

*Investment Canada Act*

Member for Essex-Windsor proposes in his motion that a board of directors be established, including a full-time president, and that the specific allocation of money for the president would be divided among the part-time directors and the president, thus leading to no extra charge on the Treasury. I must congratulate the Hon. Member on such an original approach. That a president would be willing to share his salary with his board of directors, thereby leading to no charge on the Consolidated Revenue Fund, is quite novel. However, the Bill does not provide for the establishment of any board of directors. The Chair must rule that Motion No. 22 infringes on the financial initiative of the Crown. In this connection, I refer Hon. Members to Beauchesne's Fifth Edition, Citation 540.

7. Motion No. 26, as I have already indicated, adds a new exemption to the particular clause it seeks to amend. The Hon. Member for Winnipeg-Fort Garry argued that the principle of recognizing certain exemptions has already been accepted in the Bill and this motion merely offers a further exemption. That may well be so; however, I cannot ignore the fact that the motion, while adding this exemption, discriminates against non-Canadians. As I indicated earlier in this ruling, such discrimination was not envisaged in the Bill when it was given second reading. Consequently, I must rule that this motion goes beyond the principle of the Bill and is therefore out of order.

8. Motions Nos. 28 and 29 clearly go beyond the principle of the Bill and, in one case, infringe upon the financial initiative of the Crown. They are out of order.

9. The Chair had indicated that Motion No. 33 sought to establish a committee not contemplated in the Bill, was a new proposition and went beyond the four corners of the Bill. As well, Motions Nos. 54, 62, 65, 66, 71, 73, 92 and 93 were consequential on this motion. The Hon. President of the Privy Council, in his remarks, thought it highly questionable that a Cabinet committee could be created by an Act of Parliament, a doubt which also exists in my mind. However, I will not comment further on this. The Hon. Member for Winnipeg-Fort Garry pointed out that the Minister in committee had indicated that he intended to consult with colleagues in Cabinet on matters pertaining to this legislation. While the Hon. Member's proposal to formalize such consultation may be laudable, the creation of such a committee was not contemplated in the Bill. Therefore, it is the opinion of the Chair that Motion No. 33 goes beyond the principle of the Bill as agreed to at second reading. The motion also offers a new proposition and should not be put to the House. Similarly, Motions Nos. 54, 62, 65, 66, 71, 73, 92 and 93 also will not be proposed.

10. With respect to Motion No. 38A, the Hon. Member for Essex-Windsor stated that this motion should not have been grouped with Motions Nos. 34, 35, 36 and 38. After taking a closer look, the Chair agrees with the Hon. Member and Motion No. 38A will be proposed to the House separately and, if necessary, voted on separately.

11. Motion No. 37 raises once again the matter of discrimination against non-Canadians and goes against the purpose of the Bill. Based on my earlier remarks when dealing with

Motion No. 3, concerning the nature of discrimination, I must disagree with the arguments put forward by the Hon. Member for Essex-Windsor. I therefore rule Motion No. 37 out of order. These remarks apply to Motion No. 39, which is also out of order.

12. As I indicated in my preliminary statement on Tuesday of last week, Motion No. 40 contains a new proposal not contemplated in the Bill and is therefore out of order.

13. With regard to Motions Nos. 42 to 49 inclusive, I must, respectfully and with regret, inform the Hon. Member for Winnipeg-Fort Garry and the Hon. Member for Essex-Windsor that they were not successful in persuading the Chair that these motions are procedurally acceptable. These motions are all similar efforts to introduce into the Bill types of investments that would require review which were not foreseen in the Bill as adopted by the House at second reading. Therefore, these motions will not be proposed to the House. As Motion No. 51 is consequential on these motions, it falls into the same category.

14. The Hon. Member for Essex-Windsor argued that Motions Nos. 55 to 61 attempt to clarify and make more specific the factors set out in Clause 20 of the Bill. The Chair agrees with the arguments put forward by the Hon. Member. In attempting to do so, however, the Chair must point out to the Hon. Member that the motions introduce new proposals into the Bill, proposals which are outside the scope of the Clause. While I fully understand the Hon. Member's intention, the Chair is bound by the procedural rules and precedents, as stated in May's Twentieth Edition at page 555:

An amendment is out of order if it is . . . beyond the scope of the clause under consideration—

Therefore, I have no alternative but to rule Motions No. 55 to 61 out of order.

15. In relation to Motion No. 64, I must disagree with the remarks of the Hon. Member for Winnipeg-Fort Garry. This motion seeks to introduce into the Bill indirectly what cannot be done directly, namely, a definition of the term "net benefit". Further, it goes beyond the purpose and scope of the Bill. With regret, this motion cannot be proposed to the House.

• (1115)

16. The Hon. Member for Winnipeg-Fort Garry indicated that Motions Nos. 70 and 72 have different objectives and should be voted on separately. I agree with the Hon. Member, therefore, Motions Nos. 70 and 72 will be voted on separately, but shall remain grouped with Motion No. 68 for the purposes of debate.

17. In my statement to the House on Tuesday last, I had indicated some doubt in the mind of the Chair in relation to Motions Nos. 78 and 79 and had asked the Hon. Member to explain their purpose. After taking his remarks into consideration, the Chair is of the opinion that these motions, which seek to reduce the necessary minimum of one-third voting shares to 5 per cent or less in order to obtain control of a corporation, are simply modifying the conditions of acquisition of control.