shall decide questions of order. In deciding a point of order or practice, he shall state the standing order or other authority applicable to the case. No debate shall be permitted on any such decision, and no such decision shall be subject to an appeal to the House.

Some hon. Members: Hear, hear!

[Mr. Orlikow.]

Mr. Speaker: With respect to the possibility of interpreting the hon. member's remarks as an appeal, I am sure it is not without significance that the hon. member for Winnipeg North Centre (Mr. Knowles) chose the occasion just before the making of a decision rather than just afterward, thus avoiding that very connotation. In dealing with the point he raised, perhaps I ought to join in apologizing to hon. members on the government side if my actions are precipitous enough to deprive them of a privilege which they may wish to enjoy, that of turning down any motion: in that respect I extend my apologies to hon. members on my right.

Some hon. Members: Oh, oh!

Mr. Speaker: Be that as it may, I hold it as my responsibility to interpret the rules not only in the strict legal sense but also in such a way as to constitute a common sense interpretation of what is taking place. I must take into account the fact that, after all, there are two points relevant to any decision under Standing Order 43: first, the subject matter itself and, second, the question whether or not the ordinary business of the day ought to be set aside for a debate.

Since there has been an expression of opinion that the ordinary business should not be and will not be set aside by unanimous consent in order to debate the government's announcement on the Syncrude agreement, I have to consider that other motions based on the same general subject seeking, instead, the tabling of different documents or the tabling of some other agreement or the taking of some other course of action, are nevertheless motions that the ordinary business be set aside to debate the Syncrude agreement.

• (1430)

I would, therefore, hold that this is in fact a motion which in substance is precisely the same as those which have already been refused, and therefore I cannot put it.

Mr. Douglas (Nanaimo-Cowichan-The Islands): Mr. Speaker, I rise on a point of order. I have no wish to argue Your Honour's ruling, but I should like to ask Your Honour for some clarification of the point you have just made. Is the House to understand that if a member moves that, for instance, the Minister of Finance should give certain information regarding a certain subject and the House turns it down, Your Honour would take the position that another motion asking another minister, say the Minister of Energy, Mines and Resources, for data regarding the same topic is automatically out of order and Your Honour would not accept it? I hope Your Honour will clarify this. I read Standing Order 43 to mean that the House makes the decision, not Your Honour. With great respect, I think this is a matter for the House, not Your Honour.

Mr. Speaker: Order, please. I am sure the hon. member realizes that the Chair would be reluctant to get into a discussion of hypothetical questions of that sort. What I have said is simply this, that in the circumstances of this afternoon, with the motions that have been presented, all on the same subject, I hold that the House has already expressed its view on the setting aside of the business for