

Continental Bank of Canada

the hon. member for Waterloo-Cambridge the opportunity to oppose this bill in any manner through amendments, regardless of their contents since it would be another matter, that means you are giving a member the right to intervene at the report stage. For us, Mr. Speaker, this matter is paramount and deserves our consideration for an additional reason and this constitutes my second point which I wish to bring up before concluding.

Right now, we are not dealing with just any bill, we are dealing with a bill which will make it possible for the IAC finance company to become a chartered bank. As everybody knows, chartered banks will be reviewed soon. It is a study undertaken every ten years and referred to Parliament. It is an open secret that this bill clashes with the Bank Act on at least 16 specific points. We can, Mr. Speaker, even if this is not the substance of this argument, prove that Bill S-30 is an exception, and I repeat an exception to the Bank Act on at least 16 points. And Again I refer to the Standing Orders. This bill is out of order. A member, such as the sponsor of this bill, cannot introduce in committee a bill which goes beyond the law. In our opinion, Bill S-30 is a derogation to that rule. It provides preferential treatment for the Continental Bank.

Mr. Speaker, on several occasions my Social Credit and New Democrat colleagues have tried during the consideration of such bills to introduce amendments which were called out of order by the Speaker because they went beyond the scope of the bill. Now Bill S-30 goes 16 times farther than the Bank of Canada governing the chartered banks. It is an exception. This bill—and this is my last argument Mr. Speaker—is especially important because if it were passed today and that tomorrow we were reviewing the Bank Act and the Bank of Canada Act, we would have to take into account in such a revision the decision taken today about Bill S-30, since despite the amendment to be introduced, those 16 exceptions would have to be included. Moreover my comments were included in the arguments brought forward by the hon. member for Waterloo-Cambridge.

Mr. Speaker, for this reason your decision is extremely important since, first of all it might be interpreted as a way of disregarding a member's right to take part in a debate at the report stage and, second it enables any member to move an amendment which will be placed at any time within the framework of a public bill and in this sense, Mr. Speaker, we will reverse all precedents.

That is why I believe, given the importance of the subject concerned as well as the sound arguments made by the hon. member for Winnipeg North Centre (Mr. Knowles), and the content of Standing Orders 109 and 116 with which the hon. member for Waterloo-Cambridge complied very well, and given the precedents on which this House has taken a stand for hundreds of years—thousands of years, if I refer to the slowness of some of our procedures—Mr. Speaker, I sincerely hope that the hon. member for Waterloo-Cambridge will be entitled to move his amendments.

As for the content of the amendments that is an entirely different story. At that time, it will be possible to consider them by seeing how far Bill S-30 goes.

[Mr. Fortin.]

Mr. Claude-André Lachance (Lafontaine-Rosemont): Mr. Speaker, this is the first time I take part in a procedural debate, and I hope you will excuse me should I experience difficulties in expressing my views. But I will try to say properly what I have to say.

In my opinion, there is no problem as regards the interpretation of Standing Order 116. I quote:

Except as herein otherwise provided, the standing orders relating to public bills shall apply to private bills.

Now, Standing Order 75(5) provides, I quote:

If, not later than twenty-four hours prior to the consideration of a report stage, written notice is given of any motion to amend, delete, insert, etc. . . .

Then, in the present case, we can expect Standing Order 75, but this does not solve the problem of Standing Order 109 as raised by the hon. member for Hamilton. Then, we get to a point which, in my opinion, was not sufficiently discussed, that is: what is an "important amendment"? Why have this small book's authors used the terms "important amendment"? Has this ever been defined by anyone? I do not know.

In my opinion, there should be once and for all a definition of what exactly is an "important amendment" as mentioned in S.O. 109. I submit respectfully, whatever that is worth, that an important amendment would be one which relates to the very integrity of a bill in its wholeness and in its substance. For example, we would have an important amendment if, on third reading, we had an amendment to give a bill a six months' hoist or an amendment to send back a bill to a committee for a new study, or some amendment of this kind, but not a motion as defined in S.O. 75(5). That would be a motion to amend a part or a clause or a subclause of a bill.

In my opinion, S.O. 75(5) applies in this case because of S.O. 116. And since in the chapter on private bills there is no section which stipulates explicitly that S.O. 75(5) does not apply, S.O. 109 would thus have been included by the authors of our Standing Orders to cover precisely those cases where there is a special amendment, an "important amendment", which relates to the very substance of a bill in its integrity, namely, an amendment which would give the bill a six months' hoist, or have the bill examined anew in committee.

● (1740)

[English]

Mr. Lambert (Edmonton West): Mr. Speaker, on the second point that Your Honour raised, the problem I am facing is that under Standing Order 75(5), 75(7) and 75(8) no private member, other than one who has given notice of a motion under 75(5), may make a motion during the debate. There is the exception that he may make a sub-amendment to an amendment made within the 24 hour time limit.

To turn to Standing Order 109 dealing with private bills, the hon. member for Lafontaine-Rosemont (Mr. Lachance) referred to what is an important amendment and what is not. Under Standing Order 75(7) amendments can be of a consequential nature arising out of another amendment that has been carried, but must be moved by a minister of the Crown on a government bill. There is no provision