

*Income Tax Act*

● (1502)

[English]

Alleviation of Taxation

Provisions for the alleviation of taxation are not subject to the rules of financial procedure. The repeal or reduction of a tax, for instance, by the finance bill, is sometimes preceded by a—

[Translation]

And I think this may, at the same time, refute somewhat the objection of the hon. parliamentary secretary, and I repeat—

[English]

—specific ways and means resolution. But this procedure is not necessary if the House has agreed to a resolution for the general amendment of law.

[Translation]

To my mind, the hon. members have enough leeway to move amendments reducing even further the cut, so to speak, provided for in clause 30 of the bill. It remains to be seen whether the proposal of the hon. member for Edmonton West meets all those requirements, or whether it exceeds what is allowed because it goes beyond the scope of the original proposal in the ways and means motion, and in the bill now before the House, by in fact including a province which, though not one of the prescribed provinces, was not covered in the government bill. On this particular point, I should like the committee to allow me to suspend consideration of clause 30 for further consideration of the matter or else to carry this study further while leaving it to the Chair to issue a ruling at the next sitting of the committee. On this last point, I would like to hear the comments of the hon. members.

**Mr. Chrétien:** Mr. Chairman, I think your suggestion to wait until the next sitting before issuing a ruling on this matter is quite adequate and that you have dealt very fully with the point that was raised. Personally, and following representations made by the parliamentary secretary, I think that, on the basis of the ruling made recently by Mr. Speaker, it might be wise to let His Honour give his own point of view in this matter.

**Mr. Lambert (Edmonton West):** Mr. Chairman, I should like to add this comment. The question of a province prescribed is subjected to an order in council. So let's listen carefully. If the government, even under the law such as I propose to amend, because it says, at the beginning of clause 122(1), which reads as follows:

122.1(1) An individual . . . who resided in a prescribed province . . .

This question results from an order in council and, actually, given the circumstances, the government could keep from prescribing the province of Alberta and that would not go beyond the subject matter of the notice of ways and means motion. But I would say that it is precisely on that point that the matter has been well settled.

**Mr. Chrétien:** Mr. Chairman, we do not have to go on on a debate concerning the form and the hon. member is presently

[The Chairman.]

talking about the substance while we are discussing the procedure. We could have a whole debate because I have not had the time to discuss the substance of the hon. member's motion, and before discussing that, I would like to know if the form is in conformity with the prescribed rules. Mr. Chairman, you proposed to reserve your decision about the form of the motion until you can consult with the Speaker of the House. We could pursue consideration of section 30 without having a debate on the substance of the amendment, as was proposed by the hon. member for Edmonton West.

**The Chairman:** Before recognizing the hon. member for Winnipeg North Centre, I want to tell the hon. minister that I have received the remarks of the hon. member for Edmonton West without changing my decision concerning reserving my ruling, a decision I will render as a responsible Chairman of the committee, without any obligation for consultation nor directives, but I will take my responsibilities concerning other decisions I have made.

[English]

Does the hon. member for Winnipeg North Centre wish to add a comment which would be helpful to the Chair before next Monday?

**Mr. Knowles (Winnipeg North Centre):** Mr. Chairman, that is my middle name, being helpful to the Chair.

May I say that I concur in your suggestion that you be permitted to reserve your decision on this matter, and I should like to support the statement you made a moment ago that the decision is one for you to take, although you still have the right to ask for advice from anyone you wish. But since I did not take part in the procedural discussion earlier, I should be grateful if you would let me have a couple of minutes to express my view on what I think is important about the issue now before us, speaking in procedural terms.

First, I think it should be clear that the fact that Mr. Speaker ruled that there had to be a ways and means motion supporting the provisions in the bill does not mean that, once that ways and means motion has been carried, the House is required to pass what the government puts in the bill on the basis of that motion. We still have freedom in committee of the whole to make our own decision about clauses, whether to pass them or reject them or try to amend them. I say, therefore, that I think all of the argument that was made on the ruling given by Mr. Speaker that there had to be an amended ways and means resolution does not get in the way of what the hon. member for Edmonton West is trying to do.

So far as the ways and means resolution is concerned, it seems to me that the only question that now has to be asked is whether the clause, if it were amended by the proposal of the hon. member for Edmonton West, would still come within the terms of the amended ways and means resolution. As I read the first paragraph of resolution 13(a), it seems to me that it does cover the proposed amendment because in fact it permits the reduction of the tax by \$100 across the board; the amendment suggests it be \$100 in some provinces and \$85 in others.