

out of order. We would like to have the privilege of refuting his argument before you give your ruling.

The Acting Speaker (Mr. Béchard): Order. I thank the hon. member for Lotbinière.

It is precisely because nobody gave any explanation that I thought I should make my ruling. I am ready to hear the comments of hon. members on this amendment.

Mr. Fortin: The amendment brought forward by the hon. member for Témiscamingue refers to clause 18 of the said omnibus bill, which, as everybody knows, deals with abortion.

I recognize that an amendment which goes beyond the scope of a bill under consideration would not be in order because according to standing orders, to procedure and to jurisprudence, we cannot go beyond the bill itself. And Mr. Speaker, that is exactly what you have been saying.

I imagine the proposal of the hon. member for Témiscamingue is perfectly in order, for the simple reason that it relates to clause 18 which itself is part of the bill. And this clause deals with abortion. The hon. member for Témiscamingue proposes to seek in some way or other the opinion of the population on that clause. But as you said, Mr. Speaker, we are unable to estimate the expenses involved since we are not here to determine what means the government could use in order to hold this plebiscite or referendum. Therefore we cannot at this stage ask ourselves whether or not this will involve any expenses.

I feel, Mr. Speaker, that the two arguments put forward by the Chair could be dropped and, as a consequence, the amendment moved by the hon. member for Témiscamingue could be declared in order and acceptable, since there is no expense involved. On the other hand, such things cannot be anticipated. Moreover, this clause is related to the subject matter of the bill. It concerns only clause 18 which, from our point of view, is disputable.

[English]

• (9:00 p.m.)

Mr. Turner (Ottawa-Carleton): Mr. Speaker, I want to attack, if I may, the admissibility of this amendment on three grounds. In the first place, the amendment calls for a deferral of the decision on abortion until there is approval by the Canadian people by means of a plebiscite or a referendum. I think the difficulty facing the hon. member is that it has been decided by the house on previous occasions that an amendment or

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resolution for a plebiscite involves the expenditure of money; it involves the imbalance of ways and means, and therefore it is not open, under our practice, to a private member to introduce such an amendment.

I want to refer Your Honour to the *Journals* of this house, Volume LXXXII, 1942-43, at page 48. This citation is in relation to the plebiscite in 1942 relating to conscription.

Mr. Knowles (Winnipeg North Centre): Necessary, but not necessarily!

Mr. Turner (Ottawa-Carleton): Well, I am not going to go into that. Mr. McLarty, who was then minister of labour, moved:

That the house do go into committee of the whole, at the next sitting of the house, to consider the following proposed resolution:

That it is expedient to introduce a measure respecting the taking of the votes of the qualified voters on any question submitted by way of plebiscite and for such purposes to make provision for the printing and publication of a Plebiscite Act and instructions issued thereunder, the preparation of voters' lists and other plebiscite documents, including forms and ballot papers, to provide for the fees, allowances, expenses or other remuneration of certain officials and employees.

In other words, a plebiscite involves the expenditure of public money for the printing and publication of the statute, for the preparation of voters' lists and other plebiscite documents, including forms, ballot papers and so on. Since the cost of all this would be a charge on the public revenue, a motion to hold a plebiscite it has to be introduced by a member of Her Majesty's government. If I may refer Your Honour to the index of the same volume of the *Journals* of the House of Commons, at page 816, you will find there was a special statute to provide for expenditures relating to conscription. In other words, this matter was within the responsibility of Her Majesty's government.

The second reason which I would submit to Your Honour for the amendment being out of order is the one I submitted earlier in respect of the amendment proposed by the hon. member for Winnipeg North Centre (Mr. Knowles). Citation 200, paragraph 1 of Beauchesne's fourth edition reads as follows:

An old rule of parliament reads: "That a question being once made and carried in the affirmative or negative, cannot be questioned again but must stand as the judgment of the house."

In other words, the judgment of the house once taken on an issue cannot again be called into question by a second vote of the house. If Your Honour would refer to amendment No. 19 proposed earlier at the report stage by the