

provincial jurisdiction. I think this must be considered to be beyond the scope of the Bill and, therefore, irregular.

I might add in passing that this motion would appear to imply, as I indicated earlier, a change to the Consolidated Revenue Fund to pay for the mediator. I believe this is something Your Honour mentioned in your ruling.

With the complexity of this procedure, my recollection with respect to Your Honour's ruling is that I am reminded, and rightly so, that Your Honour pointed out the financial initiative of the Crown argument contrary to Citation 773(7) of Beauchesne's Fifth Edition.

With respect to Motion No. 2, the fundamental principle upon which the custody provisions in the Bill are founded are a determination of what is in the best interests of the child.

Mr. Gauthier: That has been ruled out of order.

Mr. Hnatyshyn: I understand that has been ruled out of order, Mr. Speaker. I will move along, then.

Since Motions Nos. 7, 15, 17 and 27 are consequential to the adoption of Motion No. 2, as they refer to shared parenting without defining it, and are thus dependent upon such an amendment, the interpretation clause containing Motion No.—

Mr. Gauthier: They have been ruled out, too.

Mr. Hnatyshyn: I believe they have been ruled out of order, too.

Mr. Speaker: Yes.

Mr. Hnatyshyn: Motion No. 3 which stands in the name of the Hon. Member for Burnaby (Mr. Robinson)—

Mr. Speaker: Could I ask the Hon. President of the Privy Council (Mr. Hnatyshyn) to give me approximately two seconds. There is so much paper at the moment that I think I have Monday's Order Paper which does not include Motion No. 3B. I want to follow the Hon. Member's argument. I wish to make sure I have the right Order Paper. Please continue.

Mr. Hnatyshyn: Motion No. 3 which stands in the name of the Hon. Member for Burnaby attempts to eliminate the grounds for divorce established in the Bill as agreed to at second reading stage. The effect of the adoption of this motion would be to eliminate any ground of divorce other than separation during a period of one year. The result would be that no one could be divorced prior to the end—

Mr. Gauthier: That has been ruled out of order.

Mr. Hnatyshyn: Have Motions Nos. 11, 11A, 32 and 33 been ruled out of order as well, Mr. Speaker?

Mr. Gauthier: Motion No. 7 has been ruled out.

Mr. Speaker: Order, please. I appreciate that the President of the Privy Council has come with a prepared argument. I

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know he is well briefed. I take it he prepared these arguments prior to the matter being dealt with preliminarily.

Mr. Hnatyshyn: I have dealt with the ones on which you have asked for comments.

Mr. Speaker: I think that the President of the Privy Council will find that, for instance, with respect to Motions Nos. 11, 11A, 33, and so forth, I have indicated in a preliminary manner that I intend to rule them out of order.

Mr. Hnatyshyn: What was Your Honour's decision with respect to Motion No. 25?

Mr. Speaker: The same preliminary decision.

Mr. Hnatyshyn: What is the status of Motion No. 31A?

Mr. Speaker: Motion No. 31A, if I remember correctly, I proposed to rule out of order because it went beyond the scope of the Bill.

Mr. Hnatyshyn: I wish to thank Your Honour for the opportunity of speaking on these important matters.

Mr. Speaker: I will now here from the Hon. Member for Mount Royal (Mrs. Finestone) and then from the Hon. Member for York South-Weston (Mr. Nunziata) on Motion No. 16, I take it.

Mrs. Finestone: Mr. Speaker, I would like some indication from the Chair with respect to the groupings of the motions to be debated. Could Your Honour indicate which motions are acceptable for debate among the Motions numbered 1 through 10? If I am allowed, I would like to bring to the attention of the Chair that I am not dealing with a matter of substance, I am dealing with a matter of interpretation, for example, with respect to Motion No. 3. I do not know if Your Honour has ruled it in or out of order.

Mr. Speaker: I indicated that in my view it is a matter dealing with an interpretation section and, therefore, out of order. I indicated that in my preliminary view. If the Hon. Member wishes to argue that it should be procedurally admitted, then I am perfectly happy to hear the Hon. Member's argument. I understand that this is somewhat of a new procedure. Whenever I deal with a matter of this type my intention has been to indicate at least my preliminary views as a result of my review of the Order Paper, and give Hon. Members a chance to try to persuade me that the Chair is wrong in doing so.

To reiterate my comments, I indicated to the House that I feel that Motions Nos. 1, 3A and 3B, at least on their face, should be admitted. The Hon. President of the Privy Council argues that Motion No. 3B should be ruled out of order. I indicated, at least procedurally, that Motions Nos. 2 and 3 should not be admitted. We have dealt with Motions Nos. 4, 4A and 5.