

Old Age Security

Citation 234, which has been already mentioned by the hon. member for Winnipeg North Centre reads:

Whenever an order of the day has been read for the house to resolve itself into the committee of supply—

And so on. It goes on to cite the subject matters that may be included in an amendment, and then stipulates those that cannot be included. The citation further on reads:

—provided that the discussion shall not relate to any decision of the house during the current session, nor to any item of the estimates, nor to any resolution to be proposed to the committee of ways and means, nor to any matter placed on or whereof notice has been given in the order paper.

Surely, this amendment relates directly to a matter already on the order paper. Indeed, its inspiration is drawn from a matter placed on the order paper and for which notice has already been given. I do not think anything could be clearer than that.

I should also like to refer briefly to citation 131 in Beauchesne's fourth edition, which is drawn from May at page 399, and in Beauchesne reads as follows:

In determining whether a discussion is out of order on the ground of anticipation, regard shall be had by Mr. Speaker, to the probability of the matter anticipated being brought before the house within a reasonable time.

The anticipation rule, which forbids discussion of a matter standing on the order paper being fore-stalled, is dependent on the same principle as that which forbids the same question being twice raised in the same session. In applying the anticipation rule, preference is given to the discussions which lead to the most effective result, and this has established a descending scale of values for discussions—bills, motions, amendments, etc. Thus a bill must not be anticipated by . . . discussion of a motion, amendment, or subject raised on another motion. Any substantive motion standing on the paper blocks the discussion of an amendment—

Surely, that is the governing consideration, that there is a substantive motion standing on the order paper dealing with the very subject matter of this particular amendment, and every point that can be raised with respect to this amendment can be resolved when the house deals—and it will within a reasonable time—with the order on the notice paper. On this point, Mr. Speaker, it seems to me that the guidance given by the authorities is clear, and that the amendment does anticipate a subject matter already listed for consideration by the house and which will be considered within a reasonable time.

Mr. Winkler: If I may make a few comments, Mr. Speaker, may I say that the amendment was drawn in such a way that it

would not deal with specifics, because I felt that was one of the grounds on which Your Honour might rule it out. We are dealing with a principle, the principle of the application of the means test. The establishment of the principle of pensions by right was given effect to in 1950 by a joint committee. It was established by the unanimous agreement of that committee and by the consent of all parties in the house. Now, there is a danger, and we have received warnings of it from many hon. members including some members of the government, that this principle is to be abrogated. We think a determination on this point of principle is necessary before we deal with the question any further.

• (4:20 p.m.)

Mr. Speaker: I am grateful to hon. members for the learned advice they have given the Chair and for their comments. I may say, however, that I am perhaps a little more confused now than I was 45 minutes ago when the discussion started.

When the points were raised originally I was under the impression that there was a more important obstacle or objection to the motion moved by the hon. member for Grey-Bruce (Mr. Winkler) because there had been a disposition of at least one aspect of this matter during the course of the current session.

The hon. member for Winnipeg North Centre (Mr. Knowles) and the right hon. Leader of the Opposition (Mr. Diefenbaker) disposed of this objection, at least to some extent by pointing out that we had dealt with eligibility in respect of age and quantum of pensions and that this particular amendment would deal with the application of some kind of test. This is a valid argument which I might be prepared to accept. In any event, I feel I should not rule on this point because it is, in my opinion, easier to rule on the second point.

I wish I were as sure of the opinion I am going to express now as the right hon. Leader of the Opposition was when he argued in support of this amendment. The objection I have in mind is the one brought to my attention by the hon. member for Medicine Hat (Mr. Olson) and the Minister of National Health and Welfare (Mr. MacEachen) regarding the rule of anticipation which is referred to in citation 234(1) of Beauchesne's fourth edition. This has been referred to and quoted by hon. members, so I will not read it again. It is as well known to hon. members as it is to me.