

Medicare

I believe that the amendment now before the committee does extend the scope of the resolution which was passed on July 12, and I regrettably have to rule the amendment moved by the hon. member for Simcoe East out of order.

Mr. Rynard: Mr. Chairman, being a member of the medical profession and knowing the situation across Canada, I feel so keenly about this question that I regret I must appeal that ruling.

● (4:00 p.m.)

Mr. Speaker resumed the chair and the chairman of the committee made the following report:

Mr. Speaker, in committee of the whole when subclause 2(f) of bill C-227 was being considered the hon. member for Simcoe East proposed an amendment. Subclause 2(f) of the bill reads as follows:

(f) "medical practitioner" means a person lawfully entitled to practice medicine in the place in which such practice is carried on by him;

The amendment by the hon. member for Simcoe East reads as follows:

(f) "medical practitioner" for the purposes of this Act means any person lawfully engaged in the practice of rendering services to individuals in the field of the healing arts whose qualifications and entitlement to practise in the place in which such practice is carried on by him are recognized by the government of a province or by an association approved for the purpose by the legislature of a province;

The Chair, using section 3 of citation 246, Beauchesne's Fourth Edition, and paragraph 13, page 551 of May's Seventeenth Edition, ruled the proposed amendment out of order in that it extended the purpose and objects of the resolution preceding the bill adopted by the house on July 12 last and as such had introduced certain money provisions not covered by the resolution. From this ruling the hon. member for Simcoe East appealed to Mr. Speaker pursuant to section 4 of Standing Order 59.

Mr. Speaker: Before hon. members proceed to argue the appeal launched against the ruling of the Chair, I remind hon. members, and particularly the hon. minister and the hon. member for Kamloops, that I have had an opportunity of reading and studying very closely the arguments made yesterday when the amendment was first proposed and moved by the hon. member for Simcoe East.

Hon. E. D. Fulton (Kamloops): I appreciate the import of Your Honour's remark. I would say first—and I know that in this I am also expressing the views of the hon. member for Simcoe East—that it is with regret we feel impelled to appeal the ruling of the Chairman for whom we have so much respect.

[The Chairman.]

● (4:10 p.m.)

We feel, however, that in doing so we are not impugning his authority or position. We are but asking that another authority should pass judgment upon the matter which he has had under consideration. I am glad to say that in making this appeal today under the new rules we are not submitting this appeal to the weight of revoke; we are not submitting it to any sort of power play. We are merely asking that another learned authority should bring his judgment to bear upon this important question. It is in this sense only that we have taken this step of appealing the ruling.

You have said, sir, that you have read the arguments made yesterday in connection with this particular amendment. Obviously, therefore, you will have read the arguments made with respect to paragraph (d) in particular, and I therefore do not propose to repeat them in extenso. Rather, I seek to bring to bear a new consideration, one which will, I believe, reinforce the other arguments which have been made in support of the amendment. In putting forward this new consideration I ask Your Honour to consider the words of the resolution in their totality.

As I understand it, the ruling from the Chair is that the words of the amendment would carry the scope of the bill beyond that which is contemplated in the resolution. Most of the rulings which have been made have been made with respect to insured medical care services. I ask Your Honour to bear in mind that the amendment which you are now asked to consider has to do with the definition of the words "medical practitioner". The object of the amendment, as clearly stated, is that "medical practitioner" for the purpose of this act should include any person lawfully engaged in the practice of rendering service in the field of the healing arts. Then the amendment goes on to say, in effect, provided that the qualifications and rights of such persons to practise are recognized by the government of the province or by a body set up by the legislature of the province.

I emphasize this point because I wish to relate it to the wording of the resolution. The resolution reads:

It is expedient to introduce a measure to authorize the payment of contributions by Canada toward the cost of insured medical care services incurred by provinces pursuant to provincial medical care insurance plans.

That is the kind of services which the resolution encompasses. Therefore, it is the kind which this bill must be presumed to encompass. What we are asking in this amendment