

Continental Bank of Canada

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, I was mystified at the hon. member's raising that argument in his principal submission. I see no conflict. Standing Order 109 speaks of an important amendment. I ask, who moves an amendment that is not important? The Standing Order says that one day's notice of such an amendment must be given. The various subsections of Standing Order 75 say the same, that there must be one day's notice with respect to report stage amendments. The hon. member for Waterloo-Cambridge gave that one day's notice. He gave it to the Table yesterday and the amendment is printed in today's order paper. I may be slow, but I see no conflict. Both Standing Orders say the same.

Mr. Lambert (Edmonton West): What about unimportant amendments?

Mr. Speaker: Order, please. We must be clear. I understand the argument of the hon. member for Edmonton West (Mr. Lambert), but there is one point on which I should like to receive further comment. It was my impression that Standing Order 116, in which there is no provision for the elimination of the report stage, would apply. The argument of the hon. member for Edmonton West is that Standing Order 116 is ruled out because it uses the words, "Except as herein otherwise provided." Standing Order 109 makes a provision with respect to notice of amendments that is different from the notice required with respect to report stage motions. It seems to me that the difference, if any, is one of notice, not of procedure.

It may be argued that there is some conflict with respect to Standing Order 109. There may be some argument as to whether at the report stage, if there is one, a member is bound to give 48 hours' notice or only 24 hours as contemplated in Standing Order 109. That question involves only a question of notice.

There is another difficulty to which hon. members have not addressed themselves and about which we must be clear. At the report stage we deal with motions, not amendments. That point has not been touched on. The intent of a motion may be to alter a bill. The fact is, these are not amendments; they are motions. We must make that clear distinction.

● (1730)

Mr. Knowles (Winnipeg North Centre): May I suggest we are dealing with a problem similar to the one the hon. member for Edmonton West raised when he opened up the question of chapter titles. Perhaps the motion put down by the hon. member for Waterloo-Cambridge should have been listed on the order paper under some heading other than Notices of Motions pursuant to Standing Order 75(5). Maybe it should have been put down under the terms of Standing Order 109. I do not find any greater difficulty there than I do about those chapter titles generally.

There is no doubt that under S.O. 109, if it is an important amendment—and they are all important—24 hours' notice is required. Mr. Speaker, the necessary 24 hours' notice was given yesterday in writing to the Table. The item appears in print; it is on the order paper. Surely it is not invalidated if it has been placed under a heading which does not altogether attach to it. It seems to me that if we go

back to the original proposition, namely, that any bill is subject to a report stage amendment—I am thinking now of Your Honour's distinction between an amendment to a bill and an amendment to a clause in a bill—if any bill is subject to a report stage amendment, then private bills are covered, and my hon. friend has met the relevant provision by giving notice under 75(5).

[Translation]

Mr. André Fortin (Lotbinière): Mr. Speaker, I should like to take part in this very important procedural debate dealing with the amendments moved by my hon. colleague for Waterloo-Cambridge (Mr. Saltsman) to Bill S-30. I was impressed by the arguments of the hon. member for Winnipeg North Centre (Mr. Knowles) who referred to Standing Orders 109 and 116. Mr. Speaker, having heard your own arguments in reply to that intervention, it seems obvious that the hon. member for Waterloo-Cambridge has the same right as any parliamentarian, namely to take an active part in presenting the amendment if he so wishes, and he may do so at any stage of the bill. That is the case of Bill S-30.

The subject of the amendment is of no consequence at this point. The fact remains that Standing Order 109 stipulates that an hon. member cannot move an important amendment to a private bill, in the House, unless he has given one day's notice.

That is how I see it, and so does the hon. member for Winnipeg North Centre, according to his testimony.

This is perfectly in keeping with Standing Order 109. As far as Standing Order 116 is concerned, it says the following:

Except as herein otherwise provided, the Standing Orders relating to public bills apply to private bills.

Mr. Speaker, this means that the hon. member for Waterloo-Cambridge (Mr. Saltsman) is entirely right in introducing an amendment at this stage of the study on Bill S-30. Otherwise, Mr. Speaker, the result would be that the report stage for the study of this kind of bill would not exist at all. If an hon. member cannot put forward an amendment at the report stage of such a bill, it means this stage simply does not exist. Therefore, Mr. Speaker, I would ask you, with all due respect, to quote the Standing Order which would enable you to assert that, in effect, this stage does not exist. If it does, this means that the hon. member enjoys the same rights for this kind of bill as for a government bill. This is the essence of Standing Order 116.

Standing Order 116 is a basic protection for hon. members whether they are backbenchers, opposition or government members, in that sense that they can participate in the study of legislation and this means that not only can they speak on it but also bring forward amendments.

At that stage we run across Standing Order 109 which states that in this particular case a major amendment cannot be brought to the House unless notice has been given 24 hours before, a rule which the hon. member for Waterloo-Cambridge complied with. In other words, Mr. Speaker, your decision is extremely important. If you deny