

# HOUSE OF COMMONS

Tuesday, March 26, 1985

The House met at 11 a.m.

• (1105)

## GOVERNMENT ORDERS

[English]

### SMALL BUSINESSES LOANS ACT

#### MEASURE TO AMEND

The House proceeded to the consideration of Bill C-23, an Act to amend the Small Businesses Loans Act, as reported (with amendments) from the Standing Committee on Regional Development.

**Mr. Hnatyshyn:** Mr. Speaker, I rise on a point of order. You will note, Mr. Speaker, that the first item of business for today is Bill C-23. There have been consultations between the Parties and House Leaders. We have agreed that this matter be called first today and that it be concluded through report stage and third reading stage today.

In addition, I understand that the Hon. Member for Saint-Léonard-Anjou (Mr. Gagliano) has some motions at the report stage. As I understand it, they will be moved, certainly with our agreement and consent, by the Hon. Member for Westmorland-Kent (Mr. Robichaud) on his behalf today. I think you will find the understanding and agreement is that the matter will be dealt with in all stages today through third reading.

**Mr. Speaker:** I thank the President of the Privy Council (Mr. Hnatyshyn). I have some preliminary matters that I have to indicate in a statement. We have to do a couple of matters by unanimous consent.

Is there unanimous consent for a House order to deal with the matter through third reading today?

**Mr. Gauthier:** Mr. Speaker, I apologize to the House and to the Government House Leader, but I am not aware of any agreement at this stage. I will inquire. Our House Leader had to leave the House. He will be back within a few minutes. I will consult with him.

**Mr. Speaker:** That matter will perhaps come back before the House. I now seek the unanimous consent of the House for the replacement. I observe that the Hon. Member is now here. Am I still being asked to seek the consent that motions be moved on his behalf?

**Mr. Hnatyshyn:** No.

**Mr. Speaker:** I have to indicate to the House that there are six motions standing on the Notice Paper at report stage of Bill C-23, an Act to amend the Small Businesses Loans Act. Motion No. 1, standing in the name of the Hon. Member for Saint-Léonard-Anjou (Mr. Gagliano), seeks to return to the provisions of the original Act whereby the Minister is liable to pay to a bank the amount of any loss sustained by it as a result of a business improvement loan after the 18th day of January, 1961.

The Chair has some concern that such an amendment, if carried, would eliminate the March 31, 1985 deadline for these motions and thus would call for a continuation of the existing law. I would refer Hon. Members to Beauchesne's Fifth Edition, Citation 773, paragraph 7, which relates to the Royal Recommendation and which states:

An amendment is out of order . . . if it extends the objects and purposes, or relaxes the conditions and qualifications as expressed in the Royal Recommendation.

I would also refer Hon. Members to May, Twentieth Edition, page 818. In the opinion of the Chair, it would relax a condition of the Royal Recommendation, namely eliminate the March 31, 1985 deadline for liability losses on loans. If the Hon. Member for Saint-Léonard-Anjou wishes to put forward a procedural argument in support of Motion No. 1, I am prepared to hear him at the conclusion of this statement and defer a final ruling until any representations he wishes to make.

If I may proceed, Motion No. 2, also standing in the name of the Hon. Member for Saint-Léonard-Anjou, is acceptable and should be debated and voted on separately. Motions Nos. 3, 5 and 6 are acceptable and should be debated together. Motion No. 3 will be voted on separately. An affirmative vote on Motion No. 5 will dispose of Motion No. 6. A negative vote on Motion No. 5 will create the requirement for a vote on No. 6. Motion No. 4 in the name of the Minister of Regional Industrial Expansion (Mr. Stevens) is acceptable and should be debated and voted on separately.

I am now prepared to hear procedural argument advanced, if so wished, by the Hon. Member for Saint-Léonard-Anjou. He indicates that he understands the case that I am making. I therefore now indicate to the House that I must find Motion No. 1 to be unacceptable to the Chair. Proceeding to debate.

**Mr. Gauthier:** Mr. Speaker, I rise on a point of order. I have had occasion to consult with my House Leader. It is agreeable to us that this Bill proceed through all stages today.

**Mr. Deans:** Mr. Speaker, we also would agree to have the Bill proceeded with through all stages today.