

Income Tax Act

to go into committee. I suggest that a message be sent to Mr. Speaker under the circumstances, because that was certainly not the case.

The Deputy Chairman: Order, please. The hon. member will understand that the proceeding he is referring to cannot be judged by the Chairman of the committee. If the hon. member wants the committee to report progress and to bring Mr. Speaker back into the Chair, there is only one way, as Chairman of this committee, that I can make a decision as to that to the satisfaction of the hon. member.

Mr. Turner (Ottawa-Carleton): Mr. Chairman, I would support the interpretation of what happened that as given by the hon. member for Edmonton West. If there is unanimity, perhaps we should ask the Speaker to resume the Chair.

Mr. Lambert (Edmonton West): I do not want to be very, very difficult about this, but I should like to indicate to the Chairman, as perhaps he knows as a result of occupying the Chair himself that at the particular point when proceedings in the House change it is absolutely impossible to hear what is being said by the Chair. Therefore, in view of what the Minister of Finance has said perhaps I can move that the committee rise, report progress, and that we then revert to second reading when Mr. Speaker is in the Chair.

The Deputy Chairman: I am not sure whether I understand correctly the proposal the hon. member is now making. If he wants to put a motion to the Chair, I think it should be followed up. Otherwise, there could be another solution. The practice has been that hon. members could be permitted to make speeches on the whole subject matter of the bill under Item 1.

Mr. Lambert (Edmonton West): The motion is not required to be in writing.

Mr. Turner (Ottawa-Carleton): Mr. Chairman, the committee is master of its own rules and, by unanimous consent, we are asking you to report progress in order that we might return to the second reading stage as though second reading were not given. I think that is the consensus of the committee.

Mr. Baldwin: In answer to that, Mr. Chairman, it was not the intention of this committee, sitting before as the House, that second reading should be given without an opportunity for adequate debate, and any such interpretation is not in accord with the view of the House.

The Deputy Chairman: Is there unanimous consent to the suggestion of the minister that the committee report progress in order that we might call Mr. Speaker back to the Chair?

Some hon. Members: Agreed.

The Deputy Chairman: The procedure suggested to the committee, as I understand it, is to dissolve the committee and revert to the procedure we agreed to and return to second reading stage. Is that agreed?

Some hon. Members: Agreed.

[Mr. Lambert (Edmonton West).]

Progress reported.

[Editor's note: And the House having returned to a consideration of the motion for second reading.]

Hon. Marcel Lambert (Edmonton West): Mr. Speaker, I thank you for coming back. As I explained to the Deputy Chairman, it was impossible to raise this point of order in respect of the action of the Minister of Finance (Mr. Turner) before the committee. This point of order is really raised for clarification, and is something on which Your Honour may have to take advice, or perhaps it will have to be referred to the Committee on Procedure.

This matter arises because of the unusual circumstances the House finds itself in today as a result of the so-called superseding notice of motion and a bill being presented, presumably based on that motion and having reference to notices of motions for ways and means of May, 1972 and February 19, 1973.

Standing Order 60(11) reads as follows:

The adoption of any Ways and Means motion shall be an order to bring in a bill or bills based on the provisions of any such motion.

Quite to the contrary, the House has adopted five ways and means motions, each of which was an order of this House to bring in a bill or bills based on the provisions of such motion. On Tuesday last, the Minister of Finance introduced Bill C-170, and that is the one that is before us for consideration today. This bill is divided into three parts. The first part relates to the Income Tax Act, the second part commencing at page 110 of the present bill relates to amendments to the income tax application rules, 1971, and the third part commencing at page 136 relates to chapter 63 of the 1970, 1971 and 1972 statutes. Each of these parts of Bill C-170 relates to a different ways and means motion, yet the wording of the rule suggests there can be a bill or bills arising out of one motion, but not one bill arising out of several motions. Accordingly, I suggest to Your Honour that we have to consider whether this bill conforms to Standing Order 60(11).

The minister acted on his own motion, and without obtaining the consent of the House to suspend the application of Standing Order 60(11). As a result there is no way of raising a point of order and there is no debate at that time.

An additional oddity is that two of the motions purport to amend the same act, one part being Part III and the other Part IV. The minister has not explained why such changes were based on separate ways and means motions, and under a strict interpretation of Standing Order 60(11) he should have brought in separate bills, not an omnibus bill. The reason I raise this matter is that this is the first occasion of this kind and it may require clarification.

The second point I should like to make, and this is as a result of a combination of circumstances which originated in the inability of the government to make up its mind as to what it intended to do in proceeding with ways and means motions, relates to the presentation of two budgets. The motions were tabled as required by the rules following the presentation of the budget messages. Then, the government waited, waited and waited and finally made up its mind to bring in what the minister calls a superseded-