

merits of such a step; the issue is whether the particular amendment before us is in order. I do not dispute the general claim that the hon. member has put forward. Indeed, on previous occasions I have supported the merits of what he is now endeavouring to accomplish by this particular amendment. As the hon. member pointed out, he has previously moved a whole series of amendments to bills before this House which you, Sir, in consultation with various authorities, ruled out of order and which the hon. member withdrew following discussion.

The issue today is very simple: Does the matter before us place a burden on the treasury and violate the prerogative of the Crown with regard to expenditure of funds? With all respect, I do not think that the wording of the clause the hon. member seeks to amend is as direct as previous wordings that we have considered. I think the clause is either unnecessary or attempts to do indirectly that which cannot be done directly. The wording of the amendment appears to provide that Members of Parliament shall not be excluded from appointment which, presumably, means that they shall be considered for appointment. If Members of Parliament are to be considered for appointment to boards of directors under clause 40(1)(a), then we have to face the problem whether or not the bill is contemplating two classes of directors, one paid and the other unpaid. Certainly, there is nothing before the House to suggest that that type of provision is implied or should be implied.

The precedent quoted by the hon. member is very interesting. It speaks very clearly of how members could be appointed to the board of an international agency of the sort to which reference has been made. It very clearly provides that they may not receive remuneration, and obviously there has been care with the wording. But the wording before us is not the wording the hon. member cited a few moments ago but very different wording. As I read it, it attempts to place Members of Parliament in the position of being eligible for appointment on the same terms and conditions as other directors contemplated by this legislation. If that is the case, then I think it clearly violates the terms of the Senate and House of Commons Act and would be subject to all of the strictures previously referred to by Your Honour in other circumstances in connection with previous amendments moved by the hon. member. I submit the amendment is out of order.

**Mr. Speaker:** I thank the hon. member for Cochrane for his enlightening remarks, and I also thank the hon. member for Ottawa West for his comments for the guidance of the Chair. I had indicated previously when this motion was first put to the House that I had serious doubts about the procedural aspect of the proposal submitted by the hon. member for Cochrane. I was under the impression that this amendment was rather in the form of a substantive proposition that went substantially beyond the terms of the bill that is now before us.

That is still the objection which I have to the hon. member's amendment. Somehow, I have the impression that the argument he has submitted in support of his claim that the motion should be accepted and put to the

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House strengthens my view that what he has proposed for our consideration is a substantive motion that goes beyond the terms of the bill before the House.

The hon. member's proposed motion would provide that in making appointments to the board of directors, the governor in council may appoint Members of Parliament to the board. While the motion does not use that specific language, the appointments the motion proposes could be made notwithstanding the provisions of the Senate and House of Commons Act. That is the point that was made by the hon. member for Ottawa West.

I suggest to the hon. member for Cochrane that his proposed motion is either a nullity, in the sense that it would produce nothing in practice, or, in effect, it is an amendment to the Senate and House of Commons Act, which is not now before the House. I suggest to hon. members that it is not open to them to propose a motion, following the procedure suggested by the hon. member for Cochrane, that amends an act that is in no way before the House and which bears very little relationship to the bill that is before the House at the present time.

Section 10 of the Senate and House of Commons Act provides that:

—(a) no person accepting or holding any office, commission or employment...to which any salary, fee, wages, allowance, emolument, or profit of any kind is attached...is eligible as a member of the House of Commons—

To my way of thinking, the argument is not whether public money might accrue to a member; rather the question is whether any member can be nominated by the Crown, or by an officer of the Crown, to an office to which an emolument or financial benefit attaches. In effect, the proposed motion removes the provision in the act that excludes members from such an office when the nomination is made by the Crown.

I recognize that the hon. member for Cochrane has a very strong point when he says that the International Development Research Centre Act was amended in terms very similar to those now proposed in the amendment of the hon. member. I must say that, in my view, if that amendment had been submitted to the Chair for consideration it would in all likelihood have been declared out of order. As the hon. member knows, this amendment was introduced at the committee stage and came before the House as part of the bill that was reported by the committee and was adopted with the other clauses of the bill. Therefore the point was not submitted to the Chair for consideration. In looking at the bill at the time the amendment was proposed, I had very serious doubts as to whether it was in order and whether the act could be reconciled with the other statute it in effect amended without saying so. For those reasons, I must conclude that the motion proposed by the hon. member should not be put to the House.

● (4:30 p.m.)

I have reservations also in that the whole matter to which this amendment refers is now still before the Committee on Privileges and Elections. In any event, there has been no report as far as I know on that reference to the committee. The hon. member was kind