

*Transportation*

of the railways and the interests of the government in its responsibility for transportation.

I conclude by simply reinforcing the arguments that have already been made urging the minister to look at this amendment and to consult his advisers to see if it cannot be accepted. If it goes beyond the scope of the resolution and involves an expenditure of money, the minister may ask one of his colleagues to move an appropriate amendment. It is as simple as that. I think that the minister, after hearing the suggestions made from this side of the house, will decide that this matter deserves to be covered in the legislation.

**The Chairman:** The Chair is ready to make a ruling on the amendment if that is the wish of the committee. First of all I should like to thank hon. members who have taken part in the discussion on this point of order. I should point out also that there is no question in the mind of the Chair as to the importance of the problem. However, the responsibility of the Chair is not to decide on the importance of the problem as related to the railways and to the men concerned but to decide whether or not the amendment is procedurally correct.

I listened very carefully to the statement made by the hon. member for Nickel Belt and also to the statements made by the hon. members for Winnipeg North Centre, Winnipeg North, Winnipeg South Centre and Acadia. I have also taken into account the argument presented by the minister.

First of all I should say that I think there are three things to be considered here. Whether or not there are financial implications in this amendment is a matter of opinion. The Chair is not particularly impressed with that argument although I recognize there are conditions that might flow from this amendment which would indeed have financial implications. However, the Chair is of the opinion that this amendment does go beyond the scope of the bill. I believe that the question which has been raised by the hon. member for Nickel Belt more properly comes within the realm of labour relations as applied to the railways. I am of the opinion also that the amendment as moved by the hon. member for Nickel Belt is perhaps not particularly relevant to the proposed section 314D.

● (4:30 p.m.)

I might refer hon. members to page 549 of May's seventeenth edition where it is stated:

An amendment is out of order if it is irrelevant to the subject matter or beyond the scope of the bill—

I have read the amendment very carefully, I have listened to the arguments presented by members, and it is the opinion of the Chair that the amendment moved by the hon. member for Nickel Belt is not relevant to the clause now before the committee and is outside the scope of the bill. I therefore rule the amendment out of order.

**Mr. Lewis:** Mr. Chairman, with great regret and without any loss of respect of Your Honour, I appeal your decision to the Speaker.

● (4:40 p.m.)

**Mr. Speaker** resumed the chair, and the chairman of the committee made the following report:

Mr. Speaker, the question is an appeal to Mr. Speaker from a decision of the chairman of the committee of the whole pursuant to section 4 of standing order 59. In committee of the whole when clause 42 subclause 314D of Bill C-231 was being considered the hon. member for Nickel Belt proposed an amendment as follows:

"That Bill C-231 be amended by adding in clause 314D after subclause (5) thereof, the following as subclause (6):

(6) Notwithstanding anything in section 182 of the said act, where a company makes any change, alteration or deviation in its railway or any portion thereof or abandons any portion or branchline thereof which results in loss of employment by any of its employees either directly or through the exercise of seniority, the company shall compensate such employees as the commission deems proper for any financial loss caused to them by change of residence or loss of employment necessitated thereby."

Using paragraph 1, page 549 of May's seventeenth edition, I ruled the amendment out of order in that it was outside the scope of the bill and irrelevant to the clause then being considered by the committee, whereupon the hon. member for York South appealed the decision to Mr. Speaker.

**Mr. Knowles:** Mr. Speaker, although this procedure is provided in our provisional standing orders we always regret employing it because it seems to suggest that we are setting two occupants of the chair against each other. Let me assure Your Honour and the chairman of the committee of the whole that this is not so. We feel the issue involved in this amendment is so important that it deserves the consideration of at least two judicial heads.

When the amendment was moved by the hon. member for Nickel Belt the Minister of Transport raised two points of objection. I mention these to fill Your Honour in about what has happened. One point the minister raised was not accepted by the chairman of the committee of the whole, the contention that this amendment would involve the expenditure of public moneys. We were able to