

The Hon. the Speaker: It was my understanding that I had asked for the item to be deferred.

Senator Thériault: That is what you got.

The Hon. the Speaker: I suppose I shall have to see what Hansard says.

Senator Berntson: Review the record and bring it back next week.

Senator Graham: Honourable senators, pursuant to rule 58(1)(f) —

Senator Lynch-Staunton: No, no. We want to follow the proper procedure. Senator Kinsella has raised the point which I tried to express, and I thank him for having done so. The agreement was that we would revert to Government Notices of Motions in order to hear the Speaker's ruling, and that that would be the end of our return to that rubric. We never accepted the suggestion which has been presented by the Deputy Leader of the Government, that going back to Government Notices of Motions was for other than receiving the Speaker's ruling. We have now received the Speaker's ruling. Therefore, we go on to whatever else there is on the Order Paper.

Senator Thériault: It was deferred.

Senator Graham: Honourable senators, that is not the understanding of this side. We agreed that it be deferred because we were in a state of paralysis. We could not proceed under Government Notices of Motions because we did not have the ruling of the Speaker, which, under ordinary circumstances and by all precedent and convention, should be distributed to honourable senators so that we may examine it appropriately at that time.

Senator Lynch-Staunton: Rulings of the Speaker can be given at any time during our deliberations. It was only out of courtesy that we agreed to revert to the rubric under which the challenge was originally made. The Speaker can give his ruling at any time.

Senator Thériault: That is what he did, at any time he wants. There is a problem over there. What is the problem?

Senator Lynch-Staunton: The problem is that we are now away from Government Notices of Motions. The purpose for reverting to it has now been accepted and resolved. Therefore, we carry on with the rest of the orders.

Senator Berntson: The adjournment motion is in order.

Senator Graham: Honourable senators, I appeal to the Chair for understanding in this matter. We did not proceed with the item as intended at the clear request of the Chair that we wait until we had copies of his decision before proceeding on this specific item: Government Notices of Motions.

Senator Kinsella: Honourable senators, we have moved into the exception of when agreement is given to move away from the ordinary schedule of business. When Government Notices of Motions is called, it is an opportunity for all Government Notices of Motions available to be brought forward. None were brought forward today. His Honour asked for the consent of the house to come back to this item for the purpose of issuing his ruling which relates to a matter raised during yesterday's sitting under that rubric. That was agreed to. That is all that was agreed to.

The exception to the proceedings, agreed to by unanimous consent, was that the Senate go back to this item for the purpose for which the Speaker had asked. There was no request from the Deputy Leader of the Government to revert for notices of motions which he was intending to bring forward. In order to do that, we would have to have the unanimous consent of the house.

Senator Graham: The notice of motion which I want to move at the present time was entirely dependent upon the Speaker's ruling.

Senator Kinsella: Clearly, if there is a government notice of motion to be brought forward, the appropriate time to do that would be now, if we grant unanimous consent to revert to that item, or at the next sitting of the house.

Senator Graham: We could have agreed at the time for the Speaker to read his decision to all honourable senators. However, it was the unanimous agreement of the chamber, at his request, that we delay and then revert to this specific item: Government Notices of Motions. I appeal to the Chair that, in all fairness, we be allowed to proceed under that particular item.

Senator Kinsella: Honourable senators, chaos will only ensue under the vision advanced by the Deputy Leader of the Government. It is quite common that senators ask for leave to revert to one item or another, and leave is often granted. However, the reversion is always to the specific item requested by the honourable senator, that is, Presentation of Petitions or Notices of Motions. In my experience here, leave has always been granted on a specific matter, as it was in this instance to the Speaker.

Hon. Sharon Carstairs: Honourable senators, with the greatest respect, we have an Order Paper. I clearly violated that Order Paper yesterday, for which I accept responsibility. That may be attributed to my not having as clear a knowledge of the rules as some other honourable senators.

However, when the Speaker called for Government Notices of Motions, before the government could introduce a single motion under that listing on the Order Paper, the Speaker continued. He said, "I wish to defer this motion because I have a ruling under Government Notices of Motions." As a result, that item was deferred in its entirety because no one was given the opportunity to speak — neither the leader nor the deputy leader — because His Honour had asked for permission to defer, and we gave him that permission.