

Energy Security Act

Mr. Smith: Madam Speaker, the chase is coming along fairly well. I am in hot pursuit and hopefully we will obtain something before too long.

Madam Speaker: Shall the remaining questions be allowed to stand?

Some hon. Members: Agreed.

GOVERNMENT ORDERS

[English]

ENERGY SECURITY ACT, 1982
MEASURE TO ESTABLISH

On the Order: Government Bills (Commons):

Second reading and reference to a Committee of the Whole of Bill C-94, an act to amend and enact provisions related to the Petroleum Administration Act, the National Energy Board Act, the Foreign Investment Review Act, the Canada Business Corporations Act, the Petro-Canada Act, the Energy Supplies Emergency Act, 1979 and the Oil Substitution and Conservation Act; to repeal the Energy Supplies Emergency Act; to amend an act to amend the Petroleum Administration Act and the Energy Supplies Emergency Act; to amend the Adjustment of Accounts Act; and to enact the Petroleum Incentives Program Act, the Canadian Ownership and Control Determination Act, the Energy Monitoring Act and the Motor Vehicle Fuel Consumption Standards Act.—*The Minister of Energy, Mines and Resources.*

Madam Speaker: Perhaps hon. members might wish me to refer at this time to the point of order raised yesterday afternoon by the hon. member for Calgary Centre (Mr. Andre). He has taken the position that Bill C-94, being an omnibus bill of considerable complexity, should be divided. I take this opportunity to thank him for the arguments he presented. Also I want to express my thanks to those other hon. members who offered their contributions to this interesting procedural matter.

● (1530)

This question is one which is not only of concern to me, but has also concerned some of my predecessors in this chair. The hon. member for Calgary Centre has described his view of the difficulties encountered in a measure of this kind and has supported his view with procedural arguments. In presenting his procedural argument, no precedents were cited which would establish the validity of his point of order that the bill should be divided.

The hon. member did, however, emphasize the observation of Mr. Speaker Lamoureux in a ruling of January 26, 1971, as follows:

There must be a point where we go beyond what is acceptable from a strictly parliamentary standpoint.

Mr. Speaker Lamoureux went on to rule that the government in that instance had followed the accepted practice of the past. Although he expressed the reservation that the point of going too far may have been reached, he did not offer a solution, except to say that future omnibus bills should be

scrutinized at first reading stage when hon. members can express their views.

Mr. Speaker Jerome, on May 11, 1977, expressed—

—some very deep concern about whether our practices in respect of bills do in fact provide a remedy for the very legitimate complaint of the hon. member that a bill of this kind gives the government, under our practices, the right to demand one decision on a number of quite different, although related subjects.

No solution to the matter was proposed by Mr. Speaker Jerome. The bill was allowed to proceed.

For my part, in the present circumstances there seems little point in offering yet another opinion on a question so well addressed by my distinguished predecessors. The matter is there for all to see. It may be that the House should accept rules or guidelines as to the form and content of omnibus bills, but in that case the House, and not the Speaker, must make those rules.

Therefore, having heard argument and having examined Bill C-94, I must now rule on the basis of existing precedents, which do not support the proposition that the bill should be divided or struck down.

Mr. Harvie Andre (Calgary Centre): Madam Speaker, I rise on a point of order. I am not arguing with the ruling that you have now made, but it does bring forward a number of questions. There is one in particular that I would like to put to the Chair. It arises from Citation 764(1) which has affected me adversely in the past. It reads:

A committee is bound by the decision of the House, given on second reading, in favour of the principle of the bill, and should not, therefore, amend the bill in a manner destructive of this principle.

Perhaps the Chair could give me some guidance as to what the principle of this bill is so that I might be guided in terms of what amendments at committee stage I am permitted to propose or not propose.

Mr. Pinard: That is a hypothetical question.

Madam Speaker: I would not think the Chair would want to make any comments on the principle of the bill. The Chair would only comment on procedural matters. I am afraid that at the present time I cannot answer the hon. member's question.

Mr. Andre: Madam Speaker, it is quite clear that second reading is a vote on the principle of the bill. It is quite clear from our precedents that we are going to be required to vote on that principle and that we are going to be guided by the principles in preparing amendments for committee study. Having given the view that in fact there is a principle, having established by your ruling that indeed we can have a second reading vote on the principle, I think my question as to what the principle is is very reasonable under the circumstances.

[Translation]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, may I draw your attention to citation 117(5)