

Debating Time Allotment

He relates there to the fact that the Speaker is given discretion to make a choice. If the motion which is first on the order paper is one which is likely to be debated under the rules of the house, Your Honour should give effect to that fact, allow that motion to be debated, and not let it be blocked by the government introducing another motion.

That is carried forward in the 17th edition of May at page 399 where it is said that a matter already appointed for consideration by the house cannot be anticipated by a motion, an amendment or a notice of motion as long as it remains upon the order paper, whether for a specified day or not. This is precisely the situation which prevails in this house at the present time.

This has been followed in our house. Citation No. 131 in Beauchesne's 4th edition provides:

In determining whether a discussion is out of order on the ground of anticipation, regard shall be had by Mr. Speaker to the probability of the matter anticipated being brought before the house within a reasonable time.

Certainly the notice of motion of the hon. member for Grenville-Carleton (Mr. Blair) is before the house and can be debated at any time. Until June 26 there was every belief that this was a motion which the house was going to debate.

Finally, I wish to refer Your Honour to the most succinct and clear statement on this issue, contained in "The House of Commons at Work" by Eric Taylor which, I suggest is pertinent and right on the nose. The statement appears at page 99 and reads as follows:

There is, finally, the rule against anticipation. Debate must not cover the ground of a motion which is on the order paper, and likely to be discussed. Formerly, even the fact that a motion stood on the order paper was enough to prevent debate on the subject it dealt with, and until recently private members who wished to prevent the discussion of a particular topic made a practice of putting down motions which they never brought up for debate. Nowadays, however, unless there is a reasonable chance of a motion coming up for debate, it cannot prevent members raising the same subject on another motion.

That is what I would ask Your Honour to hold before you when you come to make a ruling.

So much for the precedents. Let me point out that, rather like the pilots in the early days in my country, the house and Your Honour, with these new rules, are flying collectively by the seat of their pants in the matter of making decisions and rulings on the new practices upon which we have embarked.

This is not the first instance with regard to a committee report. I need only to go back to the report of the Transport Committee and to other reports which, properly considered and discussed in the committee and later brought into the house, have been ignored.

The government is divided. On June 18 last the Minister of Justice (Mr. Turner), dealing with amendments to the official languages bill, took the position that he could not support an amendment proposed by this side of the house because it had already been dealt with by a committee and the committee had come to a decision. Under those conditions the government was so struck with the importance of the committee report that they had decided to follow the views of the committee.

Hon. John N. Turner (Minister of Justice): On a point of order, Mr. Speaker. I just want to suggest to the hon. member for Peace River (Mr. Baldwin) that in trying to oversimplify my remarks he is distorting them.

Mr. Baldwin: Usually I find it difficult to oversimplify the remarks of the Minister of Justice.

Mr. Benson: But you find it easy to distort them.

● (2:30 p.m.)

Mr. Baldwin: What is your position to be, Mr. Speaker? The committee structure was to have been the foundation of the new order through which the just society would be ushered into this country. Here we find an important committee report being ignored. Logic, reason, persuasion, have gone out of the window because the Prime Minister, the President of the Privy Council and their colleagues have accepted the rule of the bulldozer. From now on, apparently, the rules belong to the government, and the house has no interest in them. I sometimes wonder what will be the value of the Committee on Procedure and Organization if this is the way in which recommendations are to be considered.

Hon. Donald S. Macdonald (President of the Privy Council): It is a refreshing change that for once the hon. member has been citing some parliamentary authorities. One recalls that his previous guide in connection with these matters was the *Canada Year Book*. Not only can he cite that publication but he can cite Sir Walter Scott. I am glad he has learned a little bit about the rules. Perhaps I,