

ago I asked the distinguished Parliamentary Secretary whether he could look into the matter, if not to avoid being seen as not responding to the question, at least to preserve the tradition and right. I wonder whether he has now had a chance to look at it.

Mr. Evans: Madam Speaker, the Hon. Member's remarks about his Starred Question is somewhat confused. He alleged on September 30 that Starred Question No. 5,038 had been around for some ten days or two weeks. In fact it was dated September 21 and would have appeared on the notice paper only on September 22. His Starred Question had not been around for that length of time; it had only been around for some six to seven days. We will certainly get to that question at the earliest possible moment.

Mr. Forrestall: Madam Speaker, I am sure the Parliamentary Secretary was quite unintentional in what he said. In order for it to have appeared on the Order Paper on September 21, it would have to have been submitted somewhat earlier. I appreciate his attention and reiterate my concern that, in accordance with the tradition of the House, urgent Starred Questions are dealt with as expeditiously as possible.

[Translation]

Madam Speaker: Shall the remaining questions be allowed to stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[English]

WESTERN GRAIN TRANSPORTATION ACT

MEASURE TO ESTABLISH

The House resumed consideration of Bill C-155, an Act to facilitate the transportation, shipping and handling of western grain and to amend certain Acts in consequence thereof, as reported (with amendments) from the Standing Committee on Transport; and Motion No. 35 (Mr. Benjamin).

Madam Speaker: Last Thursday I expressed a number of reservations concerning certain motions in amendment to Bill C-155. I am now prepared to rule on the procedural acceptability of these motions.

Before doing so, may I take this opportunity to thank all Hon. Members who participated in the extensive procedural debate for their very valuable contributions. I must say that these contributions have facilitated the Chair's deeper understanding of a very complex and technical piece of legislation. I am grateful for the arguments they have set forth.

During the debate Hon. Members often referred to the desirability or merit of certain proposed motions. Of course, that puts the Chair in a rather awkward position. I must

Western Grain Transportation Act

remind Hon. Members that unfortunately such remarks could not be taken into consideration by the Chair in reaching a decision since only the procedural acceptability of motions concern it.

When I made my preliminary remarks in relation to Motion No. 1, I indicated to the House that this was an attempt to place into the Bill a disguised preamble. Although the Hon. Member for Vegreville (Mr. Mazankowski) in presenting his argument used the term "statement of purpose and intent", I am not convinced that there is a substantial difference between such a statement and a preamble.

In his very valuable contribution to the procedural debate, the Hon. Member for Yukon (Mr. Nielsen) quoted Citation 779(3) of Beauchesne's Fifth Edition as follows:

Where the Bill, as introduced, does not contain a preamble, it is not competent for the committee to introduce one.

In my view, the effect of Motion No. 1 would be to introduce a preamble into the Bill. However desirable it may be to some Hon. Members—and I understand that it is to many Hon. Members—the introduction of such a preamble is contrary to our rules and practice. Therefore I have no alternative but to rule that Motion No. 1 is not acceptable.

With reference to Motions Nos. 2 to 19 inclusive, 59, 64, 66, 67, 70, 129, 134 and 135 to which I referred in my statement to the House last Thursday as substantive amendments to an interpretation clause, I have not been convinced otherwise. Hon. Members argued that a great many of these motions attempted to move definitions from clauses later on in the Bill and place them in Clause 2, which is the general interpretation clause in the Bill. Of course, this is a novel approach.

In his presentation the Hon. Member for Hamilton Mountain (Mr. Deans) quoted from May's Nineteenth Edition that it was perfectly in order to move clauses from one part of a Bill to another part of a Bill. The Hon. Member is quite right in this regard. However, the motions in question do not attempt to move clauses but to move definitions into an interpretation clause which covers the whole Bill. This is the dilemma faced by the Chair. The fact that these motions, as argued by the Hon. Member for Hamilton Mountain, could be considered to be within the scope of the Bill and within the terms of the Royal Recommendation does not necessarily ensure that they are in order, and this is not the Chair's main concern. What concerns the Chair is that substantive amendments are being proposed to an interpretation clause.

In my preliminary statement I referred to a ruling of one of my predecessors in this regard. For the benefit of Hon. Members I would like to quote from Citation 773(10) of Beauchesne's Fifth Edition, which reads:

A substantive amendment may not be introduced by way of a modification to the interpretation clause of a bill.

In my view to transfer definitions limited in scope to parts of a Bill to the general interpretation clause which applies to the whole Bill enlarges substantially the effect of the definitions, and this is not an acceptable procedure. Likewise, to modify