

*Federal Business Development Bank Act*

**Mr. Baldwin:** Mr. Speaker, may I make a suggestion? We do not need to take up the time of the House unnecessarily. If the first part of our argument has any appeal at all to the Chair, so that there may be a possibility that for the reasons advanced some means could be found of making an amendment of this kind, but that procedurally—and I can see the Chair's point there—it is quite impossible to place this amendment within the four corners of the definition clause, we could give some thought to an alternative form of amendment which might place the proposal of my hon. friend somewhere else in the bill and consequential amendments could be made.

In those circumstances, if the Chair is convinced beyond any shadow of doubt that any attempt by a private member to give some meaning to the words "business enterprises in Canada" is objectionable *ab initio*; that is it. On the other hand, however, if that is a surmountable objection I think the Chair might have a problem. If it is mainly a matter of taking this amendment, placing it elsewhere in the bill and adding a clause when the consequential amendment is made, then we can be devoting our ingenuity and time to doing that.

**Mr. Speaker:** I thank the hon. member for his latter contribution particularly. Frankly, the aspect of this matter that disturbs me is that the hon. member was caught by surprise in respect of the procedural acceptability of his amendment. That leaves the House in the position that not only the hon. member who proposed the amendment, but many other hon. members who looked at the amendment and thought it would perhaps give them the opportunity to express themselves on this very important point, might now be deprived of that opportunity, and because of the notice requirement would be deprived for all time from making this kind of amendment in that procedural form.

To a certain extent, rather than making bad law by accepting the amendment in a form in which it ought not to be accepted, I would rather go back to the last point of view expressed and, if possible, permit another amendment, a proper amendment, to be put. This would have to be done with the consent of the House, however, because the notice provisions would have to be abridged. I wonder if the House is now in a position to give its consent to waiving the notice provisions in respect of the introduction of this amendment in another form at, perhaps, eight o'clock this evening. Would that be agreeable?

**Mr. Gillespie:** Mr. Speaker, before we consider that point may I draw to your attention that this particular amendment is not new to the members of the Standing Committee on Finance, Trade and Economic Affairs. The hon. member advanced this amendment and the committee considered it and rejected it. There has been an opportunity already for members of the committee to argue the point. It was fully argued and, of course, is covered in the proceedings of the committee.

**Mr. Speaker:** That is exactly the point: I am anxious that members of this House have an opportunity to do what was done in the committee, if at all possible. Quite frankly, I am reluctant to do it by accepting an amendment to a definition clause when I feel very strongly that it ought not to be in there but should be somewhere else. If

[Mr. Speaker.]

the hon. member could indicate that he would be prepared to have his amendment ready for eight o'clock, and if the House would give its consent to retabling it, I think that might take us out of a rather awkward procedural position. Is this agreed?

● (1540)

**Some hon. Members:** Agreed.

**Mr. Speaker:** We could proceed to the consideration of motions numbered 2 and 3. It seems to me that motions Nos. 2 and 3 are similar in purport and priority might be given to motion No. 2, standing in the name of the minister, as it was received first by the table. It might be open to the hon. member for York-Simcoe (Mr. Stevens) to propose part or all of his motion as an amendment to motion No. 2. On the other hand, motions 2 and 3 might be discussed together but a favourable vote on motion No. 2 must, of necessity, dispose of motion No. 3. It is suggested that motion No. 4 be considered on its own and in the usual way.

**Hon. Alastair Gillespie (Minister of Industry, Trade and Commerce)** moved:

That Bill C-14, an act to incorporate the Federal Business Development Bank, be amended by striking out lines 28 to 42, inclusive, on page 15 and substituting the following:

"36. (1) In this section,

"applicant" means a person who applies to the corporation for assistance in the form of a loan, guarantee, underwriting agreement, purchase or lease;

"interested person" means

(a) a director of the corporation or a member of a council

(b) the spouse or a child, brother, sister or parent of a director or a member of a council, or

(c) the spouse of a child, brother, sister or parent of a director or a member of a council;

"member of a council" means a member of a council appointed under subsection 16(1).

(2) Every applicant shall disclose in writing to the corporation in an application for assistance whether that applicant is an interested person, or where the applicant is a firm or corporation, whether a partner of that firm or a director or officer of that corporation, as the case may be, is an interested person.

(3) Where an applicant discloses in an application for assistance that the applicant is an interested person or, where the applicant is a firm or corporation, that a partner of that firm or a director or officer of that corporation, as the case may be, is an interested person, the application shall be submitted to the board for approval before an agreement to provide such assistance is entered into by the corporation.

(4) A director shall not vote on a resolution relating to, or be present at a meeting of the board during the time at the meeting when the board is considering, an application submitted to it under subsection (3) if the application is from

(a) that director,

(b) a person related to that director in a degree of relationship described in paragraph (b) or (c) of the definition "interested person" in subsection (1),

(c) a firm or corporation of which that director is a partner, shareholder, director or officer, as the case may be; or

(d) a firm or corporation of which a person referred to