

Speaker's Ruling

For the benefit of all members, I should start by giving out the definition of an omnibus bill as found in the House of Commons' *Glossary of Parliamentary Procedure*. An omnibus bill is defined as: "A bill consisting of a number of related but separate parts which seek to amend and/or repeal one or several existing Acts and/or to enact one or several new Acts."

[English]

The hon. member is correct when he points out that Bill C-17 is an omnibus bill. However, as has been noted in numerous rulings by previous Speakers and most recently in a ruling by Speaker Fraser on April 1, 1992, procedurally there is nothing in our rules and practices which prohibits the government from introducing omnibus bills.

• (1505)

In his ruling Speaker Fraser, quoting the hon. member for Windsor West, the current government House leader, described omnibus bills in this way:

The essential defence of an omnibus procedure is that the bill in question, although it may seem to create or to amend many disparate statutes, in effect has one basic principle or purpose which ties together all the proposed enactments and thereby renders the bill intelligible for parliamentary purposes.

This can be found on page 9147 of the *Debates* for April 1, 1992.

[Translation]

One of the reasons omnibus bills are introduced by the government is to aid parliamentary discussion by grouping all statutory amendments for the implementation of a policy in the same bill. As Speaker Jerome noted on May 11, 1977, at page 5522 of the *Debates*, the use of omnibus bills was at that time a well established practice in the Canadian House. This is still the case. In fact, there are numerous examples where legislation to implement budgetary provisions have taken the form of omnibus bills.

[English]

Often confusion arises between the Chair's power to divide complicated motions and the Chair's past decisions not to divide omnibus bills. Part of the confusion is attributable to our concept of what it means to adopt a motion for second reading of a bill.

Debate at second reading relates to the principle of the bill and not to its specific clauses. The principle may be very simple or quite complex. Since there is not necessarily a unique section of a bill which defines its principle the debate is understood to be general at this stage with detailed consideration at later stages.

However, the question before the House is very simple. It is that the bill be now read a second time and referred to a committee, and not that certain sections of the bill be dealt with

in a certain manner. The decision of the House, therefore, is whether to send a bill for further consideration to a committee. The question of the principle of a bill is obviously closely linked to the second reading motion.

The argument presented by the hon. member for Calgary West is: "That the subject matter of the bill is so diverse that a single vote on the content would put members in conflict with their own principles".

However, it is the view of the Chair that in the adoption of a second reading motion the House gives approval in principle to a bill and then moves on to the consideration of its specific provisions in subsequent stages.

[Translation]

It must also be remembered that the Chair has ruled that there is nothing procedurally objectionable to a bill containing more than one principle. Speaker Sauvé expressed this in a ruling given on June 20, 1983, and I refer hon. members to page 26538 of the *Debates*. She stated at that time:

—although some occupants of the Chair have expressed concern about the practice of incorporating several distinct principles in a single bill, they have consistently found that such bills are procedurally in order and properly before the House.

Bearing directly on this matter, the hon. member from Calgary West quoted Beauchesne's Sixth Edition, citation 626(1). I will read the citation for the benefit of the House. It states:

Although there is no specific set of rules or guidelines governing the content of a bill, there should be a theme of relevancy amongst the contents of a bill. They must be relevant to and subject to the umbrella which is raised by the terminology of the long title of the bill.

• (1510)

[English]

The hon. member has argued that the House is being asked to take one decision on a number of unrelated items. However, in the Chair's opinion a common thread does run throughout Bill C-17; namely, the government's intention to enact the provisions in the recent budget, including measures to extend the fiscal restraint measures currently in place.

In their remarks both the parliamentary secretary and the hon. member for Glengarry—Prescott—Russell also pointed out that the provisions in the bill had arisen out of the budget presented by the Minister of Finance which had already been debated by the House.

As was underlined by the Parliamentary Secretary to the Government House Leader and the hon. member for Glengarry—Prescott—Russell, the House heard the Minister of Finance make a statement on the budgetary policy of the government on February 22, 1994. The House subsequently debated the budgetary motion for several days and adopted it on a recorded division on March 23, 1994.