

before the House be withdrawn and two new bills be presented; that there be a division of the bill. At that time the Deputy Speaker held as follows:

With respect, it is my feeling that the hon. member is not opposing the principle of the bill but is suggesting another way in which the government could deal with essentially the same subject matter.

He went on to say:

So I suggest, without repeating my initial concern but adding to it those remarks, that it seems to me that the opposition to the bill as set out in the hon. member's amendment is an opposition to the form of the bill and is not in opposition to the principle of the bill. He is suggesting that the way in which the House should deal with it should be changed, and again that is a matter of debate, but it seems to me that it is not acceptable as a reasoned argument.

The second weakness of the hon. gentleman's amendment is that, contrary to what he alleges, it goes behind the bill and touches the different parts of the bill. He attempts to show that the amendment does not substantially amend the bill and does not anticipate amendments which can be moved in committee.

● (1520)

When speaking on the motion, the hon. member said that he intended to divide the bill so that the gun legislation could be dealt with separately. Evidently he does not approve of gun legislation; he intends it to be separate and apart from other parts of the bill, intends to vote against that part and so dispose of that aspect of the bill. Surely he can move such motions when the bill is in committee.

Again may I refer to the decision of Mr. Speaker Lamoureux of January 26, 1971. The hon. member for Halifax-East Hants (Mr. McCleave), seconded by Mr. Richard—who is no longer a member—proposed a motion to send various parts of Bill C-207 to various committees. The hon. member sought to divide that bill, much as the hon. member for Calgary North seeks to divide this bill, and refer its various subject matters to various committees. As recorded on page 286 of the House of Commons *Journals*, Mr. Speaker Lamoureux said:

It is not a reasoned amendment. It is largely a deviation or a change from the old established form of amendment which provides that the subject matter of a bill or a motion before the House be referred to a special committee or a standing committee. What I believe is objectionable from a procedural standpoint in connection with this proposed amendment is that it goes into the details of the bill . . .

My difficulty in accepting the hon. member's proposed motion is that it goes behind the bill and seeks to touch the different parts of the bill by way of an amendment which should normally not be used in this form.

The hon. member for Calgary North wishes to correct the particular failing of his motion by removing all provisions which Your Honour may not find acceptable. I suggest he cannot be permitted to do that. By removing those particular provisions which follow the referral—

Mr. Speaker: Order, please. I do not think we need to waste time on that point. The hon. member for Calgary North (Mr. Woolliams) put the matter accurately. The permission of the House must be sought for removing the offensive words, not the permission of the Chair. This can only be done with the permission of the House. If I found the words offensive, I understand that the hon. member would expect permission of the House to be forthcoming

Measures Against Crime

for removing the offensive words. It cannot be done any other way.

Mr. Blais: Mr. Speaker, may I refer the House to another precedent on point. Again, the hon. member for Calgary North was implicated, and I use that word advisedly and, refer Your Honour to the House of Commons *Journals* for January 23, 1969. The House was dealing with an omnibus criminal bill, and the hon. member tried to do exactly what he is now trying to do in slightly different form. The motion then before the House was that—

—the . . . standing committee be instructed to make and bring into the House four separate reports—

Those four separate reports related to various clauses of the omnibus bill. As recorded on page 617 of the *Journals*, Mr. Speaker Lamoureux said, in part:

As I stated at the outset, a close scrutiny of precedents and authorities, I suggest to hon. members in all humility, leads to the conclusion that a motion to divide a bill by way of an instruction to a committee cannot be entertained at this particular stage of the House's proceedings.

Mr. Speaker Lamoureux went on to say, as reported on page 618:

The hon. member for Calgary North has advanced the suggestion that the significance of second reading has been altered by the new rules, and he expounded this view in a very interesting way this afternoon. Although this is not clear from the rules themselves, I would think this is a fair interpretation of the new relevant standing orders. The vote on second reading is less a vote on the principle of the bill and more a decision of the House to send the bill on for further consideration at subsequent stages of proceedings. If this interpretation is correct, it seems it should now be even less difficult for honourable Members to vote either for or against the main motion, since such vote would not constitute either approval of, or opposition to, the principle of the several propositions contained in the omnibus bill.

I suggest that the wording of Standing Order 47 is conclusive. It reads:

A motion to refer a bill, resolution or any question to a committee of the whole, or any standing or special committee, shall preclude all amendment of the main question.

In conclusion, I suggest that the entire amendment proposed by the hon. member for Calgary North is unacceptable.

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, may I first suggest to the Parliamentary Secretary to the President of the Privy Council (Mr. Blais) that Standing Order 47 does not apply. Before us is a motion for second reading, not a motion to refer. That is the main part of the motion, namely, second reading. Actually, I am puzzled as to what Standing Order 47 means. A number of years ago we used to move one motion, that the bill be now read a second time. After second reading, the appropriate minister moved another motion, to refer the bill to committee of the whole or to a standing committee. Similarly, on third reading, we moved that the bill be read the third time. After that there was another motion, that the bill do now pass and that the title be as on the order paper. I suspect that Standing Order 47 was drafted long before we made these changes, whereby we combined the two motions on second reading as well as on third reading. At any rate, to use Standing Order 47 as an authority for the proposition that you cannot move an amendment to the second reading motion is stretching the old rule very far.