

Canada-U.S. Free Trade Agreement

of amendments at report stage and debate on third reading cannot be argued to have been replaced by some discussion outside the House in a forum offered by a private sector group, even if it is a public forum. It cannot be said to have been replaced by a study by a parliamentary committee which completed its work before the full text of the deal was available and did not formally consider that text.

No matter how often there may have been meetings of business groups, labour groups, or social policy groups which considered this Bill, they cannot be said to substitute for or replace what is established as a fundamental feature of our parliamentary democracy: debate in the House and study in its committees of a measure as important as the measure to implement the trade deal negotiated between the Conservative Government and the Government of President Reagan of the United States.

● (1150)

This debate has not yet started, which is certainly not the fault of the Official Opposition. Under our rules the Government could have put down the legislation to implement the deal in its full terms any time it wanted and could have caused that measure to be debated any time it wanted. I hope that the Government will not be able to get away with an effort to paint any other kind of picture for the public.

Obviously this debate can begin in the forum provided for by our rules only if you, Mr. Speaker, decide that this Bill is not unacceptable on procedural grounds, either on the basis that it is an unacceptable omnibus Bill, along the lines that I have been outlining, or is unacceptable on other grounds that I intend to argue at a later stage.

I also want to ask—and this is perhaps a point that may be considered of an ominous nature by those studying the issue of being able to offer amendments to this Bill—what are the implications of the long title that I have been discussing previously? Amendments to a Bill must be relevant to and within the scope of a Bill. Erskine May indicates in several places that the long title is an important factor in determining the scope of the Bill. It is possible that in choosing the long title in the form that it presently exists the Government may be seeking to provide a basis for arguing later on that it will be able—and I think that if it does so it will be unacceptable and unjust—to limit the scope for offering amendments.

I wish to put before you, Sir, and the House at this point that Erskine May's Twentieth Edition also makes it clear that it is in order to offer amendments to the clauses of a Bill even if that Bill implements an agreement. Erskine May states:

When a bill is introduced to give effect to an agreement or to confirm a scheme, the text of which is contained in a schedule to the bill, and the independent origin and status of which is described in an introductory provision in the bill, amendments cannot be made to the schedule, but the contents of the schedule can be modified or qualified by amendment to the clauses of the bill.

I want to say, by way of conclusion, that if one looks at Bill C-130 there is no doubt that it is of an omnibus nature. I want

to say, by way of summing up, that it is open to you to find, Sir, that this Bill in effect is one which passes the point stipulated by Mr. Speaker Lamoureux as being of an unacceptable nature procedurally. This is buttressed by what this House decided as an outcome of the bell ringing incident of 1982.

I submit that the ruling of Madam Sauvé should be looked at as something limited to its narrow application to the energy security Bill, as she then saw it, in light of the absence of any argument or discussion in her ruling. It is open to you, Mr. Speaker, to apply the principles stated by Mr. Speaker Lamoureux in light of the precedent created by this House in the order it adopted making it necessary for the Government to withdraw the energy security Bill and to divide it into several different individual Bills.

There are other points which I have made. I would just repeat one. It is that the title of the Bill makes the Bill defective. It cannot be accepted because the Bill has a title which does not include all the statutes that are intended to be amended.

Finally, I again want to say that what the Government is trying to do here is something which I think, if allowed to proceed, would undermine our parliamentary tradition and the effectiveness in future of the application of that tradition to the responsibilities of this House to debate properly, to study properly, and to hear properly the input of members of the public in order to allow it to make good decisions, the best possible decisions, on the important matters in question. We see here a procedure which the Government has already said it intends to use as part of a process for rushing through this measure without allowing either the House or the public to have proper and full opportunities to consider the measure, to debate it, to have input, and for the House then to make decisions based on that consideration, debate, and input.

For all the reasons I have given, Mr. Speaker, I respectfully submit that this Bill is of an improper omnibus nature. Therefore, Your Honour should not allow debate on second reading to proceed. Rather, you should rule that it cannot be dealt with in its present form and that therefore the Government must withdraw it and reintroduce it not as one omnibus Bill but as a number of individual Bills. This is consistent with what I consider, and I respectfully submit to be, the relevant precedents. This is consistent with the traditions of this House and, more important, the purpose of those traditions in terms of the relevance of this House to the life of the country now and in the future.

Some Hon. Members: Hear, hear!

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, in the Standing Orders of the House of Commons the very first Standing Order indicates: "procedural questions shall be decided by the Speaker—whose decisions shall be based on the usages, forms, customs and precedents of the House of Commons of Canada and on parliamentary tradition in