

B.C. Telephone

My point of order is that it is beyond the capability of a standing committee to make a report of this nature to the House of Commons since its order of reference was only to consider Bill S-11. It has always been my understanding that an order of reference to a committee was complete in itself, and that when dealing with a bill a committee had the option of reporting the bill with amendment or without amendment; it did not have the authority to make gratuitous comments on the bill or on any of its aspects. I should like to quote from Standing Order 65(8) which states:

Standing Committees shall be similarly empowered to examine and inquire into all such matters as may be referred to them by the House and to report from time to time and, except when the House otherwise orders, to send for persons, papers and records . . .

I would also cite Beauchesne's Fourth Edition, citation 304(1), where it is stated:

(1) A committee can only consider those matters which have been committed to it by the House.

(2) A committee is bound by, and is not at liberty to depart from, the order of reference.

There are a number of other authorities which could be quoted, but I believe my point is clear. The second report, though it has not been moved at this point, is completely out of order and I think some decision should be made by the Chair upon the matter.

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, with respect to the point of order raised by the hon. member for Kenora-Rainy River (Mr. Reid), I wonder whether he did not put himself out of court in his last sentence. As he said, the second report of the Standing Committee on Transport and Communications is not before us. All that is before us now is the report stage of Bill S-11 which was reported back to the House as the third report. If anyone were to try to move concurrence in the second report, I could understand the point of order being raised, but since the issue is not before us I do not see why Your Honour should be asked to rule on a hypothetical situation.

Mr. Campbell (LaSalle-Émard-Côte Saint-Paul): Mr. Speaker, I believe the hon. member for Winnipeg North Centre (Mr. Knowles) is entirely correct. I think the motion will be moved on Monday next. In my view, it would be better if a decision were to be deferred until then, rather than to attempt to make a decision on the point of order at this time.

[Translation]

Mr. Pierre De Bané (Parliamentary Secretary to Minister of State for Urban Affairs): Mr. Speaker, I do not know whether the Parliamentary Secretary to the President of the Privy Council (Mr. Reid) wants to prevent study of the bill at the report stage. I did not quite understand his point. I do believe the Committee on Transport and Communications could be authorized to study the matter with the unanimous consent of the House. If there is unanimous consent, the Chair could authorize a change that is not contrary to the rules of this House.

[Mr. Reid.]

[English]

Mr. Deputy Speaker: The procedural point raised by the hon. member for Winnipeg North Centre (Mr. Knowles) is certainly a valid one. We are not now discussing the second report of the Standing Committee on Transport and Communications. However, it was the intention of the Chair to clarify the situation; to indicate to hon. members the position taken by the Chair as to the handling of the sum of money mentioned in the second report of the committee. The parliamentary secretary was recognized on a point of order on this subject, but it may be the Chair should itself have undertaken to raise the matter, after which hon. members could have made their observations, if any. In any case, I would at this point ask for the co-operation of hon. members and seek their consent to suspend the report stage of Bill S-11, as it were, so as to allow the Chair to make a few comments concerning the second report of the standing committee. Is this agreed?

Mr. Knowles (Winnipeg North Centre): I will agree, but I do so under protest. This matter is not before us. If Your Honour wishes to make a ruling, we shall not stop you, but I think this is an irregular procedure. I myself have some questions I should like to raise. I wonder if I could drag them in at this time.

Mr. Deputy Speaker: Order. The hon. member is aware that Bill S-11 has been reported to the House without amendment. The report of the committee was preceded by another report, the second report, which put some kind of restriction—

An hon. Member: Not on the bill.

Mr. Deputy Speaker: Not on the bill, maybe, but with regard to the handling of money. The Chair feels that before considering the report stage of the bill an opportunity should be taken to clarify the matter. As I say, the point raised by the hon. member for Winnipeg North Centre is a valid one.

● (1710)

The Chair is presiding over the proceedings of the House of Commons daily, and when the Chair feels that some procedures, decisions of committees or actions of hon. members, do not correspond to the basic rules, it must stand up and express opinions that should be on the record, thus preventing hon. members from believing that the decisions or actions of other members have not been acted upon. That is the main reason I wanted to enter these remarks in the record at this time concerning the second report of the committee and before the House proceeds to consideration of the report stage of Bill S-11.

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, I would probably agree with the ruling that I suspect Your Honour is anxious to make. In fact, I have seen other reports come in which to me were questionable. But the second report of the Standing Committee on Transport and Communications has not been moved and is not before the House. Your Honour agrees that the report stage and third reading of Bill S-11 is what is before the House. We are in private members' hour and that has been called. The report which referred back Bill S-11 is the