

point of order was raised to the effect: "—that as certain proceedings in the committee were irregular the House should refuse to entertain the report of the committee, but that it should be referred back to the said committee for further consideration."

On that occasion Mr. Speaker, ruled: "—that the point of order was not well taken inasmuch as the alleged irregular proceedings complained of took place in the committee and the House is only seized of the proceedings of the committee from the report presented to the House. There is no reference in the report whatever to any question having been raised in the committee and, therefore, my ruling is that it is not competent for this House to go back of the report which is now in its possession."

I must make the same ruling in the present case.

Dealing now with the third specific point, the form of the report I might say that this was the aspect which gave me great difficulty and the honourable Member for Peace River (Mr. Baldwin) mentioned that he had little doubt that the form of the report was acceptable.

My own understanding is that the established form of a committee recommendation dealing with legislative proposals suggests that the government take into consideration the advisability of introducing legislation for a specified purpose. The wording of this committee's recommendation is a departure from the established practice in that the words "take into consideration the advisability of" are not included.

Both the honourable Member for Winnipeg North Centre and the honourable Member for Peace River suggested that this should not be considered as a serious objection or an obstacle in that the words used were tantamount to the words normally used in a report from a committee.

If indeed I felt that the omission of these words resulted in the recommendation being interpreted as a direction rather than a mere recommendation, it is doubtful that the report could be accepted. On the other hand, I have doubts as to the advisability of referring the report back to the committee for the sole purpose of effecting a purely formal modification.

At the same time I should caution honourable Members that committee reports should be drafted according to procedurally acceptable forms. There are countless precedents to which honourable Members could be referred in this regard. As I have indicated the form of the report should not and cannot, directly or by implication, direct the government to introduce or Parliament to enact legislation. The accepted form of a committee's recommendations dealing with proposed legislation is "that the government give consideration to the advisability of introducing the necessary legislation".

I recognize the very valid point raised by the honourable Member for Winnipeg North Centre and by other honourable Members, and it is my belief that the new rules have upgraded the committees. Perhaps we should depart from the long established procedures and allow committees to make reports which do not necessarily follow the rules which have been accepted, as far as their form is concerned. However, I would doubt very much that the Chair is empowered to accept these changes. That is the type of question which in my view might well be considered by the Committee on Procedure. That Committee might submit a report to the House indicating whether the form of committee reports should be changed to take into account a new status of the committees in the legislative process.