

*Private Bills*

the passing of public bills. As reported at this page the learned author states:

● (5:10 p.m.)

An amendment which is equivalent to a negative of the bill, or which would reverse the principle of the bill as agreed to on the second reading, is not admissible—

He goes on to give examples and I draw to your attention the first example cited, Mr. Speaker:

The scope of the Parliamentary Elections, . . . Bill, 1880, being restricted to the repeal of a section in a statute, an amendment which proposed the continuance and extension of that section was ruled out of order. The chairman stated that, though the committee had full power to amend, even to the extent of nullifying the provisions of a bill, they could not insert a clause reversing the principle which the bill, as read a second time, sought to affirm.

I submit the situation we have here is on all fours with the situation depicted in this example, in which an amendment seeking to remove a clause from a one clause bill was ruled out of order.

May I also refer you to Beauchesne, fourth edition, citation 202 (13), which appears at page 170. Here the learned author states:

An amendment to alter the main question, by substituting a proposition with the opposite conclusion, is not an expanded negative and may be moved.

He goes on to say in subsection 14:

An amendment which would produce the same result as if the original motion were simply negatived is out of order.

In my submission it is clear beyond doubt that the effect of a vote on this amendment would be precisely the same as the effect of the vote on the main motion. I was in error in referring Your Honour to Citation 202 (13). I ought to have referred Your Honour to subsection 14.

**Mr. Knowles (Winnipeg North Centre):** But 13 is much better.

**Mr. Blair:** I have cited some authorities of long standing which have governed the procedures in this chamber and which, in my submission, the committee of the house had no intention of disturbing by the adoption of the important amendments to the rules immediately before the Christmas recess. I think it would be very serious if the house were to take a stand now on the scope of amendments which can be admitted different from that which has prevailed during the long history of this chamber.

I now wish to address myself to the principle of the law as opposed to the letter of the

[Mr. Blair.]

law. It is clear that the house has already voted on second reading on the very proposition we would now be confronted with if this amendment were adopted. It is also clear that on third reading the same proposition could properly be brought before the house. If hon. members who have moved and seconded this amendment find it is out of order they have the right to call for a recorded vote at the report stage. There can be no question that any new principle, new issue or new matter of substance can be placed before the house by reason of this amendment which merely negatives the main principle of the bill. We should all face the fact that one of the purposes of bringing in the important amendments to our rules was to avoid repetitious debate and to speed up procedures in this chamber. I submit also that in the case of private bills we ought to be concerned that those who bring them before this chamber are not subjected to unfair and discriminatory time-wasting when it is important that decisions be reached.

For all these reasons I submit that this amendment, having regard to all proper considerations, ought to be considered as not being within the rules and declared out of order.

**Mr. Knowles (Winnipeg North Centre):** Mr. Speaker, may I submit to my hon. friend for Grenville-Carleton that the issue is not the time we take but the correct interpretation of the rules. He suggested that there was no doubt about the position of this matter; but I would remind him that Your Honour expressed some doubt at the beginning of this hour about this matter and suggested we might discuss it so that this doubt could be resolved.

First, Mr. Speaker, may I, even if in doing so I repeat some of the citations or quotations read by the hon. member for Grenville-Carleton, point out that there is in our rules a provision for bringing in amendments at the report stage. This is what my friend, the hon. member for Waterloo (Mr. Saltsman), has done under the provisions of Standing Order 75(5), which reads as follows:

If, not later than twenty-four hours prior to the consideration of a report stage, written notice is given of any motion to amend, delete, insert or restore any clause in a bill, it shall be printed on a notice paper.

My hon. friend from Waterloo has given notice of an amendment to delete clause 1 of Bill S-6. He is now claiming the right to move his motion and have it debated and voted on under other parts of Standing Order 75.