

Routine Proceedings

Means motion, what status then would the bill have, if you rule that what we are doing today is, in a sense, inadmissible?

Mr. Speaker: The same question of course reverts back to what status would the notice have? I have made it quite clear to hon. members that the argument has been well argued, obviously well researched, and is complex. I need time to consider it and I am sure the hon. member will understand that.

Mr. Benjamin: Before any stage of the bill.

Mr. Speaker: I understand that the hon. member for Regina East has a point of view here, but I have made a ruling and I think that the ruling is appropriate.

I want to assure all hon. members that the matter will be considered seriously and will be ruled on after this stage and before second reading.

Mr. Peter Milliken (Kingston and the Islands): Mr. Speaker, I have one brief concern with the point that is under discussion and that is Standing Order 83(4) which states:

The adoption of any Ways and Means motion shall be an order to bring in a bill or bills based on the provisions of any such motion.

Now, as I understood the argument of the hon. member for Kamloops, the problem with the motion is that it was too vague. How is Your Honour going to be able to determine whether or not this bill, in the words of the rule, is based on the notice, if in fact the motion is so vague that we cannot determine whether the bill is based on it? I think it puts Your Honour in an extremely difficult position, with respect, between now and second reading.

I would suggest that the appropriate course would be to await Your Honour's ruling to determine the limits of the motion, and then if Your Honour determines that the motion is in order and what its limits are, in other words, are one or both of the technical papers referred to in the motion included, then we can determine whether or not the bill is in order. But it is going to be virtually impossible to do that until Your Honour's ruling comes down on that first point.

I suggest there are two issues here and, with respect, I would suggest that the first reading of this bill be deferred until we have received the word from Your Honour on the validity of the minister's notice of motion.

Mr. Speaker: I have listened to the hon. member, but I think that it is appropriate to go ahead with the introduction and first reading of the bill. I shall carefully consider not only the position of the hon. member for Kingston and the Islands but, as I have indicated, also the position

of the hon. member for Kamloops, and of course if the hon. minister wishes to address me further.

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AN ACT TO AMEND THE EXCISE TAX ACT, THE CRIMINAL CODE, THE CUSTOMS ACT, THE CUSTOMS TARIFF, THE EXCISE ACT, AND THE INCOME TAX ACT, THE STATISTICS ACT AND THE TAX COURT OF CANADA ACT

Hon. Michael Wilson (Minister of Finance) moved for leave to introduce a bill to amend the Excise Tax Act, the Criminal Code, the Customs Tariff, the Excise Act, the Income Tax Act, the Statistics Act, and the Tax Court of Canada Act.

Mr. Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Speaker: In my opinion the yeas have it.

And more than five members having risen:

Mr. Speaker: Call in the members.

The House divided on the motion which was agreed to on the following division:

(Division No. 170)

YEAS

Members

Andre	Attewell
Beatty	Belsher
Bird	Bjornson
Blackburn (Jonquière)	Blais
Bosley	Bourgault
Boyer	Brightwell
Cadieux	Campbell (Vancouver Centre)
Cardiff	Casey
Chadwick	Champagne (Champlain)
Chartrand	Clark (Yellowhead)
Clifford	Cole
Collins	Cook
Cooper	Corbett
Côté	Crosby (Halifax West)
Darling	DeBlois
de Cotret	Della Noce
Desjardins	Domme
Dorin	Duplessis
Edwards	Fee
Ferland	Fontaine
Fretz	Gérin
Gray (Bonaventure—Îles-de-la-Madeleine)	Guilbault
Gustafson	Halliday
Harvey (Chicoutimi)	Hawkes
Hogue	Holtmann
Horning	Hudon
Hughes	James
Jelinek	Joncas