

Dominion-Provincial Relations

amendment does is to provide for the establishment of a provincial council by a legislature of a province, maintaining all the other features of the bill save those contained in paragraph (b)(i) and (ii). It would strike me that the points made by the hon. member for Bonavista-Twillingate and the hon. member for Hull were well founded in that this amendment deals with an alternative and does not deal with the Canadian universities foundation agreement which has already been signed between the minister and the two groups therein mentioned. I would therefore suggest with deference that the amendment is in order.

The Chairman: I wish to state that although I understand the appeal of the hon. member for Bonavista-Twillingate and the hon. member for Hull I consider it the duty of the chairman to rule on the validity of any amendment which is submitted to the committee. However interesting may be the discussion as to the merit of the proposition in itself, I think it is the duty of the Chair to rule out of order any amendment which it considers to be out of order.

I have not heard any satisfactory explanation of or rebuttal to the objection I have raised. I think it is clear that if the amendment would result in an additional expenditure the initiative cannot come from other than a minister of the crown. As the situation stands, I am convinced that the amendment would permit payment to the universities foundation of an amount equal to the population of Canada multiplied by \$1.50 and if there were in any province a university council the same amount could in addition be given and divided between all the university councils on the same basis. For this reason alone I think the amendment is out of order. However, I think I should add immediately, for the guidance of hon. members, that to me the amendment goes beyond the scope of the bill. The principle of the bill that has been adopted as indicated by the resolution is as follows:

That it is expedient to introduce a measure to amend the Federal-Provincial Tax-Sharing Arrangements Act to provide certain alternative arrangements for payment, either by Canada through the Canadian universities foundation—

We know what it is.

—or directly by a province,—

That is the principle of the bill which has been approved. What the alternative of the amendment suggests is payment by Canada to a provincial university council, something which is not provided for in the principle of the bill as embodied in the resolution and as adopted. I think the bill is in conformity with the resolution as agreed to and as approved

[Mr. Chevrier.]

by the house on second reading. For those two reasons I am therefore obliged to rule the amendment out of order.

Mr. Chevrier: I must respectfully appeal your ruling, Mr. Chairman.

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

In committee of the whole when Bill No. C-56, an act to amend the Federal-Provincial Tax-Sharing Arrangements Act, was being considered, Mr. Chevrier moved an amendment as follows:

That all the words presently appearing in section 9A(1)(b) of clause 2 be deleted and the following substituted therefor:

“(b) Provincial universities council means a corporate body established by act of the legislature of a province to receive and distribute the grants hereinafter referred to, and composed of representatives of the institutions of higher learning in that province.”

That all the words presently appearing in section 9A(3) be deleted and the following words substituted therefor:

“The minister, with the approval of the governor in council, may on behalf of the government of Canada, pay to a university council established in any province for any fiscal year commencing on or after the first day of April, 1960, for the purpose of making grants to institutions of higher learning in that province an amount calculated by multiplying the population of the province for the calendar year ending in that fiscal year by one dollar and fifty cents.”

Mr. Speaker put the question as follows:

The question is an appeal to the house from a ruling of the Chair as follows: In committee of the whole on Bill No C-56, an act to amend the Federal-Provincial Tax-Sharing Arrangements Act, Mr. Chevrier moved an amendment as follows:

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The chairman ruled the amendment out of order on the ground that it proposed an additional charge over that authorized by the terms of the resolution preceding the bill and, moreover, it was irrelevant as going beyond the scope of the bill as approved on second reading thereof. Whereupon, Mr. Chevrier appealed to the house from the ruling of the Chair.

The house divided on the question: Shall the ruling of the chairman be confirmed? And the ruling was confirmed on the following division: