

Point of Order

the precise wording of the amendment and subamendment in question. I cite His Honour of the day:

It is of course clear that the amendment of Mr. Bracken is a motion of "no confidence", and is wholly confined to this subject. In my opinion it is quite clear there is nothing on the face of it to show that the proposed subamendment is intended to amend the amendment, since it deals with an entirely different subject. It is further quite clear that the proposed subamendment raises new and important issues. I quote from Beauchesne's third edition, page 142, citation 367:

"A subamendment on the address in reply to the speech from the throne may be moved subject to the same rules as any other amendment. It must be relevant to the amendment and cannot raise a new issue."

In citation No. 368 on the same page the author cites an example of the application of this rule. Mr. Speaker Lemieux, as reported in the *Journals* of the House of Commons, 1929, at page 110, says as follows:

"It is an imperative rule that every amendment must be relevant to the question on which the amendment has been proposed, and this rule has invariably been insisted upon by Canadian Speakers."

He points out that if this were not so, all the benefits of giving due notice of a motion and allowing the house a full opportunity of considering a question would be practically lost. A member would then be in a position to surprise the house at any moment with a motion of importance, and the necessity of giving notice would be superseded to all intents and purposes. He further points out that the latest English decisions are in accord with the Canadian Speakers.

For these reasons I must rule the proposed amendment to the amendment out of order.

The ruling was appealed but sustained by the house. We might also refer to Beauchesne, fourth edition, page 143, paragraph (2), which reads as follows:

But a subamendment... is not a new motion of no confidence; it is intended to strengthen or weaken the amendment to which it must be relevant and upon which it is dependant.

The subamendment advanced by the hon. member for Lapointe raises another very interesting ground on which the government might be attacked, but I do not want to go into the merits of that question at all or to discuss family allowances in any way. I am trying to draw attention to the difficulties that would face the house if the subamendment was accepted. On the basis of such a ruling an hon. member having put forward an amendment, some other hon. member would then have the right to put forward a subamendment not related to it in any way at all. The rules of relevancy apply not only to amendments to bills but also to amendments to any motions.

While it is true enough that from time to time there has perhaps been some latitude accorded in a debate such as we are now engaged in, I would respectfully point out that such latitude has not been great and in my opinion it would be better if we applied the rules as to relevancy. Therefore I submit

that this subamendment is not only questionable but in fact is out of order.

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, it is quite clear that we are in a difficult field when we try to apply the rule of relevancy to subamendments made during the debate on the address in reply to the speech from the throne. If that is not clear from the discussions which took place last Thursday and Friday and which are now taking place, it will be clear to hon. members if they will search the records, for the fact is that this rule has been applied in both ways over the years. On occasions subamendments have been ruled out of order because they did not deal with the subject matter covered by the amendment. On other occasions they have been allowed as in order.

The instance with which all members must be familiar, of course, is the one to which His Honour the Speaker referred on Friday last and which dates back 11 or 12 years. That was an instance where Mr. Drew had moved an amendment dealing with economic matters and Mr. Coldwell had moved a subamendment dealing with health insurance or medical care.

It seems to me that the rationale or basis for that kind of subamendment being in order both in the 1952 case and now, is that what is really before us in the motion of the Leader of the Opposition is a motion of non-confidence in the government. The Leader of the Opposition proceeded in his amendment of last Thursday to give his main reason for non-confidence in the government, and what we in this party did was to add an additional reason for that non-confidence. In other words, our subamendment expanded the amendment by enlarging the basis for non-confidence.

It seems to me, Mr. Speaker, that there is a very compelling parallelism between what this party did last week and what the hon. member for Lapointe is seeking to do now. He is bringing in another reason for non-confidence. We added medicare to an economic item; he would add family allowances to the same economic item. It seems to me that if ours was accepted by the house last week as being in order, and it was, then the one that is before us at the present time also has to be accepted.

I quite recognize the various citations there are about relevancy, and that relevancy must apply to the debate on the address in reply to the speech from the throne, but I submit that Speakers over the years have wrestled with this problem and that many of them have come to the conclusion that because the main amendment to the address in reply is in effect a motion of non-confidence, it is in order to add a second or third reason