

Employment Support Bill

clause, I hope the arguments which have been made up to this point on behalf of clarification will be regarded as supporting the next amendment which does not amend the definition clause but tries to clarify what is meant by Canadian industry so far as this bill is concerned.

• (3:30 p.m.)

Mr. J. A. Jerome (Parliamentary Secretary to President of the Privy Council): I will only take a moment, Mr. Speaker. The precedents are clear, but if, as has been stated, the amendment is of a substantive nature, then it should not be accepted in that classification of amendments covered under rule 75 pertaining to the definition section. I cannot envisage an amendment of a more substantial nature to a bill of this sort which clearly extends the scope of this bill, since it would extend the scope of the minister's duties to make him the minister of industry, trade and commerce and agriculture. There is a separate portfolio for agriculture. There are, in fact, separate measures to deal with agricultural products that run into the difficulty that is envisaged by this legislation if they are, in fact, raw agricultural products.

There are provisions contained in this bill to deal with agricultural products if they have been processed. Accordingly, I submit that the additional words contained in the definition section are the clearest example of a change of a substantial nature to the scope of the bill. An attempt is made to bring about that objective by simply making an amendment to the definition section.

In the *Journals* of the House, to which reference was made last week in a similar argument on another measure, at pages 835 and 836 on May 21, 1970, there is a very clear-cut reference to Your Honour's ruling on the Canada Water Act. Subsequent to that, in *Hansard* for October 28, 1970, Your Honour again had the occasion to make a ruling on a proposal by the hon. member for Calgary North (Mr. Woolliams) to amend the definition section in the federal court bill. On both occasions, Your Honour pointed out that the change was of a substantial nature and could not be proposed as an amendment at the report stage. I submit that this is the clearest example of exactly the same thing.

Mr. Baldwin: May I ask the parliamentary secretary a question, since his answer may prevail upon me not to intervene in this interesting argument on a point of order. I should like to ask him whether, in support of his argument, he takes the position that the intent of the bill is that it shall not apply to articles of agriculture.

Mr. Jerome: That depends on the state of the agricultural products, whether they are raw, or manufactured. That is the purpose of the bill and its distinguishing feature.

Hon. Jean-Luc Pepin (Minister of Industry, Trade and Commerce): I should like to say a few words on the amendment. The hon. member for Sudbury (Mr. Jerome) said that the hon. member who proposed the amendment made the case that its purpose was to clarify an uncertainty and not to extend the definition of the word "agriculture". If this were so, we might have one of those situations where in clarifying one adds. I think this is the case with the amendment in front of us.

As the hon. member for Sudbury just indicated, there are two classifications of agricultural, forestry or fishery products, one is raw products and the other one is processed or manufactured goods. Only the second case is covered by the present bill. If it is a raw product, it is either subject to a surcharge, a surtax, or it is not. If it is not, we have no problem. If it is subject to a surcharge, the Minister of Agriculture (Mr. Olson) will try to take care of it by other means, as he has already indicated he would.

I suggest also that if we were to accept the amendment before us now, we would have to amend also section 14 of the bill which provides that in looking at different cases the board shall take into account all relevant factors, including:

(b) the prices paid by the manufacturer to suppliers for goods that enter into the cost of production of the manufacturer.

So this section 14 aims to protect the producer of the raw materials of fishery, forestry or agriculture so that the manufacturer receiving the grant will not gain from both sides. Section 14(b) is aimed at protecting the sort of people hon. members on the other side are trying to protect in this amendment. But I repeat that others who are subject to the surcharge will be protected by certain measures to be announced by the Minister of Agriculture.

On the word "manufacture"—and I might come back to that later on—

Mr. Speaker: Order, please. I wonder whether the minister might not agree that perhaps he is getting away to some extent from the procedural point which is before us now. The minister has the right, of course, to argue the point as much as any other hon. member, but I hope that the argument we are having now will be limited as much as possible to the strictly procedural aspect of the matter without going into the substance.

Mr. MacDonald (Egmont): I should like to take this opportunity to ask the minister a question. He used the terms "raw" and "processed" with regard to these products. I wonder, since there does not seem to be much by way of definition in this legislation and the word "processed" can have a great variety of meanings, whether he is talking about packaging, handling and interim sales. The present legislation is so vague that it is quite possible to see the hon. member's proposal as being not an extension but in fact a clarification, and thus justify the need for this kind of amendment.

Mr. Speaker: Again the question asked by the hon. member points to the difficulty which I wanted to bring to the attention of the House, that the minister's argument was really more substantive, I thought in any event, than procedural. I do not intend to limit this debate in any way. If hon. members think they might enlighten the Chair, I will listen to them. But it might have been easier if we had had no procedural debate and I had allowed the hon. member to make his point. By this time the debate might have been over. Sometimes I have doubts as to the wisdom of bringing up points of order. I can assure hon. members that I do not do so just out of pleasure but because I realize, especially in this case, that a matter is of interest to all hon. members.