

Excise Tax Act

had been defined as being exempt within the limits of (a) to (j). That was the bill which Your Honour found defective.

We now come to the reprinted bill. We find, in the reprinted version of the bill, that proposed section 47(1) under clause 5 contains subparagraphs (a) to (e). On the other hand, the original clause refers to subparagraphs (a) to (f). Is the government so arrogant, so supercilious and so sure of its power that it plans at the committee stage to add another clause to the exemption provision? Does the government intend to add subparagraph (f) to another clause at the committee stage? Is that why we are faced with this abortion of the legislative process?

● (1600)

We have put up with an awful lot from the government. Your Honour made a useful and effective suggestion yesterday, yet today we face the present situation. I will not urge the House to hold up proceedings, but I do suggest that we are entitled to an explanation of the present situation. What does the government intend? Why have its draftsmen been so slovenly and incompetent as to place this kind of measure before the House?

Mr. Speaker: Order, please. In the circumstances, it is scarcely the responsibility of the government that the bill has been reprinted in this form. The order I made yesterday was for the deletion of subclause (f) of proposed section 47(1) of the Excise Tax Act, that being part of proposed clause 5 of this bill. The order made by the Chair was that subclause (f) should be deleted and that the bill should be reprinted. But that order did not go on to say that wherever subclause (f) which was ordered to be struck out was referred to elsewhere in the bill, that part of the bill should be changed in the reprinting. That was not done by the printers.

I assure the hon. member for Peace River (Mr. Baldwin) and the House that the government did not intervene and exercised no control, at least to my knowledge. I would be astonished to learn that the government had intervened or had any control over the reprinting of the bill. That was entirely within our control and the failure, if any, and shortcoming is that of the administration of the House and not that of the government.

Hon. Marcel Lambert (Edmonton West): Mr. Speaker, my comments on the point of order arise from the ruling the Chair made yesterday. I submit that the bill still contravenes Standing Order 69. I suggest that there is a way to cure it, but it must be done in the proper way. The same thing must be done to cure the difficulty which my colleague brought forward. Mr. Speaker, you indicated that the House could direct this to be done at the appropriate stage.

There has been a reprint of the bill. A subclause has been deleted but the bill still contravenes the ways and means motion because there is a major omission. It has been indicated that this can be cured. If we were to be in theory, shall we say, consistent, everything would need to go back to square one because here is an imperfect bill. We could say that there cannot be any motions and that debate on it is dead, because that would be logical and consistent.

[Mr. Baldwin.]

The Chair decided, and the House accepted that decision, to preserve the proceedings to date. But there must be a proper bill before us. In order to cure the lacuna, I suggest there should be an order of the House to implement precisely what the Chair indicated yesterday should happen. The House should authorize, at the appropriate stage, the reintroduction of a clause to conform with the ways and means motion. That should be done now. That would cure, also, the difficulty which is apparent in the reprinted version of the bill as ordered by the Chair.

My colleagues would support an amendment. The House could authorize the Minister of Finance (Mr. Turner) at the committee stage to bring forward a clause based upon subparagraph (f) of the ways and means motion. The House would give its assent and the authority would be there. Otherwise, without that authority I say that this debate cannot go on and the bill remains out of order.

We are trying to cure two things, and I hope we can be helpful. There is no way someone can say, when we come to the appropriate clause of the bill, "Now we are going to put forward a motion authorizing the government to bring forward an amendment." I say that the bill would be imperfect up to that time and there is no way we can carry on these proceedings. I strongly urge Your Honour to accept my view. The minister can easily make the motion. We will accept it, the House will accept it and we can cure the lacuna which exists at present.

Mr. Speaker: Order, please. In light of the order that has been made and the indication, when the order was made, that an alteration in respect of this particular clause or in respect of exemptions ought to be made at the appropriate stage, I am not persuaded of the validity of the point raised by the hon. member for Edmonton West (Mr. Lambert) that the government does not have the necessary power. The hon. member is suggesting that the House can give its assent and allow the government to introduce committee stage amendments. The fact is that the government—indeed, any hon. member—has power, without the assent of the House, to introduce a committee stage amendment when the bill is at the committee stage. That was anticipated in the order of the House yesterday.

Mr. Lambert (Edmonton West): But there was no order of the House.

Mr. Speaker: Specific reference was made to the possibility that the House would make that alteration at the appropriate stage. It may or may not make it, but it is within the power of an hon. member so to move, whether this House gives its assent or not. I cannot accept that it is a requirement that the House must give its assent for the introduction of an amendment at the committee stage. An amendment can be introduced at the committee stage whether or not the House gives its assent.

In light of the order saying that the bill should retain its status while the deletion was made and the bill reprinted, I submit that the bill, by virtue of that order, retains its status before the House and is eligible for debate this day—because the bill, according to the terms of the order, has been reprinted and distributed.

There remains the question raised by the hon. member for Peace River (Mr. Baldwin). I think hon. members