

Code, not in other statutes or other bills but within the four corners of that statute, shall now be abolished at this time in Canada. In that respect I submit, very respectfully, that all these amendments are out of order.

PROCEEDINGS ON ADJOURNMENT MOTION

[English]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Mr. Speaker: It is my duty at this time, pursuant to Standing Order 40, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Sault Ste. Marie (Mr. Symes)—Environmental Affairs—Request that English and Wabigoon Rivers be declared water quality controlled zones; the hon. member for Humber-St. George's-St. Barbe (Mr. Marshall)—Canadian Broadcasting Corporation—Extension of coverage to isolated areas—Reason for delay; the hon. member for Selkirk (Mr. Whiteway)—Freshwater Fish Marketing Corporation—Alleged Failure to comply with provisions of act—Government action.

GOVERNMENT ORDERS

[English]

CRIMINAL CODE

MEASURES RESPECTING PUNISHMENT FOR MURDER AND OTHER SERIOUS OFFENCES

The House resumed consideration of Bill C-84, to amend the Criminal Code in relation to the punishment for murder and certain other serious offences, as reported (with amendments) from the Standing Committee on Justice and Legal Affairs.

Mr. John Reynolds (Burnaby-Richmond-Delta): Mr. Speaker, I am not one of the legal minds in this House, so I have not been up on one of these things before. However, I have some deep concerns about the possible ruling you may make on this decision, because I know we have some members here who might switch their vote and I would hope they would have an opportunity to debate what they think are legitimate motions in respect of this bill.

I have done some research and have dug up some arguments relative to this bill which I think show that members have a right, on a bill of this type, to get their arguments before the House and have a vote. I did not hear the whole of the speech of the hon. member for Calgary North (Mr. Woolliams), but I believe he brought up the point I raised in the committee yesterday, that in the United Kingdom in 1955-56, amendments were put at the committee and report stage which were very similar to the types of amendment put forward today. The Speaker did not make a ruling at that time because there was no

Capital Punishment

argument. It was, therefore, impossible to come up with anything from that ruling, so I went to the library and, with some assistance from the kind people there, I dug up some decisions, some of which were made by yourself, sir, which I think are relevant to this bill. I should like to quote one by you, Mr. Speaker, on Bill C-58:

My view is that the bill is a bill to amend the Income Tax Act. Pursuant to the Income Tax Act as it now stands, without passage of Bill C-58, it is possible for taxpayers to advertise in foreign broadcasting undertakings and deduct those expenses from their income. The purport of Bill C-58 would be to change that and take away from those advertisers the opportunity to make those deductions from income. Whether it be that clause 3 contains an actual provision or not, the fact of the matter is the amendments put forward by the hon. member for Surrey-White Rock (Mr. Friesen) would in fact propose what seems to me to be middle ground—

Mr. Speaker, my argument is that on that bill you took the middle ground. I would say, in respect of this bill, that the abolition of capital punishment is one ground on which part of the House is voting, that the retention of capital punishment is the other ground, and yet the amendments which relate to this bill—some of them, certainly—are the middle ground. I know that some people who have voted for abolition may change their vote if they cannot get one or two of those amendments on middle ground. I should like to complete the statement you made in this ruling:

—that is, advertisers who advertise in foreign broadcasting undertakings would be permitted to deduct from income the expenses paid for those advertisements, provided certain conditions are met. The conditions are complex and will need some explanation, but that bears on substance and their acceptability to the House by way of a vote. It does not bear, in any way that I can see, on procedural regularity.

It seems to me that the hon. member ought to be able to put that kind of motion by way of amendment to this particular clause. It would be my view that motions ought to be debated and voted upon.

Mr. Speaker, one of my arguments would be, in that situation, that you allowed a vote on middle ground and I would state that some, not all, of the amendments in this area which purport to retain capital punishment for certain offences are in the middle ground of that bill and I would hope you would allow them. There is another quotation here from November 28, 1974, on a bill regarding the B.C. Telephone Company. On that issue it was the Deputy Speaker who made the ruling which I should like to quote:

The hon. member said to the House he has in his hand a letter from the company stating that it would be happy to have its name made bilingual. Of course, the normal channel to have that change made would be for the company to have a new private bill introduced to amend its name.

Having said that, although hon. members do not doubt the word of their colleague, neither the Chair nor any member of this House have a copy of that letter, and the rules of this House do not provide for the tabling of such documents. I think everyone will agree to take the word of the hon. member. I must also refer him to different citations from Beauchesne's Parliamentary Rules and Forms respecting amendments, particularly citation 202 on page 169 and citation 203 on page 171 which state explicitly, and I quote:

203. (1) It is an imperative rule that every amendment must be relevant to the question on which the amendment is proposed.

The hon. member knows that the bill before us is a bill on the financing of the company, which has never been presented to the House to amend the name of the company or some other aspects of its administration.

If the hon. member keeps on reading citation 203, he will come to paragraph (3), and I quote: