

*Income Tax Act*

allowed and was carried. Things did not fall apart. The Speaker just said to the mover of the bill that it would be a good idea to bring in another one paying attention to the views that the House had just expressed. That is what my friend the hon. member for Edmonton West is suggesting, that we not give second reading to the bill that the government has brought in, in its present form. I suggest that if that amendment were carried, two things could happen, one might be an election, the other might be a decision on the part of the government to pay some attention to what the House has said by its vote.

The next paragraph in May goes on to say:

The practical result of carrying such a resolution varies according to its character and importance, the support it has received, and the means there may be of meeting it, and on certain occasions has had far reaching political effects.

I emphasize these few sentences because of the fact that it is so often said from the other side that if a reasoned amendment were allowed, were voted on and were carried, it would be the end of this Parliament, we would have to have an election. Listen to this:

For example, the amendment to the second reading of the conspiracy to murder bill, in 1858, being also a vote of censure, was not only fatal to that measure, but caused the immediate fall of Lord Palmerston's ministry; and the amendment to the second reading of the representation of the people bill of 1859 was decisive as to the bill and led to a dissolution.

So there have been occasions when reasoned amendments were not only allowed but were voted on, were carried and resulted in the fall of the government of the day. I am not predicting that that would be the result of the amendment that is before us, for I suspect that the majority on the other side of the House is still loyal enough to the government that this amendment would be defeated. But I present these points in support of the argument that I am putting forward, namely, that one cannot contend that the results that would flow from a reasoned amendment are a basis for denying the admissibility of such an amendment.

As I have said two or three times now, some of us are concerned about the developments that have taken place in connection with reasoned amendments. We know that on the opposition side of the House we always go as far as we can with our amendments. We would like to take control and tell the House what it is going to debate. We have to be held in check. We have to see to it that matters that are really new are submitted as substantive motions with proper notice, and we must not break the rule of relevancy. But so long as we stay within the four corners of the subject matter of a government bill which is before us on second reading, I think we should have the right to move, as a reasoned amendment, a proposition to the effect that we do not agree to the second reading of the bill in its present form. We should be allowed to state our reasons for opposing it, our alternative propositions, and such a matter should come to debate on the floor of the House.

Therefore, I not only support the procedural admissibility of the amendment now before us but I hope that we may find ways and means of developing a little more satisfactory experience with regard to reasoned amendments generally.

[Mr. Knowles (Winnipeg North Centre).]

**Hon. John N. Turner (Minister of Justice):** Mr. Speaker, it is all very well for the hon. member for Winnipeg North Centre (Mr. Knowles) to suggest that this is a welcome opportunity for Your Honour to redefine the scope and ambit of reasoned amendment but I submit to Your Honour that you and the House are bound by the rules as you find them and the precedents as you read them. I want to attack the admissibility of the amendment introduced by the hon. member for Edmonton West (Mr. Lambert) on a number of grounds but primarily on the ground of relevance. I know that the citations are quite familiar to Your Honour, but for the record and in order that you might have in some convenient form the arguments before you I would like to cite Beauchesne's fourth edition citation 203 (1) which reads as follows:

It is an imperative rule that every amendment must be relevant to the question on which the amendment is proposed. Every amendment proposed to be made either to a question or to a proposed amendment should be so framed that if agreed to by the House the question or amendment as amended would be intelligible and consistent with itself.

The law on the relevancy of amendments is that if they are on the same subject matter with the original motion, they are admissible, but not when foreign thereto.

Beauchesne's citations also refer to May and when the hon. member for Winnipeg North Centre starts bringing in May we know that the big guns are out. I want to introduce some citations of May which have received the approval of the Chair in this Parliament and indeed the approval of previous Speakers. On reasoned amendments I refer Your Honour to May's seventeenth edition, pages 526 and 527. May at this juncture is describing what a reasoned amendment is. Here is what he said:

It is also competent for a member who desires to place on record any special reasons for not agreeing to the second reading of a bill, to move what is known as a "reasoned amendment". This amendment is to leave out all the words in the main question after the word "that" and to add other words; and the question proposed upon the amendment is, that the words proposed to be left out stand part of the question. A reasoned amendment is placed on the paper in the form of a motion and may fall into one of several categories.

May lists three main categories of a reasoned amendment. The first is:

It may be declaratory of some principle adverse to, or differing from, the principles, policy or provisions of the bill.

The second is:

It may express opinions as to any circumstances connected with the introduction or prosecution of the bill, or otherwise opposed to its progress.

The third is:

It may seek further information in relation to the bill by committees, commissioners, the production of papers or other evidence.

● (8:20 p.m.)

I submit to Your Honour that the third illustration does not apply here; there is nothing in the amendment that seeks further information in relation to the bill, either by committees, commissioners or the production of papers. I submit, further, that there is nothing in the second category that pertains to this amendment because there is nothing in the amendment expressing an opinion