

Northern Inland Waters Bill

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, in respect of the point of order that has been raised by the Minister of Indian Affairs and Northern Development, I suggest that he may have inadvertently made a good argument for the acceptability of the amendment. Let me come to that in a moment.

I want to say first of all that the amendment is not in quite the usual form that second reading reasoned amendments take. Your Honour has been justifiably generous in that respect. You have not been a stickler for the form and words, so long as the spirit has been clear. You have insisted that a reasoned amendment must state an alternative proposition and that the amendment must make it clear that those proposing it are opposed to the passing of the bill in its present form. Your Honour has rejected a number of amendments at this stage when they have attempted to have it both ways, but that is not the case with this amendment. I submit that the amendment, as I read it, clearly states opposition to the bill and gives a reason for that opposition, namely the fact that it does not include the enunciation of a certain principle.

When I rose to my feet I said the minister had perhaps inadvertently made an argument on our side of the case. I meant by that, that he underlined the very fact the hon. member for Peace River suggests is not in the bill. That is exactly the point, as I see it, that the hon. member for Peace River is making. He is saying that because this bill, as it is now before us, does not contain an enunciation of the principle set out in the amendment, therefore he and those who agree with him feel that the bill should not be proceeded with at this time.

Most of us feel that it is more in the nature of a second reading reasoned amendment if it starts out by saying that the bill be not now read a second time, but that it be resolved that in the opinion of this House such and such should be declared. As much of a stickler for words as I may be, I can see that the form is not absolutely necessary. What is important is that the proposed amendment be something that cannot be dealt with by way of an amendment in the committee. It should state the reason for the opposition of those proposing the amendment, and thus it should be against the bill.

As I say, the hon. member for Peace River has said in his speech and in his amendment that because the bill does not contain a principle, which the minister admits is not there,

[Mr. Baldwin.]

the bill should not be proceeded with. Therefore, Mr. Speaker, it seems to me there is a case for the admissibility of the amendment.

Mr. Speaker: I thank hon. members for the views they have expressed in relation to the acceptability of the amendment proposed by the hon. member for Peace River. The point raised by the hon. minister is, of course, very interesting. It is the kind of objection which is normally and usually made in respect of a reasoned amendment proposed to the House.

We know that such amendments have to be relevant. I believe that the precedents are to the effect that they should be strictly relevant to the bill before the House. The hon. member for Peace River, supported by the hon. member for Winnipeg North Centre, states this is essential to a reasoned amendment because it indicates the reasons the bill should not be proposed or proceeded with. They claim the amendment as proposed is relevant to the bill now before us. I am inclined to agree with that proposition.

I might state that it is not absolutely clear whether the amendment is strictly relevant to the principle now before the House. At the same time I feel that when amendments are proposed, particularly reasoned amendments, some measure of leniency has to be exercised, particularly when hon. members feel that the proposal included in the reasoned amendment should be put to a test in the House, and that the reasoned amendment should be allowed.

In the circumstances, I think I should give the hon. member the benefit of the doubt and say that the proposed reasoned amendment is relevant to the bill before the House and allow it to be put at this time. Before putting the proposed amendment I should point out that it is defective to the extent that the hon. member has left certain words out of the amendment as proposed to the Chair, namely "that all the words after 'that' be deleted and the following added—". In any event, I shall put the motion to the House which is as follows:

Mr. Baldwin (seconded by Mr. Nesbitt) moves:

That all the words after "that" be deleted and the following added;

"This House declares that the bill fails to enunciate the principle that the inland water resources of northern Canada and the Yukon Territories ought not to be exported from Canada by licence or otherwise and the bill should not be proceeded with.

Mr. Thomas S. Barnett (Comox-Alberni): Mr. Speaker, the acceptance of this amendment does place some new dimensions on the discussion of this bill, and certainly as far as I