

Income Tax Act

in the substance of a distinct motion that might be made on another occasion.

There is one further remark I would like to make, with Your Honour's indulgence and that of the House. The hon. member for Winnipeg North Centre sought to cushion the effects of what you might decide to do by submitting to Your Honour that if a reasoned amendment were to be found admissible and were to carry, the result would not be as catastrophic as one might think. He quoted from May at page 528 in the seventeenth edition. I think he was quoting through Beauchesne—

Mr. Knowles (Winnipeg North Centre): No, I have got my May too.

Mr. Turner (Ottawa-Carleton): Well, he has got May too.

Mr. Lewis: That sounds like the first words in a new rock song.

Mr. Turner (Ottawa-Carleton): It is permissive anyway, not compulsory.

It must be borne in mind, however, that the amendment, if agreed to, does not necessarily arrest the progress of the bill, the second reading of which may be moved on another occasion.

That is an isolated paragraph from a larger quotation on page 528. I submit that if you are going to get the complete context of that paragraph on the effect of carrying a reasoned amendment, Your Honour might direct your attention to the entire paragraph.

Mr. Knowles (Winnipeg North Centre): On a point of order, Mr. Speaker, I read the entire paragraph and three or four more after it. Where was the minister?

Mr. Turner (Ottawa-Carleton): I am just drawing to Your Honour's attention that the paragraph begins with these words:

According to modern practice, it would appear to be unlikely that, after a reasoned amendment had been carried on the second or third reading of a bill, any further progress would be made.

The last paragraph on the page is even more—

Mr. Knowles (Winnipeg North Centre): Read all of that paragraph.

Mr. Turner (Ottawa-Carleton): I will read the whole passage, and I will do my own underlining. How would that suit?

If it is merely desired to draw attention to a matter incidental to the legislation intended by the bill—

What it is not.

—or to affirm a principle which could be incorporated in the bill at a later stage—

Which it is not here.

—this purpose could probably be better effected by an instruction or an amendment moved in committee.

That is fine.

● (8:30 p.m.)

It must be borne in mind, however—

[Mr. Turner (Ottawa-Carleton).]

These are the words recited by the hon. member for Winnipeg North Centre.

—that the amendment, if agreed to, does not necessarily arrest the progress of the bill, the second reading of which may be moved on another occasion.

I add, parenthetically, that that has to be read with the opening words of the passage where May says that according to modern practice it would be unlikely that any further progress on the bill would be made.

The technical effect of such an amendment is to supersede the question for now reading the bill a second time; and the bill is left in the same position as if the question for now reading the bill a second time had been simply negated or superseded by the previous question.

Of course, I say parenthetically that that is technically right, but in terms of practical parliamentary procedure any hoist or negative of second reading or any motion following second reading in effect kills the bill.

Mr. Speaker: I understand that the hon. member for Annapolis Valley (Mr. Nowlan) wishes to rise on a point of order.

Mr. Nowlan: Yes, Your Honour, I do, with respect. I am hoping the Minister of Justice (Mr. Turner) is trying to convince the Chair of the point, not the hon. member for Winnipeg North Centre (Mr. Knowles), because he will never do that. I think he should direct his remarks to the Chair.

Mr. Turner (Ottawa-Carleton): The hon. member is right; but I believe the Chair is omnipresent in this chamber and so I am always speaking to the Chair, and through the Chair, to members.

Mr. Nowlan: But when he said "May", Mr. Speaker, I thought he was getting too close to the hon. member for Winnipeg North Centre; he was getting too intimate.

Mr. Turner (Ottawa-Carleton): I think the hon. member knows from his active days of practice at the bar that although he addresses the judge, he rubs elbows with counsel at the bar.

Mr. Knowles (Winnipeg North Centre): Please leave me out of this.

Mr. Turner (Ottawa-Carleton): The hon. member for Winnipeg North Centre did not enjoy that last metaphor, Mr. Speaker. I want to go on with that passage and give it its full amplitude.

The House refuses on that particular day to read the bill a second time, and gives its reasons for such refusal; but the bill is not otherwise disposed of.

Technically, I suppose that is right, but in practical parliamentary terms that bill is dead. Then there is a citation in respect of the marriage law amendment bill. I will not read that now, but this is the paragraph I want to draw to your attention:

The practical result of carrying such a resolution varies according to its character and importance, the support it has received, and the means there may be of meeting it, and on certain occasions has had far reaching political effects.