

Mr. Jerome: I see the hon. member shakes his head. He suggests that his amendment does not give a specific direction to the committee but, rather, asks the committee to give consideration—

Mr. Baldwin: To the advisability.

Mr. Jerome: —to the advisability of doing something. In other words, he is not asking the committee to consider the bill in its entirety but is asking it, instead, to confine its attention to one subject only, the contents of his amendment. I submit that that specific direction to the committee constitutes a fatal flaw in the amendment which the hon. member proposes.

For those reasons, I submit that the amendment cannot be and ought not to be accepted. Its acceptance would destroy existing precedents and would constitute a most dangerous new precedent, by permitting substantive amendments to be introduced at the third reading stage, which otherwise would not be permitted. Further, the precedent would permit bills to be referred to some body, with a specific direction that something be or be not done. This amendment would be a substantive amendment at this stage. Its flaws, I submit, are fatal to it and I submit it is out of order.

Mr. Baldwin: It is fatal for us to suggest anything the government does not like.

Mr. Munro: Even if you have tried it twice.

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, I did not decide to speak in this procedural debate until my good friend, the Parliamentary Secretary to the President of the Privy Council (Mr. Jerome), took the floor. His attempt to say that you cannot move amendments on third reading which would refer a bill back to a committee makes it necessary for me to defend the right that has been exercised in this House a good many times. Some day I should like to take him to the library and show him bills considered in the last century, when neither he nor I were here, that were subjected to third reading amendments between 40 and 50 times. Therefore, the business of referring bills back to committee from third reading is not something that was dreamed up by the hon. member for Peace River (Mr. Baldwin).

• (1650)

The reason I was thinking of sitting this one out is that I cannot get excited about amendments that propose to raise the amount that old age pensioners are getting from \$82.88 to \$90 or something like that. What is needed is a change in the bill to provide a basic pension of \$150 a month. If I knew of any way to bring in an amendment that would force this House to vote on that proposition, the amendment would be made but, frankly, I see no way in which that can be done, under our rules as they stand.

Even though I am not excited about this amendment, for I think it is a case of trying to put up something to cover the fact that the Leader of the Opposition (Mr. Stanfield) has declared himself against the \$150 a month pension, I think there is a procedural case to be made for this amendment. So far today, most of the talking has been off the cuff. That is usually my style as well. For a

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change, let us look at Beauchesne's Fourth Edition, citation 415(1), and I quote:

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.

The reference there is to the committee of the whole, but if the bill has been before a standing committee, it is common practice that that is the place to send the bill back. The rest of citation 415(1) simply says that the motion is not debatable. Citation 415(2) reads:

Bills may be recommitted a number of times with or without limitation; in the latter case, the whole bill is opened to reconsideration, but in the former case the Committee can only consider the clause or amendments or instructions referred to them.

Surely, there is an implication in 415(1) and (2) that it is possible by way of an amendment on third reading to ask that a bill go back to committee with a request that such and such be considered. That is what the hon. member for Simcoe North (Mr. Rynard) is asking, that this bill be not now read a third time but that it be sent back to the Standing Committee on Health, Welfare and Social Affairs for the purpose of reconsidering a certain aspect of the bill.

There is another citation or two along the same line, asserting the right of referral. Your Honour may say quite frankly that there are also some citations that raise doubts. This is why we have Speakers—to resolve these differences. Citation 415(4) reads:

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.

That imposes a certain limitation. The same kind of limitation appears in citation 418 which reads:

All amendments which may be moved on a second reading of a bill may be moved on the third reading with the restriction that they cannot deal with any matter which is not contained in the bill.

In other words, if this amendment sought to change a principle, not a detail, that was approved on second reading, or sought to put into the bill something that is not already contained in the bill, in principle, then it would be out of order. As the hon. member for Peace River pointed out, the subject matter of this amendment is already in the bill. He referred to the hon. member's recommendation for provision for escalating of the pensions paid under the Old Age Security Act to reflect the full amount of the cost of living increase. I suggest that the hon. member for Simcoe North is not importing any new idea. The bill already provides that there shall be an escalation clause, different from the old 2 per cent ceiling that we had, related to the actual cost of living. This amendment simply proposes a change in detail as to how that escalation is to be put into effect.

Speaking procedurally, it seems that this amendment does not offend citation 415(4) or the sentence I read from citation 418 from Beauchesne and that it is supported by citations 415(1) and (2). In substance, I still do not think that the amendment deals with what we should be dealing, but I have to support the hon. member's right to put such an amendment.

[Translation]

Mr. André Fortin (Lotbinière): I thank you, Mr. Speaker.