

hon. member for Calgary North (Mr. Woolliams). At that time the Chair expressed reservations about the procedural acceptability of the amendment. It was accepted only by the unanimous agreement of the House. When the hon. member for Yukon proposed the amendment yesterday, the Chair expressed the same reservations and stated that the amendment would not be acceptable without further consideration, unless the House unanimously agreed that it should be accepted. There was no agreement. The Chair then heard representations from hon. members on the question of the acceptability of the amendment, given the fact that there was no agreement.

The Chair reserved the decision. I have now had an opportunity to further consider the authorities and to read and consider the very helpful contributions made yesterday by those hon. members who assisted the Chair on the procedural point. I have come to the conclusion, regrettably, that the amendment cannot be accepted. I will not repeat what I said yesterday afternoon on the point that the amendment proposes a reference to a body which is not now in existence. As mentioned yesterday, there are precedents and authorities which, in proper circumstances, would permit the Chair to accept such a motion when the proposed reference was to an existing entity constituted or empowered to accept the kind of undertaking or study that would be required should the amendment carry.

The hon. member for Winnipeg North Centre (Mr. Knowles), in his assistance on the procedural point, referred to citation 386(2) of Beauchesne's Fourth Edition as authority for accepting the amendment proposed by the hon. member for Yukon. The citation reads:

An amendment urging the setting up of a select committee to consider the subject matter of a Bill, might be moved and carried, if the House were adverse to giving the Bill itself a second reading and so conceding the principle.

With the greatest respect to the hon. member, it seems there is a distinction which I should try to draw. As hon. members know, there is a well established form of amendment on second reading, namely along the lines that this bill be not now read a second time, but that the subject matter thereof be referred to such and such a standing committee. This procedure must be preserved, not for the sake of form alone, but because the law and practice of Canada and this House has recognized effective methods of dealing with legislation.

When legislation is referred to a body which is outside the legislative process, such as is provided in the proposed amendment, we are endeavouring to add a new arm to the legislative machinery. In so doing, the amendment fails to meet the requirement of what is generally referred to as a reasoned amendment, as defined in citation 382 of Beauchesne's Fourth Edition. In my view, the hon. member's proposed amendment is a substantive proposition and not acceptable as an amendment. Having said this with reference to citation 386(2), I want to add that I think it is a very helpful authority. I am sure hon. members are ingenious enough in their drafting skills to draft an amendment in circumstances such as these, based on the authority of that citation, which would be acceptable to the Chair.

#### *Northern Canada Power Commission Act*

**Mr. G. W. Baldwin (Peace River):** May I first say, as a postscript to the decision which Your Honour has just delivered, that it is my intention to accept it. Of course, I am bound to do so. However, let me say frankly, it might be helpful, it might be useful that the hon. member for Yukon (Mr. Nielsen), myself, the hon. member for Winnipeg North Centre (Mr. Knowles) and others did exercise our ingenuity not, as I said rather facetiously yesterday, to break new ground but to improve our practice. I hope the Parliamentary Secretary to the President of the Privy Council (Mr. Jerome) and others on the treasury benches are listening.

As a result of new rules adopted in this House we have argued on this side of the House, and I think correctly, and I think admittedly, that the rights of minorities, the rights of members of the opposition and of private members generally have been seriously restricted. That change, of course, was a direction of the House to the Chair. But it was done in the hope and belief that new precedents would be established and that the committee would from time to time examine the decisions of the Chair based on these new rules so that we could adopt procedures in this House adapted to the needs of today. Unfortunately, this has not been done. I understand the dilemma in which the Chair finds itself. The Chair is driven to resort to precedents and citations which are based on Standing Orders as they may have been 20, 30, 40 or 50 years ago. The Chair cannot break out of that corral but we are in a different situation and there should be different rules. I will leave it at that.

I hope members on the government side will recognize that if opposition parties and members are to do their duty to the people of this country, and to their constituents in particular, there must be a more flexible approach. I am not saying this in a contentious way. I think it is an important problem; what we can do in this House, the restrictions which have been placed upon us, the new way we approach legislation must be borne in mind in our attitude to the rules. I am not saying this in criticism of the Chair. The Chair is bound by precedents and citations, precedents established 20, 30, 40, 50 or even 60 years ago. In the light of the rules of today, it is like comparing apples with elephants. I am grateful to Your Honour and to the House for being allowed to transgress the rules to this limited extent.

I want to deal with this bill. I commend to the House the arguments made by my hon. friend from Yukon which are specifically related to these proposals as they affect the people of the north. He has made a reasoned and eloquent statement of the facts. He has based it on principles which we in this country and, indeed, on this continent, have held for a great many years, that when we consider the question of power rates, like taxes, there must be an equitable disposition of them. I think my hon. friend made it plain that the effect of this amendment would be to create an unfair and inequitable distribution of power rates. My hon. friend from Yukon, speaking as a spokesman for this party, carries with him the full endorsement of Her Majesty's Loyal Opposition with regard to this issue.