

Free Trade

Mr. Speaker: Shall the remaining questions be allowed to stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

TRADE

CANADA—U.S. FREE TRADE AGREEMENT

The House resumed consideration of the motion of Miss Carney:

That this House endorse, as being in the national interest, the Canada—United States Free Trade Agreement, the legal text of which was tabled in the House of Commons on Friday, December 11, 1987.

Mr. Speaker: Wednesday during our proceedings on the motion standing in the name of the Hon. Minister for International Trade (Miss Carney) in relation to the endorsement of the free trade agreement with the United States, the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) moved the following amendment:

That the motion be amended by inserting immediately after the comma following the word "interest" the following: "as determined by the people of Canada in a general election".

[*English*]

It is at this point that I wish to thank all Hon. Members who took part in the procedural discussion on Wednesday afternoon for their assistance in helping the Chair arrive at a decision.

This amendment has given the Chair very real concern. The motion itself asks the House to endorse the Canada-U.S. free trade agreement as being in the national interest of the country. Some Hon. Members would argue that the amendment seeks to clarify the words "as being in the national interest" by adding the requirement that this should be decided by the Canadian population in a general election. Other Hon. Members argued that the amendment was attempting to introduce a new element to the main motion, an element not contemplated when it was moved and as such would enlarge upon the scope of the motion. Further, the argument was made that the amendment was vague and therefore, if passed, would leave the House wondering what it had decided because of the inherent imprecision in the amendment.

This kind of motion, as our precedents demonstrate, is not easy to amend, and it might be desirable for the Chair to be as liberal as possible. However, by their own admission, the Members who spoke for the Official Opposition stated that the intent of the amendment was to link the definition of the national interest to the outcome of the next general election. As such the amendment would clearly render a part of the main motion subject to the results of a future general election beyond the dissolution of this House and this Parliament.

[*Translation*]

I should point out at this time that on many occasions in the past Hon. Members have tried to introduce amendments to resolutions of this type and found it extremely difficult to draft one that would be acceptable to the Chair.

There is an excellent ruling in this regard delivered by Mr. Lamoureux on Thursday, June 4, 1964 and I should like to quote:

The difficulty, of course, is that if an amendment proposes nothing new it is a nullity and if it does introduce a new proposition not covered in the motion it becomes irrelevant.

[*English*]

Further on in the same ruling can be found this passage, and here again I am quoting:

Furthermore, the Chair agrees with the suggestion made in the course of argument this afternoon that one cannot propose an amendment which does not oppose or alter the main motion but attempts to approve of it on a conditional basis.

[*Translation*]

Assuming that the amendment and the motion were accepted, we would have the endorsement, by the House, of the trade agreement subject to a further endorsement by the population at the next general election and, in my humble opinion, this is foreign to the main question.

[*English*]

Let me quote a further ruling by Speaker Lamoureux of May 6, 1966 when the House was asked to approve the agreement between Canada and the United States concerning automotive products and an amendment was proposed requiring the future consent of Parliament for any amendments to or renewals of that agreement. Mr. Speaker Lamoureux said:

I suggest that the proper procedure to achieve this aim is not by way of amendment to the resolution but rather by way of substantive motion, with due notice. I agree with the contention . . . that this amendment is in fact a new proposition.

Further, to quote Mr. Speaker Michener from June 11, 1958 commenting on a proposed amendment to a motion for approval of the NORAD agreement, he said the following:

If the amendment has the effect of denying the motion it is unnecessary and irrelevant because those Members who wish to disapprove the agreement have only to vote against the motion as it stands.

If the amendment adds something to the motion in a positive way it is a declaration of principle in these terms . . . Assuming that the amendment and the motion were accepted you would have the agreement approved but you would have added to it a declaration of this independent principle which is not related to the motion nor is it necessary for the decision of the motion in question.

And further on, Mr. Speaker Michener comments:

—a motion clearly could be brought forward for the purposes of this amendment but it would have to be on notice and as an independent motion.

In summary, I feel that the amendment proposed by the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) is similar in many ways to those dealt with previously by