

Senator Argue: A double negative.

Hon. Eymard G. Corbin: Honourable senators, on another point of order, I question the acceptability of the motion, procedurally speaking, inasmuch as it attaches a condition; and I would like that matter to be debated and examined, and perhaps we should also have a ruling on that aspect of it.

Senator MacEachen: Honourable senators, I presume that the comments of Senator Corbin and myself have been noted and that it is clearly understood that there are two points of order before the chamber to be dealt with in the normal way.

Hon. Orville H. Phillips: Honourable senators, I will be interested to hear from the Leader of the Opposition on his assertion that Senator Murray's motion in amendment is a substantive motion. It does not alter the principle of the motion presented by the Leader of the Opposition. All it does is ask that the house delay a decision. I believe the motion in amendment is in order, and I am interested in the fact that his colleague, Senator Olson, is now prepared to speak. On what will he be speaking?

Hon. H.A. Olson: I did not know that the Leader of the Government was going to move an amendment.

Hon. Royce Frith (Deputy Leader of the Opposition): You gave us no notice that you were going to move an amendment.

Senator Olson: Honourable senators, speaking first to the point of order that has been raised by the Leader of the Opposition, I fully concur in his view that this is not a proper amendment to the motion that is before us. I have to say also that I fully agree with Senator Corbin's assertion that this makes the motion before this chamber conditional on some action being taken in the other place. That is unprecedented. There is no provision of any kind in the rules of which I have ever heard that says that one can move something on the floor of this chamber, some assertive action, provided that somebody else does something in the meantime. That is the most ridiculous condition to a motion that I have ever heard.

Some Hon. Senators: Hear, hear!

Senator Olson: I think that both Senator Corbin and the Leader of the Opposition are right. Quite frankly, I wanted to make a speech, because I have some very firm views on some of the matters contained in the Meech Lake accord. The motion, as I knew it up until five minutes ago, was to bring it before this chamber in Committee of the Whole so that we could discuss it, and I wanted to give reasons why I consider that to be an excellent idea. However, if the Leader of the Opposition is ready to proceed with his point of order, we should probably deal with that first. If not, I am prepared to give my speech. I agree with Senator Corbin's assertion. In my view, it is ridiculous that this chamber can accept a motion on the condition that somebody else does something.

Senator MacEachen: Honourable senators, I am quite prepared to proceed with my point of order; but before making my argument, I would like to get a copy of the amendment proposed by the Leader of the Government and read it, because as I heard it read, it results in the removal of the

motion which is before the house and the substitution of a new motion.

Senator Olson: That's right, unless something happens by Wednesday.

Senator MacEachen: The amendment is to strike out the existing motion and put in a new motion—at least, as I read it—that the motion be not now adopted. In other words, that we defeat it and that it be amended. So, it is not an amendment. The words “be amended as follows” are not applicable. The motion that is before the house is totally struck out and a new proposition is put before the house.

What is the amended motion? The amended motion is: “That the motion be not now adopted, but that there be substituted therefor, that unless a message is received . . .” So it is clear that that is a new proposition. It does not even purport to amend or change the main motion. It is a total substitution. I believe that it is elementary in matters of procedure that it is impossible to introduce a totally new proposition unless it is by notice and in the form of a substantive motion. That is all the argument I want to make, because the procedural objection is, I think, quite self-evident.

• (1450)

Hon. Duff Roblin: Honourable senators, I wish I were as confident as my honourable friend that the motion in amendment is out of order. I am not nearly as sure as he is that it should not be accepted. Regardless of the wording that the honourable senator has read to us, what is the substance of this matter? Are we saying that we should not have a Committee of the Whole? No, we are not.

Senator Olson: Yes, you are.

Senator Roblin: We are saying that we will have a Committee of the Whole unless something else happens. We are saying that there is a condition precedent; namely, that we should have heard from the other place as to whether or not we should have a joint committee. If we do not have a joint committee, then we will have a committee of our own. It seems to me that this is not a new motion, as my honourable friend states, but that it is clearly a modification of the existing motion. It modifies that motion as to time. That is what it does, and that is the only thing it does.

Senator MacEachen: May I ask Senator Roblin in what way it modifies the existing motion? It makes no effort to modify the existing motion. It substitutes a new motion for the existing one. If it were an amendment to the existing motion, then I would have to reconsider my position. If this motion were put by the Chair, the motion which I have put will disappear, and, therefore, it is not a modification.

Senator Roblin: I just do not agree with my honourable friend. I think it modifies the original idea by imposing a time element that was not previously there. That is what it does. It modifies the motion with respect to time, and that is all it does. I think it is an amendment and not a new substantive motion.

I am perfectly well aware that we will not settle this particular argument here today. At least, I would be surprised