

Point of Order

an expression of regret that the government has failed to propose an amendment to that particular statute. It might still be, as the hon. member for Winnipeg North Centre has suggested, that if this had been the usual motion of non-confidence—and the government last year took the position that it could be the judge of whether an amendment or a subamendment contained the gravamen of a non-confidence motion—hon. members to my left could have added additional reasons. But this is not the case. My submission is—and I think this has been well pointed out by the hon. member for Edmonton West—that this subamendment refers specifically to a statute and to the failure of the government to propose the repeal of certain aspects of that statute. Surely there can be no connection at all between such an amendment and one dealing with a failure to increase family allowances.

Mr. Winch: May I suggest to the hon. member who has just resumed his seat that what he, in his explanation, calls a rifle shot approach is better known in parliamentary procedure as “weaseling”.

Mr. Deputy Speaker: I should like to thank hon. members who have participated in this discussion for their very helpful and enlightening comments. The question before the house at the present time is the amendment proposed by the Leader of the Opposition, which reads as follows:

That the following be added to the address: But we respectfully regret that Your Excellency's advisers have failed to propose the repeal of the 11 per cent sales tax imposed as a result of action by the present government in 1963, on certain building materials and certain machinery and apparatus to be used in manufacture or production which is, and will continue to be, detrimental to various segments of the Canadian economy.

The question which must be decided, as has been pointed out by hon. members, is whether the subamendment is relevant to the amendment. The amendment regrets that the government has failed to propose the repeal of the 11 per cent sales tax. On the other hand, the subamendment regrets that the government has failed to state that 1964 should be the year of and for Canadian families through the increase of family allowances.

At first glance it appears to the Chair that the subamendment introduces a new question, one which is not relevant to the amendment before the house. All the authorities state that it is a fundamental rule of procedure that a subamendment must be relevant to the question it proposes to amend. The citations referred to by the hon. member for Edmonton West strongly support this position.

[Mr. Baldwin.]

Perhaps I should refer to a few other citations in this regard. I might refer hon. members particularly to page 321 of Bourinot's fourth edition, where it is stated:

It is an imperative rule that every amendment must be relevant to the question on which the amendment has been proposed, and this rule has been invariably insisted upon by Canadian Speakers.

Citation 203 of Beauchesne's fourth edition reads in part as follows:

It is an imperative rule that every amendment must be relevant to the question on which the amendment is proposed. Every amendment proposed to be made either to a question or to a proposed amendment should be so framed that if agreed to by the house the question or amendment as amended would be intelligible and consistent with itself.

The law on the relevancy of amendments is that if they are on the same subject matter with the original motion, they are admissible, but not when foreign thereto.

The same authority, Beauchesne, in paragraph (3) of citation 202 goes on to say:

Since the purpose of a subamendment is to alter the amendment, it should not enlarge upon the scope of the amendment but it should deal with matters that are not covered by the amendment; if it is intended to bring up matters foreign to the amendment, the member should wait until the amendment is disposed of and move a new amendment.

This in some measure answers the argument brought forward by the hon. member for Winnipeg North Centre. It seems to me this is the type of proposition which could be considered when the amendment is disposed of after the vote has been taken on Tuesday night, and which might very well be in order at that time.

Reference has been made by several hon. members to the subamendment proposed on Thursday night by the hon. member for Burnaby-Coquitlam, which was similar in nature to the one now proposed by the hon. member for Lapointe. The house will also recall that Mr. Speaker pointed out at the time that the rule of relevancy applies with regard to subamendments. Although he allowed the subamendment moved by the hon. member for Burnaby-Coquitlam to stand, Mr. Speaker went on to say, as reported at page 79 of Friday's *Hansard*:

Last night, when no one rose to object I decided to accept the subamendment, even though I had doubts about its relevancy. In accepting this subamendment I endeavoured to suggest to the house that in future subamendments should be relevant in spite of considerable latitude given in the past.

In other words, I suggest that Mr. Speaker cautioned the house with regard to the need for subsequently observing the acceptable and necessary rules of relevancy dealing with subamendments in this debate. Therefore, in view of the admonition expressed by Mr. Speaker on Thursday and Friday last, and bearing in mind the explicit terms of the