

Arctic Waters Pollution Prevention Act

chesne's Parliamentary Rules and Forms, 4th edition. I should like to quote paragraphs 1 and 3 of citation 203 which read as follows:

It is an imperative rule that every amendment must be relevant to the question on which the amendment is proposed. Every amendment proposed to be made either to a question or to a proposed amendment should be so framed that if agreed to by the House the question or amendment as amended would be intelligible and consistent with itself.

And I now quote paragraph 3:

An amendment setting forth a proposition dealing with a matter which is foreign to the proposition involved in the main motion is not relevant and cannot be moved.

I shall quote now citation 406 which sums up the rules regarding amendments to public bills:

Amendments are out of order if they are

(a) irrelevant to the bill, or beyond its scope, governed by or dependant upon amendments already negated;

I shall quote now citation 418:

All amendments which may be moved on a second reading of a bill may be moved on the third reading with the restriction that they cannot deal with any matter which is not contained in the bill.

I do not want to extend my remarks any longer. I think that the Chair is well aware of the rules of procedure about amendments to bills on third reading. Now, it seems obvious to me that the amendment, as introduced, brings in a new element. It raises the issue of sovereignty in a bill dealing with pollution and the means which the government may use, under this legislation, in order to prevent pollution in Arctic waters. Therefore, it is not consistent with the aims of the bill now before us.

[*English*]

Mr. Speaker: The hon. member for Peace River (Mr. Baldwin) has proposed to the House by way of amendment to the motion for third reading of Bill C-202, now before the House, the following motion:

That all the words after "now" be left out and there be substituted therefor the words "re-committed to the Standing Committee on Indian Affairs and Northern Development with an instruction to amend the bill by adding thereto, immediately after clause 27 thereof, page 23, the following:

28. Nothing in this act shall in any way be construed to be inconsistent with Canada's rightful claim to sovereignty in and over water, ice and land areas of the Arctic regions between the degrees of longitude 60 and longitude 141.

and by renumbering clause 28 of the bill, page 23, as clause 29."

The arguments put forward by the hon. member in support of the acceptability of his motion are interesting, but I have some doubt as to whether it would be in order for the Chair to accept them. According to my understanding, the hon. member has proposed by way of amendment a motion instructing the committee to insert a declaration of principle asserting Canadian sovereignty over the Arctic. He indicates this is being done in a negative way as a saving clause, but even if it is done in this way it seems to me the hon. member is going beyond the terms of the bill.

There has been protracted discussion on this point ever since the bill was introduced for second reading—questions as to whether this was an antipollution bill or a sovereignty bill—and the hon. member for Peace River, together with a number of his hon. friends, proposed that it should be changed in such a way as to go beyond the terms of the proposed legislation before the House. As the hon. member who has just spoken pointed out, this amendment was proposed originally by the hon. member for Oxford (Mr. Nesbitt) in practically the same terms as are used in the one which is now under discussion, and the Chair expressed reservations at the time. I doubt very much whether the amendment should be accepted in those terms. It does seem, if only indirectly, to seek to bring within the four corners of the bill a declaration of a principle which, to my way of thinking, is not there at the present time.

I have been referred to citation 418 of Beachesne's fourth edition as follows:

All amendments which may be moved on a second reading of a bill may be moved on the third reading with the restriction that they cannot deal with any matter which is not contained in the Bill.

• (3:40 p.m.)

I fail to see how I could ignore this long standing precedent and say that the hon. member's amendment, which does seek to introduce a new declaration of principle, is acceptable.

I would also refer hon. members to the very cogent and learned ruling of the Deputy Speaker reported in *Votes and Proceedings* for June 4, page 937, when a similar amendment was proposed for the consideration of the House. The learned and respected Deputy Speaker referred the House to Beachesne's fourth edition, particularly citation 418, and also to May's seventeenth edition, page 572. I suspect that this is where the hon. members who have participated in the debate got their