

tends to remedy some defect or to provide some cure for a problem which has existed—a statute which, in the terms of this enactment, would incorporate the Federal Business Development Bank, and certain definitions are given but there is complete silence as to the intent of the government with regard to business enterprises in Canada, then we must admit that the legislation is wide open. Surely it is possible, under these conditions, for any hon. member to give a more precise interpretation to the term used in the bill.

I would agree 100 per cent with Your Honour if the bill had gone on to say that “business enterprises in Canada” means certain specific types of business enterprises and the recommendation of His Excellency contained such limited description. In that case, the hon. member would find great difficulty in convincing me and convincing the Chair that the amendment should provide the benefits under this legislation, that is, the expenditure of money, to organizations outside those limited by the definition clause of the bill. There being no such definition in the bill, we are left with the words “business enterprises in Canada”, and I would assume it is competent for any member of this House to try to place a definition upon that phrase.

● (1530)

Mr. Speaker: I thank the hon. member for his contribution. I propose to hear other hon. members in order to resolve my difficulty. I wonder if hon. members, in contributing to this point, would direct themselves not only to the question, as they have, of whether the proposed amendment is contrary to the basic principle of the bill—in other words, establishing that the application of the bill would be restricted to strictly Canadian corporations, as opposed to having wide application in its original intent—but also to the basic problem of whether, even accepting that the amendment is permissible—and I have some doubt there—it is proper to endeavour to do what is sought by changing the definition clause.

What is happening here, it seems to me, is that by changing the definition clause an attempt is being made to make a very important, substantive change to the basic principle of the legislation. Surely that is not the basic nature of the definition clause. Such a change, if it is to be made by way of an amendment, ought to be put forward, it seems to me, in the form of a substantive amendment to the basic principle of the bill and a series of consequent amendments to all the applications of the bill. So my problem is not simply that the amendment seems to be contrary to the principle of the bill but, rather, that it also goes far beyond the scope of the clause in question, being a simple definition clause as opposed to a substantive clause.

Mr. Sinclair Stevens (York-Simcoe): Mr. Speaker, your suggestion that perhaps we should stand this item and go on to the next three amendments is acceptable. It takes me a little by surprise that there should be any question of the admissibility of this amendment. I would point out, however, that not only is the question of business enterprises referred to in the clause discussed by the hon. member for Peace River (Mr. Baldwin), but it also occurs in clause 20(1)(a). Listed among the powers of this corporation is

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the power, in effect, to lend money to a person who is engaged or about to be engaged in a business enterprise in Canada.

This question was discussed in committee and there seemed to be considerable doubt about what was meant by the term “business enterprises in Canada”. There was the suggestion that it should be defined so as to make it clear that it was a small business enterprise. We hesitated to suggest that type of amendment because in today’s inflationary world one might say a \$200,000 company is a small business. However, there was no suggestion in committee that to define a small business enterprise as having to be Canadian, in the sense that it did not have foreign-ownership content, would be out of order.

I would point out that in the Industrial Development Bank Act, which is chapter 1(9) of the Statutes of Canada, the term used which is comparable to the one we are considering is “industrial enterprise in Canada”. In that act “industrial enterprise” is defined. Frankly, I think the draftsman of the bill before us simply overlooked or omitted giving a definition. I think it would be much better draftmanship to define exactly what is meant by “business enterprises in Canada” in this bill, in the same way as the act defines “industrial enterprise in Canada”.

Hon. Alastair Gillespie (Minister of Industry, Trade and Commerce): I have just a couple of points, Mr. Speaker. I should like, first, to deal with clause 4 which the Conservative House leader referred to in building a case to the effect that this amendment should be admitted. He referred to the words “and assist in the establishment and development of business enterprises in Canada” and spoke about the corporate objectives of the Federal Business Development Bank. Clause 4(1) reads:

—of business enterprises in Canada by providing, in the manner and to the extent authorized by this act, financial assistance, management counselling—

The key phrase is “business enterprises in Canada”. I would argue that indeed the amendment is restrictive because it clearly would change the importance attached to that phrase and substitute something quite different, that is, an enterprise controlled in a shareholder sense by Canadians. It would restrict from the operation of the Federal Business Development Bank business enterprises which are operating in Canada, which are employing Canadians, which are managed by Canadians, which are paying Canadian taxes and which are using Canadian materials. I would argue that the change proposed by the hon. member is a substantive one, and for that reason I support the submission that the amendment is out of order.

Mr. Speaker: Order, please. There have been suggestions that we should defer consideration of this amendment. The Chair would be prepared to accede to that suggestion or, alternatively, to deal with the matter at once. Is it possible that the House might be agreeable to proceeding to consideration of motions Nos. 2 and 3, allowing this matter to stand for a few minutes for further consideration. Is that agreed?

Some hon. Members: Agreed.