



DEBATES OF THE SENATE

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INCOME TAX ACT

Point of Order

Statement by:

The Honourable Diane Bellemare

Friday, June 26, 2015

THE SENATE

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[Translation]

INCOME TAX ACT

POINT OF ORDER

Hon. Diane Bellemare: Mr. Speaker, I would ask that when you rule on this point of order that you take into consideration some of the themes that Speaker Kinsella raised in 2013. I would like to read two important paragraphs that you should take into account:

Honourable senators, there is a coherence in our Rules. Government Business has priority, and there are mechanisms to facilitate its dispatch. As to Other Business, the Senate follows more traditional practices, so that debate is more difficult to curtail. The disposition motion currently before the Senate appears to cross the boundaries between these two categories.

A proposal of this type could, in the long term, distort the basic structure of Senate business, allowing the government's time allocation powers to, in effect, be applied to items of Other Business. To avoid the long term risks to the integrity of the basic structure of our business, it would be preferable to find a solution to this particular case that avoids establishing such a far-reaching precedent.

Consequently, Senator Kinsella proposed at the time that the leaders meet to establish a schedule. I know that we are not there. However, in the interest of a more open debate in this chamber, it

might be beneficial for us to set a schedule, particularly to bring back witnesses whose testimony we did not hear.

In your forthcoming ruling, Mr. Speaker, I would like you to answer some questions that trouble me and have been troubling me throughout this entire debate. I have two questions that I would like you to answer.

How is it that we are about to adopt a closure motion that, according to Senator Kinsella, could be out of order and could create a dangerous precedent?

• (1010)

All that for a bill that, in the opinion of most witnesses, is a bad bill bound to be challenged in the courts and one that will give rise to unwarranted public spending at a time when public finances are in a precarious state.

Why can we, in this chamber, not have a rational debate about the details of this bill when a majority of the witnesses and the Standing Senate Committee on Banking, Trade and Commerce pointed out so many problems with it?

I have an answer that I can share with you. I think that one of the explanations for this situation is that there is a kind of cancer at work here, and that it is petty political partisanship, which has perhaps become prevalent. I would ask you please not to succumb to it, but to fight it.