

bers of the House. It is unfortunate, but we live in a complex and complicated world—

**Mr. Benjamin:** But why make it worse?

**Mr. Goodale:** Sometimes parliament must respond accordingly. I suggest that legislation in this day and age sometimes must fall into the realm of things that are complicated. Our parliamentary process, well established as it is through years of tradition, as a "total process" is designed to cope with this complexity. As the Solicitor General (Mr. Fox) has pointed out, we follow a very long, careful and reasoned deliberative process when dealing with legislation. This is a process which is distinctly different from the process which is designed to deal with resolutions in the House of Commons; if I may use shorthand, that is a shorter and much simpler process.

● (2100)

In dealing with legislation, the process that this House goes through, I think we would all agree, is time consuming, for a reason which basically allows members of the House to examine legislation very carefully and to make sure that their views and opinions are put on the record. We have the second reading stage where matters of principle are considered; we have the committee stage where legislation is considered clause by clause and votes are taken clause by clause; we have the report stage where it is possible again for consideration to be given to legislation clause by clause; and finally we have third reading debate, where positions can once again be stated. All of that must take place before making a final decision and taking a vote of the House. That is the procedure that must be followed by the House of Commons when it deals with legislation.

That procedure is distinctly different from the process and the steps involved in dealing with resolutions. That is one of the reasons why there may well be the distinction, to which Your Honour referred earlier this evening. A member might be in a position to complain about inconsistent or distinctly different parts of a resolution and to argue that those parts be separated. I do not think that argument can be valid or can stand in the case of legislation, as opposed to a resolution, for a number of reasons, one reason being the different process which this House itself follows in dealing with these two distinctly different things. The system, rules, and procedures of this institution already guard against the matter complained of tonight because of the step by step deliberative process of the House of Commons when dealing with legislation; and it was admitted earlier this evening by the hon. member for New Westminster that the bill itself is in fact within the rules of the House of Commons.

The propriety of omnibus bills is clearly established, and I think is accepted in our practices and our precedents. On that basis I think the objections which have been raised by the hon. member for New Westminster cannot stand, and that it is quite proper and within our practices and privileges to continue with Bill C-51 as it stands.

### *Criminal Code*

**Mr. Speaker:** Order, please. Is the hon. member for New Westminster seeking to clarify a matter?

**Mr. Leggatt:** Yes, Mr. Speaker. What I wish to clarify is this. Your Honour put two propositions to me at the conclusion of my remarks. One had to do with the difference between a resolution and a bill. The second proposition you put to me was with regard to the opportunity that a member might have following second reading vote to clarify the situation either in committee or at third reading. In answer to the second reservation which Your Honour may have about this question, in order to clarify one's position in committee there would have to be 264 members on the committee.

The present procedure is that it is not the committee of the whole which will consider this bill, which means that members will not have the opportunity to explain in a procedural way the position that they would take in principle on this particular piece of legislation. In other words, Mr. Speaker, they are locked into the same inconsistency that exists on second reading and on third reading, and thus the procedure of this House does not resolve the dilemma that members of parliament are faced with in terms of the innate inconsistency that exists in the motion before the House.

The second question that was raised by the Solicitor General (Mr. Fox) was whether members were somewhat confused. It is not the members who are confused; it is the attempt of members to stop confusion of the public and to allow the public to be properly informed about what actually happens in this House in terms of the votes and proceedings. I submit Your Honour has ample authority under the terms of British precedents to establish a very worth-while precedent here in giving members the opportunity of voting separately on a bill which has such a clear inconsistency in principle. It is impossible to vote one way only on the principle of the bill before the House.

**Mr. Speaker:** Order, please. A point of order having been raised by the hon. member for New Westminster (Mr. Leggatt) earlier in the day, it was agreed that at a convenient time, which turned out to be at eight o'clock this evening, time would be taken to hear argument on both sides. That has now been done, and it has interrupted the House's consideration of another matter to which we will now return.

I should indicate, as would be expected, that on a matter of some importance I will take some time to consider the argument, to examine the precedents carefully, and attempt to rule on the matter before the bill is again before the House. The matter which was under discussion when private members' hour was called at five o'clock this afternoon was, I believe, Bill C-49, an act to amend the Canada Pension Plan. If I understand correctly, the hon. member for Winnipeg North Centre (Mr. Knowles) had the floor.