

*Yukon and Territorial Lands Act*

**Mr. Nielsen:** I rise on a point of order, Mr. Speaker. The House has disposed of amendment No. 2, or at least will when the vote is taken. The committee, in the reprinted bill, has an amendment before the House. By disposing of amendment No. 2, my submission is that the House has disposed of the question contained in amendment No. 3, and I submit that under the rules we cannot vote twice on the same matter. We have already disposed of it.

**Mr. Deputy Speaker:** Order, please. I would, without consulting the two motions in detail which I probably should do before saying anything, say that would really depend on the outcome of the vote, and that has not been taken yet. The vote has been deferred. Perhaps the point of order would be more properly taken at the time when the vote on motion No. 2 will have been completed. Then, I will study the two motions with greater care. The Minister of Indian Affairs and Northern Development.

**Mr. Chrétien:** Mr. Speaker—

**Mr. Nielsen:** Mr. Speaker, on the point of order, if the minister will permit my interruption, with great respect I doubt very much whether it would be in order for the House to proceed with the debate on No. 3 unless some sort of ruling were made now. If that means taking a vote now on No. 2 perhaps that is what should be done. But I do submit that if it is ruled out of order in the future, it would be improper to debate it now.

**Mr. Deputy Speaker:** My original ruling provides the grounds upon which we have to proceed. If a vote is deferred it cannot automatically preclude debate. There is a procedure in our Standing Orders which allows for deferral. This deferral was made at the request of the hon. member. It seems to me that if all subsequent debates and all submissions were ruled out as a consequence of the House voting a certain way, it would be quite unfair.

• (2:40 p.m.)

**Mr. Nowlan:** A point of order. With all due deference to Your Honour, I think that portion of your verbal judgment in which you said it depended on how the vote was taken, even on the deferred vote, is irrelevant. The matter will be disposed of one way or another when the vote is put. The subject matter

[Mr. Deputy Speaker.]

relates to the same clause, and looking at Motions Nos. 2 and 3 you find, that in fact, the very same lines in the bill are mentioned. I submit it is irrelevant whether the vote is going to be for or against Motion No. 2. The fact is that Motion No. 2 and Motion No. 3 deal with the same clause and in fact, in large measure, deal with the same lines in that clause. The minister may want to clarify that point when he rises to speak on the point of order.

My submission, Mr. Speaker, is that your preliminary judgment from the chair that it depended on how the vote was determined on Motion No. 2 is irrelevant. History and precedent will show the relevant point. The House will dispose of Motion No. 2 one way or another and therefore it has adjudicated on Motion No. 2. You cannot slip in by the back door, just because we are deferring by convenience, another vote on the same motion. If that were the case, on the last occasion when something like this occurred while we were in committee of the whole debating an amendment to the transportation bill which was defeated, the then minister of transport, the Honourable Mr. Pickersgill, instead of trying to bring in another motion, could have avoided this difficulty by trying to defer the vote. The authorities will show that it is the subject matter which is the relevant factor in deciding whether you are dealing with the same thing, not when you vote or how a vote disposes of the issue.

For these reasons, I take exception with respect to that portion of your preliminary judgment. With respect, Mr. Speaker, I think perhaps you should reflect upon what should be decided. Perhaps the simple solution is to put the vote on Motion No. 2.

**Mr. Chrétien:** On a point of order, Mr. Speaker. If we were to accept the point of order proposed by the hon. member for the Yukon and the hon. member for Annapolis Valley I think we could not move any more than one amendment. The amendment proposed by the hon. member for the Yukon was to have a fixed term and that there should not be any election within a period of four years. That was the purpose of his amendment.

I submit we can have as many amendments as we want as long as they are not amendments of the same nature. What I am proposing is to clarify the word "consultation". I said if we should call an election in the meantime we could not do it without consultation with the members of the territorial