

Small Businesses Loans Act

point of order, if it is proper to do so at this time. I ask Your Honour to consider whether the amendment can be considered by the House. I submit that the addition of the words "A Treasury Branch of the Province of Alberta" exceeds the terms and recommendations from His Excellency which read as follows:

His Excellency the Governor General has recommended to the House of Commons the present measure to amend the Small Businesses Loans Act to increase the present limit of liability of the Minister of Finance in respect of loans made by individual lenders, and to provide for a further one and a half year loan period ending June 30, 1971; Also to provide that the aggregate principal amount of guaranteed loans during that period shall not exceed one hundred million dollars on loans by chartered banks, and fifty million dollars on loans by credit unions, Caisses Populaires, cooperative credit societies, insurance companies, trust companies or loan companies designated by The Minister.

On October 10, 1968, Mr. Speaker, I raised what I submit is exactly the same point of order in respect of a proposed amendment to the Farm Improvement Loans Act. This matter is dealt with in the House of Commons debates for 1968-69 at page 1047. I have the text of the ruling that you made at that time. I do not know whether you would like me to quote from it, but perhaps I should do so at this time.

Mr. Speaker put the question as follows:

The question before the House is an appeal to Mr. Speaker from a decision given by the chairman of the Committee of the Whole pursuant to section 4 of standing order 59.

In the committee of the whole on Bill No. C-111 the hon. member for Crowfoot proposed an amendment to Clause 1 of the bill as follows:

"To add after the word 'society', line 12, and before the word 'that' in line 13 the words 'and other financial institutions'".

The question is to determine whether the proposed words of the amendment go beyond the terms of the resolution. My view is that if the words proposed by the hon. member for Crowfoot by way of amendment do not enlarge the words "financial institutions" using in clause 1 of this bill, then the amendment is redundant and superfluous. If they seek to enlarge the terms of these words, then we have to determine whether the amendment is consistent with the detailed provisions of the resolution preceding the bill. In my view, when a resolution preceding a money bill sets out in detail the terms of the bill, as this one does, we have to be very cautious about amendments which might enlarge upon these terms.

Then, Your Honour referred hon. members to citation 246 in the fourth edition of Beauchesne at page 207 sub-paragraph (3) which I will not take the time to read at this moment. You concluded by saying:

I suggest to hon. members, with respect, that the amendment proposed by the hon. member for

Crowfoot does affect the conditions and qualifications set out in detail in the resolution approved by the House and preceding the bill.

For this reason I feel I have to sustain the decision of the learned and wise chairman of the committee of the whole.

Therefore, I submit that this amendment is not in order.

Hon. Marcel Lambert (Edmonton West):

Mr. Speaker, I disagree with about nine-tenths of what the hon. minister has said, because I think the terms of the amending resolution do not contravene the regulations of this House. However, I do not feel for one moment there would be an increase in the liability of the Crown since equivalent amounts are fixed by the terms of the recommendation, whether or not one more institution shares in it.

Since the terminology of the recommendation does not include treasury branches, I agree that an exact interpretation would exclude the amendment. I am in agreement that it does. In saying so, I must commend the initiative of my colleague for moving this amendment because I think it indicates a lamentable gap in the thinking of the officials of the Department of Finance. Apparently, because there are no treasury branches in or around Ottawa, there cannot be any in the country.

There are treasury branches in the province of Alberta which look after the public's finances. Perhaps there are none in Ontario or the Province of Quebec. We admit that in these provinces there are trust companies, credit unions and caisses populaires. In Alberta, there is an extensive commercial banking business conducted by treasury branches. This measure needlessly excludes them and their customers from the provisions of the Small Businesses Loans Act. I think the action of the department in this connection is lamentable. Surely, the minister understands what I mean when I say this, as I have spoken to him about it before. I had hoped he might find a method whereby this situation could be corrected.

On the point of order, I agree that the amendment is out of order, but in saying so I want to make it clear that I do not detract for one moment from the motivations of my colleague, the hon. member for Battle River. I suggest this is another expression of discontent by those people who feel they should get consideration, but people in comfortable pews sometimes snore.