

of a question which has attracted my attention during the past few days and, as many other honourable Members have done, I, too, have reviewed the precedents on the point.

The point raised by the honourable Member for Winnipeg North Centre and discussed by other honourable Members is that Bill C-207 should not be proceeded with because in effect it renews a question decided during the current session. I should like to refer honourable Members to citation 200(1) of Beauchesne's fourth edition and also to Bourinot's fourth edition, pages 328-329. The latter reads as follows: "It is, however, an ancient rule of Parliament that 'no question or motion can regularly be offered if it is substantially the same with one on which the judgment of the House has already been expressed during the current session.' The old rule of Parliament reads: 'That a question being once made, and carried in the affirmative or negative, cannot be questioned again, but must stand as a judgment of the House'. Unless such a rule were in existence, the time of the House might be used in the discussion of motions of the same nature and contradictory decisions would be sometimes arrived at in the course of the same session".

Beauchesne's fourth edition citation 373(2) reads as follows: "There is no rule which restrains the presentation of two or more Bills relating to the same subject, and containing similar provisions. . . ."

This is a point which is important because some honourable Members have suggested we should not discuss similar matters or similar principles during the same session. The experience of honourable Members, I am sure, is that we have done that at least exceptionally.

Beauchesne's fourth edition citation 373(2) continues ". . . But if a decision of the House has already been taken on one such Bill, for example, if the Bill has been given or refused a second reading, the other is not proceeded with if it contains substantially the same provisions. . . ."

The word "substantially" appears again. Beauchesne's citation 163 reads as follows: "A mere alteration of the words of a question, without any substantial change in its object will not be sufficient to evade the rule that no question shall be offered which is substantially the same as one which has already been expressed in the current session."

Again citation 375(1) of Beauchesne's fourth edition reads as follows: "A Bill is in order when substantially different from another Bill on the same matter previously disposed of during the session."

The solution according to Bourinot must be found within the following proposition which appears at page 329 of his fourth edition: "The only means by which a negative vote can be revoked is by proposing another question, similar in its general purport to that which had been rejected, but with sufficient variance to constitute a new question; and the House would determine whether it were substantially the same question or not."

It then becomes a matter of interpretation or judgment whether, in the words of the rule, the motion offered is substantially the same as one on which the decision of the House has been expressed. The only way to interpret the two measures in relation to the rule is to compare the proposals offered in each case; that is, in the previous Bill and in the new Bill now before the House.

What the Chair should do, in my view, is compare the provisions of Bill C-207, now before the House, with those of Bill C-193 which was defeated on third reading. This was done by the honourable Member for Winnipeg North Centre (Mr. Knowles), and other honourable Members who have assisted the Chair. Perhaps honourable Members will allow me to refer again to the several clauses.