

Amendments Respecting Death Sentence

I say, therefore, Mr. Speaker, that this is absolutely pure and simple rejection of the bill. At the same time, it means that if ever the government wants to introduce another bill on capital punishment, it will first have to get the principle approved by the people. But there is nothing in that amendment which compels the government to hold a referendum. There is nothing which calls for one. It is pure, simple and complete rejection of the bill.

Mr. Speaker: Order. After hearing the arguments advanced by hon. members, I am now in a position to express an opinion and make a ruling.

I will refer, first of all, to the argument just advanced by the member for Lapointe (Mr. Grégoire) to the effect that this amendment is in substance a pure and simple rejection of the main motion.

If the member is right, the Chair could not accept this amendment, since we would then have a negation of the principle, and the member should merely vote against the bill instead of trying to do so by way of an amendment.

[English]

I should like to refer to the argument presented by the hon. member for Battle River-Camrose (Mr. Smallwood) in which he brought to my attention a precedent. However, I believe there is a distinction in this regard. He referred to the flag debate when we were dealing with a resolution. The type of amendment which is permitted in respect of a resolution is not the same type of amendment which is permitted in the case of second reading of a bill.

I should like to bring to the attention of hon. members citation 394, paragraph one in the French edition of Beauchesne's fourth edition which reads as follows:

[Translation]

The principle or relevancy in an amendment governs every proposed resolution, which, on the second reading of a bill, must not include in its scope other bills then standing for consideration by the house. Nor may such an amendment deal with the provisions of the bill upon which it is moved, nor anticipate amendments thereto which may be moved in committee, nor attach conditions to the second reading of the bill.

That, I believe, is the most obvious defect of this amendment. It sets a condition to approval of the bill in principle, and for that reason, I do not think it is possible to accept the amendment moved by the hon. member.

[Mr. Grégoire.]

[English]

Some hon. Members: Question.

An hon. Member: Five o'clock.

Mr. Speaker: Is the house ready for the question?

Some hon. Members: Question.

Mr. Cowan: Mr. Speaker, it is now five o'clock. I have been here all afternoon. Was unanimous consent given to abolish the private members hour?

• (5:00 p.m.)

Mr. Speaker: My information is that although there may have been an agreement among hon. members, there is no order of the house for the suspension of private members business. In the circumstances the Chair has no alternative but to call the business for today at five o'clock, namely notices of motions and public bills.

Mr. Thompson: Mr. Speaker, I rise on a point of order. I understood there was an agreement by all parties of the house that we would forgo private members hour in order that we might complete the debate on the capital punishment bill.

Mr. Speaker: There must be more than an agreement by the parties of the house; there must be an order of the house. If there is no order there must be unanimous consent and I understand there is not unanimous consent. If hon. members agree unanimously that we should continue—

Mr. Cowan: No.

Mr. Speaker: There is at least one objection. We will therefore proceed with private members business as listed on today's order paper. We will proceed with notice of motion No. 15, the hon. member for Springfield (Mr. Schreyer).

Mr. Knowles: Mr. Speaker, I rise on a point of order, to ask Your Honour to consider a request. The hon. members for Springfield (Mr. Schreyer) and for Spadina (Mr. Ryan) are away from Ottawa on official business. I believe they are attending the NATO parliamentary association conference in Brussels. I am wondering, therefore, whether the house would be good enough to allow motions number 15 and 16 to stand and retain their place on the order paper until these members return from this official business on which they are engaged.