

House of Commons

Let me also suggest that the Government's main reason for proposing such a motion concerns a January 1 deadline. There is no such thing. That is only a target or an objective of the Government of Canada and the United States administration.

I believe there is an understanding and an exchange of letters that the implementation date of January 1 can be a later date.

There is also much made of doing this before Committee of the Whole and of the opportunity for all Hon. Members to speak. As I understand what is proposed by the Government, it allows for one day for 295 Members to participate. Surely it is a sham, as I hope you can easily conclude, Mr. Speaker.

Finally, it is incumbent upon you to decide when the Government is abusing the rules or when the Opposition is abusing the rules as they pertain to the rights of the majority and the rights of the minority. I urge upon you that if ever there were a classical example of an abuse of the rules and the rights of the minority, this is one of those occasions. I hope you will consider that when making your ruling.

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I want to rise briefly to make comments and to participate in this point of order. First, I want to comment on the use of Standing Order 57 which was proposed in the closing remarks of the Minister when he attempted, erroneously I submit, to cut off the debate on this motion or give notice that he wanted to cut off the debate on this motion and even the acceptability of the motion.

I submit that Standing Order 57 states clearly: "Immediately before the Order of the Day for resuming and adjourning debate is called". Clearly we are talking here only about resuming a debate which has been previously adjourned. Right now we are speaking to this point of order regarding the acceptability of the motion. We have not yet debated the motion, therefore we have not adjourned the debate nor resumed it. Of course it has not been adjourned; it has not been started. We have not seen any of those criteria. Therefore, the use of Standing Order 57 is inappropriate.

Let me speak briefly to the acceptability of the motion proposed by the Government. The Minister promised to speak to the procedure and promised to demonstrate the precedents making his motion acceptable. I submit that the Minister has done neither. First, he spoke about a variety of things, some of which had nothing to do with procedure. More important, he

promised that he would demonstrate the acceptability of the motion based on parliamentary precedents. He admitted later that his motion was deficient. He chose to add further assurances to the House, hoping that it would satisfy the deficiencies that are in the motion offered to us.

Second, and even more important, there was only one precedent he utilized to make his point, which was the ruling of Mr. Speaker on June 13, 1988. Of course, the Minister failed to mention that the main criteria for that ruling on June 13 had not been satisfied this time.

It has been said previously, and you yourself said it on June 13, 1988, that Citation 10 in *Beauchesne's* Fourth Edition was quite specific when it talked of a temporary suspension of the rules.

● (1750)

When discussing the temporary suspension of the rules, it is important to read the last paragraph of the Government's motion, the acceptability of which we are discussing right now. I read to you the last paragraph:

That immediately upon the House returning from the Senate after the first Royal Assent of this session, a Minister of the Crown may propose, without notice or debate, a motion to rescind this Order.

We have to remember that there is no obligation on the Government to rescind this motion or to propose a motion to rescind this motion at any time during the session, a session which could last up to five years. There is no compulsion, no obligation to do so.

First of all, there is no obligation to propose the cancellation of the motion and, second, there is no obligation then for the government majority to accept what the government Minister proposes if indeed he proposes it to start with, and there is not even an obligation to do that, so it is very clearly deficient in those two areas.

Assuming that there was an obligation on the Government to rescind that motion immediately after the first Royal Assent, I would submit to you that this motion would still be deficient because of course the Government could move and adopt any number of Bills. It could adopt its next Budget, it could adopt the Throne Speech, or it could adopt any number of things and not give Royal Assent to any of them and then give Royal Assent to all of those put together at some point in the future, enabling it to keep this ruling in force until that time. It does not matter because the "may propose" feature is offensive to the traditions of this House.