

Transportation

—unless Your Honour does not agree with the decision already taken—clearly be asking the committee to do something which was considered beyond the scope of the bill.

• (12:20 p.m.)

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, like the Minister of Transport I shall be brief because we have spent quite some time on procedural matters this week, but it does seem to me that this amendment is within the four corners of the kind of amendments that are in order on third reading. Citation 415 on page 287 of Beauchesne's fourth edition states:

When a bill comes up for third reading a member may move that it be not now read a third time but that it be referred back to the committee of the whole for the purpose of amending it in any particular.

There are a number of other citations which spell out that point. The minister does not quarrel with that, but he contends that the amendment is beyond the scope of the bill because it deals with something which the bill does not include.

I remind Your Honour of the earlier discussion we had in committee of the whole on this matter. I think the situation was different, but some of the points that were made then apply now. I also remind Your Honour that clause 42 of the bill has a subheading which reads "Abandonment and Rationalization of Lines or Operations." In other words, the subject of abandonment and rationalization is in the bill. I also remind Your Honour that the resolution preceding the bill, as recorded at page 7743 of *Hansard* for August 29, 1966, listed many things that the bill would do and concluded with this phrase:

—and to provide further for other matters consequential upon or related or incidental to any of the foregoing.

I submit that if abandonment and rationalization of railway lines is one of the subjects of the bill, and if one of the purposes of the bill is to provide for matters consequential upon or related or incidental to any of the matters in the bill, then surely it is appropriate to ask for consideration of the consequences to employees of abandonment or rationalization of railway lines.

When we were in committee of the whole one of the arguments advanced was that the kind of amendment which my colleague moved at that stage might involve the expenditure of money out of the treasury, and thus it was not open to a private member to move it. We are not now at that stage. We are at

[Mr. Pickersgill.]

third reading, where it is possible to move that the bill be referred back for consideration of a matter, it being recognized that such a motion, even if it passes, is not compulsory and therefore does not run up against the problem of finance so far as a private member is concerned.

As I say, Mr. Speaker, there are many precedents for this and there is much that could be said, but I do not think we want to go into it at length today. My notes, which I have looked at quickly in order to refresh my memory, tell me that on the Canada Pension Plan legislation we were allowed to refer it back on such matters as the amount of the old age pension and the age at which it would be paid. Likewise we were allowed to refer the medicare bill back to the committee of the whole for reconsideration of the effective date and one or two other matters.

It seems to me, Mr. Speaker, that the kind of amendment now proposed by my colleague is similar to those amendments and that Your Honour should, and I trust will, find it to be in order.

Hon. John N. Turner (Member of the Administration): Mr. Speaker, I wish to address myself briefly to the point of order. I would point out that in citation 415 in Beauchesne's fourth edition there is also subparagraph (4) which reads as follows:

On the third reading of a bill, an amendment to refer back to the committee of the whole must not tend to change the principle approved on the second reading.

When one relates this citation and its principle to the argument adduced by the Minister of Transport, it is our submission that the amendment goes beyond the principle of the bill which has to do with rates, tariffs, and regulation. The amendment deals with a subject which is foreign to the substance of the bill in that it refers to the relationship between the railways as employers and the employees, a matter involving negotiation, conciliation and other matters falling within the ambit of a labour bill.

I do not argue for a moment that the substance of what the amendment proposes is not important and will some day, and some day soon, have to be brought before this house, but what I do adduce by way of submission to Your Honour is that it is foreign to the principle of this bill and therefore inadmissible under citation 415(4) of Beauchesne, and is irrelevant because it does not deal with the main purport of the bill.