

Yesterday Mr. Speaker mentioned that these so-called reasoned amendments are intended to give an opportunity to members to place on the record a reason for opposing the principle of the bill. The Chair agrees with this, but questions the interpretations put on this by the honourable Member for Peace River and the honourable Member for Winnipeg North Centre (Mr. Knowles).

The honourable Member for Peace River referred to the changes in the rules. Of course the Chair is quite aware that there has been a fast evolution in the past few years particularly since 1968 when rules have been changed. Even though these rules have been amended, I am sure that honourable Members will not ask the Chair to further amend these rules by making a ruling that in itself will tend to modify a long established practice in the House of Commons. The Chair would meet with great difficulties if it were asked to do so. I agree that a new practice has developed, as mentioned by the honourable Member, to send more bills to the committees, making it more easy to give second reading without questioning all the details of a bill in the hope that the committee would have a better opportunity to adopt modification.

This was referred to by the honourable Member for Winnipeg North Centre who said that with the change in the rules we downgraded slightly the second reading stage of a bill, but I do not think this is a reason which should prevent the Chair from making a decision based on past practice, precedent and rules of this House.

There are basic rules we have to follow. Of course, there is little doubt in the mind of the Chair that a reasoned amendment at the second reading stage of a bill involves one of the more difficult of Parliament's proceedings. The invitation which has been made in the past by Mr. Speaker, to have the Standing Committee on Procedure and Organization look at this matter, still stands. I am sure honourable Members would benefit from a discussion of this problem outside the House rather than discussing it only in the context of a particular amendment in respect of which the Chair has to make an important decision, because this could prevent some honourable Members, in view of their opinion of the bill itself or the subject-matter under discussion, from expressing a clear view on the whole subject-matter; one might be defending the amendment and another opposing it. If the Standing Committee on Procedure and Organization considered this matter outside of this context it might come forward with suggestions useful to honourable Members, the House and the Chair.

Referring again to the difficulty met in respect of a reasoned amendment, I would invite honourable Members to look at page 527 of May's Seventeenth Edition where three rules are set out concerning the form of a reasoned amendment with a description of the categories of that kind of an amendment. It reads as follows: "(1) It may be declaratory of some principle adverse to, or differing from, the principles, policy or provisions of the bill.

(2) It may express opinions as to any circumstances connected with the introduction or prosecution of the bill, or otherwise opposed to its progress.

(3) It may seek further information in relation to the bill by committees, commissioners, the production of papers or other evidence.

Such amendments have tended in modern times to become rather stereotyped and are confined generally to the first two categories."

Category No. 3 as described by the author may have become obsolete in the British House of Commons in view of our practice of referring the subject-matter of a bill to a committee.

Citation 386 in Beauchesne's Fourth Edition refers to that type of amendment.

To go back to May's Seventeenth Edition and the citation to which I have already referred, there is a description of the types and classes of amendments which fall into that category referred to as "reasoned". At the foot of page 527 and at the top of page 528 of May's Seventeenth Edition it is stated: "The principle of relevancy in an amendment governs every such motion. The amendment must "strictly relate to the bill which the House, by its order, has resolved upon considering", and must not include in its scope other bills then standing for consideration by the House.

The amendment must not be concerned in detail with the provisions of the bill upon which it is moved, nor anticipate amendments thereto which may be moved in committee; nor is it permissible to propose merely the addition of words to the question, that the bill be now read a second time, as such words must, by implication, attach conditions to the second reading.

An amendment, which amounts to no more than a direct negation of the principle of the bill, is open to objection."

In those three paragraphs the conditions which must be met by a reasoned amendment are stated. In paragraph (1), as cited, one important condition must be met when an amendment is moved to a motion for second and third reading. This is the rule of relevancy.

The amendment, according to the rule of relevancy, must relate strictly to the bill the House is considering at the time. Coming back to the amendment before us, to my mind the first part of the amendment, referring to what the mover calls "government delay in introducing Bill C-211" is quite irrelevant to the principle of the bill. It must be said also that the motion does not claim to oppose the bill on those grounds. Actually the Chair would be tempted to ask itself if it were accepting the arguments made by the honourable Member for Peace River (Mr. Baldwin) and the honourable Member for Winnipeg North Centre (Mr. Knowles) whether their reasons were valid, and, if so, the reasoned amendment as such might become obsolescent. Later the proposed amendment suggests that there should be a provision