

*Canada Assistance Plan*

be inclined not to consider either the arguments in favour of that proposition or those made against it.

Of course, if this motion can be considered at all, it is—as suggested by the hon. member for Winnipeg North Centre—as being a reasoned amendment by virtue of citation 382 of Beauchesne's fourth edition, which reads as follows:

It is also competent to a member who desires to place on record any special reasons for not agreeing to the second reading of a bill, to move as an amendment to the question a resolution declaratory of some principle adverse to, or differing from, the principles, policy, or provisions of the bill.

I am not going to comment on the argument made by the hon. member for Winnipeg North Centre in this respect. I gather his objection had to do with the possibility that someone might argue that the amendment was not in opposition to the principle of the bill. But, as he himself recognized, that argument was not advanced and his view of this matter should therefore not be considered.

Reasoned amendments, as hon. members have argued, are still subject to the general rule of relevancy. Page 527 of May's seventeenth edition states as follows:

The following rules govern the contents of reasoned amendments:

(1) The principle of relevancy in an amendment governs every such motion. The amendment must "strictly relate to the bill which the house, by its order, has resolved upon considering".

The point has been made by the Minister of National Health and Welfare that there is a requirement that the amendment should be strictly relevant. I have some doubts myself on this point; it should be noted that the words of the citation are exactly as I have quoted them. There must be strict relevance to the bill. A strong argument has been advanced by the minister to the effect that this reasoned amendment is not strictly relevant to the bill itself, in that it goes beyond its scope. I believe the amendment might well be ruled out of order on this ground alone.

However, there are a number of other difficulties which I am sure have not escaped the hon. member for Winnipeg North Centre and others who have taken part in the debate on the procedural aspects. For one thing, the rule of relevancy implies that a proposed amendment should not impose a condition on the proposal which it seeks to amend. This is, perhaps, an aspect which has escaped most hon. members; at any rate, if the argument

was put forward it escaped me. The hon. member proposed in his amendment that Bill No. C-207 shall not be passed unless, to use the wording of the amendment, concurrent legislation is introduced.

According to citation 94(1) of Beauchesne's fourth edition, this would appear to be out of order. The citation reads as follows:

The principle of relevancy in an amendment governs every proposed resolution, which, on the second reading of a bill, must not... attach conditions to the second reading of the bill.

As I understand it, the purport of this motion is that the bill will receive second reading, provided other parallel or concurrent legislation is introduced. This clearly, to my mind, and in my humble judgment, is attaching a condition to the second reading of the bill which is now before the house.

The third argument which was considered by all hon. members who took part in this very interesting discussion related the admissibility of the amendment, bearing in mind certain citations, in particular 148(1), 148(2) and 200(1) of Beauchesne's fourth edition, which I should like to read. The first reads as follows:

It is a wholesome restraint upon members that they cannot revive a debate already concluded; and it would be little use in preventing the same question from being offered twice in the same session if, without being offered, its merits might be discussed again and again.

Citation 148(2) says:

It is irregular to reflect upon, argue against, or in any manner call in question, in debate, the past acts or proceedings of the house, on the obvious ground that, besides tending to revive discussion upon questions which have already been once decided—

Substantially, it repeats the principle enunciated in 148(1). The other citation, again from Beauchesne's fourth edition, is 200(1):

An old rule of parliament reads: "That a question being once made and carried in the affirmative or negative, cannot be questioned again but must stand as the judgment of the house."

● (4:50 p.m.)

Hon. members have suggested that there is a substantial difference between this amendment and the one which was moved by the Leader of the Opposition (Mr. Diefenbaker) during the Throne Speech debate. I do not agree. The hon. member for Greenwood (Mr. Brewin) suggested that things have changed in the interim, between that time and now, a period of six months. That is quite possible; but what the Chair has to consider is the amendment itself and the amendment moved