

been raised by honourable Members following the amendment that was proposed last evening by the honourable Member for South Western Nova (Mr. Comeau). The fact that this amendment was proposed shortly before the adjournment and that some reservation was expressed to the House at the time has given me the opportunity of looking into the matter from a procedural point of view and of considering the arguments that might be advanced either for or against the form and substance of the amendment proposed by the honourable Member.

I have spent some time studying the different procedural aspects of the matter, and keeping in mind the point of view that has been expressed by the President of the Privy Council (Mr. Macdonald) and the honourable Member for Parry Sound-Muskoka (Mr. Aiken) I should like to give my view of the matter.

At the outset I should like to restate for the purpose of the record both the motion and the amendment proposed by the honourable Member for South Western Nova. To the motion for the second reading of Bill C-144, the honourable Member proposed an amendment which reads as follows: "That all the words after "that" be struck out and the following substituted therefor:

"since it does not spell out, declare or assume a federal jurisdiction in pollution control matters; since no specific commitment of federal funds has been made; and since provision for establishment of water use standards, pollution offences, and penalties are not nation-wide but are limited to water quality management areas, this bill is therefore ineffective as a basis for a national water pollution control program and the minister is directed by the House to redraft Bill C-144 to include these and other fundamental omissions before it is read a second time."

The honourable Member for Parry Sound-Muskoka has very rightly brought to the attention of the House the fact that this is a new form of amendment. We will all recognize that this does not automatically make it out of order, but it does perhaps bring it more particularly to the attention of the Chair from a procedural standpoint. My original reaction, which I gather is the same as the one which the learned Deputy Speaker had last night, was that the proposed motion did not appear to be an amendment but, rather, a statement or declaration of principle in itself, it is more a substantive motion than an amendment.

As honourable Members have pointed out, citation 382 of Beauchesne's fourth edition states that, at the second reading stage: "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, or expressing opinions as to any circumstances connected with its introduction, or prosecution; or otherwise opposed to its progress; or seeking further information in relation to the Bill by Committees, Commissioners, the production of papers or other evidence or the opinion of Judges."

This citation in Beauchesne originally came from one of May's editions, to which I believe the President of the Privy Council has alluded. The operative words in the citation are that an amendment must propose "a resolution declaratory of some principle adverse to, or differing from, the principles, policy, or provisions of the bill".

Recognizing this, the honourable Member for Parry Sound-Muskoka has sought to indicate to the Chair that this type of principle is exposed in the amendment proposed by the honourable Member.