

Farm Machinery

I now want to refer Your Honour to citation 201 in Beauchesne's fourth edition, which I think should be taken into consideration. It is as follows:

The object of an amendment may be to effect such an alteration in a question as will obtain the support of those who, without such alteration, must either vote against it or abstain from voting thereon—

I detected in the remarks of members of the parties who sit to my left a great inclination to vote for the reference of the subject matter of this measure to the agriculture committee. However, they felt that under the terms of the original amendment they were unable to do so. All I am doing in my sub-amendment is to make it possible for them to do so under the terms of the citation to which I have referred.

Before I go back to the interesting conversation which the Minister of Transport (Mr. Pickersgill) and I had last November, I would refer Your Honour to the third paragraph in citation 119. This deals with the rules of debate and relevancy. Of course there might be a distinction made, but I think these are important words which should be in the mind of the Chair on all occasions when a decision has to be made.

Relevancy is not easy to define. A wrong comprehension of it may have a serious effect on the freedom of speech. Members are often deprived of their right to speak on the pretext that their remarks are irrelevant when as a matter of fact they refer to matters perhaps remote but yet related, even indirectly, to the question under debate. In borderline cases the member should be given the benefit of the doubt.

I think these words can easily be applied to amendments as well. A paraphrase of this citation could be applicable. I submit that since it is the wish of all members of the house that this bill should not be killed and since it is equally the wish of what I think is the majority that it should be referred to a committee, it is my contention that this desirable result could be obtained by giving effect to the amendment as proposed.

Finally, in the *Journals* of the house for 1963 on page 559, appears the resolution which I worked out at the suggestion of the Minister of Transport and which he accepted as being in order. It does use the words "by unanimous consent".

By unanimous consent, on the motion of Mr. Pickersgill seconded by Mr. Laing, it was ordered—That the subjects dealt with in bills C-83 and C-84—

Hon. members will notice that it is done here with respect to two bills. Now we are

only asking that it be done in respect of one.

Some hon. Members: Oh, oh.

Mr. Baldwin:

—be referred to the standing committee on mines, forests and waters for consideration; provided however, that despite this motion the said bills shall remain on the order paper as orders for second reading without prejudice to the right to make or proceed with motions for such second reading.

The Minister of Transport and I are suspender and safety pin men. The words "by unanimous consent" were only put in there to give that extra degree of safety, to remove whatever doubt there might be. It is not to be presupposed that without them the motion would be out of order. The house accepted the principle that it was possible and that it was, in certain cases, desirable for the subject matter of certain bills to be referred to committees while retaining their place on the order paper. It is my submission, based on these various authorities and on the general principle that wherever possible Your Honour should hold to be relevant amendments which are proposed, that this subamendment is in fact in order.

Mr. Deputy Speaker: If there are no further submissions to be heard at this time for the guidance of the Chair I am prepared to give my opinion as to the legality of the sub-amendment proposed by the hon. member for Peace River (Mr. Baldwin).

I am sure hon. members will recognize that the hon. member for Peace River has presented a strong argument for a case which is perhaps a little difficult. He himself recognized that he is breaking ground and this was perhaps an unwilling recognition that there is a difficulty facing the Chair. He drew attention to citations 201 and 119 (3) of Beauchesne which lay down the general principles by which we should be guided. Certainly the Chair is prepared at all times to take these general principles into consideration. But there are precedents, rules and standing orders which must also be kept in mind when dealing with specific cases. In this particular case, as the hon. member for Winnipeg North Centre (Mr. Knowles) has mentioned, there is standing order 77 to be taken into account. There is also, as the Minister of Justice (Mr. Favreau) has mentioned—and this argument was further advanced by the hon. member for Medicine Hat (Mr. Olson)—citation 386(2). I might be allowed to follow the lead of the Minister of Justice and quote in French from the French edition of Beauchesne: