

Combines Investigation Act

other one. In the other one, the members were deciding whether or not this bill should be referred to a committee with the instructions that are an essential feature of a motion of the kind. This is a straight motion criticizing the action of the government in that respect, and I submit it is strictly in conformity with the authority that has been read by the member for Lake Centre. It is an authority of many years' standing which in this house and in other legislative bodies with the same system has been quoted repeatedly to show that it is proper to present a question of this kind to the house. I submit that the motion is in order, and in keeping with the rules and established practice.

Mr. MacInnis: I should like to say two or three words in connection with the points that have been made. In my opinion this amendment is in order. The first thing we have to keep in mind is that the question before the house is the Combines Investigation Act and the amendment of that act. If this bill had been brought before the house as an act to amend the Combines Investigation Act, abolition of juries,—which is a section in the bill—then any debate and any amendment would have to be limited to that point. The broad title of the bill, however, is an act to amend the Combines Investigation Act; therefore, as has been demonstrated in this house on a number of occasions, the whole act is open. The Minister of Justice shakes his head.

Mr. Garson: Horizontally, too.

Mr. MacInnis: Yes, and the time may arrive when I can demonstrate to the Minister of Justice that that is a ruling which has been made in this house. Since there is no definite standing order relating to this, the reference is citation 755 of Beauchesne's second edition. Let me read it:

It is also competent to a member who desires to place on record any special reasons for not agreeing to the second reading of a bill, to move as an amendment to the question, a resolution declaratory of some principle adverse to, or differing from, the principles, policy, or provisions of the bill,—

Surely that is clear and broad.

—or expressing opinions as to any circumstances connected with its introduction—

The circumstances connected with the introduction of this bill are quite clear, and they are matters that are before us.

—or prosecution; or otherwise opposed to its progress; or seeking further information in relation to the bill by committees, commissioners, the production of papers or other evidence or the opinion of judges.

According to this citation, the amendment that can be moved at this time is so broad,

Mr. Speaker, there is no possibility in my opinion of ruling it out. The mere fact that there has been another amendment on another principle cannot be taken now as a reason for ruling out an amendment that deals with an altogether different matter. I suggest to you, sir, that the amendment proposed by the member for Lake Centre is in order.

Mr. Speaker: I have heard the views of the members. May I say again that I regret that I started to give a decision without hearing the views of the members. I was under the impression no member wished to speak to the point of order. I have no intention of changing my practice of hearing the members when a question of order arises.

A number of points have been raised, but may I deal first with the reference to citation 755 of Beauchesne's second edition, which is 657 of his third edition. This reference has been read by the hon. member for Vancouver East (Mr. MacInnis), and it appears to be so wide as to allow amendments which do not refer directly to the wording of the original motion. I think I should point out, however, that those amendments must necessarily be relevant to the bill which is before the house. May's Parliamentary Practice, thirteenth edition page 391, states, as I mentioned earlier, that "the principle of relevancy in an amendment governs every such proposed resolution." In view of my ruling earlier today, no hon. member has satisfied me that this amendment is sufficiently relevant to make it in order. Moreover, a close inspection of the references made by the hon. members for Lake Centre and Winnipeg North Centre does not disclose anything to disturb that principle.

The hon. member for Vancouver East also said that the whole act is open to debate. I cannot agree with him. I gave a ruling to the contrary last week. He stated that he could refer me to other rulings. I could probably remind him that I gave a different ruling myself when I was Deputy Speaker, but since then I have had the advantage of the advice of the members of this house, and I find I was wrong then, but I believe I was right last week.

A question has been raised by the Minister of Justice (Mr. Garson) to the effect that this amendment is so similar to the amendment which was moved by the leader of the opposition (Mr. Drew) that it cannot be moved a second time. In reply to that argument, the leader of the opposition has stated that his motion was to refer the matter to a committee. He did not deny that the contents of this amendment and his amendment were practically the same. Let me remind hon.