

Immigration Act, 1976

authorities, Beauchesne, May and Bourinot, that amendments which attempt to go beyond the scope or principle of a Bill are out of order. I regret to have to inform the House that I cannot put Motion No. 58 to the House. I must add that there are 10 other motions attempting to reach the same or a similar object. Therefore, Motions Nos. 38, 39, 42, 51, 52, 62, 63, 64, 66, 71 and 72 are out of order and will not be put to the House for debate.

It might be helpful to Hon. Members and also to the public if the Chair made an observation here. The Chair is bound by procedural laws. It may very well be that Hon. Members or members of the public may think that certain amendments that have been put forward at report stage are of such substantive importance that they ought to be debated and put to the House. The position the Chair is in, of course, is that it is not for the Chair to rule on whether the purport of the amendment or its substance is worthy of debate. It is for the Chair to decide whether, within the procedural rules set for the admission of amendments at report stage, the amendment is procedurally acceptable.

The second thing I would like Hon. Members to consider, and I also say this for the benefit of the public, is that while the admission or otherwise of an amendment or a motion is bound by the procedural law and that is what the Chair must decide, the Chair also has a discretion in grouping the amendments for debate. That is a less exact science.

In this case, given the number of amendments and especially given the concerns of the spokespersons for Her Majesty's Loyal Opposition and the New Democratic Party, the Chair has tried to extend some particular latitude in trying to have a grouping which will enable Hon. Members to give as much time for debate, explanation and persuasion of those amendments as is appropriate. I think I must say that the Hon. Member for York West and the Hon. Member for Spadina have given exceptional courtesy and co-operation to the Chair in this regard.

Motions Nos. 59, 60 and 61 are dependent on or consequential to Motion No. 58 and therefore will not be put to the House.

Motions Nos. 65 and 67 will be debated together but voted on separately.

Motions Nos. 68, 73, 74, 75 and 77 will be debated and voted upon separately.

Motion No. 76 causes the Chair some procedural difficulty. The motion attempts in part to amend another Bill that is still susceptible to amendment in the legislative process. Bill C-58 was just last week referred to a legislative committee for review. It appears to the Chair that Part (c) of this motion goes too far in the way of amending Bills by amending a parent Act, the Act which is already on the statute books, and a Bill which has not yet been adopted by the House. Therefore, the Chair will only propose to the House parts (a) and (b) of Motion No. 76. The revised Motion No. 76 will be debated and voted on separately.

I hope the Hon. Minister of State (Mr. Lewis) will understand the difficulty the Chair has been in on this particular ruling. That motion is a motion that was brought in by the Government. On Friday last the Hon. Minister of State raised a point of order concerning the moving of amendments in committee. The thrust of his comments was that motions or amendments ought to be put while the committee is still sitting and if the opportunity to do so there is not taken, then the question of whether or not they should be accepted at report stage is one the Chair should consider.

I can say that the Standing Orders do not empower the Speaker to force Members to move amendments in committee. Nevertheless, the Minister is correct in that the Standing Orders do state in part:

The Speaker—will normally only select motions which were not or could not be presented in committee.

I would hope Hon. Members would take note of that. As I say, there is nothing in the rules which absolutely forbids the moving of motions or amendments at report stage just because they were not necessarily moved at committee stage. The rules indicate that the practice of moving amendments or motions earlier in committee is preferable, but it is not an absolute rule. I thank the Hon. Minister of State for drawing this point to the attention of all Hon. Members.

On Friday last the Hon. Member for Edmonton—Strathcona (Mr. Kilgour) raised the issue of Parliament pronouncing twice upon the same issue in the same Session. I have given careful consideration to the Hon. Member's comments. The Hon. Member was referring to Bills C-55 and C-84. Just to clarify for the benefit of all Hon. Members, let me quote Beauchesne's Citation 701(1):

There is nothing in the rules and no precedent to prevent the setting down of more than one bill or motion dealing with the same subject.

While it is true that the House should not be called upon to decide the same question twice in the same Session, nothing prevents the House from dealing with the same Act more than once. It is a distinction which is perhaps a fine one but I hope that the Hon. Member for Edmonton—Strathcona will accept that the Chair has given the matter careful consideration. I thank the Hon. Member for raising the issue and for allowing the Chair the opportunity to clarify the matter.

I want to thank all Hon. Members who made themselves available for consultations. The House will now resume debate on Motion Nos. 11, 13 and 14.

Mr. Hawkes: Mr. Speaker, I rise on a point of order. I thank you for the thoroughness and completeness of your ruling. It will, I think, be very helpful to us.

Re-reading the motions, I find that in Motion No. 57 there is a Clause (b) which is substantially the same as the motion I moved, Motion No. 65. I would be quite happy to stand my proposed motion down in favour of Motion No. 57. It covers more topics but the wording is identical except for one word. It