

ducers. In most cases at meetings that I attended the most important thing pointed out was the movement and transportation of grain. At the end of Motion No. 1 we read:

—and this Act is enacted in accordance with and for the attainment of so many of these objectives as fall within the purview of subject matters under the jurisdiction of Parliament relating to grain transportation.

I submit that Motion No. 1 moved by the Hon. Member for Vegreville is most relevant. I hope the Chair will see fit to have this become part of the Bill, and that the transportation of grain and the producers affected will benefit most from the work of this House.

**The Acting Speaker (Mr. Blaker):** The understanding of the Chair is that the House may be ready to move to debate on Motion No. 33.

**Mr. Benjamin:** No.

**The Acting Speaker (Mr. Blaker):** I have already indicated that if some Hon. Member rises on a point of order I will recognize him. The Hon. Member for Regina West (Mr. Benjamin) rises on a point of order.

**Mr. Les Benjamin (Regina West):** Yes, Mr. Speaker. On the preliminary rulings of Madam Speaker on Motions Nos. 2, 3, 4, 5, and 6, she says specifically that these amendments to Clause 2 of the Bill are substantive amendments. I wish to present arguments to indicate that Motions No. 2 to at least Motion No. 12 are merely housekeeping amendments. If one examines Motion No. 2, one will see that the wording is identical to the wording in the original Bill or perhaps even that in the Bill as reported back. Motion No. 2, as is the case with Motion No. 3, transfers definitions from Clause 34 to Clause 2. They have the same wording. I do not know what is substantive about it.

● (1540)

We argued about and discussed this matter at some length in committee. I refer the Chair to the minutes of the committees' proceedings of August 8 wherein the Chairman indicated that he would like counsel for the officials to answer Mr. Reid's question. Mr. Lefebvre, general counsel for Transport Canada said:

—there are no clear and fast rules as to where you put definitions when you draft a bill. You put them where you think they will be the most helpful, where the access to the definitions will be the easiest. Sometimes, if you look at this particular bill, we have some at the beginning. We judged it best not to put the definitions that are now in Parts II and III at the beginning, for the main reason they are not useful to the first 30 clauses.

Mr. Lefebvre suggested that to have three or four pages of definitions at the beginning of the Bill would make it more difficult to identify the particular definition needed for the first part. Also he suggested that the definitions were quite closely related to Parts II and III and that it would be advisable, when dealing with rates, for example, to have only the definitions that relate to them.

I and others in the committee argued the opposite, that it was more convenient, simpler and easier to peruse the Bill or, if it were to pass, to peruse the Act of Parliament, if we knew

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we had to go to only one place in the Bill to find the definitions. We argued that it did not matter which clause of the Bill we looked at after Clause 2, that we should only have to go to one place in the Bill to find the definitions. I submit that there is nothing substantive about that. It is purely a matter of opinion as to where is the best place to locate definitions. A number of us in committee took the position that it was better to have them all in the same clause. Counsel for Transport Canada thought it was better to have definitions for each clause at the head of each clause.

The problem we found was that the definition of one clause often applied to another clause and that, in going through the Bill, we were bouncing back and forth between three or four places because a definition which might appear at the head of Clause 3 could also apply to Clause 4 or Clause 5 or even back to Part II. That was another reason for submitting the amendments, which the committee Chairman did not rule out of order.

The initial reaction of the committee Chairman was that we could not move an amendment that amended two clauses at the same time. I was very careful to ensure that my amendment in committee and my Motion No. 2 amended only one clause. Also, in committee we made it clear that should my amendment to consolidate the definitions in Clause 2 carry, at a later proceeding in committee I would move a consequential amendment deleting the definition from Clause 34, Clause 54 or wherever else it might appear.

According to the committee minutes, when the Chairman read my amendment to Clause 2, the following exchange took place:

MR. BENJAMIN: That is in order.

THE CHAIRMAN: That is in order.

MR. BENJAMIN: I see.

THE CHAIRMAN: The definition of "base rate scale" and the definition of "CN adjustment".

MR. BENJAMIN: And I guarantee I will move the consequential amendment when we get to the other part of the bill.

THE CHAIRMAN: I thought you would.

How can anyone construe that Motions Nos. 2 to 19 are substantive? They only move a definition from one part of the Bill to another. It escapes me completely. Where my motions move exactly the same words from one part of the Bill to another, I submit they are in order. They are not substantive. They are purely housekeeping, and it is the most convenient and easiest way to find definitions in a Bill. Counsel for Transport Canada and I disagreed, but that did not mean my amendments were out of order. In fact, the committee Chairman allowed them.

If any of the motions from Motion No. 1 to Motion No. 19 or thereafter change the words of the definition in transferring it from one clause to another, then of course the Chair would have to consider whether or not they exceed the Royal Recommendation or go beyond the intent of the Bill. In that event the Chair will have to decide which of my motions affecting definitions not only transfers them from one clause to another but substantively changes the wording. Then we would need to