

been brought forward by those who have taken part in this debate in support of the acceptability of the amendments. I was particularly impressed by the argumentation of the hon. member for Yukon (Mr. Nielsen). In citing the precedents he did, I had the impression that, were I sitting on the bench, I would have come to the conclusion that he has worked very hard to advance very cogent arguments in favour of what, basically, was a very weak case.

• (1600)

I think the hon. member will have to recognize, as will any member who takes an interest in precedents and in procedure, that these amendments are not even borderline. I would find it extremely difficult to reconcile my judgment of such matters with accepting the amendments. I was hoping that perhaps some accommodation could be reached, but as I say I would find it difficult to countenance accepting the amendments.

My objections to them are those that I indicated when, at the suggestion of the hon. member for Yukon earlier in the discussion, I voiced my reservations about them. Arguments in opposition were brought forward and the hon. member for Yukon quoted a very interesting citation taken from chapter XXVII of the 18th edition of May. My impression is that what he referred to is more historical than anything else. He, himself, recognized that part of the citation to which he referred dealt with the procedure that existed in the 18th and in the first half of the 19th centuries.

This very interesting paragraph in May illustrates the evolution of the control of the treasury. Obviously, anyone reading these paragraphs will come to the conclusion that this control has not evolved in the direction that might be indicated by the first paragraph, but rather has gone the other way. The first paragraph reads as follows:

When the increasing frequency of such amendments had familiarized the House with the nature of the machinery for expressing the financial initiative of the Crown, and it was appreciated that the terms of the financial resolution recommended by the Crown decided once for all the limits of amendment to the bill itself—

Then, later on:

This change in procedure has not been accepted without protest by the House.

I can well understand that hon. members may want to protest developments over the centuries, but I find it difficult to accept the argument put forward philosophically by the hon. member for Hamilton West (Mr. Alexander) to the effect that the Chair in some way should disregard or forget the rules so as to permit hon. members, as defenders of the rights of members against the Crown, to initiate amendments and to propose legislation which in some way infringes on the financial initiatives of the Crown. The hon. member for Hamilton West has put a very attractive suggestion to the Chair, but I am wondering whether the Speaker would end up, as Speakers in past centuries have, by having his head chopped off if it were accepted.

May I refer to one of the arguments made by the hon. member for Peace River (Mr. Baldwin) which I thought very interesting. He contended that the Chair had recognized in the past the acceptability of an amendment that deleted a clause. That is, of course, quite so, but it does

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not necessarily apply to a bill that consists simply of one clause, and that clause seeks to delete a section from the statute being amended. I think hon. members will recognize that at the point it becomes extremely difficult, if not impossible, to find an amendment that is procedurally in order.

I suggest to the hon. member for Peace River that, his argument might be acceptable in a case where there is more than one clause and the amendment seeks to delete but one of them. In a case where the motion, in effect, seeks to negative the bill entirely the situation is somewhat different. In this regard, I go to page 550 of May's seventeenth edition, which was quoted by the President of the Privy Council (Mr. MacEachen). That provision reads as follows:

An amendment which is equivalent to a negative of the bill or which would reverse the principle of the bill as agreed to on second reading is not admissible.

I am afraid that that is an objection which is very difficult to overcome.

I doubt whether it is necessary for me to read once again the citations already referred to in Beauchesne, but I propose to refer to the first part of paragraph (3) of citation 246, which reads as follows:

The guiding principle in determining the effect of an amendment upon the financial initiative of the Crown is that the communication, to which the royal demand of recommendation is attached, must be treated as laying down once for all (unless withdrawn and replaced) not only the amount of a charge, but also its objects, purposes, conditions and qualifications.

The hon. member for Yukon brought to my attention that the citation refers to the fact that an amendment cannot alter or amend the amount of a charge. However, the citation refers not only to the amount of a charge but also to its objects, purposes, conditions and qualifications; these too cannot be changed. So even when there is no question of amount, I think the House is still bound by the principle that an amendment cannot be brought forward which in some way changes the objects, purposes, conditions and qualifications of the Royal recommendation.

Paragraph (4) of citation 250 was also referred to by hon. members. It provides:

The fundamental terms of a money resolution submitted to the House with the Governor General's recommendation upon which a committee of the whole is set up cannot be amended. Amendments will only be in order if they fall within the terms of the resolution.

I have the impression that the amendment proposed by the hon. member does not fall within the terms of the resolution. Indeed, it seems to me contrary to the resolution in that it appears to introduce an entirely new principle. I think it should be pointed out that, in addition to the words in the first part of the hon. member's amendment, the later words bring in an additional principle:

—except where an advance is approved by a resolution of the House of Commons introduced and passed in accordance with the rules of that House.

This would be entirely outside the reference to the Royal recommendation and would appear to be a principle going beyond the principle of the bill itself, as agreed to by the House of Commons on second reading.