

After further debate, by unanimous consent, the said motion was withdrawn.

Mr. Lambert (Edmonton West), seconded by Mr. McCleave, proposed to move,—That Bill C-8, An Act to authorize the making of certain fiscal payments to provinces, to authorize the entry into tax collection agreements with provinces, and to amend the Established Programs (Interim Arrangements) Act, be amended by adding in Clause 32 after the word "Act" in line 4 on page 31 the following:

"provided that any regulation made pursuant to any of the above paragraphs shall be subject to a negative resolution adopted by not less than the majority of the provinces both in number and in population at the first plenary session of first ministers of Canada and the provinces or of their respective finance ministers following the making of the said regulation."

And debate arising on a point of order in relation to the said proposed motion;

#### RULING BY MR. DEPUTY SPEAKER

Mr. DEPUTY SPEAKER: Unless other honourable Members wish to make submissions on the procedural point, the Chair is prepared to rule on the procedural acceptability of the motion put before the chamber for its consideration. As I indicated in my initial remarks I was not seriously concerned about the constitutional question of giving authority to a body outside of the federal authority, if I may use that term again. The honourable Member for Edmonton West (Mr. Lambert), and I believe the President of the Treasury Board (Mr. Drury) did not disagree with him, said that this is a question of law, that is not the concern of the Chair. I raised it only in a preliminary fashion so that honourable Members would know I had it in mind and, if they felt I erred in that respect, they could argue that point.

The second point in my preliminary remarks concerned the substantive nature of the motion, and whether it was in fact beyond the purview of the clause of the bill that we have before us.

Again I do not think the President of the Treasury Board has a quarrel with the honourable Member for Edmonton West, and indeed I have no quarrel with the honourable gentleman in this respect, that there is no question but that it lies within the power of Parliament to provide for a review when it makes provision for the enactment of regulations. Of course it is within the authority of Parliament to provide for a review or check on those regulations. So, I do not have a concern with that.

My only concern was whether or not the check or the veto, if I may call it such, which is provided for in the motion before the Chamber, goes beyond the scope of the clause of the bill that the Chamber has before it. The honourable Member for Edmonton West took a stand

with respect to the Statutory Instruments Act, and I think he appeared to be critical of the government on that point. I am not going to base my decision on his argument in that respect. The President of the Treasury Board indicated that if the honourable Member for Edmonton West was chastising the government for its inaction in certain other areas, he should not use this particular vehicle. I agree with that.

That leaves me with the consideration of whether or not the motion before the chamber is of a substantive nature, that is, whether it goes beyond the scope of the clause that it purports to amend. It is quite a substantial change, but I am going to allow the motion because it does seem to me that while the authority respecting the veto may be substantially different than the power given to the governor in council, I would not want to say as to what degree or where a checking power, if I may use that term, a power of vetoing or checking the authority given to the governor in council goes beyond the authority contemplated in the bill. In other words, I would not want to say at what point the authority to provide a check or veto goes beyond the original thought of Parliament in enacting the clause of the statute. For those reasons I shall allow the amendment. The motion has been put to the chamber and it is not necessary for me to read it again unless hon. members wish me to do so. It is before the chamber for debate.

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Debate was resumed on the motion of Mr. Lambert (Edmonton West), seconded by Mr. McCleave,—That Bill C-8, An Act to authorize the making of certain fiscal payments to provinces, to authorize the entry into tax collection agreements with provinces, and to amend the Established Programs (Interim Arrangements) Act, be amended by adding in Clause 32 after the word "Act" in line 4 on page 31 the following:

"provided that any regulation made pursuant to any of the above paragraphs shall be subject to a negative resolution adopted by not less than the majority of the provinces both in number and in population at the first plenary session of first ministers of Canada and the provinces or of their respective finance ministers following the making of the said regulation."

After further debate, by unanimous consent, the said motion was withdrawn.

On motion of Mr. Drury for Mr. Turner (Ottawa-Carleton), seconded by Mr. Mahoney, the said bill, was concurred in at the report stage.

By unanimous consent, Mr. Drury for Mr. Turner (Ottawa-Carleton), seconded by Mr. Mahoney, moved,—That the said bill be now read a third time and do pass.

And debate arising thereon;