

*Northern Canada Power Commission Act*

Indian Affairs and Northern Development and Motion No. 3 (Mr. Nielsen) and the amendment (Mr. Neil) thereto.

**Mr. Deputy Speaker:** Order, please. When the House proceeded to the consideration of private members' hour the hon. member for Yukon (Mr. Nielsen) had the floor on an amendment upon which the Chair had some reservations and some doubts in relation to its procedural acceptability. Of course I do not wish to prevent the hon. member from completing his remarks on the doubtful amendment, so I wonder whether he is seeking the floor to continue his speech, in which event I will rule afterward. The hon. member for Yukon.

**Mr. Erik Nielsen (Yukon):** Mr. Speaker, to carry on in respect of the doubtful question or doubtful amendment, the minister told us how we had made this great step toward, providing an input by the citizens of the Northwest Territories and the Yukon Territory into the decisions of the commission by touting the two additional members who will be sitting on the commission of five. I was making the point that this still gives the government a majority of three.

The minister makes much of the fact that when this bill was first introduced he appointed the Commissioner for the Yukon Territory as chairman of the commission. That is no different from the unsatisfactory state of affairs that existed for so many years heretofore when his deputy minister and the previous deputy minister were chairmen of the commission, and so we go back all the way to 1948.

● (2010)

Having the Commissioner for the Yukon as chairman of the Northern Canada Power Commission is no different than having the deputy minister as chairman because he is a government servant, he will take his instructions from the minister, and he will do precisely what he is told to do by the minister as he does now. So there is no difference at all in the change. I am sure the minister is aware of the fact that brief after brief was presented to the standing committee calling for a commission of seven, the majority of whom would be people outside government service. Then we would have a meaningful majority and a meaningful input into the decisions of the commission—something that we do not have now.

The last point the minister made in response to our plea to him to have rate approvals and reviews subject to the decision of the people in the two territories, either through the regulatory vehicle of the public utilities board or through the commissioner in council, was that this would be far too cumbersome and that all we would really be doing would be substituting one body for the other. I suggest to him that it is far better to have these decisions made by the people whom they concern most, rather than having the rates for public utilities in the Yukon be a matter for consideration by the cabinet. It seems to me to be a misplacement of priorities for the government to place that as an urgent matter over other matters before the House.

The minister spoke of the future when the Northern Canada Power Commission might be divided into two bodies, one functioning in the Yukon and the other in the Northwest Territories. That is no bar at present to having

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the rate structure set, reviewed and approved by the elected representatives of the people in the north at this time. It ill serves the minister to suggest that by giving this kind of power to the bodies in the north, parliament will somehow lose control. That is not the case because he knows that the commissioner in each territory takes his instructions from him, and he knows that if he does not approve of a rate that has been set by the commission, or of a rate zone that is established by the commission, he can inform the respective commissioner in whichever territory it involves of his views and instruct him accordingly. So really the minister has ultimate control. That is the state of affairs. It would not detract one iota from his responsibilities and powers.

Having said that, I will take no more time on the amendment of my colleague, the hon. member for Moose Jaw (Mr. Neil), in the hope that before making any ruling on the acceptability of the amendment hon. members will be given the opportunity to reply to Your Honour's doubts, which I hope will be expressed by you before calling for those views.

**Mr. Deputy Speaker:** Order, please. Before we proceed further, and upon the invitation of the hon. member for Yukon, let me say at this time that I will soon make a ruling on the acceptability of the proposed amendment moved by the hon. member for Moose Jaw (Mr. Neil), upon which the Chair had some reservations before we stopped our proceedings for private member's hour this afternoon. This gave the opportunity to the hon. member to contribute further to the debate, which I do not question.

Let me say, for the better understanding of hon. members and because I wish to invite them to put forward their point of view on the acceptability of the amendment, that although the hon. member for Yukon might be speaking for the third time when he rises to speak again, he will be speaking on the procedural point.

I do not think I should say any more at this time. Let me only bring to the attention of hon. members a couple of points of reference. First I should like to refer to the first few lines of a citation at page 381 of May's eighteenth edition, which read as follows:

The fundamental rule that debate must be relevant to a question necessarily involves the rule that every amendment must be relevant to the question on which the amendment is proposed.

In the view of the Chair the question before the House now is not the bill but the motion of the hon. member for Yukon.

Let me also refer to citation 203(1) of Beauchesne's fourth edition at page 171, which reads:

It is an imperative rule that every amendment must be relevant to the question on which the amendment is proposed.

Paragraph (3) reads:

An amendment setting forth a proposition dealing with a matter which is foreign to the proposition involved in the main motion is not relevant and cannot be moved.

The ruling that I am ready to make will be mainly based on these two citations, and also on Standing Order 75(5) which obliges hon. members to give notice if they want to put forward at the report stage, an amendment to a piece of legislation before the House.