

Mr. Knowles (Winnipeg North Centre): It is clumsy.

Mr. Francis: Well, maybe a clumsy procedure is better than bad legislation. I regret that there was not an opportunity for joint consultation between members of the other place and members of this House.

Mr. Knowles (Winnipeg North Centre): May I ask the hon. member a question?

The Acting Speaker (Mr. Boulanger): Would the hon. member for Ottawa West (Mr. Francis) accept a question?

Mr. Francis: Certainly.

Mr. Knowles (Winnipeg North Centre): The hon. member for Ottawa West (Mr. Francis) indicated that he would be supporting the bill, as we all did at second reading. Is he also supporting the Senate amendments?

Mr. Francis: Mr. Speaker, I am going to support the amendments out of a very practical consideration that the alternative to not supporting them is probably to jeopardize the bill itself.

Mr. Knowles (Winnipeg North Centre): Not with George over in the Senate now.

Hon. J. A. MacLean (Malpeque): Mr. Speaker, I had a few words to say on behalf of our party when this bill was at the second reading stage, and therefore I should like to say a few words now. I am not surprised that the hon. member for Winnipeg North Centre (Mr. Knowles) might be a little biased in his judgment of things that come from the other place, but I am a little surprised that my hon. friend who has just spoken seems to have the same attitude.

I tend to agree with the hon. member for Grenville-Carleton (Mr. Blair) that these amendments are, over-all, an improvement. I see them as meeting the objection that was raised, and with that I think we all agree, that we are not limiting the right of other legislatures or areas to use the term "Parliament Hill".

Mr. Knowles (Winnipeg North Centre): We should have said that.

Mr. MacLean: I think it could have been said in a neater way; I agree with the hon. member on that. However, as I read the bill as amended it means that three things cannot be done under it. One is to name any site in the national capital region or any place or establishment as "Parliament Hill"; secondly, that name cannot be used anywhere in Canada or in the federal jurisdiction for goods, merchandise, wares or articles for commercial use or for sale and, thirdly, the bill prohibits the use of the name in association with a commercial establishment providing services anywhere in Canada.

As I understand the bill as amended by the Senate, the only loophole would be the possibility that it permits the use of the name "Parliament Hill" outside the national capital region by some organization that is not commercial and does not supply services. There may be an organization that might use the words "Parliament Hill" but I

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think the likelihood of that is not very great and I would support the amendment.

Mr. Blair: I rise on a point of order, Mr. Speaker.

The Acting Speaker (Mr. Boulanger): Order. The hon. member for Grenville-Carleton (Mr. Blair) rises on a point of order.

Mr. Blair: Mr. Speaker, I rise on a point of order but I freely confess it is not a good point of order. I wonder if I might have the indulgence of the House to make one comment which I failed to make earlier.

The Acting Speaker (Mr. Boulanger): Is there unanimous consent?

Some hon. Members: Agreed.

• (1650)

Mr. Knowles (Winnipeg North Centre): An honest request deserves unanimous consent.

Mr. Blair: In view of the excellent analysis of the legislation made by the hon. member for Winnipeg North Centre, I think a few words should be offered for the sake of the record in order to explain the apparent awkwardness of the amendments which were made in the other place.

As I understand the traditions of parliament, it has been the universal custom for this House and the other place not in any way to attempt to interfere with the definition or prescription of the immunities and privileges of provincial legislatures. There is considerable law on this question. Reference has been made to the leading case of *Fielding v. Thomas*, 1893, in which it was held that "provincial legislatures have power to pass acts for defining their own powers, immunities and privileges," and so on. I think, out of deference to this longstanding tradition, members of the other place decided not to refer specifically to the legislatures or sites of the legislatures of provinces in the way in which the hon. member for Winnipeg North Centre suggested might be done.

I offer these comments as a historical footnote so that there may be something on record to show the reason for the wording with which we have been confronted in this debate.

Mr. Thomas M. Bell (Saint John-Lancaster): Mr. Speaker, I support this bill and I think the hon. member for Malpeque (Mr. MacLean) has given good reasons for supporting it. You must accept the purpose for which this bill was brought in. If you start to mess around with it you are likely to get into trouble, and that is what happened in the other place. They tried to make it somewhat more inclusive than it was intended to be.

When the bill was previously before the House on second reading, I raised one or two questions and was told, quite rightly, that the bill had only one purpose and that my questions were not related to that purpose. This bill has been introduced for one particular purpose. If we accept that, I do not think we will be reluctant to pass it. No doubt one thousand questions could be raised about its applicability to provincial jurisdictions, about whether