

The Chair went on to say that the Hon. Member is attempting to do indirectly what he cannot do directly. Well, Mr. Speaker, I dispute that. The Hon. Member is trying to do directly what the Government could do directly. He does not go beyond the Royal Recommendation or the purpose of the legislation. I believe that preambles should exist, particularly in the most important of legislation.

Mr. Lewycky: We've got one in our Constitution.

Mr. Benjamin: Yes, there is one in our Constitution, as my hon. colleague has said.

Motion No. 1, Mr. Speaker, allows for the inclusion in the legislation of an item which will allow the House to interpret the intent, purpose and royal prerogative of the legislation. Surely the proper forum to discuss and vote upon whether or not there should be a preamble, and the proper forum to discuss what is or is not allowable in that preamble, is the House of Commons.

There are precedents for and against preambles. There are examples in this country and many others, whether it be in Parliament or a portion of Parliament or in any of the host of organizations with constitutions and bylaws, of the existence of preambles. A preamble is almost a prerequisite.

I fail to understand the Chair's concern. A preamble should be admissible as long as it falls within the rules that guide us, the Royal Recommendation and the intent of the legislation. As long as it falls within those bounds, then surely an amendment from either the Government side or the Opposition side to incorporate a preamble, whether it be disguised or not, is perfectly in order.

I am intrigued by the wording used by the Hon. Member in his preamble. I know he has laboured long and hard on this and I think Members from all sides can agree with some parts of his preamble. There are some portions about which there will be debate and amendments, but in that case the House of Commons will sort out what the long time really means, and that is all a preamble is.

Consequential to a preamble, which is nothing more than an extension of the long time of a Bill, are amendments, and I know the Chair will hurriedly rule if an amendment goes beyond not only the long title but the preamble. We will all be guided by that.

I tried to move a motion in committee to amend the long title. My motion was contrary to what the Parliamentary Secretary had to say about the Dominion coal lands having something to do with the handling and transportation of grain. The only avenue to have left is to move amendments regarding the long title of the Bill. We could perhaps move to make the long title read like a preamble. Would it be in order if we were to move an amendment to an amendment here at report stage that would make the long title read like a preamble? I doubt if anyone wants to see that on the front page of an Act of Parliament.

I submit, Sir, and urge upon the Chair that you reconsider most seriously the acceptability of the proposed Motion No. 1

Western Grain Transportation Act

moved by the Hon. Member for Vegreville, find that it does not go beyond the bounds of the legislation and that it is nothing more than ancillary to the long title and the purposes of the legislation, because that is all it is.

● (1450)

If there are words, a paragraph, a sentence or a phrase in Motion No. 1 that go beyond the Royal Recommendation or beyond the purpose of the legislation, and it could be argued later, then I am sure the Hon. Member for Vegreville or any of his colleagues would be prepared to move a subamendment to correct it.

It seems to me that a long bow is being drawn, as was the case with the coal lands, and that extra lengths have been gone to to find out why we cannot have a preamble. If the preamble had to do with an operative clause or if it were an operative clause, then I suppose the Hon. Member for Vegreville would not have moved it in the first place. But it is not an operative clause; it spells out in very good language what the long title is all about. Surely the House should be entitled to discuss the pros and cons of what should be in a preamble. I think it opens up an area for the House of Commons. Even if it is a new regime—and I do not think it is—it places a requirement upon Government and Opposition Parties to discuss what the purpose of the legislation is.

I close by saying to you, Mr. Speaker, that his is not really an issue requiring details of parliamentary precedents going back to 1066; this is a matter which is properly not only political, but also has to do with good legislative form. There is nothing wrong in the rules, and whether it is a new practice or whether there are precedents to allow it or disallow it is really not the point. This does not do violence to the purport of the legislation, nor does it do violence to the Royal Recommendation. Unless that can be shown, then it seems to me that Motion No. 1 is in order.

Mr. Bill McKnight (Kindersley-Lloydminster): Mr. Speaker, I wish to bring to the attention of the Chair some points on Motion No. 1 and the reasons why we on this side feel it is very important to have a statement of purpose included in the Bill. I will start by referring to the Speaker's initial ruling. On page 3 of the ruling, in the second paragraph, the Speaker states:

The purpose of the Bill, as I understand it—

I should like to emphasize the Speaker's words "as I understand it".

—is to provide for new rates for the movement of grain through the Crowsnest Pass.

As simple as that may sound, when you study the Bill and spend four months on it as the members of the Standing Committee on Transportation did, you find that is not its sole purpose.

To go back to previous Acts of Parliament, for instance, when the National Transportation Act was revised and brought in, it started with a preamble. That preamble, compared to the statement of purpose proposed by the Hon.