

point of order. He does not have to tell the House that he thinks he is going to look at something and raise it later. Really, that is an abuse of the time of the House.

GOVERNMENT ORDERS

[English]

WESTERN GRAIN TRANSPORTATION ACT

MEASURE TO ESTABLISH

The House resumed from Thursday, October 6, 1983, consideration of Bill C-155, an Act to facilitate the transportation, shipping and handling of western grain and to amend certain Acts in consequence thereof, as reported (with amendments) from the Standing Committee on Transport; and Motion No. 33 (Mr. Mazankowski).

Mr. Ian Deans (Hamilton Mountain): Madam Speaker, I would like to deal now with amendments we have proposed which have been tentatively or permanently ruled out of order, depending on one's interpretation. I dealt with the submission of the Minister of Transport (Mr. Axworthy) yesterday and therefore I do not propose to dwell on that today.

Basically I want to deal with four matters, although they cover a number of amendments. I want to deal with what is in fact beyond the scope of the Bill, as in many instances is the claim by the Chair, with regard to certain of our amendments. I want to speak about certain amendments which are defined to be substantive changes to the interpretative clause. I want to deal with the infringement on the Crown's financial initiative and prerogative and, primarily as the fourth matter, I want to deal with the question of what is contrary to the purposes of the Bill.

I have looked at the question of the interpretation of what is beyond the scope of the Bill. It is a difficult subject with which to deal. However, it is necessary to deal with it in order to address certain of the amendments which appear to be in the process of being ruled out of order.

I refer to Driedger's *Legislative Form and Precedents*, Chapter I, "Formalities", which deals with the long title of a Bill. It sets out in quite lengthy detail how the title of the Bill must reflect the scope of the Bill. It reads, and I quote from the second paragraph:

The title, therefore, must accurately define the scope of the bill, and an amendment is out of order unless it falls within the scope as defined in the title.

Turning to Beauchesne's Fifth Edition under "Form of a Bill", Citation 703 reads:

Although there is no specific set of rules or guidelines governing the content of a bill, there should be a theme of relevancy amongst the contents of a bill. They must be relevant to and subject to the umbrella which is raised by the terminology of the long title of the bill.

Western Grain Transportation Act

Under the heading, "The Title", Citation 704 reads in part:

(1) Long Title—The long title sets out in general terms the purposes of the bill. It should cover everything in the bill.

The title of the Bill before us is "An Act to facilitate the transportation, shipping and handling of western grain and to amend certain Acts in consequence thereof". I will argue as I go along that in the case of amendments which have been ruled out of order as being outside the scope of the Bill, they cannot possibly be outside the scope of the Bill given what the long title defines the Bill as being.

I draw to your attention, Madam Speaker, that it is quite clear the House of Commons, according to the citations in Beauchesne's and Erskine May, cannot deal with the clauses contained in the Bill at second reading. It can deal only with the principle of the Bill at second reading. The principle of the Bill at second reading must reflect what is contained in the long title of the Bill. Our amendments are aimed at altering the clauses within the Bill but are quite clearly within the definition of the Bill as contained within the long title. I will return to that in a moment.

I want to deal with our amendments in order. In most instances they will also be within the grouping the Speaker has established. The Speaker ruled in the first ruling that Motions Nos. 2, 3, 4, 5, 12 and 17 were outside the scope of the Bill. In the second ruling they were deemed to be substantive amendments.

Madam Speaker: Could I simply interrupt the Hon. Member for a moment. I would like him to refer to a preliminary ruling, otherwise I would not be able to allow him to comment. I would not like it to appear in *Hansard* that the Chair is allowing discussion on a ruling. A preliminary ruling is quite acceptable.

Mr. Deans: I apologize, Madam Speaker; I obviously meant preliminary ruling. Any time I use the term "ruling", I authorize *Hansard* to insert the word "preliminary" in order that never again will I be seen to be out of order.

I am dealing with Motions Nos. 2, 3, 4, 5, 12 and 17. In the majority of cases what we have proposed is not different in even one word from what is already contained in the Bill. We have proposed moving the definition from one part of the Bill to another part of the Bill for ease in the public's dealing with the Bill. It is appropriate for us to suggest that the definition clauses be grouped together so that those who have to deal with the Bill can refer to the definition section and find all of the definitions in that one section so that they can deal with them.

● (1210)

It may not be the desire of the Government to accept that, but I contend that that is clearly in order. Erskine May, Nineteenth Edition, page 527, says on the transfer of clauses that a clause or series of clauses may be transferred on motion from one place in the Bill to another place specified in the motion. What we have done is move in that way. I will deal with the amendments one at a time. There is no attempt on