

Point of Order—Mr. Nielsen

opportunities under our Standing Orders where hon. members may fully express their views concerning a legislative measure.

Now, it is recognized that when a debate has been going on for too long, the government has a political decision to make by setting a limit to the duration of the debate pursuant to SO 75A, 75B or 75C, as it has been compelled to do in the past, because of the parties' inability to come to an agreement. The government demonstrates its wisdom by allowing more or less time depending on the complexity of legislation and whether it is controversial in nature. Therefore, without abdicating our responsibilities, and when circumstances make it necessary to limit debate on any bill, including this one, I say that if the measure is more substantial and complicated, the government may decide to assume the political consequences of its action, and if there is a filibuster by the opposition, they in turn will have to accept the consequences of their action as well. But the principle, the rules, the opportunities for debate do exist. Parliamentary practice does not require the government to divide the bill concerned. In this day and age, when there is a proliferation of bills because of the evolution of our society, Parliament has to study many bills. To my mind, this procedure is logical, and there is no justification for doing away with it; it has existed for years. The government has never abused it. Under those circumstances, Madam Speaker, and we shall probably plead in the same vein when we introduce the bill on energy security, we feel the opposition has neither the reasons nor the right to oppose a procedure that is in perfect agreement with parliamentary spirit and practice.

Hon. Marcel Lambert (Edmonton West): Madam Speaker, I have never seen a House leader trying to hold up the House to ridicule as was the case just now. We have heard a speech in which we were served a systematic mixture of apples, oranges and lemons. To begin with, I will give all references to the British practice under which the rules allow the presentation of a finance bill. But that is not allowed under our current rules. Standing Order 60(11) reads as follows:

(11) The adoption of a Ways and Means motion shall be an order to bring in a bill or bills based on the provisions of any such motion.

Fair enough. We have before us, and I refer hon. members to pages 109 and 117, notices of Ways and Means motions tabled by the Minister of Finance (Mr. MacEachen) on the evening of November 12. Those are two notices of motions to amend the Excise Tax Act, but neither refers to the borrowing authority. Madam Speaker, you were kind enough to recognize me two days ago. At that time I put two questions to the minister about delaying the effective date of motion No. 2. It was supposed to become effective on July 1, 1982, but since representations had been made by the industry and other groups, which the minister did acknowledge, he stated that he would be prepared to hear them and postpone until January 1, 1983, the implementation of the excise tax and the changes to the assessment base. Now the government leader has the nerve to say that we will have an opportunity to examine the

question in Committee of the Whole. To whom are we going to put our questions, to him or to the Minister of State? Surely we are not going to get the answers from them. We need to question government officials and spokesmen for the industry. The amendments in those two motions amount to basic reforms. They are now part and parcel of the bill, but a totally unacceptable band-aid measure has been tacked on, Madam Speaker, because you have ruled that a bill may not go beyond the scope of the Ways and Means motion.

There must not be any difference in principle in the main provisions and quite often in the past—I am saying this for the benefit of new members—we sent some bills back because the government had tried to make certain changes which were not in accordance with the Ways and Means motions. I was a member of the committee with the Hon. Donald Macdonald who was then the government House leader and who said that any motion derived from the budget would go through the notice of ways and means procedure, then the motion would be adopted without debate and the bill introduced; after that there would be second reading debate, a debate in Committee of the Whole House, unless there was an order of the House to refer the bill to a committee of the House. The Committee of the Whole did that last year. But this time the borrowing authority does not flow from a Ways and Means motion, it is quite simply a financial issue which has nothing at all to do with the proposal to change the excise tax.

● (1550)

[English]

It is amazing that the government House leader should say that because there is the levying of taxes and the borrowing of money, this is finance and we can put it all in the same stew pot.

The government House leader made reference to how the Chair has treated omnibus bills in the past. On a number of occasions in the past the Chair has eaten itself through its illogicality, and on those occasions I have said so to the occupant of the chair. The Criminal Code bill which did away with capital punishment was an omnibus bill an inch and a half thick. My colleague, the hon. member for Durham-Northumberland (Mr. Lawrence), proposed an amendment with regard to the form of punishment for capital crime. Capital punishment was part of the principle—or was the principle—of the bill. The bill did much to amend the Criminal Code. Mr. Speaker Jerome had the—I do not know what I should call it—to say that the bill having been passed at second reading, no amendment to derogate from the principle of the bill could be accepted. I had never heard of such a performance.

Madam Speaker: Order, please. I do not know exactly what the hon. member is referring to, but he is referring to a principle. I think I could approve the principle that no amendment should go beyond the scope of a bill. I think that is a principle which has been accepted and which has been basic and fundamental to most of the rulings in this House I have studied. I urge the hon. member to speak about the subject we