

Income Tax Act

No member other than a minister of the Crown may introduce a bill for the reduction of duties. The government must take full responsibility for the taxation levied to provide the revenue. But the House enjoys complete freedom to make every representation possible to the government with regard to the manner in which the ministers discharge this responsibility. This duty the members may perform by moving amendments to reduce the taxes proposed by the administration.

In this case, I even added the comment that in my own opinion the Chair's ruling did not rule out at all that possibility. Hon. members may therefore move such amendments provided, of course, they are in accordance with our rules, do not go against the provisions of the ways and means motion and are relevant to the clause to be amended. However, during the weekend, I have tried to examine and study this issue in depth, to look at the precedents and the authors at our disposal, and I am now convinced that the difficulty now facing us is not along those lines.

What concerns me especially is the fact that the amendment proposed by the hon. member for Edmonton West is in reality a substantive alternative, that is an alternative to the essential proposal contained in clause 30 of the bill.

I would like to note that the committee has every right to consider different proposals and different alternatives to a proposal contained in a clause of a bill, provided of course such proposals are otherwise acceptable. The Chair must therefore insist that before considering a substantive alternative or proposal, the committee must have had the opportunity to vote on the original proposal, that is the proposal contained in clause 30 of the bill as it was passed by the House on second reading. In this regard, I would like to refer hon. members to page 522 of the 19th edition of *Erskine May*, where we can see the following.

[*English*]

At the bottom of page 522 of "*Erskine May*" we find:

Furthermore, an amendment may not be moved to insert words at the beginning of a clause with a view to bringing forward an alternative scheme to that contained in the clause (s), or to leave out the whole substance of a clause in order to insert different provisions (t), or to substitute in effect a new draft for an existing clause (u). In all such cases the question that the clause stand part of the bill should be negated and a new clause brought up at the proper time.

[*Translation*]

The logic of this procedure seems obvious. The committee must not be asked to vote on an alternative before having voted on the original proposal contained in the bill. More specifically, the committee must first vote on clause 30, and then, if this clause is rejected, an alternative such as that proposed by the hon. member for Edmonton West can be considered, not as an amendment, but as a new clause.

I must therefore rule the amendment of the hon. member out of order on the grounds that it contains a proposal which should be submitted to the committee only if the committee has first of all rejected the original proposal contained in clause 30 of the bill.

[The Chairman.]

[*English*]

At this time I would add the comment that, in my opinion, the amendment moved by the hon. member for Edmonton West is not at fault procedurally as to relevancy or as to its relationship to the ways and means motion. I submit that it is relevant to the clause so it could be moved in part but not globally. It is my interpretation that by globally it is meant to replace a complete proposition instead of amending it. Second, the intent of the proposition does not offend and would not offend the ways and means motion if proposed in a proper way. As I said before, it could be accepted as a new clause if clause 30 was defeated or it remains optional to hon. members through the normal procedure by amending parts of clause 30. To do so may be to attain the same objective.

● (1742)

My conclusion is based on the basic procedure and practice that in committee you do not vote on an alternative clause before making a decision on the clause itself. Therefore, I cannot accept the amendment moved by the hon. member for Edmonton West in the present form.

Mr. Hnatyshyn: Mr. Chairman, I gather that, on the basis of your decision, we can carry on with clause 30. I want to point out to the minister that in essence what the Chairman has said underlines and supports the proposition put forward to the minister on many occasions, namely that his suggested plan for the province of Quebec is a dramatic departure from what he is doing for all of the other provinces in this country. It underlines that very basic proposition, if the ruling of the Chairman is to be accepted on the basis that he puts forward.

The minister has repeated over and over again during the course of our deliberations the fact that he has gone through a process of consultation with the provinces on this most important provision of the bill. I want to ask him some very straightforward questions. I hope we can get through them in a short period of time. Not only will it be interesting, but it will give the minister an opportunity to give us some specifics as to what kind of consultation has taken place. We can then judge how we are to deal with this particular provision.

I want to ask the minister some questions with regard to each of the provinces. They will be essentially the same questions. I will start with the province of British Columbia. In connection with this provision contained in clause 30, how long did the minister spend in consultation with that province? With what minister did he consult? What is the name of that minister? Where did the minister meet with his provincial counterpart to discuss the provisions? Would the minister be good enough to answer those questions in so far as the province of British Columbia is concerned?

Mr. Chrétien: Mr. Chairman, I do not know the orientation of the hon. member's questions. However, I had occasion to meet with Mr. Wolfe, the minister of finance. I met him in his office about two weeks before the budget. He was already aware through information received by his deputy minister and