

Mr. Brewin, seconded by Mr. Lewis, moved,—That Bill C-172, An Act respecting the Federal Court of Canada, be amended by striking out clause 18.

Mr. Brewin, seconded by Mr. Lewis, moved,—That Bill C-172, An Act respecting the Federal Court of Canada, be amended by striking out subclause (1) of clause 28 and substituting the following therefor:

“The Court of Appeal has jurisdiction under this section to hear and determine an application to review and set aside a decision or order made by or in the course of proceedings before a federal board, commission of other tribunal upon the ground that the board, commission or tribunal

(a) failed to observe a principal of natural justice or otherwise acted beyond or refused to exercise its jurisdiction;

(b) erred in law in making its decision or order, whether or not the error appears on the face of the record; or

(c) based its decision or order on an erroneous finding of fact that it made in a perverse or capricious manner or without due regard for the material before it;”

Mr. Brewin, seconded by Mr. Lewis, moved,—That Bill C-172, An Act respecting the Federal Court of Canada, be amended by striking out subclause (3) of clause 28 and substituting the following therefor:

“The Court of Appeal shall have exclusive jurisdiction (a) to use an injunction, writ of certiorari, writ of prohibition, writ of mandamus or writ of quo warranto, or grant declaratory relief, against any federal board, commission or other tribunal; and (b) to hear and determine any application or other proceeding for relief in the nature of relief contemplated by paragraph (a) including any proceeding brought against the Attorney General of Canada, to obtain relief against a federal board, commission or other tribunal;”

After debate thereon, the question being put on the said motions, pursuant to section 11 of Standing Order 75, a recorded division was deferred.

Mr. Woolliams, seconded by Mr. Ricard, moved,—That Bill C-172, An Act respecting the Federal Court of Canada, be amended by striking out lines 1 and 2 on page 18 thereof and substituting the following:

“28. (1) Notwithstanding the provisions of any other Act, the Court”.

Mr. Woolliams, seconded by Mr. Ricard, moved,—That Bill C-172, An Act respecting the Federal Court of Canada, be amended by striking out paragraph (c) of subclause (1) of clause 28 on page 18 thereof and substituting the following:

“(c) based its decision or order on an erroneous finding of fact that it made in a perverse or capricious manner.”

After debate thereon, the question being put on the said motions, pursuant to section 11 of Standing Order 75, a recorded division was deferred.

Mr. Turner (Ottawa-Carleton), seconded by Mr. Béchard, moved,—That Bill C-172, An Act respecting the Federal Court of Canada, be amended by (a) striking out line 26 on page 18 and substituting the following:

“party directly affected by the decision or”;  
and

(b) striking out line 31 on page 18 and substituting the following:

“General of Canada or to that party by”.

After debate thereon, the question being put on the said motion, it was agreed to.

Mr. Turner (Ottawa-Carleton), seconded by Mr. Béchard, moved,—That Bill C-172, An Act respecting the Federal Court of Canada, be amended by striking out lines 21 and 22 on page 19 and substituting the following:

“where provision is expressly made by an Act of the Parliament of Canada for an appeal as such to the”.

After debate thereon, the question being put on the said motion, it was agreed to.

Mr. Turner (Ottawa-Carleton), seconded by Mr. Béchard, moved,—That Bill C-172, An Act respecting the Federal Court of Canada, be amended by striking out line 26 on page 20 and substituting the following:

“Federal Court of Appeal, whether or not leave to appeal to the Supreme Court has been refused by the Federal Court of Appeal.”

After debate thereon, the question being put on the said motion, it was agreed to.

Mr. Brewin, seconded by Mr. Lewis, moved,—That Bill C-172, An Act respecting the Federal Court of Canada, be amended by striking out the words “or to federal-provincial relations,” in subclause (2) of clause 41 at page 23.

And debate arising thereon;

#### *Changes in Committee Membership*

Notice having been filed with the Clerk of the House pursuant to Standing Order 65(4)(b), membership of Committees was amended as follows:

Messrs. Fortin, Lachance and Breau for Messrs. Laprise, Guay (Lévis) and Forget on the Special Joint Committee on the Constitution of Canada.