

HOUSE OF COMMONS

Friday, February 12, 1993

The House met at 10 a.m.

Prayers

[*English*]

POINT OF ORDER

AMENDMENTS TO BILL C-76

Mr. Don Boudria (Glengarry—Prescott—Russell): Madam Speaker, I know that in a few moments when we move to Orders of the Day, the Chair will rule on the admissibility of amendments to Bill C-76.

I wish to bring to the attention of the Chair that yesterday my colleague, the member for Ottawa Centre, sent an amendment at approximately 5.55 p.m. The amendment was deemed to have been not receivable because it was sent on what is known as a fax machine or telecopier instead of being sent by hand.

I am sure all members know that except for legal documents which must be served personally, it is generally acceptable that virtually any kind of transaction today is done in that particular manner. Indeed, anyone who is familiar with real estate or any other kind of procedure like that knows perfectly well that the distribution of a document by way of fax machine is deemed to be quite acceptable.

However when it comes to serving an amendment, an amendment which was duly signed, and the original of which was later sent, the fax copy was sent to the Clerk's office by six o'clock and it was not deemed to be receivable.

I submit respectfully that in the age of modern equipment, telecopiers and telephones that we now have for this House, I question not accepting a document from an hon. member because a photocopy is sent. After all a fax copy is nothing less than a photocopy sent by electronic mail.

I submit that is not in keeping with the spirit of having this House function as best as possible.

• (1010)

I ask if the Speaker would undertake to review this and possibly rule, at the moment, after consultation perhaps with the Clerk that the amendment should have been and should still be receivable. It was sent before the appropriate time, duly signed, by way of a telecopier machine.

[*Translation*]

Mr. Charles A. Langlois (Parliamentary Secretary to Minister of Industry, Science and Technology): On the same point of order, Madam Speaker. I must tell you quite frankly that I have a problem with the representations made to the Chair this morning by the hon. member for Glengarry—Prescott—Russell.

To send documents by fax is commonplace today, but the fact remains that a legal document, an authoritative, authentic document, is one that has been sent through the normal channels, has been signed and is deemed to be an original.

Faxes are not originals. In that context, I think that as far as the point of order raised by the hon. member for Glengarry—Prescott—Russell is concerned you ought to look at it as a precedent and I would suggest caution in considering this specific point of order.

[*English*]

Mr. Iain Angus (Thunder Bay—Atikokan): Madam Speaker, certainly in the past I have been able to submit through my caucus amendments by facsimile to the appropriate office on the Hill, provided that I have personally signed the document. It has been accepted by the Table as having been delivered in the appropriate manner.

[*Translation*]

Madam Deputy Speaker: I am advised at this time that the point at issue is not just the faxing of the document. It is a little more complicated than that, since the request apparently was not in the form of an amendment *per se*. As we speak, we are checking the exact time at which the document was received. Once that is known, we will determine whether it was drafted as an amendment or if assistance was requested to do so, but above