

*Point of Order—Mr. Andre*

favour of the creation of new Crown corporations by the minister but opposed to the provision of subsidies to Syncrude and Suncor.

I could go on but I think it must be patently obvious to the Chair, indeed to everyone, that one cannot have a single vote on principle when there are so many different principles involved. That is especially true for this bill where there is every likelihood that many members of this House will be for and against various principles expressed by the parts of this bill.

It may be argued by the government, Madam Speaker, that a vote on second reading is not really a vote of approval for each and every one of the different principles at issue, but rather a vote to send the bill on for further study. This argument has been put in the past, but it is quite clear from various rulings made by the Chair that second reading is most definitely a vote in favour of or against the principle of the bill. For example, as reported in the April 2, 1974 *Votes and Proceedings*, page 90, in ruling on the admissibility of a report stage amendment by the hon. member for Central Nova (Mr. MacKay), the Chair ruled the amendment out of order on the basis, and I quote:

The amendment . . . would, in the opinion of the Chair, negative the principle of the bill as determined by this House on second reading.

• (1600)

On July 2, 1975, as reported in *Votes and Proceedings*, page 677, Mr. Speaker Jerome, ruling on a report stage amendment proposed by myself, ruled that that amendment was inadmissible and out of order, and stated:

With the greatest respect to the hon. member who expressed his intentions clearly, it seems inescapable that the amendments fly directly in the face of the basic principle of the bill, and in order to confine it to its narrowest terms at report stage, they are just not procedurally acceptable to the Chair.

As a final example, as reported on June 29, 1976, in *Votes and Proceedings* at page 1384, it is stated:

There is a rule that amendments after second reading cannot contravene the principle adopted by the House on second reading.

Thus, not only does the citation in Beauchesne state that second reading is a vote on the principle of the bill, but various rulings by the Chair have clearly established this fact as well as the examples I have pointed out. The fact that the principle of the bill is established and concurred in at second reading very seriously proscribes the types of amendments which might further be put to the House. Hence, we have the double dilemma of the impossibility of having a second reading vote on a bill which contains so many disparate principles, as well as the very serious difficulty in which the Chair would be placed in trying to ascertain what types of amendments are acceptable or not during further stages of a bill's consideration. Thus, my second point is that this bill contains much more than one principle, and it is therefore impossible to have a single vote on the principle of the bill, which is the requirement of second reading.

I would now like to deal with the problems the Chair faces by virtue of the fact that certain types of omnibus bills have

been ruled acceptable in the past. In certainly recognize that in many instances omnibus bills are not only properly admissible, but, indeed, are also the best way to proceed since the grouping of certain amendments or certain items aids in providing a coherence to the debate and discussion, and attempting to handle the subject matter by a different set of separate bills would not only be wasteful of time but would also be confusing. An example of this type would be Bill C-40, passed by this House on July 9, 1980. Its title was "an act to amend the Pension Act, the Compensation for Former Prisoners of War Act, the War Veterans' Allowances Act and the Civilian War Pensions and Allowances Act". This was an omnibus bill in the sense that it would amend a number of acts under one bill; but there was clearly a fundamental, underlying, principle, namely, the increasing of pensions to veterans and others affected by the war.

Another type is the Canada Post Corporation Act, which set up a Crown corporation for the post office and amended 14 other statutes to make them consistent with the new statute dealing with the post office. It is clear that grouping these is an aid, not a hindrance, to proper parliamentary discussion and decision.

Another type, which I frankly think gets a little close to the edge, is Bill C-43, referred to as the freedom of information act, but in fact it is not entitled that. In fact, it is entitled "an act to enact the Access to Information Act and the Privacy Act, to amend the Federal Court Act and the Canada Evidence Act, and to amend certain other acts in consequence thereof". This bill seeks to create two new acts as part of one bill. While I have some reservations about the way this bill was drafted, in fact the grouping of these two separate subjects under one bill is an aid to the discussion, and there is certainly a single underlying principle covering both of these, in spite of the draftsmen having proposed two acts and, I think, erroneously.

On several occasions in the past, points of order have been raised as to the appropriateness of omnibus bills, and the Chair has been called upon to make rulings. I would like to deal with what I believe to be the last three occasions on which the Chair has made such rulings and specifically addressed this question of what is an appropriate and inappropriate grouping of subjects in an omnibus bill.

Within the last two weeks, of course, the Chair was asked to consider Bill C-93, which combined the Borrowing Authority Act with amendments to the Excise Tax Act. The Chair ruled that she could find nothing wrong with grouping borrowing authority with a bill based on Ways and Means; thus, Bill C-93 was in order. I only want to emphasize to the Chair the narrowness of that ruling in that Your Honour did not discuss or comment on the general question of omnibus bills, but merely made the decision that a Borrowing Authority Act could be included with a bill based on a Ways and Means resolution. That was a decision which we argued against, but, nonetheless, a decision which has no bearing on the question