

Farm Machinery

should rest upon them to establish beyond any reasonable doubt the necessity for, and the reasonableness of, the powers they seek. This has not been the case here. I for one could not see my way clear to vote for this bill as it now stands. I, therefore, wish to move, seconded by the hon. member for Swift Current-Maple Creek (Mr. McIntosh):

That the amendment be amended by adding immediately following the last word, the following: "Provided however that despite this motion the said bill shall remain on the order paper as an order for second reading, without prejudice to the right to proceed with a motion for such second reading."

Mr. Deputy Speaker: The hon. member will appreciate that the Chair would have some qualms about the legality of this amendment. Perhaps hon. members might like to indicate their views as to whether or not the subamendment is acceptable.

Mr. Baldwin: Before Your Honour does decide, I have some precedents to argue. However, I take it that the silence in the house indicates the value, legality and virtue of this subamendment.

[*Translation*]

Mr. Favreau: Mr. Speaker, there is no doubt that the subamendment cannot be accepted as it stands because it contradicts the main amendment.

In fact, the subamendment would hide from the public the true consequence of the main amendment, which would remove from the consideration of the house the bill under discussion.

It is clear that an amendment to refer to a committee the subject matter of a bill is in itself a statement from the house to the effect that it is opposed to second reading and, therefore, to the principle of the bill.

In fact, the main amendment is a declaration made by the opposition—which it has presented as a motion—to the effect that the opposition does not accept the principle of the bill, does not accept the principle of a government guarantee for the financing of the purchase, joint or collective, of machinery by two or more persons. And the subamendment merely indicates, by way of an excuse, that although one is well aware that such will be the consequence, in fact one does not wish to see the bill killed as a result of that amendment.

[*Text*]

It is clear from the reading of citation 386 in Beauchesne's fourth edition, that once the subject matter of the bill has been referred

to committee, and once the principle of the main amendment has been accepted, then there is no bill, in fact. I read from the second subparagraph of citation 386:

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 its principle.

It would, therefore, I repeat be a clear declaration from this house that this house agreed with the mover of the amendment to the effect that the principle of the bill ought not to be admitted and that the house is adverse to second reading. This, I think, is just what the Minister of Agriculture has said, that under the pretext of forcing a further study of this bill, the main amendment only wants to deprive the house of the advantage of the possibility of thoroughly discussing the bill, giving it second reading, and then at the committee stage obtaining from the minister all the answers hon. members desire to elicit with respect to the application or consequences of the bill.

It is quite evident that a motion that denies that the bill must have second reading, and therefore denies the principle of the bill, is incompatible with the other principle, that the house retains the right to proceed with the motion for second reading. I therefore say that the subamendment is not consistent with or material to the amendment itself, that it is a clear contradiction, and that it is only an admission of the fact that the official opposition would like to have it both ways, to have its cake and eat it, to deprive the government from giving this important and useful legislation to the farmers and at the same time let everyone believe or think that in so doing they just wanted to serve the country. For these reasons I submit that the subamendment should not be admitted by the Chair.

Mr. Olson: Mr. Speaker, there are one or two other sentences that the Minister of Justice (Mr. Favreau) could have read from citation 386, but before I refer to them I would like to say that I have always held the opinion that this house ought to have the right to send a bill to a standing committee for consideration prior to the adoption of the principle of the bill. Unfortunately this is not the practice which has been followed, and if we are not prepared to change the practice we have to be consistent in the way we proceed.

We have also to recognize that there will be an opportunity on committee stage for