

*Lobbyists Registration Act*

**Mr. Don Boudria (Glengarry—Prescott—Russell):** Mr. Speaker, I rise on a point of order. I want to draw to your attention, Sir, that I understand that it could be that the Chair may have some difficulty with the admissibility of some of the amendments I have proposed. As a matter of fact, in the unlikely event that you would rule that some of these amendments may be slightly out of order, I would like to take a moment to make a point to the Chair, particularly as it pertains to Motion No. 3 which would amend Bill C-82 to refine the definition of a public office holder. I would respectfully submit that this amendment would be in order.

We know, of course, that on page 555 of the latest edition of Erskine May, there are a number of examples set out to describe when an amendment is and is not admissible. I simply want to remind you of the parliamentary debates of the House of Commons of Great Britain in 1912 at page 2859. I am sure you are familiar with the decision that was taken by the Chairman of the Committee of the Whole at that time. Nevertheless, I think I should refresh the memory of other Hon. Members who may not be as familiar as you are with this issue.

It had been ruled at that time that an amendment to a tax Bill would be inadmissible because it changed the scope of the Bill. What happens is that amendment described at page 2859 of the *House of Commons Debates* of Great Britain in 1912 says that the particular tax was to be applied only to male persons. It was quite obvious that was introducing something to the Bill which went beyond the scope of the legislation the Minister had in mind. The chairman very ably recognized that and said the amendment was inadmissible.

● (1050)

I also want to refresh your memory about a decision taken at page 311 of the 1905 parliamentary debates of Great Britain which had a similar provision in it. Again it was ruled that a tax which was to apply to a particular class of person was foreign to the Bill because no class of persons had been identified in the original legislation.

I bring those two examples to your attention, and I have other similar examples which I could raise, to demonstrate that in my respectful opinion all the amendments that I propose are in order, in particular Motion No. 3 which says in part:

“public office holder in an attempt either to influence or to obtain information for the use of a client who attempts to influence”

My amendment further refines the definition of when lobbying is lobbying. In other words, when a lobbying activity exists. It does not create a further charge upon the Government. It does not introduce a new class of person that is to be taken care of in this particular legislation, and of course it does not attempt to introduce something foreign to what was in the Bill to start with. One could even argue that the amendment I have proposed could narrow down, as opposed to expanding, the scope of the Bill already.

What we are merely trying to do with Motion No. 3 is to ensure that those who lobby government are required to register when they are lobbying for a change in legislation or, with my amendment, when they are attempting to obtain information to provide it to a client who will then attempt to lobby the Government. I know you have been giving my representations your undivided attention, as you always do, and I trust that the Speaker will allow my amendments, in particular amendment No. 3, to be dealt with and voted on.

In the National Insurance Bill of Great Britain of November 22, 1960, there was an issue which also created a precedent setting case. Because it was so precedent setting I am sure you are familiar with it as well. What happened there, of course, was that an amendment was introduced by a Member with regard to the National Insurance Act, or the National Insurance No. 2 Bill as it was referred to. The purpose of the amendment was to amend another Act, in other words, an Act different from the one that was originally being amended in the original Bill. Therefore, if my amendment was attempting to make a change to another piece of legislation, the Speaker would be quite correct in saying that amendment would be out of order. Of course, the Chair knows that is the last thing that I intend to do with any of my amendments, more particularly amendment No. 3.

Therefore, I ask that you consider very carefully the representations I have just made in order to ensure that this Bill is as good as possible. In my opinion, with the further refinement of Motion No. 3 the Bill will be better and will make better legislation. From the procedural standpoint as well it will better clarify the definition of when someone is in fact engaging in a lobbying activity. As such I submit that particular motion is entirely in order.

**Mr. Jim Hawkes (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council):** On the same point, Mr. Speaker. I have listened with care and attention to the representations of the Hon. Member opposite. Having had a chance to review Motion No. 3, I think we must always be careful about amendments which run against the principle of the Bill as approved by the House at second reading. In the case of this particular motion, I think you might indeed find it out of order. I think it is the insertion of the words “or to obtain information for the use of a client” which would be particularly hazardous for the House. With a little imagination that would include, for instance, all journalists—

**Mr. Boudria:** No.

**Mr. Hawkes:**—who come to us seeking information.

**Mr. Boudria:** That is a point of debate.

**Mr. Hawkes:** If I review my recent meetings in my constituency office, a great many involved people in someone's employ in some way, shape or fashion, who come to me for information may indeed use it in a way designed to try and