

mended in the Report of the Standing Committee on Transport and Communications, tabled in this House on October 5, 1970, and concurred in by the House of Commons on October 7, 1970, the said concurrence having been unanimous.

RULING BY MR. SPEAKER

Mr. SPEAKER: I thank the honourable Acting President of the Privy Council (Mr. Macdonald) and the honourable Member for Winnipeg North Centre (Mr. Knowles) for their very learned advice. As I indicated in the House earlier this afternoon, I have given serious thought to the matter.

I do not believe the amendment should be opposed from a procedural point of view only for the pleasure of opposing such an amendment and complicating the work of the House. I believe we should be very careful of the type of amendment which we allow either on second or third reading, especially when we are dealing with a so-called reasoned amendment. The question is whether we have before us what could properly be defined as a reasoned amendment. This is the source of my difficulty.

The honourable Member for Winnipeg North Centre has referred to the form of the amendment he has proposed and I see no difficulty in this regard. Certainly the form which he has used is preferable to the form which is sometimes accepted by the Chair. I would hope that this form might be followed as closely as possible.

In respect of a reasoned amendment in the form proposed by the honourable Member for Winnipeg North Centre, it is suggested that it opposes the progress of the bill. I am quite in agreement with that. This is one of the tests proposed in citation 382 on which the honourable Member for Winnipeg North Centre rests his case. He has met that condition. There are other tests, one of which was mentioned by the honourable Minister of National Defence (Mr. Macdonald). It is referred to in citation 393(1) and is to the effect that the amendment should oppose the principle of the bill. I doubt whether the honourable Member intended to oppose the principle of the bill, and I am not sure whether this amendment does so. In any event this is an important consideration.

There is another point of view or approach which is perhaps even more important than the one mentioned by the honourable Member who proposed the amendment, in support of his case, or the honourable Minister of National Defence, in opposition to the amendment. This is the question of relevancy. This is a basic condition that has to be met.

An amendment must be within the four corners of the bill and relevant to the bill. When I say an amendment is irrelevant to a bill I do not mean that in the pejorative sense, but in the sense that it is beyond the scope of the bill. I am just wondering whether this is not a weakness in the amendment.

I suggest to the honourable Member for Winnipeg North Centre that the amendment should not import

into the debate a question that is irrelevant to the purpose of the bill under consideration. I submit that the purport or substance of the bill is limited, as stated in clause 1, which is the short title as follows: "This Act may be cited as the Canadian National Railways Financing and Guarantee Act, 1970."

As I am sure the honourable Member will agree this is very limited. It may be that the honourable Member may think pensions flow from a measure to capitalize or finance the operations of the Canadian National Railways, but I suggest to him the recommendation of the Crown relates exclusively to capital expenditures and to the meeting of deficiencies of the Canadian National Railways and Air Canada.

While the Chair appreciates the zeal and interest of the honourable Member for Winnipeg North Centre (Mr. Knowles) in the realm of pensions, which is of interest to all Members of the House, I must say to him that his interest and concern in that regard is not relevant to the bill now before the House. I do think they are different. I hesitate to say this, but it seems they are two different points and different questions.

While the honourable Member's amendment, as I have stated, appears to be opposed to the progress of the bill, he is merely endeavouring to attach a condition which, in my opinion, is not within the scope of the bill, or the motion for second reading thereof. In that regard I must draw the attention of the honourable Member to citation 388 of Beauchesne's fourth edition which reads as follows: "On the motion for the second reading of a Bill respecting the Canadian National Railways and to provide for co-operation with the Canadian Pacific Railway System, and for other purposes, a Member moved as an amendment "that the second reading of this Bill be postponed until this House declared that nothing therein shall be taken to authorize any amalgamation of the Canadian National Railway with the Canadian Pacific Railway; or to divest Parliament of its rights; or to take from the House of Commons its primary duty to control expenditures of public moneys and the taxes required to meet the same; and that the provisions of this Bill shall be read in the light of this declaration, and be construed so as to conform therewith, and that in so far as any of its provisions may be inconsistent therewith they shall be amended accordingly, and that the adoption of this amendment by this House shall constitute the declaration of its intention and purposes as set forth herein." The Speaker ruled this out for the reason that, instead of being a declaration of principle, it proposed a postponement of the second reading pending a definite declaration of the House; moreover, it did not purport to disagree with the principle of the Bill but it dealt with its provisions and anticipated amendments which may be moved in Committee. On an appeal to the House, the Speaker's decision was sustained by a vote of 88 to 35.

In essence it does seem to me that the honourable Member's amendment does not oppose the progress of the bill. What he is trying to do, I suggest, is to attach a condition to the motion for second reading. In that