

Mr. Speaker: I have no objection to recognizing the hon. member. He has already spoken on a point of order, but realizing the importance of the matter perhaps he should be seen. Is it agreed?

Some hon. Members: Agreed.

Mr. Speaker: Perhaps I should recognize the hon. member and remind him that it is subject to allowing the hon. member for Winnipeg North Centre (Mr. Knowles) the right of rebuttal, and so on and so forth.

Mr. Nielsen: I will be brief, Mr. Speaker. I neglected to anticipate the argument made by the hon. member for Winnipeg North Centre (Mr. Knowles). If we are to accept the principle that there can be such an amendment, and the principle that other hon. members may wish to make amendments of this nature, we could conceivably be confronted with a dozen subamendments on this question. I submit that the rule was never intended to be extended that far.

● (1550)

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, the only point I want to make is that the stricture the hon. member has made is correct. There cannot be more than two amendments,—that is, one amendment and one subamendment—before the House at the same time. If we have a dozen amendments, we will have to wait our turn. It seems to me that it is applying the rule beyond its limits to say that when there is before the House only one motion and one amendment, there is not the right to move at least one subamendment.

Mr. Lang: Mr. Speaker, I agree with the hon. member for Winnipeg North Centre (Mr. Knowles). I think the hon. member for Yukon (Mr. Nielsen) was correct in saying there must be a limit. I think that after this amendment has been moved we shall have reached that limit. That is where we are for the time being.

Mr. MacGuigan: Mr. Speaker, the citation in Beauchesne's referred to by the hon. member for Yukon (Mr. Nielsen) in supporting his case is beside the point. It begs the question, for it proceeded on the assumption that the motion which the minister moved is an amendment. That is the very question at issue.

Since the argument of the hon. member for Yukon is about form, I think I am right in saying that in form, whatever may be its effect, the minister has moved a motion, to which we are entitled to move an amendment and a subamendment. At that point we reach a limit, until the subamendment has been disposed of. With that in mind, I did not proceed with the subamendment I might have moved, in order to allow the minister to move his subamendment.

Mr. Speaker: I thank hon. members for their advice, and I thank the hon. member for Yukon (Mr. Nielsen) for raising this very important point of order which has worried the Chair for some time. I appreciate that there can be only one amendment and a subamendment before the House at the same time. If the subamendment is defeated, then a different subamendment can be brought forth for the purpose of amending the amendment. The question is

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whether we have before us now three amendments or only two.

I have always felt, in thinking about the possibility that this objection might be brought forward for the consideration of the House, that the interpretation of Standing Order 75(5) should be that this is a substantive motion with notice. That probably makes the difference, in that the Standing Order provides that we will have on the order paper a substantive motion with notice, which puts it in the category of a question subject to amendment and subamendment.

I must confess that I still have some doubts about the matter, and because I have these doubts I have been thinking about the problem for some time, wondering when it might arise. This is the first time the point has been raised. I would think hon. members might be entitled to the benefit of the doubt and that the Standing Order might be interpreted in this way, that what we have before us is a substantive motion subject to amendment and subamendment.

If I have any serious doubt about what is proposed by the minister, it stems from the fact that by the subamendment he is attempting, in a way, to amend his own motion. I think the subamendment ought to have been moved by another member of the House rather than by the minister himself. What has been done is, to me, very difficult to accept from a procedural standpoint. This is not an amendment which must be moved by the minister himself or seconded by another minister. I hope my suggestion will be taken into account and that the subamendment will be moved by another hon. member and seconded by another seconder. This having been said, I thank the hon. member for Yukon for raising the point. I think we should give the matter further thought.

Mr. Lalonde: Mr. Speaker, in order to help the consideration of this issue and to speed up discussion of this bill, I will be pleased to move the particular amendment referred to, seconded by the hon. member for Lévis (Mr. Guay).

Mr. Speaker: Has the Minister of Justice (Mr. Lang) leave to withdraw his amendment?

Some hon. Members: Agreed.

Amendment to motion No. 13 (Mr. Lang) withdrawn.

Hon. Marc Lalonde (Minister of National Health and Welfare) moved:

That the motion of November 27, 1973, by Mr. Atkey to amend motion No. 13, a motion to amend Bill C-176, be amended by

- a) adding after paragraph (a) of the substituted text the word "and",
- b) striking the word "and" at the end of paragraph (b) of the substituted text and substituting therefor the word "or", and
- c) adding immediately after the word "that" in paragraph (c) of the substituted text the following: " , in the case of evidence, other than the private communication itself,"

Mr. Ron Atkey (St. Paul's): Mr. Speaker, for a minute I thought the minister would find difficulty on his own side of the House in getting support for the subamendment