

# HOUSE OF COMMONS

Friday, December 15, 1989

The House met at 10 a.m.

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*Prayers*

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## GOVERNMENT ORDERS

[English]

### INCOME TAX ACT

#### MEASURE TO AMEND

The House proceeded to the consideration of Bill C-28, an Act to amend the Income Tax Act, the Federal-Provincial Fiscal Arrangements and Federal Post-Secondary Education and Health Contributions Act, the Old Age Security Act, the Public Utilities Income Tax Transfer Act, the War Veterans Allowance Act and a related act, as reported (without amendment) from a legislative committee.

#### SPEAKER'S RULING

**The Acting Speaker (Mr. Paproski):** There are 10 motions in amendment on the Notice Paper for the report stage of Bill C-28, an act to amend the Income Tax Act, the Federal-Provincial Fiscal Arrangements and Federal Post-Secondary Education and Health Contributions Act, the Old Age Security Act, the Public Utilities Income Tax Transfer Act, the War Veterans Allowance Act and a related act.

These motions are standing in the name of the hon. members for Sault Ste. Marie, Mr. Butland, and Ottawa South, Mr. Manley. I have reviewed them and I am now ready to make a ruling.

Motions Nos. 1, 2, 3, and 10 are admissible and each of them will be debated and voted upon separately. Motions Nos. 4, 6, and 7 will be debated together but voted upon as follows: (a) an affirmative vote on Motion No. 4 obviates the necessity for a vote on Motions Nos. 6 and 7; (b) a negative vote on Motion No. 4 necessitates a vote on Motion No. 6. Any such vote would be applied to Motion No. 7. Motion No. 5 is identical to Motion No. 4

and therefore Motion No. 5 will not be selected. Motions Nos. 8 and 9 raise procedural difficulties for the Chair. As hon. members are aware, it is not competent within our parliamentary practice for a private member to move to increase the amount of tax or a charge on people in a bill which is based on ways and means motions.

In my view, both of these proposed motions are attempting to do just that by attempting to lower a deduction from \$10 million to \$1 million. I must therefore rule Motions Nos. 8 and 9 inadmissible. In this connection, I would refer hon. members in the House to the various citations of Beauchesne's Fifth Edition and May's Parliamentary Practice.

The hon. member for Kamloops on a point of order.

**Mr. Riis:** Mr. Speaker, unfortunately, the member for Sault Ste. Marie in whose name the various motions have been put is not here. He is away on other business.

• (1010)

I wonder if I could seek the unanimous consent of the House to have the motions in his name be put in the name of the hon. member for Mission—Coquitlam.

**Mr. Cooper:** Mr. Speaker, in the spirit of Christmas, kindness and generosity, we are more than happy to allow this.

**The Acting Speaker (Mr. Paproski):** Is there unanimous consent?

**Some Hon. Members:** Agreed.

**The Acting Speaker (Mr. Paproski):** The hon. member for Ottawa—Vanier on a point of order.

**Mr. Gauthier:** Mr. Speaker, I would like some clarification. You stated that Motions Nos. 4, 6 and 7 will be debated together, but a negative vote on Motion No. 4 necessitates a vote on Motion No. 6, and the words that I have a problem with are "any such vote would be applied to Motion No. 7".

I take it that it is the result of the second vote that would be applied to Motion No. 7, not the results of the first vote? Is that the correct interpretation?