Spadina that the point he raised is not one which has completely escaped the Chair but I will consider very carefully the remarks he has just made.

Mr. Gray (Windsor West): Mr. Speaker, I wonder if I could address to you some brief remarks with respect to the alleged precedent brought to the attention of this House by the Deputy Government House Leader. After he raised the precedent it struck me as being so interesting that I got the book and read it myself. I want to point out that the book in question, entitled *Selected Decisions of Speaker Lamoureux*, is really a series of précis of the actual rulings in question.

● (1600)

The précis with respect to the ruling cited by the Deputy Government House Leader under the heading "Background" says:

> On February 19, during debate on the motion for second reading of Bill C-224, an Act relating to ambient air quality and to the control air pollution, Mr. McGrath (St. John's East) raised a point of order to claim that the bill was not properly before the House because certain provisions were consequential upon Parliament passing Bill C-207, an Act respecting the organization of the Government of Canada, presently being considered in the Committee of the Whole. Bill C-224 defined "the minister" as the Minister of the Environment while Bill C-207 contained a clause proposing the creation of the Department of the Environment.

I have not had time to look at the actual decision as transcribed in *Hansard* but assuming that this précis under the heading "Background" is accurate, I respectfully submit that the ruling of Speaker Lamoureux dated February 24, 1971, is not relevant to the current situation which I have raised. It would appear that the point of order on which Speaker Lamoureux ruled in February, 1971, dealt simply with the matter of one Bill referring to something which had no meaning unless one took into account another Bill which was before the House at the same time.

There is no suggestion in this précis that one of the two Bills had a clause in it which attempted to amend a clause of the other Bill before the House. If that is the case, then the precedent in question is clearly distinguishable and in my opinion is not in any way relevant to the case we are considering.

I have argued that what is wrong with the trade Bill, C-130, is that it attempts to formally amend another Bill which is still under consideration before the House. Therefore, my point is that in order to amend another Bill before the House, that latter Bill itself has to be amended and it cannot be done in another Bill. My point is not that one Bill cannot be passed because it refers to something in another Bill which has not yet been dealt with by the House. That is the point dealt with by Speaker Lamoureux, but that is not the point I raised earlier this afternoon in the House.

Mr. Speaker: I understand that there is a short intervention by the Hon. Member for Essex—Windsor (Mr. Langdon).

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I want to refer to the point raised specifically by the Member for Windsor West (Mr. Gray) with respect to Bill C-110. I have been a member of the legislative committee that has now completed its work. The Bill itself has been amended in the process of that legislative committee in such a way that it is not consistent with the various amendments which are suggested here within this part of the Bill dealing with it. For instance, there is a suggestion on page 120 that Bill C-110 be amended to make reference to "Subject to Section 59". However, the legislative committee made a decision to strike out Clause 59 from the Bill itself.

I suggest this adds force to the fact that we are dealing with a situation that is becoming far too complicated by trying to draw in Bills which not only have not been passed but are in the process of amendment and may, in fact probably will come back to the House before such time as the trade Bill itself is discussed. At that point the reference will not make sense according to the changes which have been agreed upon by the legislative committee.

Mr. Gray (Windsor West): Mr. Speaker, I now want to raise a separate point of order. It is for that purpose that I want to draw your attention to Clauses 6 and 9 of Bill C-130. Clause 6 of Bill C-130 states:

> For greater certainty, nothing in this Act, by specific mention or omission, limits in any manner the right of Parliament to enact legislation to implement any provision of the Agreement or fulfill any of the obligations of the Government of Canada under the Agreement.

Clause 9(1) states:

> The Governor in Council may, where the Governor in Council is of the opinion that, for the purpose of giving effect in a province to Chapter Eight of the Agreement, regulations are necessary in relation to any matter dealt with by that Chapter, make regulations for that purpose including, without limiting the generality of the foregoing, regulations requiring or prohibiting the doing of anything in relation to which a regulation may be made under this subsection and prescribing penalties for the contravention of or non-compliance with any such regulation.

Clause 9(5) states:

> A regulation made under subsection (1) in respect of a province is binding on Her Majesty in right of that province.

Clause 6 implicitly, and Clause 9 explicitly, propose amendments to the authority of the federal Parliament and Government with regard to the jurisdiction of the provinces under the Constitution Act. The Constitution clearly provides that amendments to the federal-provincial division of powers require a special procedure, that is to say, not an ordinary Bill but parallel resolutions of both Houses of Parliament and of a specified number of the provincial legislatures.

While the citations are many and clear that the Speaker cannot be called to rule upon questions of law, including constitutional law, there are procedural aspects of the Constitution that Speakers can and do rule upon.

An example of this relates to the financial initiative of the Crown. This relates to the principle that no measure to create