

Members' Salaries

which it has the power to do now under our Standing Orders.

Mr. John M. Reid (Parliamentary Secretary to President of the Privy Council): Mr. Speaker, I have two points to make. The first has to do with the quotation which was read by the President of the Privy Council (Mr. Sharp) from the ruling made by Mr. Speaker Lamoureux as reported in the *Journals* for July 20, 1973, at pages 499 and 500. Mr. Speaker Lamoureux made it clear that he was giving a ruling in an exceptional case. He said:

If this bill were not a bill . . . on which there is a cross-section of views on both sides of the House, there might be a tendency on the part of the Chair to take bolder action, refuse to accept the bill and suggest that some of the amendments proposed should not be received.

I do not want to go over the history of Bill C-44, but it was clear when the bill was first debated that it would be substantially amended in committee. This was understood by everybody in the House of Commons, although that understanding did not extend to the press gallery or to the editors of newspapers throughout the country. However, we understood it and I think most hon. members understood it. In other words, everybody knew at the beginning of the procedure that the bill would be substantially amended.

● (1630)

When we concluded second reading debate it was also understood that a great many details of the bill would be left for the committee to decide. There had not been complete agreement between the leadership on the government side and that on the opposition side, so it was known that it was an exceptional set of circumstances.

The first meeting of the standing committee took place on the evening of April 14. At that meeting the President of the Privy Council indicated the terms of the agreement that had been made between himself and the Leader of the Opposition (Mr. Stanfield), but left it to the members of the committee to decide the course the bill should take. This was done in discussion and following that amendments were moved and the bill was revised as it was.

I want to point out that in keeping with the judgment that Your Honour's predecessor made on July 20, 1973, this bill has clearly been an exception to the normal processes by which we handle legislation. It has been more of a parliamentary bill than a government bill and the committee has been acting almost unanimously, with one exception, in order to accomplish the ends that are set out. That is my first point regarding the exceptional nature of this particular set of circumstances.

My second point concerns whether this discussion is in order at this time. What is before the House at this time is not the bill itself but the amendments to the bill. The only time that we can discuss the bill during report stage proceedings is after we have disposed of any amendments. It seems to me that the logical time for the hon. member for Winnipeg North Centre to raise his point of order is after the House has considered the amendments that are now before it at this report stage. As I say, it is only at the conclusion of the report stage that you, Mr. Speaker, can say what kind of bill we have.

[Mr. Baldwin.]

I think we must admit that it is possible for committees to overstep occasionally in regard to what they can do under our procedure; the hon. member for Peace River (Mr. Baldwin) pointed this out. However, having overstepped, there is a remedy in the House in terms of amendments at report stage. It seems to me that the only time the hon. member can discuss whether or not the bill is in order is at the point in time when the amendments are disposed of and Mr. Speaker asks the question: Shall the bill as reported carry? Or: Shall the bill as amended carry? That is the point when Your Honour must decide whether or not the bill is defective. Now is not the time to argue that point, since what is before the House is amendment No. 1, standing in the name of the hon. member for Waterloo-Cambridge (Mr. Saltsman).

Mr. Speaker: Order, please. I am, of course, fascinated by the number of interesting procedural arguments that have been raised, not the least of which are those by two opponents of the proponent of this point of order, who put forward the suggestion that the hon. member is out of order by raising his objection now. One has said that he ought to have done it when the report first came in, and the other has said that he ought not to do it until we get to the motion for concurrence. So there are certainly a number of interesting arguments which have to be sorted out in my mind.

Indeed, those who have said that we have been giving this matter very careful consideration are absolutely right. It would not be possible for me to do justice to this important point by giving a decision now, because it is fundamental not only to the nature of the recommendation and to the nature of the power of hon. members to move amendments in committee, but also to the very basic nature of the report stage which interposes itself in between and in fact has a very serious effect on a number, indeed almost all, of the precedents which have been cited, since those precedents were referable to a time when the report stage did not exist in the form it does now. In any event, I do not want to delay or hold up unduly the progress of this bill, but I hope hon. members will think it reasonable that I try to return at eight o'clock this evening and deliver my ruling.

Is there a disposition to proceed with private members' hour? Would that embarrass the proponents of the motion, or could the time be used in some other way?

PROCEEDINGS ON ADJOURNMENT MOTION

[English]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Mr. Deputy Speaker: Order. It is my duty, 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 Halifax-East Hants (Mr. McCleave)—Public Service—Inquiry whether prosecution of illegal strikers will extend to union officials; the hon.