

Government Orders

SPEAKER'S RULING

[Translation]

Mr. Speaker: This morning the Chair heard from the hon. member for Mackenzie on the admissibility of certain amendments made in committee on Bill C-54, an act to amend the Farm Products Marketing Agencies Act and other acts in consequence thereof. I indicated at the time that I would return this afternoon to render a decision on the matter. I am now prepared to deliver that decision.

[Translation]

Before I begin, I wish to take this opportunity to thank the hon. members for Mackenzie, Algoma, Elgin—Norfolk and Prince Edward—Hastings for their submissions on this point of order.

[English]

To briefly outline the matter: the Standing Committee on Agriculture to which Bill C-54 was referred, reported the bill with amendments on April 6, 1992. Two of the amendments reported by the committee had been ruled out of order by the chairman on the grounds that they attempted to amend sections of the parent act not contained in the bill. The decision of the chairman was appealed and overruled and the committee adopted the amendments in question. Another amendment to clause 10 was ruled beyond the scope of the bill and again the chairman's ruling was overturned by the committee and the amendment was carried.

The crux of the matter now before the Chair is whether the committee exceeded its powers and went beyond its order of reference, the bill itself. This is the question which the hon. member for Mackenzie has put in his point of order.

When a bill is referred to a standing or legislative committee of the House, that committee is only empowered to adopt, amend or negative the clauses found in that piece of legislation and to report the bill to the House with or without amendments. The committee is restricted in its examination in a number of ways. It cannot infringe on the financial initiative of the Crown, it cannot go beyond the scope of the bill as passed at second reading, and it cannot reach back to the parent act to make further amendments not contemplated in the bill no matter how tempting this may be.

In some cases, this last cardinal rule is graphically clear. For instance, if a committee is examining a Criminal Code bill dealing with lotteries, a member cannot reach back to the parent act to propose amendments to those sections dealing with firearms. In certain other cases, this principle is more difficult to explain.

• (1530)

[English]

In the present case, two amendments were proposed to section 17(1)(e) and 17(2)(e) and 34(1) of the Farm Products Marketing Agencies Act.

These sections of the act were not part of Bill C-54, hence it was not in order to propose these additions in the bill pertaining to these sections of the act.

A third amendment to clause 10 went beyond the scope of the bill as it attempted to broaden the application of the bill to other farm products not contemplated by this bill.

Just as the chairman of the standing committee ruled these amendments out of order, I must also rule that all three amendments are inadmissible for the same reasons the chairman expressed in committee.

In cases in which the Chair is asked to rule on the admissibility of committee amendments to bills, any modifications which offend a basic principle in the legislative process are struck from the bill. This was the practice followed by Speaker Jerome on April 23, 1975 in relation to Bill C-44, an act to amend the Senate and House of Commons Act, the Salaries Act and the Parliamentary Secretaries Act, and by Deputy Speaker Francis on April 7, 1981 in relation to Bill C-42, an act to establish the post office corporation.

Consequently I must rule that the inadmissible amendments adopted by the Standing Committee on Agriculture to new clause 9, new clause 10, and clause 10 of Bill C-54 be declared null and void and no longer form part of the Bill as reported to the House.

Again I thank hon. members for their contributions.

Mr. Monteith: Mr. Speaker, I agree with your ruling and I thank you for returning so quickly with your decision.