[*Translation*]

In addressing this substantive issue, the Hon. Members for Ottawa-Vanier, (Mr. Gauthier), for Glengarry-Prescott-Russell (Mr. Boudria) and for Kinsgston and the Islands (Mr. Milliken) all questioned the necessity for a royal recommendation in respect of Bill C-21, contested the argument that the Senate had no right to amend a bill of this nature and insisted that since the amendments made to the bill reduced existing charges provided for in the existing statute, they in no way infringed upon the financial initiative of the Crown. The hon. member for Saskatoon-Clark's Crossing (Mr. Axworthy) also supported the latter contention.

[*English*]

I should now like to turn to the second group of arguments, those that question the process by which the Senate amendments are being challenged. In doing so at this point, I want to emphasize that in the Chair's view these present a threshold which must be crossed before we can proceed to further consideration of the substantive issues.

I would include in this category a number of inter-related arguments. The hon. member for Ottawa—Vanier, the hon. member for Kamloops and the hon. member for Saskatoon—Clark's Crossing, all pointed out that the Chair ought not to rule on legal or constitutional issues. In addition, they argued strenuously, as did the hon. member for Kingston and the Islands, that, if the proposed Senate amendments were not in order, they should have been challenged on the first occasion when they were before the House, that is, on March 12 and 13 last, when the House first considered a return message to the other place.

The other place, for the public who is watching, means the Senate. These are words that we use to refer to the Senate; we call it the other place.

Having already made a decision to accept some of the Senate amendments and to reject others, and having so reported to the Senate, this line of argument continues. It is not now open to the House to reopen consideration as to the acceptability of the amendments. Corollary issues as to the purpose of asking the Chair to rule on the Senate amendments and the consequences of the Speaker of the House of Commons ruling a message from the other place out of order were also advanced.

My initial reaction, as a presiding officer, was that, if the acceptability of amendments made to a bill in this House were in question, then, of course, the Chair must make a determination as to the admissibility of the amendments at issue. That is the customary role for the presiding officer to play. It is the duty of the Chair to rule on amendments at each stage of a bill's passage through the House. Accordingly, my first reaction was to assess the receivability of the questioned amendments. However, as I explained, the Chair must take into account not only the fact that amendments to the bill are called into question, but at what stage they are questioned.

In fact, the House has already pronounced itself on the very amendments the government House leader invited me to rule on and the hon. member for Ottawa—Vanier has complained that it is too late for the Chair to now rule on their acceptability. It must be noted that the Senate, in its message of March 20, 1990, has insisted on amendments 5(a) and (b), 7, and 9. There is no doubt that the amendments are now, again, before the House for consideration and could be adopted if the House so wished.

It can be argued that the hon. government House leader should have raised his points on March 12 or March 13 last, but I see no reason to prevent his raising the matter at this stage, since the Senate message has returned those very amendments for reconsideration by the House. If those Senate amendments can be further amended, adopted or disagreed with, as Beauchesne's, fourth edition, citation 282 suggests, then logically they would also be subject to procedural challenge.

Therefore, the Chair rules that the intervention of the minister is valid at this time and I will attempt to reply to the various points raised in that regard.

[*Translation*]

The Hon. Government House Leader said he was encouraged by the decision of the Chair of July 11, 1988 on Bill C-103, the Atlantic Canada Opportunities Agency Bill, and I should like to turn for a moment to that decision.

In that instance, the Senate had split a bill the House had passed and had reported only a portion of it back to the House. It was the unilateral action of the Senate in that matter that I found objectionable and I said, in part: