

The Constitution

discussing that amendment no other amendment, except possibly a subamendment, may be entertained.

Some of us do have amendments. I suppose Your Honour will appreciate that some of us are not experts as to the receivability of these amendments and, since it is a custom and practice to do these things with respect to a bill, I wonder if it would be possible for you, Mr. Speaker, to accept, or if it is possible for members of the House to accept by unanimous consent, that some of us may be allowed to table our amendments to this resolution. This would be for the purposes of informing our colleagues that we intend to move these amendments eventually. Possibly Your Honour could look at them as to their relevancy and substance, and perhaps group them together until some of us get together on issues we feel strongly should be incorporated in this resolution.

For example, I would like to move an amendment to include Ontario under section 133 of the BNA Act. I do not actually have any difficulty in doing that except that the Table, the legal advisers of the House and everybody tells me there might be difficulty in respect of the receivability of this amendment. To avoid waiting too long I would like to ask for the Chair's advice, or perhaps for the unanimous consent of the House so that many of us here on both sides of the House who have amendments could have the benefit of tabling them, having them published in the Order Paper and having the benefit of the Chair's advice.

The Acting Speaker (Mr. Blaker): We might begin by the Chair indicating that in some sense the hon. member for Ottawa-Vanier (Mr. Gauthier) is requesting either information or possibly a ruling, but in another sense he is asking a hypothetical question. The Chair ought not to get involved in that because we would not be into debate, but into form of consultation as between hon. members and the Chair. I think there are other methods which may be more valuable to the hon. member with regard to how we might proceed.

I do appreciate the point he raises. I simply confirm to the hon. member that there is an amendment at the moment standing in the name of the hon. member for Provencher (Mr. Epp). That amendment is related to the referendum section of the resolution before the House. Accordingly, any further amendment would have to be, under our Standing Orders, a subamendment to that amendment. If it were not related to that amendment, then the Chair would have to find that it would not be receivable.

I understand the difficulty of the hon. member, which is why I continue, when perhaps I might or should not. The matter which the hon. member really did not raise is the question of relevance. If hon. members were to insist that members rising in debate address themselves to the matter before the House, then they would have to address themselves to the amendment, and accordingly if the Chair felt the mood of the House were to insist on relevancy, the Chair would have to persist in bringing to the attention of hon. members that they must address themselves to the question of the amendment put before the House by the hon. member for Provencher.

However, that has not been our tradition. This is the difficulty all occupants of the Chair have had. The difficulty has been whether we are to insist on the rigid application of the Standing Orders or whether we are better guided by the mood of the House. My impression is that hon. members want the Chair to be guided by the mood of the House in that regard and not to insist too much on relevancy. That being the case, unless the Chair is given some indication of the mood of the House, the Chair will continue to permit hon. members to address themselves in a very wide-ranging way to such subjects as they see fit relating to the Constitution.

I point out to the hon. member that he may wish to attempt to lead his colleagues to an instruction to the Chair to be more rigid in the matter of relevancy. Whether he will succeed is for the hon. member to work out.

That leaves us with the question of other amendments and whether they might be receivable or groupable. Since the Standing Orders prohibit receiving them unless they are in the form of a subamendment to the existing amendment, I need not worry about their being groupable, because I cannot receive them unless they are in the form of a subamendment to the existing amendment.

There is an exception, and that is why I think the hon. member has raised a very interesting question. It may well be in the interests of the House to be informed of other amendments which might be brought forward. In such circumstances it may well be the wish of the House that some proceeding be permitted which would—and I think it would have to be by unanimous consent—permit and, in fact, even encourage hon. members who have amendments to bring them forward. That then would be followed by the whole business of relevancy, grouping and so forth.

The Chair is not in a position to make a ruling in that regard, but in so far as it may be of assistance to the hon. member, I certainly would say that I understand the desire of the hon. member to see an opportunity somewhere in the system to overcome this problem of relevance, which is in fact prohibiting other hon. members from putting forward amendments. I understand that, so there seems to me to be two options open: One is for the House to instruct the Chair to insist upon relevancy; the second is for the hon. member to seek unanimous consent for some method which would permit other amendments to come forward in this process.

Mr. Gauthier: That is what I am doing.

The Acting Speaker (Mr. Blaker): The Chair cannot make that choice for the hon. member. Because I think his point is very well taken I did go on at some length, but I think that is all that needs to be said at the moment. I should go on and recognize other hon. members in debate. I see there are other hon. members rising on the same point of order. I will recognize the hon. member for Winnipeg North Centre (Mr. Knowles).