

# HOUSE OF COMMONS

Tuesday, September 13, 1983

The House met at 11 a.m.

● (1105)

## GOVERNMENT ORDERS

[English]

### EXPORT DEVELOPMENT ACT

#### MEASURE TO AMEND

The House proceeded to the consideration of Bill C-110, an Act to amend the Export Development Act, as reported (with amendments) from the Standing Committee on Finance, Trade and Economic Affairs.

**The Acting Speaker (Mr. Corbin):** Order, please. Before proceeding with the debate I should like to draw to the attention of Hon. Members that there are eight motions on the Order Paper at the report stage of Bill C-110, an Act to amend the Export Development Act. I have examined these motions and have concluded that Motion No. 1, standing in the name of the Hon. Member for Mississauga South (Mr. Blenkarn), should be debated and voted on separately.

Motion No. 2, standing in the name of the Minister of State for International Trade (Mr. Regan), and Motion No. 4, standing in the name of the Hon. Member for Mississauga South, give the Chair some misgivings concerning their procedural acceptability. Motion No. 2 seeks to repeal Section 9(2) of the Act and substitute a new wording, while Motion No. 4 seeks to amend Section 11(2) of the same Export Development Act. Hon. Members will note that the Bill before us does not propose to amend either section. I refer to May's Nineteenth Edition at page 521:

(1) An amendment is out of order if it is irrelevant to the subject matter . . . or beyond the scope of the clause under consideration.

I also refer to Beauchesne's Fifth Edition, citation 773(8)(B):

An amendment may not amend sections from the original Act unless they are specifically being amended in a clause of the Bill before the Committee.

I remind Hon. Members of citation 792 which indicates that the rules for admissibility of amendments in committee apply equally to report stage.

On December 15, 1977, as reported at page 1909 of *Hansard*, the Chair considered a nearly identical case in which the Chair ruled that only the subsection in the Bill was before the House and that an amendment to another subsection of the Act not in the Bill was out of order.

On June 19, 1970, Mr. Speaker Lamoureux said, as reported at page 1043 of *Journals*:

We must limit amendments to the Bill that is before the House and . . . cannot go behind the Bill in an attempt to amend the statute . . . In this way the Hon. Member is really proposing substantive legislation. He is proposing his own bill, in a way.

I am convinced that both these precedents give ample authority for my ruling that both Motion No. 2 and Motion No. 4 are unacceptable.

Motions Nos. 3 and 5 should be grouped for debate but voted on separately. Motions Nos. 6 and 8 should be grouped for debate but voted on separately. Motion No. 7 should be considered and voted on separately.

● (1110)

**Mr. Don Blenkarn (Mississauga South)** moved:

Motion No. 1.

That Bill C-110, an Act to amend the Export Development Act, be amended in Clause 1 by striking out lines 14 to 22 at page 1 and lines 1 and 2 at page 2 and substituting the following therefor:

"4. (1) The Chairman shall be appointed by the Governor-in-Council and should be a person not regularly employed in the public service of Canada either directly or indirectly or in the public service of any province in Canada and shall hold office during pleasure for such term not exceeding five years.

(2) Three Directors of the Corporation shall be appointed by the Governor-in-Council from among persons employed in the public service of Canada to hold office during pleasure.

(3) The balance of the Board of Directors shall be appointed by the Governor-in-Council and shall be persons not regularly employed in the public service of Canada either directly or indirectly or in the public service of any province in Canada and shall hold office during pleasure for such term not exceeding five years.

(4) Subject to (3) each director not appointed among persons employed in the public service is eligible for re-appointment on the expiration of his term of office, but any such director who has served two consecutive terms during the 12 months following the completion of his second term is not, during the 12 months following the completion of his second term, eligible to be re-appointed a director of the Corporation.

(5) The Vice-Chairman shall be elected by the Board from among its members."

He said: Mr. Speaker, the amendment before us, Motion No. 1, follows to a large extent the wording of appointments in Clause 4 of the Export Development Corporation Bill. The concept in the amendment is to increase the number of directors in the corporation to 15 and to ensure that the chairman and the vast majority of directors are not employed in the Public Service.

The problem with the existing corporation is that in the majority, the directors are persons employed in the Public Service or working for the Government. The consequence is that we have not had in this corporation the benefit of the real private input that we should have in a corporation of this nature.