

Canagrex

Mr. Deputy Speaker: The question is on Motion No. 6. Is the House ready for the question?

Some Hon. Members: Question.

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

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed to the motion please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 79(11), a recorded division on the proposed motion stands deferred.

The question is on Motion No. 7. Is the House ready for the question?

Some Hon. Members: Question.

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

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed to the motion please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 79(11), a recorded division on the proposed motion stands deferred.

• (1740)

Mr. Thacker: Mr. Speaker, Motion No. 2 was originally moved out of order. We believe that there are precedents with which you will agree to indicate that this amendment can be put to Clause 2, which is the interpretation clause.

Because I think you can rule on it very quickly, I briefly refer to Bill C-176 which was debated in late 1971. If you look at the December 30, 1971 edition of *Hansard* on page Nos. 10895, 10896, 10944 and 10945, you will see that amendments were accepted to the interpretation clause which permitted the amendment to go forth. I think it is just that simple, and we ask for that ruling now.

Mr. Nowlan: Mr. Speaker, I just want to amplify very quickly what my hon. friend said.

Mr. Smith: You are just trying to be helpful.

Mr. Nowlan: Right, I am just trying to be helpful to the Chair and to Hon. Members. The amendment of the Hon. Member for Medicine Hat (Mr. Hargrave) was obviously to extend the meaning of the interpretation clause. The debate on the National Farm Products Marketing Act, which I think

Your Honour and other Hon. Members will remember was a very contentious matter both in committee and in the House, went on for ten months and was led by the eminent Mr. Horner, the then Hon. Member for Crowfoot, along with the then Hon. Member for Swift Current-Maple Creek, Mr. McIntosh. As reported on page 10895 of *Hansard*, the Hon. Member for Swift Current-Maple Creek, Mr. McIntosh, moved an amendment to the interpretation clause which in effect had the same thrust as the amendment of the Hon. Member for Medicine Hat in Motion No. 2. At that time he moved the following amendment:

That the amendment be amended by adding thereto, immediately following the word 'product' at the end thereof, the words 'but, for the purpose of any of the provisions of this act, shall not include cattle or calves;'

The point I want to make very briefly and succinctly, in view of the fact that the clock is ticking away, is that in the interpretation clause of Bill C-85 there are already certain items set out which are excluded, for example, fish and forestry products or by-products. The amendment of the Hon. Member for Medicine Hat does not add any new substantive matter. It adds to the exception.

I have referred to the precedent in the debate on the National Farm Products Marketing Act. I must admit that that amendment was accepted. The Chair may appreciate that it was not debated too extensively, but the interesting thing is that the amendment of the Hon. Member for Swift Current-Maple Creek at that time was to amend the amendment in the interpretation clause to include cattle or calves. It was accepted and it was put to a vote. Certainly I think it is the most recent precedent I have been able to find. It happens to be right on point because it is the very same issue of cattle or calves.

Mr. Deputy Speaker: The Deputy Chairman of Committees has already expressed an opinion on the matter. I would like to quote from a decision of Mr. Speaker Lamoureux as reported in *Hansard* on November 28, 1974. It reads:

It seems to me that an amendment which adds to the definition clause of a bill a definition which was not contemplated in the original drafting of the bill, thereby seeking not simply to clarify the definition section but to limit the application of the bill to the kind of activity that is defined by the proposed amendment, would go not only beyond the scope of the clause under consideration but would probably be outside the principle and scope of the bill itself.

In this case, the exclusions of fish and forest products are clearly of a generic kind. The attempt to exclude cattle, in the opinion of the Chair, goes beyond the principle of the Bill and introduces something substantially beyond the original intent in the drafting of the Bill.

That was the interpretation of the Deputy Chairman in the previous debate in the House. The Chair has heard no argument which would persuade it to change the position of the Deputy Chairman. Therefore I rule Motion No. 2 to be unacceptable.