

The Order being read for the third reading of Bill C-58, An Act to amend the Combines Investigation Act and the Criminal Code;

Mr. Fulton, seconded by Mr. Hees, moved,—That the said bill be now read a third time and do pass.

And debate arising thereon;

Mr. Crestohl, seconded by Mr. Caron, proposed in amendment thereto,—That this bill be not now read a third time, but be referred back to the Committee of the Whole for reconsidering the deletion of clause 14 of this bill, with instructions that they have power to amend it to provide therein safeguards for small business and against the exploitation of the Canadian consumer.

#### RULING BY MR. SPEAKER

Mr. SPEAKER: Before placing this amendment before the House I should like to hear whether any Member shares my concern about the last part of the amendment. It appears to be in order in referring the bill back to the Committee of the Whole to reconsider clause 14, but the instructions are that the committee have power to amend it to provide therein safeguards for small business. I suppose that means safeguards with respect to the subject matter of this clause. Then the words “and against the exploitation of the Canadian consumer” constitute a rather broad expression and would be outside the scope of the bill unless it related specifically to the subject matter of clause 14.

And debate arising on the point of order;

Mr. SPEAKER: I thank honourable Members for their assistance. I should like to refer to the fourth paragraph of citation 415 of Beauchesne's Fourth Edition which appears to be relevant. It reads: “On the third reading of a bill, an amendment to refer back to the Committee of the Whole must not tend to change the principle approved on the second reading.”

Then again, I should like to refer to citation 418 on the following page which states: “The question for the third reading is put immediately after the report from the Committee of the Whole. All amendments which may be moved on a second reading of a bill may be moved on the third reading with the restriction that they cannot deal with any matter which is not contained in the bill.”

Then, lower down in the same paragraph, there is a reference to amendments of second reading when opinions may be expressed. Then, it is stated: “This cannot be done on the third reading because it is not directly connected with any provision of the bill.”

Finally, I would refer to the last paragraph of that citation: “When a motion is made ‘that the bill be now read a third time’, the same kind of amendments are permissible as on the second reading, i.e. amendments postponing it for three or six months.”

My difficulty in this matter—and I do not want to be unduly fastidious about this amendment—is that it seems to me in order to refer a bill back to the committee to delete clause 14—and if the honourable Member had stopped there I would have no doubt about it. But the honourable Member goes on to say “with instructions that they have power to amend it”. He is talking about the bill, I suppose, or perhaps he is talking about clause 14. In any event the committee is given power to amend it so as to provide safeguards for small business.