

the consideration shown by the honourable Member for Calgary North in giving early notice of his intended amendment. I am not sure whether this has helped his cause or not, but at any rate it provided an opportunity to study the main aspects of the interesting procedural point raised by the proposed amendment.

It is hardly necessary to remind honourable Members that the Chair cannot rule on the merits of the honourable Member's proposal as opposed to the method supported by the Minister in the presentation of the bill. It is not for the Chair to determine whether it is proper or appropriate or politic for the government to present this legislation in the form of an omnibus bill. The only ruling which is within the competence of the Chair is whether the honourable Member's amendment is procedurally correct and acceptable at this stage.

What we have to determine is whether it is possible under our rules to move an amendment at this stage which in effect is an instruction to a committee, and whether the effect of this amendment, if allowed, would constitute an instruction to divide or split the bill.

The honourable Member for Calgary North argued at length this afternoon, and with great force, that honourable Members should not be called upon to vote for or against a motion which contains two or more distinct propositions. The bill would then be divided in so many different motions so that the sense of the House could be taken on each of the propositions individually.

The many aspects of the division of a complicated question were discussed and subsequently ruled on by Mr. Speaker Macnaughton during the flag debate. As pointed out a moment ago by the honourable Member for Yukon, on that occasion Mr. Speaker did divide the complicated resolution which was then before the House for consideration. However, as honourable Members know, and as was indicated, I believe, by the Minister of Justice in the course of his argument in support of his own point of view, what was before the House when Mr. Speaker Macnaughton reached his decision was not a straight forward motion for the reading of a bill but a complex motion. The purpose of the amendment was to divide a resolution; it was not an amendment to divide a bill. I am not forgetting the very important point raised by the honourable Member for Cardigan in this regard to which I will come to in a moment.

There may, of course, be considerable justification for dividing a complicated question stated in a motion as distinct from a bill, because such a motion is essentially a one step proceeding with the Speaker in the Chair. There is then no opportunity for the House to consider and to vote separately and individually on the propositions which constitute the proposed resolution.

Again I repeat that the procedural position is entirely different in the case of a motion for the second reading of a bill. As I stated at the outset, a close scrutiny of precedents and authorities, I suggest to honourable Members in all humility, leads to the conclusion that a motion to divide a bill by way of an instruction to a committee cannot be entertained at this particular stage of the House's proceedings.

In fact, Standing Order 74(1) precludes such a motion. It reads as follows: "Every public bill shall be read twice and referred to a committee before any amendment may be made thereto."

There are well accepted forms that can be used to amend not the bill itself but the motion for second reading of the bill. In particular, it is open to honourable Members to move a reasoned amendment; that is, a resolution declar-