

Criminal Code

members to move subamendments and thereby escape the provisions of Standing Order 75(5).

I would urge Your Honour to interpret this rule strictly. Otherwise the full import and purpose of the rule could be circumvented and amendments made on the floor of the house to any amendments which Your Honour has already seen on the notice paper. I would think the only freedom the house and, with respect, the Speaker have, is to look at consequential amendments as to form resulting from a prior amendment.

For these reasons I would urge Your Honour to refuse this amendment and hold it to be out of order. Otherwise it will be open to hon. members to speak to every subamendment of every amendment. If that were to be the case I suggest that the desire to proceed on an orderly basis would be defeated.

Mr. Woolliams: May I speak to this point, Mr. Speaker. I think the difficulty Your Honour may have is in respect of Standing Order 75(8) which states:

When the order of the day for the consideration of a report stage is called, any amendment of which notice has been given in accordance with section (5) of this order shall be open to debate and amendment.

The interpretation of this would seem to be that an amendment may be amended without notice, but if we look at what is before us it is an amendment that proposed section 8 be amended by adding thereto certain words. This is one occasion when I am on the side of the Minister of Justice in respect of the interpretation of the rules. This is not a motion that the amendment be amended but that subsection 8 be amended. It would be like bringing in an amendment to any clause at this stage.

If the hon. member had wished to move that amendment 21 be amended, he would have to move a substantive amendment to the amendment, but at this time he is seeking to amend a clause of the bill. I do not believe the rules were ever intended to be interpreted in this manner. I think Your Honour would be stretching the point very far if you permitted this. In fact, if you did I believe that by changing a few words I could move the amendment which was ruled out the other day.

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, I happen to be one of those who do not think that either the main amendment now before the house or the subamendment that has been moved is really necessary. I do

[Mr. Turner (Ottawa-Carleton).]

contend, however, that the hon. member for Regina East has the right to move an amendment at this time and that the amendment he has proposed is in order under the rules. I would point out the fact that on Friday of last week, when the whole question of procedure was debated at some length, the hon. member for Regina East specifically asked His Honour whether it would be possible to move an amendment at this stage and was told by the Speaker that provided amendments were in order they could be moved.

Although the relevant citations have all been read I think they should be emphasized. I draw attention in particular to section 8 of Standing Order 75, which is very clear and very explicit. It states:

When the order of the day for the consideration of a report stage is called, any amendment of which notice has been given in accordance with section (5) of this order shall be open to debate and amendment.

What is before Your Honour at this point is the consideration of amendment No. 21 of which notice was given as called for under section 5 of Standing Order 75. What the hon. member for Regina East is endeavouring to do is to amend amendment No. 21.

Mr. Woolliams: He does not say that.

Mr. Knowles (Winnipeg North Centre): It is perfectly true he could have added a few words. He could have said that the amendment be amended by adding words to the proposal section 8 which is set out in the amendment, but surely it is not always necessary to multiply words when the meaning is clear. There is not before us something simply called section 8. There is before us an amendment which happens to have in it a proposed new section 8. The wording of my hon. friend's amendment proposes that the proposed new section 8, which is part of amendment 21 that we are now debating, be amended by adding certain words to it. I submit that is completely in line with the provisions and requirements of section 8 of Standing Order 75.

May I say to my hon. friend the Minister of Justice that I think he is on thin ice when he tries to rely on section 7. Section 7 does not relate to amendments that are on the order paper. It relates to a possible amendment to the bill itself made necessary because of something that has been done on the floor of the house in relation to other clauses. I do not like trading on the fact that I was on the committee and therefore know how much we went over all of this, but I may say we did