

Canadian National Railways

in line with a certain declaration of principle by this House. I suggest that the precedent already referred to would, therefore, make this amendment inadmissible.

Mr. Speaker: I thank the Minister of National Defence (Mr. Macdonald) and the hon. member for Winnipeg North Centre (Mr. Knowles) for their very learned advice. As I indicated in the House earlier this afternoon, I have given serious thought to the matter. I do not believe the amendment should be opposed from a procedural point of view only for the pleasure of opposing such an amendment and complicating the work of the House. I believe we should be very careful of the type of amendment which we allow either on second or third reading, especially when we are dealing with a so-called reasoned amendment. The question is whether we have before us what could properly be defined as a reasoned amendment. This is the source of my difficulty.

The hon. member for Winnipeg North Centre has referred to the form of the amendment he has proposed, and I see no difficulty in this regard. Certainly the form which he has used is preferable to the form which is sometimes accepted by the Chair. I would hope that this form might be followed as closely as possible.

In respect of a reasoned amendment in the form proposed by the hon. member for Winnipeg North Centre, it is suggested that it opposes the progress of the bill. I am in agreement with that. This is one of the tests proposed in citation 382 upon which the hon. member for Winnipeg North Centre rests his case. He has met that condition. There are other tests, one of which was mentioned by the Minister of National Defence. It is referred to in citation 393(1) and is to the effect that the amendment should oppose the principle of the bill. I doubt whether the hon. member intended to oppose the principle of the bill and I am not sure whether his amendment does so. In any event, this is an important consideration.

There is another point of view or approach which is perhaps even more important than the one mentioned in support of his case by the hon. member who proposed the amendment, or the Minister of National Defence in opposition to the amendment. I refer to the question of relevancy. This is a basic condition that must be met. An amendment must be within the four corners of a bill and must be relevant to the bill. When I say an amendment is irrelevant to a bill, I do not mean that in the pejorative sense but in the sense that it is beyond the scope of the bill. I am just wondering whether this is not a weakness in the amendment.

I suggest to the hon. member for Winnipeg North Centre that the amendment should not import into the debate a question that is irrelevant to the purpose of the bill under consideration. I submit that the purport or substance of the bill is limited, as stated in clause 1, which is the short title, as follows:

This act may be cited as the Canadian National Railways Financing and Guarantee Act, 1970.

[Mr. Macdonald (Rosedale).]

• (4:00 p.m.)

As I am sure the hon. member will agree, this is very limited. It may be that the hon. member may think pensions flow from a measure to capitalize or finance the operations of Canadian National Railways, but I suggest to him the recommendation of the Crown relates exclusively to capital expenditures and to the meeting of deficiencies of Canadian National Railways and Air Canada.

While the Chair appreciates the zeal and interest of the hon. member for Winnipeg North Centre in the realm of pensions, which is of interest to all members of the House, I must say to him that his interest and concern in that regard is not relevant to the bill now before the House. I think they are different. I hesitate to say this, but it seems they are two different points and different questions.

While the hon. member's amendment, as I have stated, appears to be opposed to the progress of the bill, he is merely endeavouring to attach a condition which in my opinion is not within the scope of the bill or the motion for second reading thereof. In that regard I must draw the attention of the hon. member to citation 388 of Beauchesne's Fourth Edition which reads as follows:

On the motion for the second reading of a bill respecting the Canadian National Railways and to provide for co-operation with the Canadian Pacific Railway system, and for other purposes, a member moved as an amendment "that the second reading of this bill be postponed until this House declared that nothing therein shall be taken to authorize any amalgamation of the Canadian National Railway with the Canadian Pacific Railway; or to divest Parliament of its rights; or to take from the House of Commons its primary duty to control expenditures of public moneys and the taxes required to meet the same; and that the provisions of this bill shall be read in the light of this declaration, and be construed so as to conform therewith, and that in so far as any of its provisions may be inconsistent therewith they shall be amended accordingly, and that the adoption of this amendment by this House shall constitute the declaration of its intention and purposes as set forth herein." The Speaker ruled this out for the reason that, instead of being a declaration of principle, it proposed a postponement of the second reading pending a definite declaration of the House; moreover, it did not purport to disagree with the principle of the bill but it dealt with its provisions and anticipated amendments which may be moved in committee. On an appeal to the House, the Speaker's decision was sustained by a vote of 88 to 35.

Mr. Knowles (Winnipeg North Centre): Where were all the rest of the members on that day?

Mr. Speaker: In essence, it does seem to me that the hon. member's amendment does not oppose the progress of the bill. What he is trying to do, I suggest, is attach a condition to the motion for second reading. In that regard, I would refer the hon. member to page 528 of May's Seventeenth Edition where in part it is stated:

—nor is it permissible to propose merely the addition of words to the question, that the bill be now read a second time, as such words must, by implication, attach conditions to the second reading.

In effect, if I may so suggest, that is what the hon. member in reality is seeking to accomplish. I hesitate to