

*Transportation*

technical effect of such an amendment is to supersede the question for now reading the bill a second time.

That being so I would suggest, as the Minister of Transport has already submitted, that this is a substantive and superseding motion and therefore would require notice.

I now wish to refer to the citation brought to Your Honour's attention by the hon. member for Winnipeg North Centre. He referred to Beauchesne's fourth edition, citation 382, which is to be found at page 277 of that reference. It reads:

It is also competent to a member who desires to place on record any special reasons for not agreeing to the second reading of a bill, to move as an amendment to the question, a resolution declaratory of some principle adverse to, or differing from, the principles, policy, or provisions of the bill, or expressing opinions as to any circumstances connected with its introduction or prosecution; or otherwise opposed to its progress; or seeking further information in relation to the bill by committees, commissioners, the production of papers or other evidence or the opinion of judges.

It then refers to the citation in May recited to you by the hon. member for Kamloops. However, I suggest to Your Honour that the governing words are:

—a resolution declaratory of some principle adverse to, or differing from, the principles, policy, or provisions of the bill—

Here again this amendment states in broad terms that this house is prepared to support the principle of a national transportation policy.

**Mr. Fulton:** That is only one of the principles.

**Mr. Turner:** If I may in turn refer to another citation, citation 202 (15), found at page 170 of Beauchesne's fourth edition, I would point out that Beauchesne is referring here to amendments on second reading. The citation reads:

An amendment approving part of a motion and disapproving the remainder is out of order . . . An amendment was moved that the house welcomed certain terms of the agreement and condemned several features of it. The speaker ruled it out because (a) the portion of the amendment which approved the agreement was useless as it suggested no change in the main motion, and also, (b), an amendment to disapprove what the main motion approves is nothing but an expanded negative.

In other words, this amendment is in the form of a disguised negative. It purports to support the principle of the bill but would have the effect of killing it because it would indefinitely postpone second reading.

● (5:10 p.m.)

The hon. member who introduced the amendment said, and the amendment itself says, that the matter is so complex it ought to be referred to the standing committee on transport and communications for consideration and report. The rules of this house provide, and the minister has given an undertaking as well, that this will happen after second reading is accorded to the bill. There will be, therefore, the same opportunity for witnesses to be heard and for the bill to be examined clause by clause. The advantage of that procedure is that the bill will be moving forward in accordance with the usual procedure of this house. If the subject matter only were to be referred to the committee rather than the text of the bill, witnesses would be heard but there would be no direct reference to the clauses which comprise the intended statute. I suggest to Your Honour that the amendment would have the effect of placing the committee in limbo without anything specific before it except the vagueness of the words "subject matter".

The hon. member for Winnipeg North Centre admitted that if the course outlined in the amendment were followed it would be a departure from the standard practice of the house. If the ordinary procedure were followed we would move this bill forward with no prejudice to the rights of this house, to the rights of the committee or to the rights of the people of this country to be heard. We should proceed with second reading of the bill and in the ordinary course the bill will arrive before the same committee with the same personnel as the hon. member seeks to have consider the bill by way of this circuitous amendment.

**Mr. Pickersgill:** Perhaps Your Honour would permit me to draw attention to the nearest parallel case which I have been able to find. It is not exactly parallel because, in this particular case when the farm machinery bill was before the last parliament on September 28, 1964, an amendment was moved by the hon. member for Edmonton-Strathcona. A subamendment was attempted to be moved by the hon. member for Peace River. I admit that to that limited extent that is a difference. The subamendment was ruled out of order by the present Speaker, who was then Deputy Speaker, on the ground that the subamendment proposed at one and the same time to take the question out of the house