

*Security Intelligence Service*

Having said that, I would like to pause for a moment to review your remarks with respect to the motions that the Hon. Member for Burnaby filed for the purpose of deleting individual clauses of the Bill. In your remarks, you suggested that the cumulative effect of affirmative votes on these motions would be to kill the Bill. You went on to state that for that reason you proposed to group the motions, both for the purpose of debate and for the purpose of voting. If you take the position that motions standing on the Notice Paper should be considered not for the specific effect that they might have but for their cumulative effect, you could very easily determine that every motion moved by all Members should be placed in one group for debate and that a vote on one motion would be sufficient to dispose of all other motions.

The Hon. Member for Ottawa Centre (Mr. Evans) says "good". I find that an unfortunate and dangerous frame of mind in a free and democratic parliamentary institution. I am sorry that he takes that attitude. I hope it is not reflected by members of the Liberal Government because it would indicate a jackboot mentality, especially when we are talking in terms of this legislation, that I find unacceptable.

What your preliminary ruling suggests is that the traditional understanding of separate motions constituting separate questions is no longer valid; that it is the view of the Speaker that the occupant of the Chair should no longer be restricted to grouping relating or consequential amendments, but can group motions without regard to the specific thrust or purpose of each motion. This would be an unprecedented ruling and would, in my view, undermine the right of Members to move such motions and be heard in this place. It is simply not possible to make an argument in support of each of the motions that you propose to include in group one in the course of ten minutes which Members are given for debate on this grouping. The effect of your ruling, therefore, would be to restrict the right of debate unduly.

By grouping the motions in the manner proposed, you would not be serving the House by reducing repetition or enhancing relevance in debate. Instead, you would be introducing a form of time allocation, something better left to the Government, because it, at least, can be held responsible for its actions in causing legislation to be rushed through the House without proper consideration.

As the distinguished occupant of the Chair, I would hesitate to place you in the position where you would be involved in any suggestion of a political consideration with respect to time allocation. The Standing Orders provide the Government the opportunity to come forward and, if it sees fit and is prepared to take the political heat, move time allocation. There is no question. I am concerned that Your Honour may be put in a position, by virtue of denying full opportunity for debate on motions, or at least dealing with the groupings in such a way that they are related to topics of unnecessarily restricting debate on important legislation.

With respect to point number two in your preliminary ruling, Mr. Speaker, I submit that the suggestion that Motion No. 3 proposes to add to the Bill by way of a substantive

amendment to the interpretation clause, is founded on a misunderstanding of what is being attempted by my colleague, the Hon. Member for Vancouver South (Mr. Fraser). As you will be aware, Mr. Speaker, the Hon. Member has filed a series of motions, the objective of which is to bring the security service under the control of the Royal Canadian Mounted Police. Motion No. 3 does not stand on its own but is consequential to these other amendments.

In other words, if the Hon. Member were to be successful in causing his proposal to be accepted, then it would be necessary to amend the interpretation clause to reflect that change. Thus, Motion No. 3 should be considered in context with Motion No. 11. Motion No. 11 is dealt with in point four of your preliminary ruling. You cite Beauchesne's Fifth Edition to the effect that motions which would reverse the principle of a Bill as agreed to at second reading are out of order, as I understand your preliminary ruling.

I think that it is important that the question of what constitutes the principle of a Bill be addressed at this point. I would point out that Citation 712 of Beauchesne's Fifth Edition indicates that the principle of a Bill is not limited to these specific matters touched on in the Bill. Indeed, in Citation 712, Beauchesne notes the following:

● (1620)

The stage of second reading is primarily concerned with the principle of a measure. At this stage, debate is not strictly limited to the contents of a bill as other methods of attaining its proposed objective may be considered. This stage is coupled with an Order to commit the bill.

(3) In committee—In committee the details of a measure are the primary objects of consideration with alterations in its provisions being proposed. Amendments must be compatible with the principle of the bill which the House has affirmed on second reading.

It is clear that the principle of a Bill is not confined by the clauses contained therein while second reading is under way. Does that principle become more restrictive once the Bill has passed second reading? Reason suggests not. Our rules make no provision for amendments to the clauses or schedules of a Bill during second reading debate. Therefore, it must be left to the committee stage to modify the clauses of the Bill to better reflect the broad principle of the Bill. If the committee is unsuccessful in this task, then this work must be undertaken in the House at report stage. That is the situation we are faced with today.

The principle of this Bill is not to create a civilian security service but to create a Canadian security service. What could be more clear in this respect than the title of the Bill? The title of Bill C-9 is as follows:

An Act to establish the Canadian Security Intelligence Service, to enact An Act respecting the enforcement in relation to certain security and related offences and to amend certain Acts in consequence thereof or in relation thereto.

The broad principle of a Bill is established by its title. This fact is outlined in Citation 703(1) of Beauchesne's which, under the title, "Form of a Bill", reads as follows:

Although there is no specific set of rules or guidelines governing the content of a bill, there should be a theme of relevancy amongst the contents of a bill. They must be relevant to and subject to the umbrella which is raised by the terminology of the long title of the bill. Journals, May 6, 1971, p. 532.