

Continental Bank of Canada

Standing Order that the hon. member quoted, namely, Standing Order 116, the last one in the book, it seems to me was put there to answer the very point the hon. member is now raising. It says, in very clear language:

Except as herein otherwise provided, the Standing Orders relating to public bills shall apply to private bills.

If it were not a tradition around here that when you have an argument you develop it and use all the words you can think of, perhaps I should sit down on that point. Standing Order 116 says that the rules of chapter 13 apply.

● (1720)

Mr. Lambert (Edmonton West): It says "except as herein otherwise provided."

Mr. Knowles (Winnipeg North Centre): But there is no provision in the chapter on private bills which says that the rules regarding report stage amendments do not apply to private bills, any more than there is a provision in chapter 18 which says that the rules on 20-minute speeches do not apply. You do not have to repeat all of the rules in every chapter. I suggest it is clear that unless there is a rule somewhere that says there shall be no report stage amendments to private bills, report stage amendments are in order by virtue of Standing Order 116 and also by virtue of the language in Standing Order 75, which in all its parts refers to bills. Also, the standing order does not talk about public, private or government bills; it says "bills".

By the way, is my hon. friend going to make a distinction some day between public bills and government bills? When a private member has a public bill before the House, it comes under Standing Order 75 and a report stage amendment can be moved with respect to it. Likewise, a government bill is brought back at the report stage. Government bills are brought back subject to report stage amendments, and I have not heard anyone say, "It is a government bill and you cannot do this, because report stage amendments are provided in chapter 13, which has to do with proceedings on public bills."

Sir, you have identified this as the important point. It seems very clear. I am surprised that my hon. friend quoted Standing Order 116. I think the whole case is right there. By the same token, I was surprised that he quoted the precedent of February 13, 1969. The bill before the House then was Bill S-6, an act respecting the Canada Trust Company. It was a private bill. It had been through committee and was brought back for the report stage, as all bills must be. There is nothing in the chapter on private bills which says that private bills must be put through the report stage. You do not need that. That provision is in other parts of the Standing Orders.

On that occasion, the hon. member for Waterloo-Cambridge (Mr. Saltsman) put down his report stage amendment. At the moment we are not discussing what that report stage amendment was. He did put it down. It was seconded by my colleague, the hon. member for Timiskaming (Mr. Peters). The then hon. member for Grenville-Carleton—not the present House leader for the Conservatives, but the hon. member from the other side who has gone to his reward on the bench—raised a point of order against the amendment. Mr. Speaker Lamoureux had trouble with it and admitted he saw difficulty. He said,

[Mr. Knowles (Winnipeg North Centre).]

"Suppose there is a three-clause bill and three different members put down three report stage amendments to delete one clause after the other: there would be difficulty."

Mr. Speaker Lamoureux said that the matter gave him great difficulty, and then said that he could not see how he could deny the procedural admissibility of the report stage amendment. My friend from Edmonton West tried to argue that the ruling was wrong; that the Chair and Table were wrong. He has argued that before. I sometimes think the Chair and the Table are wrong, but, I am smart enough not to say so. I rely on the good judgments of the Chair and the Table. The fact is, there is a precedent. It was allowed, and not just by chance. There was argument, Mr. Speaker saw the problems, admitted it was a new situation created by the rules we had passed only a few months before, but admitted the report stage amendment to that private bill as in order.

On the notice paper of that day there was another amendment, also in the name of the hon. member for Waterloo-Cambridge, to Bill S-7, an act respecting the Huron and Erie Mortgage Corporation. I do not know what happened to it, whether it was reached or not. On May 28, 1971, a report stage amendment was put down by Mr. Skoberg, the then member for Moose-Jaw, to Bill S-12, an act respecting Canada Del Rio Oils Limited. I have not had the opportunity to check what happened to these amendments. But in the one instance, when an hon. member questioned whether there was this right to put down report change amendments, it seems to me that the ruling made was correct.

I go back to the question to which you asked us to address ourselves, Mr. Speaker, the question the hon. member for Edmonton West has raised. We have provided for a report stage; we have provided for report stage amendments. Nowhere in the book have we said that report stage amendments apply to only one class of bill. No. They apply to private members' public bills. That has not been questioned. They apply with respect to government bills. That has not been questioned. In the one instance to which I alluded, that right has been applied to a private member's private bill. Whatever Your Honour may have to say later about the subject matter or content of some of the amendments, the question we must consider is very simple: Does the hon. member for Waterloo-Cambridge have the right to put down a report stage amendment to a private bill? It seems to me the answer to that question is beyond doubt.

Mr. Lambert (Edmonton West): Mr. Speaker, would the hon. member permit a question, for clarification? Can the hon. member clarify the apparent conflict between Standing Order 109 and Standing Order 75(5), (7) and (8)? The conflict is this: Standing Order 109 mentions "important amendment". Presumably, there are unimportant amendments to private bills which can be in manuscript form. Yet Standing Order 75(5), (7) and (8) indicates that notice is required and that only those amendments may be debated with respect to which 24-hour notice has been given. How can the hon. member explain this conflict?