products obtained from competing sources of supply and a multiplicity of suppliers; and

(ii) no one product dominates such business."

and by striking out the word "and" at the end of line 29, substituting a semi-colon for the period at the end of line 34 and adding, immediately after such semi-colon, the word "and".

And the question being put on the motion, it was agreed to.

[*At 5.00 o'clock p.m., Private Members' Business was called pursuant to Standing Order 15(4)*]

[*Notices of Motions (Papers)*]

Mr. Munro (Esquimalt-Saanich), seconded by Mr. McKinley, moved,—That an Order of the House do issue for copies of the Area Programme Summaries for the years 1972-73, 1973-74 and 1974-75, covering such areas as Commonwealth Africa, South America, Francophone Africa, and any other area breakdowns for which Area Programmes have been prepared.—(*Notice of Motion for the Production of Papers No. 30*).

And debate arising thereon;

The hour for Private Members' Business expired.

Consideration was resumed at the report stage of Bill C-2, An Act to amend the Combines Investigation Act and the Bank Act and to repeal an Act to amend an Act to amend the Combines Investigation Act and the Criminal Code, as reported (with amendments) from the Standing Committee on Finance, Trade and Economic Affairs.

Motion numbered 6, standing in the name of the honourable Member for York-Simcoe (Mr. Stevens) having been called, as follows:

That Bill C-2, An Act to amend the Combines Investigation Act and the Bank Act and to repeal an Act to amend an Act to amend the Combines Investigation Act and the Criminal Code, be amended in Clause 12 by adding immediately after line 27 on page 23 the following:

"(2) Notwithstanding the provisions of section 31 of this Act,

(*a*) forthwith after this Act is assented to in Her Majesty's name, the Governor in Council shall, but otherwise as provided under section 55 of the Supreme Court Act, refer all questions of law and fact concerning the constitutionality of section 31.1 and PART IV.1 and every provision of such section and such PART to the Supreme Court;

(*b*) until the Supreme Court has certified to the Governor in Council its opinion upon each such question, no provision of such section or such PART shall come into force at the time of commencement provided therefor under this Act or the Interpretation Act and then only to the extent, if any, such provision is in the opinion of the Court within the legislative authority of the Parliament of Canada;

(*c*) the attorney general of each province shall be notified of the hearing under this subsection in order that he may be heard if he thinks fit.".

RULING BY MR. SPEAKER

MR. SPEAKER: If there are no other honourable Members who are anxious to participate in this very interesting discussion the Chair is left very much with the conclusion it had come to at the beginning of the discussion.

I also thank the honourable Member for Edmonton West (Mr. Lambert) for his very spirited intervention on behalf of his colleague on the procedural regularity of this motion. The fact is, and this seems inescapable, that the motion would exceed the scope of the bill in several relevant particulars, not the least of which is that it does indeed appear to use the words, "notwithstanding section 31 of the Act," whereas in fact the bill before us does not propose to amend section 31. Further, the proposed motion uses the words "notwithstanding section 55 of the Supreme Court Act" which again is not before us. In any case, in its intent, it puts within this very statute a section which refers a section of the Act which is before us for interpretation by the Supreme Court before this section can come into force. It further adds, in paragraph (B), what could very well be a purely hypothetical condition, and then in paragraph (C) goes on to attach a condition that the attorney general of each province shall be notified of a hearing under this subsection in order that he may be heard if he thinks fit. The fact of the matter is that it seems to add an indefinite condition, again in paragraph (C).

Basically, however, the major difficulty remains the same. That is to say, it is suggested that the statute, or this particular section of the Act before the House of Commons, be referred to the Supreme Court of Canada for an interpretation, and thereafter, depending upon what the interpretation of that Court might be, this part of the Act might come into force. It would seem to the Chair that even if the clause were to be proposed in respect of a substantive measure before the House rather than simply an amending statute, it would still be offensive, and would go beyond the scope of any bill which this House might enact. It seems to me to be repulsive to any act of Parliament that it should contain within it a condition that the Act must be referred in any part or in any particular to any other body for interpretation before it comes into force. Indeed, power already rests in the hands of any citizen who wants to attack any bill on its constitutionality to take it before the Supreme Court of Canada. But to put such a clause in a statute indicating