

Water Resources Programs

may be now reinforced. However, I am prepared to hear the hon. member for Winnipeg North Centre (Mr. Knowles).

Mr. Stanley Knowles (Winnipeg North Centre): Thank you, Mr. Speaker, not only for the invitation to contribute to this procedural discussion but also for indicating the point that concerns the Chair. This enables us to save time for it means that it is not necessary that we go over all the historical evidence in respect of amendments on third reading. Your Honour admits that amendments on third reading to refer a bill back to the committee which dealt with it for the purpose of reconsidering something are in order. The one citation to which you are drawing attention is citation 418 in Beauchesne's fourth edition which was read by the Chair when we were dealing with the amendment proposed by the hon. member for Parry Sound-Muskoka (Mr. Aiken). The particular sentence we must consider is the following:

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.

It is my submission that the amendment sought by the hon. member for Kootenay West is an amendment in the true sense of the word in that it seeks to qualify something that is in the bill. I admit that my whole case rests on that contention. I draw your attention, Mr. Speaker, to clause 25 of the bill which states that any person who violates sections 8 or 18 is liable on summary conviction to a fine not exceeding \$5,000 for each offence. I notice also that the next subclause of that clause says that it is a separate offence if you keep doing it day after day. If one reads this in conjunction with clauses 8 and 18, one will note that both clauses 8 and 18 specify things which shall not be done. One is that one shall not pollute and the other is that one shall not manufacture or import a pollutant. The bill, however, not only says that one shall not do these things, it also says that if one does there is a penalty. The penalty is in clause 25. What my hon. friend seeks to do is simply to qualify, modify or enlarge that penalty.

I press the point on Your Honour that if there were no penalty provisions in this bill and the hon. member for Kootenay West wished to introduce some penalty provisions, you would be right in saying this would be importing something which is not already there. But, there are penalty provisions in the bill which relate to violations of clauses 8 and

18. What my hon. friend is seeking to do is to amend the penalty provisions to provide that instead of a person having only to pay a fine or perhaps go to jail—I forget whether or not that is contained in the bill—he must pay the cost of cleaning up the mess that has been created. This is put clearly as an addition to alter or qualify the penalty for the offence. The amendment does not add any offence. It does not add a new idea in the sense that penalties are proposed when there were no penalty provisions in the bill. The penalties are already there. This is a proposal that the penalties should be amended as suggested.

I remind Your Honour that there are citations in Beauchesne's fourth edition about what amendments can do, such as having the purpose of altering a question so that it will obtain the support of those who, without such alteration, would either vote against it, abstain and so on. In other words, they must be amendments which would change something that is already there. I realize, Mr. Speaker, that I am repeating myself so I had better not do what the hon. member for Kootenay West did which was to direct Your Honour to the other side of the position. I contend that this is an amendment in the true sense. Penalties are already contained in the bill. This is an amendment to qualify or modify these penalties in order to make them more effective. It is on that ground I submit that the amendment of the hon. member for Kootenay West should be allowed. I could have taken the time to read other clauses in the bill. I mentioned clause 25 but there are also clauses 26, 27, 28, 29, 30 and 31 which deal with penalties. So, it is not a new idea which is being imported but is a modification of an idea that is already there, namely that those who pollute should pay a penalty. We simply want to add to that penalty and put a stop to polluting altogether.

Mr. Deputy Speaker: Unfortunately, it is five o'clock and possibly we might continue this procedural discussion at eight o'clock unless hon. members wish to present their arguments now and then I would make a ruling at eight o'clock.

Mr. Forest: Mr. Speaker, I believe there has been some discussion and that there might be willingness on the part of the House to waive private members' hour in order to complete this discussion. I do not know whether the House would wish to do this after the consideration of two private bills which might sail through the House without debate.