

The Budget—Mr. R. A. Bell

extinguished at the initiative of the government. It seems to me that is precisely the point that is at issue.

Mr. Richard A. Bell (Parliamentary Secretary to the Minister of Finance): Mr. Speaker, may I add to the submissions which I made to Your Honour on December 21, particularly by drawing Your Honour's attention to paragraph 2 of citation 198 of Beauchesne's Parliamentary Rules and Forms, which reads as follows:

A motion should not be argumentative and in the style of a speech, nor should it contain unnecessary provisions or objectionable words.

What applies to a motion of course applies equally to an amendment. My submission to Your Honour is that the amendment proposed by the hon. member for Kenora-Rainy River offends directly against this citation. The purpose of an amendment or of a motion is to state principles and to propose action or remedies; it is not to engage in argumentation or documentation which is appropriate to the proposing speech or to the subsequent supporting speeches. If citation 198 were not followed, I submit it would be impossible to draw the line anywhere and a whole speech might be incorporated into an amendment.

The hon. member for Bonavista-Twillingate has cited the amendment which was moved on February 23, 1932 by Hon. Peter Heenan, and he says that is the parallel. Quite obviously it is the parallel and the model for this particular amendment. But I would point out to Your Honour that the point now raised was never argued before Mr. Speaker Black and the precedent the hon. member quotes, therefore, has all the authority that a default judgment would have if it were cited in a court of law.

I have read two of the other amendments which were cited by the hon. gentleman. I have not read the third. In the two I have read the point at issue was not raised. So I respectfully submit they in no sense constitute a precedent. What the hon. gentleman's argument really amounts to is this. It is a suggestion that somehow, by some means or other, on ways and means it is possible to breach the rules of the house; that the ordinary rules of the house do not apply in respect of a motion to go into committee of ways and means.

Of course the rules relating to amendments, the rule relating to argumentation, to relevancy, and all the rules relating to motions and amendments apply to a motion on going into supply or a motion on going into committee of ways and means equally well. If this lengthy and argumentative preamble is, as I submit, objectionable, may I ask Your Honour to consider whether the whole amendment itself is not completely out of order.

On December 21 Your Honour indicated a tentative belief that the final paragraph might constitute a substantive amendment which might be severed from the objectionable parts.

My submission to Your Honour is that it is not so severable. It is clear, I think, that Your Honour has the right, before putting a motion or amendment to the house, to make technical corrections so that the motion or amendment shall conform to the usages of the house. That is citation 199.

That right does not exist, in my respectful submission, where the objectionable features of an amendment or motion are of a substantive nature, which is the case before the house. I submit it is only on the basis of this distinction that one may reconcile the first and fourth paragraphs of citation 199, or reconcile the decisions of Mr. Speaker Lemieux and Mr. Speaker Macdonald and that of Your Honour on the budget amendment of last year. Where the objectionable parts are substantive the principle which applies is that cited in the second subparagraph of paragraph 4 of citation 199, which reads in part as follows:

Any irregularity of any portion of a motion shall render the whole motion irregular.

The authority for this is Smith's Digest, seventh edition, at page 233. I endeavoured to follow that further, but I found that neither in the library nor elsewhere could Smith's Digest be obtained. I hope that lack may be rectified.

This was the position which was taken by Mr. Speaker Macdonald on November 23, 1949 when Mr. Stanley Knowles proposed an amendment on second reading of an act to amend the Combines Investigation Act. Mr. Speaker Macdonald ruled that part of the amendment was admissible but another part was objectionable on the ground that it called into question an issue already decided by the house. In the *Journals* at page 280 of the second session of 1949 Mr. Speaker Macdonald is quoted as follows:

Since the proposed amendment is defective in part I must rule the amendment as a whole out of order.

That decision was appealed and upheld by the house. Any seeming conflict there may be between that decision based on citation 199 and the decision of Mr. Speaker Lemieux of April 28, 1924, with which Your Honour is familiar, and Your Honour's own decision of April 4, 1960, must be reconciled, I submit, by reference to the last sentence of citation 193, which reads as follows:

If the irregularities are trivial or without bearing on the main purpose of the motion the house may agree to rectify them, but the mover himself cannot amend his own motion.