

Income Tax Act

Then, when the hon. member looks at citation 268, he reads more of paragraph two which relates to probate and legacies and duties on real property, things which have no real bearing on the issue at all. My limiting of quotations to the parts I read was, I submit, to the advantage of everyone, to the extent that it concentrated attention on what is before us. I am fully aware of the rule that financial matters are the prerogative of the Crown and that it is the Crown which takes the initiative. But this is not an absolute rule.

Yesterday, and I draw this to the attention of the Parliamentary Secretary to the President of the Privy Council, you, Mr. Chairman, when you were ruling against an amendment put forward by a member of the Social Credit party, said a certain tax might be 10 per cent and there might be an amendment by a private member to reduce it to 9 per cent, and provided the amendment did not alter the area of imposition you would have to accept it. So an exception was pointed out yesterday by the Chair itself. Authority for such exceptions is clear. There is also, of course, the citation which was read yesterday by an hon. member of the Social Credit party—the last sentence of 265(1):

This duty the members may perform by moving amendments to reduce the tax proposed by the administration.

So the parliamentary secretary cannot get away by making a sweeping generalization and saying what I have done is to compound a felony by seeking to move two amendments which are out of order. The first, by itself, I realize, would be invalid, but I maintain I do have the right to substitute one tax for another provided it is grafted upon the government's financial scheme and provided the revenue form the substituted tax is equivalent to the revenue lost by revoking the first one.

[Translation]

Mr. Fortin: Mr. Chairman, I should like to make a very precise remark and refer you to page 9007 of *Hansard* of October 25, 1971, when my colleague for Bellechasse (Mr. Lambert) moved an amendment.

Mr. Chairman, at that moment you referred to citation 265 from Beauchesne's Parliamentary Rules and Forms, 4th edition page 221. You said to my colleague for Bellechasse as well as to the committee members that the said amendment was out of order, because it intended to change the taxation field, in brief, it was against the very principle of the bill. You said that if the amendment moved by my colleague was concerned only with tax reduction, it would be acceptable, but because it was aimed at getting a number of taxpayers off the rolls, it would not be acceptable.

In this connection, I should like to repeat very quickly the citation. On page 221 of Beauchesne, it says, and I quote:

This duty the members may perform—

—of protesting the government's administration—

—by moving amendments to reduce taxes proposed by the Administration.

Now then, that was exactly the objective of the amendment moved by my colleague the hon. member for Winnipeg North Centre (Mr. Knowles) and that is why, Mr.

Chairman, I would like to submit, with respect, that, in our opinion, this amendment is in order.

[English]

An hon. Member: Question.

Mr. Knowles (Winnipeg North Centre): Question? Okay, call it.

Some hon. Members: Oh, oh!

The Chairman: I thank hon. members who have assisted the Chair on the points of procedure arising from the amendment proposed by the hon. member for Winnipeg North Centre. I should like to have time in which to think about it. If I were a betting person, I would not bet on the side of the hon. member for Winnipeg North Centre because I have grave doubts as to the acceptability of the amendment. But the hon. member for Winnipeg North Centre has made a most persuasive argument, as has the hon. member for Lotbinière and it would not be fair for me to make a ruling off the cuff when there has been so much preparation by the learned members who have argued both sides of this question.

There is just one point on which I might ask for the assistance of hon. members. One of the proposed amendments also purports to amend, as described, the proposed section 117 on pages 305-312, and that section is not before the committee. Do hon. members have any suggestions for dealing with that aspect?

Mr. Knowles (Winnipeg North Centre): I will be happy to make a comment on that aspect, Mr. Chairman. There is also before the committee an amendment to clause one by the Minister of National Revenue containing, I think, 95 parts designed to alter subclauses throughout clause one. If he can do it, if he can move one amendment to clause one dealing with a host of proposed new subclauses, then surely I can move an amendment which relates to two of them.

The Chairman: I did not raise the point in order to throw a block in the way of the committee proceeding or to indicate that the hon. member could not proceed with the amendment. I appreciate the point made by the hon. member for Winnipeg North Centre. The fact is, however, that the motion moved by the Minister of National Revenue on behalf of the Minister of Finance is before the committee. There may be some difficulty in connection with the point I have raised, but I do not think it is of great importance. I wonder whether the committee would give consent to dealing with the motion of the hon. member for Winnipeg North Centre notwithstanding any procedural question which might arise. Of course, section 117 is not formally before the committee at this time.

Mr. Jerome: With respect, Mr. Chairman, I do not think that is the whole problem. I do not wish to endeavour to sustain a very strict position and argue that because we have agreed to approach this long bill in an intelligent manner, and deal with it in parts, and because we are not now discussing other parts which the hon. member proposes to amend, it would not be possible to proceed.