

*Western Grain Transportation Act*

Well, what has been the position of the NDP on this issue? They do not want it introduced or debated. They do not want witnesses to be heard. They are prepared to deny the right of people, particularly western Canadians, who want to have their views on the record—

**Mr. Deans:** That is not true.

**Mr. Smith:** They are prepared to deny that right by trying to block it from going to committee, which is the only place where witnesses can be heard.

**Mr. Deans:** That is not true, either.

**Mr. Smith:** This, Mr. Speaker, is a dilatory tactic, a stalling tactic; we all recognize that. You really have to scratch your head at the degree of good faith of the NDP in raising this point at this stage of the debate. If you refer to the ruling of Madam Speaker on March 2, 1982, in commenting on what Speaker Lamoureux said, she said that:

Although he expressed the reservation that the point of going too far may have been reached, he did not offer a solution, except to say that future omnibus Bills should be scrutinized at first reading stage—

At first reading stage, Mr. Speaker. This is not the first reading stage. This is the second reading stage and we are in the umpteenth day of debate on second reading in which we had countless NDP speakers participating. They did not do so under protest. They may have been protesting the contents of the Bill, but they certainly were not suggesting that it was not in order to present the Bill because it contained several different principles. Not only that, Mr. Speaker, but they moved an amendment for a six months' hoist, and we then had dozens of speakers, including virtually the entire NDP representation in the House, on that amendment. Then, when they run out of speakers and they are going to continue to filibuster this Bill from going into committee and allowing the public to be heard, they have to come up with another argument. So they reach way back and pull out this argument which, if it had any validity at all, and if we are to follow the citations read by the previous speakers, should have been raised at first reading stage. Therefore, Mr. Speaker, I can only conclude there is no merit in this point of order. It is a dilatory, stalling tactic.

We do not alter the rules of Parliament to accommodate political objectives and strategies. The rules are the rules; we all live by them. I think it is an abuse of the rules when there is an attempt made to frustrate the elected representatives in dealing with the nation's business. That is what is going on there. I think the point of order should be summarily dismissed and we should get back to the debate, get the Bill out of here and into committee, and allow the public to be heard.

**Mr. Lewis:** Mr. Speaker, it is my pleasure to intervene on this point of order raised by the Hon. Member for Hamilton Mountain (Mr. Deans) and to support the contention that Bill C-155 is an omnibus Bill which, under the rules of the House, is complicated and should be divided.

Before proceeding to my argument I would like to touch on the arguments made by the Parliamentary Secretary to the President of the Privy Council (Mr. Smith). First of all he

finished his summation by suggesting that any objection to splitting the Bill must be made at first reading. This will have to be a very quick objection, if the Parliamentary Secretary can find some way for us to hear the motion for leave to print the Bill and then make the objection as it sort of travels to the Table before it is printed. One wonders just exactly how the mechanics of that will be worked out.

• (1115)

Second, I would suggest that it is not the position of the Chair to reject matters summarily, and thankfully the Chair does not reject points of order summarily, out of hand, as the Government would wish it to do. The Chair is naturally our protection that that shall not happen.

Third, I would like to comment on the voluntary nature of the Government's agreement to split the energy Bill, as the Government was dragged, kicking and screaming, to its point of volunteering on that very important Bill. The House will know that that manoeuvre, the Energy Security Act, which the Government tried to foist on the people and Parliament, was not backed up by the people, who supported our argument, the Conservative argument, that the Bill was odious and did not make any sense the way it was, with 12 pieces of legislation contained in the Bill. It was ultimately split into nine or ten separate Bills and the House dealt with them very expeditiously.

I have reviewed the argument made by my colleague, the Hon. Member for Calgary Centre (Mr. Andre), at the time of the Energy Security Act. I want to compliment him on the way he put forward the argument. One thinks that if he had not fallen by the wayside and became a Ph.D. in engineering, he would have made a good lawyer.

The first point I want to make to the Chair is that it is within the authority of the Chair to split a proposition placed before it by way of a motion or a Bill, as long as any Hon. Member objects to the items being taken together, and as long as each part is capable of standing on its own. I refer the Chair to Erskine May, on page 380, in which the reference is to complicated questions. It states:

In 1888 . . . the Speaker ruled that two propositions which were then before the House in one motion could be taken separately if any Member objected to their being taken together (u). Although this ruling does not appear to have been based on any previous decision, it has since remained unchallenged (a). A complicated question, can, however, only be divided if each part is capable of standing on its own (b).

We submit that the Chair does have the authority to split the Bill.

There are four arguments which I wish to place before the Speaker. The first argument concerns relevancy. The point is made, in the precedents, that there must be a relevancy between the various parts of the Bill. Citation 703 of Beauchesne's, found on page 218, states:

Although there is no specific set of rules or guidelines governing the content of a bill, there should be a theme of relevancy amongst the contents of a bill.