

in the chair I propose to put arguments with respect to my reasoning that it is out of order.

The motion, sir, in my submission goes beyond the scope of that which is allowable under the usual six months' hoist because it attaches conditions not provided for in the rule. It attaches conditions which impose instructions on the committee, and it attaches conditions that the committee must bring in a recommendation to amend the bill in the most impossible way. It goes beyond the scope of the bill itself. It is impossible to amend it in the fashion suggested in the motion because of the existence of the international agreement.

The original motion of the government had to be accompanied by a message from His Excellency and this amendment may very well affect that aspect since it is an intrusion upon a prerogative of His Excellency by reason of the fact that that motion standing on the order paper is confined to that purpose. For those reasons I submit the motion is out of order.

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, I should like to serve my right to argue the points the hon. member has made if you decide it is appropriate for this argument to be reopened. First of all I wish to make the point that when the amendment was put by the hon. member for Oshawa-Whitby (Mr. Broadbent) there was an objection from the President of Privy Council (Mr. MacEachen). We sat for a moment without anything being said and then the Acting Speaker, the hon. member for London East (Mr. Turner), rose and put the motion.

Mr. Nielsen: No, he did not.

Mr. Speaker: Order, please. We will have to resolve this initial point. As is no surprise I am sure to the hon. member, I have some misgivings about the procedural regularity of the motion and the points made by the hon. member for Yukon (Mr. Nielsen) are well taken.

However, it will have to be resolved whether the matter is open for argument at this time. Before resuming the chair I asked the hon. member, the Assistant Deputy Speaker, if he had in fact reserved on the matter and his impression clearly was that he had. That matter will have to be verified, but certainly that was his impression. Reference was made, I understood by the hon. member for Yukon in his participation right after that, that the matter had been reserved. Therefore I do not have as much difficulty with the procedural regularity of the motion as I do with the argument.

It would seem to me there is only one way to settle that argument and that is to examine the transcript of the afternoon, when it is available, to decide whether there is any foundation for the argument of the question having been put. It is not now open to procedural argument. I would have to be persuaded of that, but surely we will need to have the evidence on hand. I do not think there is any way to solve it without looking at the transcript.

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, I quite agree we have to look at the evidence, namely, the blues

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of what was said. Of course there are tapes as well, so it is possible to look at what was said and we can hear what was said. An additional point I wish to make is that the hon. member for Yukon (Mr. Nielsen) spoke to the amendment at some length after the motion was put. The President of the Privy Council (Mr. MacEachen) debated on his feet whether to speak to the amendment or to wait and speak to the main motion after the amendment was disposed of.

Mr. Speaker, I do not like arguing in advance of looking at or hearing the evidence either, but my memory is different. I will even confess that I was surprised at the ruling from the Chair. But we sat for 30 to 40 seconds without anything being said, and then the Assistant Deputy Speaker got up and said, "Moved by Mr. Broadbent and seconded by Mr. Peters," and called for the question. At that point the hon. member for the Yukon stood up and spoke to the amendment, followed by the hon. member for Timiskaming (Mr. Peters). It seems to me the time for raising this whole question of the propriety of the amendment was over. It is unfortunate. Maybe there was some inadvertence about it, but this is what happened, and I do not think it is appropriate now to ask to go back at this stage of debate.

Mr. Speaker: Order, please. Any participation in the discussion would, of course, be without prejudice if the matter had been held under reserve. There is obviously only one consideration at this moment and that is whether the procedural regularity of the motion was held under reserve by the Chair. We have to determine that. The first way to assist in that discussion is to obtain a transcript of the record of the proceedings this afternoon. That will not be available for a short time. We cannot interfere with private members' hour which begins at five o'clock. It would appear that this discussion would have to take place later on this evening, I would presume at eight o'clock. That would be the appropriate time to raise it.

Mr. Nielsen: Mr. Speaker, one thing that the record will not show is that I was on my feet before the Assistant Deputy Speaker read the motion and at the outset I staked out the grounds of my point of order and asked the Chair to look at it.

Mr. Broadbent: Mr. Speaker, the hon. member for Yukon (Mr. Nielsen) did indeed stake out his brave ground, but the point surely on this matter is: did the Speaker at the time who was in the chair put the question or did he not? Did he name the mover and the seconder or not? The record is, I think, unequivocally clear on that. He moved the motion and expressed some reservations. He got up, he hesitated, and he moved the motion. It was so unequivocally accepted, I thought by all members. The Deputy Prime Minister (Mr. MacEachen) in informal conversation was talking about the debate arrangements to be made after that. The Deputy Prime Minister was assuming, and said to me informally, the motion had been put, and he was concerned about winding up the debate. He asked whether he should now speak on the amendment, or whether he should speak after the amendment was dealt with.