

Yukon and Territorial Lands Act

wisdom in providing two members for the executive council.

Mr. Nielsen: He had no authority to do that.

Mr. Chrétien: In terms of the main issue, perhaps the intentions of the hon. member are good. On the other hand, perhaps the hon. member is wrong. I shall not make a clear case even though it would be easy to do so. In terms of procedure, I believe these two amendments are not within the scope of the bill and should not be received by the Chair.

Mr. Aiken: Mr. Speaker, I should like to speak to the point of order. I assume part of the difficulty Your Honour has concerns the possibility of the expenditure of funds without a recommendation by the Governor in Council in respect of the setting up of this executive council. It seems ludicrous to me that the Commissioner of the Yukon Territory may establish a committee to assist him, and presumably pay the members of the committee as has been suggested by the minister, but that a member of this House of Commons cannot even propose such a body. If this is the line of reasoning which Your Honour has to consider, then I suggest there is something terribly wrong with it. As an example I would point out that Information Canada was operating for weeks before there was any legislative authority in respect of it. Similar organizations have been appointed, have commenced work and their members have been paid without there being any parliamentary authority.

It would seem that we are drawing the line much too closely if we say that a Member of Parliament cannot even propose the appointment of a committee or a commission. Surely this was not the intention of the rules concerning the expenditure of public funds. We know of instances where many people have been appointed, employed and paid from public funds. Surely in a situation like this a recommendation by the Governor in Council is not required in each case. I appeal here again, Mr. Speaker, against an ever-increasing series of rulings by the Chair which make it almost impossible for private members to put forward any proposals in respect of government legislation except concerning tiny things which do not mean anything. I contend that the suggestion which has been made in the form of an amendment is reasonable. When a minister states that the commissioner intends to appoint such a committee, it seems

[Mr. Chrétien.]

very strange that a member of this House of Commons cannot even propose such a body.

Mr. Deputy Speaker: Order, please. I thank hon. members for their contributions to the procedural argument concerning motions 4 and 5. In respect of the final point raised by the hon. member for Parry Sound-Muskoka (Mr. Aiken), it would seem to me that if he has a valid point—and he may very well have one—the remedy lies with the Members in the House. The grievance he has lies not with rulings of the Chair but with the practice, which may be open to re-examination, of restricting amendments to bills to the scope of the royal recommendation. Having said this, however, I should like to say further that this is not the area of doubt in respect of these two motions.

The point that I made in respect of the first motion is involved here. It would seem to me that amendments 4 and 5 go behind Bill C-212 and seek to amend provisions of the main act which are not covered by Bill C-212. I suggest, therefore, that these proposals are irrelevant and beyond the scope of the bill. In this respect I would refer hon. members to the following citation which appears at page 549 of May's seventeenth edition:

An amendment is out of order if it is irrelevant to the subject matter or beyond the scope of the bill, or if it is irrelevant to the subject matter or beyond the scope of the clause under consideration.

For these reasons I cannot put Motions Nos. 4 and 5 in the name of the hon. member for Yukon (Mr. Nielsen).

Mr. Nielsen: Mr. Speaker, I wanted to speak to Motion No. 5 before Your Honour ruled it out of order.

Mr. Deputy Speaker: I am prepared to accommodate the hon. member, but in the first instance I pointed out that motions 4 and 5 were similar and I invited comments on both. If the hon. member feels strongly about the procedural difficulty—although I do not see how there is much room for argument, having made the ruling which I have—I am not anxious to be any harder than I am obliged to be under the rules.

Mr. Nielsen: Mr. Speaker, I shall save the time of the House by saying merely that the minister's proposal would have the executive committee dominated by three civil servants, while my proposal in Motion No. 4 would place the committee entirely in the hands of the five elected members of the council. If Motion No. 4 is not accepted, Motion No. 5 is