

Messrs.

Campbell (LaSalle-Émard-Côte Saint-Paul)	Guay (Lévis)	Munro (Hamilton East)
Caron	Herbert	Pearsall
Chrétien	Isabelle	Pelletier (Hochelaga)
Collenette	Jamieson	Penner
Comtois	Kaplan	Philbrook
Cullen	Lachance	Pinard
Cyr	Lajoie	Portelance
Danson	Lang	Raines
De Bané	Langlois	Reid
Demers	Lapointe	Richardson
Dionne	Leblanc	Roberts
(Northumberland- Miramichi)	(Laurier)	Robinson
Douglas	Lessard	Rodriguez
(Bruce-Grey)	Loiselle (Chambly)	Rooney
Drury	Lumley	Roy (Laval)
Duclos	MacDonald (Cardigan)	Sharp
Dupont	MacEachen	Smith (Saint-Jean)
Dupras	MacFarlane	Stanbury
Ethier	MacGuigan	Stewart
Faulkner	Marceau	(Cochrane)
Fleming	Marchand (Langelier)	Symes
Flynn	Marchand	Tessier
Francis	(Kamloops-Cariboo)	Turner (London East)
Gauthier (Ottawa-Vanier)	Martin	Watson
Gendron	McIsaac	Whelan
Gillespie	McRae	Yanakis
Goodale	Milne	Young-94.
Gray	Morin (Mrs.)	

Debate was resumed on the motion of Mr. Lang, seconded by Mr. Richardson,—That Bill C-47, An Act to amend the Judges Act and certain other Acts for related purposes and in respect of the reconstitution of the Supreme Courts of Newfoundland and Prince Edward Island, be now read a second time and referred to the Standing Committee on Justice and Legal Affairs.

And debate continuing;

Mr. Knowles (Winnipeg North Centre), proposed to move in amendment thereto,—That all the words after the word "That" be struck out, and that the following be substituted therefor:

"this House declines to give second reading to Bill C-47 because it fails to limit the salary increases contained therein to the restraint limits proposed by the Government, namely that executive and professional salaries should not be increased by more than 12% or \$2,400 per year, whichever is the lesser."

RULING BY MR. SPEAKER

MR. SPEAKER: The honourable Member for Winnipeg North Centre (Mr. Knowles) has proposed an amendment which, as he said in his argument on the procedural point, must, in order to qualify as a reasoned amendment at this stage, add in opposition to the progress of the Bill a declaration of some principle contrary to the provisions of the Bill or to the principle of the Bill.

The honourable Member for Winnipeg North Centre made reference to a previous ruling by the Chair. I would refer him as well to a ruling quoted by the Chair on the same subject, both by the Speaker of the day and reported in the same volume of Votes and Proceedings

that he cited in referring to the ruling of the Deputy Speaker. There is an extensive discussion about the practice in the British Parliament which has been taken on here of allowing at the second reading stage on an amendment at second reading a declaration to be added to the motion. It discusses the limits that should be put upon such a declaration.

That declaration must clearly have two conditions. First, it must be a declaration of principle. Second, it must be a declaration of principle opposed to the principle of the bill.

The first question to ask, therefore, is since it would appear at first examination that talking in terms of a certain specific percentage or certain specific dollar increase for judges in a year would scarcely be regarded as a matter of principle, but rather what is a matter of degree, application or extent of the increase which is contained in the Bill. One would have to determine how that becomes a principle as opposed to a specific figure.

It is suggested in the argument that it has become a principle because it is enshrined in some guidelines or proposals put forward by the government. It is not for the Chair to question whether in fact such guidelines or proposals have indeed been put forward. The fact is even if it had, would that make the figures change from being simply figures into being a principle or statement of principle. I rather think it would be most difficult to accept that proposition. I therefore have the greatest difficulty and reservation in finding that the figures of 12 per cent or \$2,400 a year have changed from being simply figures or degree of increases into becoming principle.

Second, even if I were to accept the fact, which I do not, that that was a statement of principle of some sort, I would have the greatest difficulty in finding that as being a principle which is totally opposed to the principle of the Bill if I should accept, as I think I should, that the basic principle or the primary principle of the Bill is that of increasing judges' salaries. In other words, aside entirely from the difficulty of accepting 12 per cent or \$2,400 as a statement of principle as opposed to figures, what that says is that the principle of the Bill is satisfactory if it were to go only to 12 per cent or \$2,400, but the principle of the Bill is not satisfactory if it goes beyond that figure.

I would have to find that it is not a statement of opposition but of a principle if it is a principle opposed to the principle of the Bill, but only opposing the Bill conditionally or up to a certain point.

Accordingly, with the deepest of regret, I cannot enlarge or swell the ranks of the Members who have had success in the acceptance, at least for this moment, of reasoned second reading amendments and I have to reject the amendment as not being procedurally acceptable.