

*Criminal Code*

Mr. Speaker, I do not wish to elaborate further on that amendment except to say that our fight is not a frivolous one. While carrying it on, we are not trying to obstruct the business of the house uselessly, but rather to improve this piece of legislation, so that it may serve the best interests of the Canadian people.

As for the minister, if he thinks that we are engaged in useless work and that the debate is dragging on, he need only withdraw the clause on abortion and we will vote in favour of the bill while voting against it, and then the house can proceed to a more serious piece of legislation, if any.

[English]

**Mr. Speaker:** Order, please. Unless other members wish to contribute to the debate on the point of order that has been raised by the hon. member for Winnipeg North Centre, I am prepared to give a ruling at this time. I should like to assure the hon. member for Winnipeg North Centre that the point he has put to the house is one that worried me when the proposed amendments were considered, which is already some weeks ago. With my advisers, with the gentlemen at the table and with parliamentary counsel a very close look was taken at all of the amendments, including the one now before the house. I had some reservations about it but, as has been said before, the policy adopted in connection with these amendments was to be as lenient as possible so that there might be a full discussion of the amendments. I realize that the hon. member for Winnipeg North Centre, along with his present seatmate, might feel—

**Mr. Knowles (Winnipeg North Centre):** You had better identify her, Mr. Speaker.

**Mr. Speaker:**—that if this policy is followed in this instance, all other hon. members might enjoy the same leniency. However, we did feel that, speaking generally, we should not allow an amendment that sought to go behind the amending legislation, an amendment which would directly amend the original legislation. This is why a number of these motions have not been put to the house.

The suggestion made by the hon. member for Winnipeg North Centre is that although the motion now before the house does not directly affect, amend or modify the original bill, it would do so indirectly. I would think that perhaps this is going just a little too far. I think there is a substantial difference

[Mr. Fortin.]

between a proposed amendment that obviously seeks directly to amend the original legislation and one that, by way of consequence, might require amendments which, as in this case, are not of a substantive nature.

The hon. member for Winnipeg North Centre contends that the adoption of this amendment would mean that the gender of some pronouns might have to be changed in consequence. I am not sure whether this would be sufficient reason for the Chair to refuse to put the amendment that is before the house.

I realize that in practice this particular amendment might result in a debate that perhaps is frivolous in its nature, not because of the hon. members who are taking part in this debate but because hon. members perforce have to be relevant in their remarks to the subject matter of the amendment to be discussed and decided on.

Having said that, and since the House has already spent some time considering an amendment which in my view, although perhaps borderline, was in fact accepted, I think it would hardly be in order at this stage to hold that this amendment is not acceptable, that it should not have been put to the house because it is out of order. I doubt that this is the decision that should be made at this late time. I should like to suggest that we allow the amendment to go forward, that hon. members who take part in the debate on and consideration of this motion take into account the fact that it is perhaps borderline, and that they limit their remarks on the amendment so we can move on as quickly as possible to the next one.

● (3:10 p.m.)

**Hon. John N. Turner (Minister of Justice):** Mr. Speaker, I have listened with a great deal of interest to your ruling on the matter of the admissibility of the amendment and—

**Mr. Speaker:** Order, please. I believe that the hon. member for Lotbinière had the floor when the point of order was raised by the hon. member for Winnipeg North Centre. The hon. member for Lotbinière participated in the debate on the point of order, and I would think that we should at this point go back to the hon. member for Lotbinière. Unless the hon. member has completed his remarks. If so, the Chair will recognize the Minister of Justice.

[Translation]

**Mr. Fortin:** Mr. Speaker, I tried to combine my answer to the point of order made by the hon. member for Winnipeg North Centre with