

If we take a hypothetical case where, for example, after the trade legislation is introduced, a member in the legislative committee wanted to amend the legislation to restore a duty on some specific goods—let us take the U.S. wine industry, for example—entering the country, it is not at all clear that, if the Ways and Means motion passed by the House had indicated that this levy was to be eliminated, the amendment to restore this levy would be possible. I refer to Beauchesne's Fifth Edition, Citation 532, which reads:

A motion for the imposition of an import duty has been ruled out of order because such a proposition should emanate from the Government.

Clearly, the ability of Members of this House to amend such legislation would be unnecessarily restricted.

To conclude, Mr. Speaker, I would just simply restate the two main arguments I think should cause you to rule this Ways and Means motion completely and totally out of order. First, I think I have shown clearly that such a resolution is, according to past practice, clearly not necessary in this instance where the Government seeks to simply reduce and not increase charges on the taxpayer. In this instance, where the House will be faced shortly with a major piece of legislation that will have monumental consequences for the political and economic sovereignty of our country, Members of Parliament should have the maximum degree of freedom to amend and alter this legislation as they, as representatives of the Canadian people, see fit. This is not possible when the legislation is preceded by this totally unnecessary Ways and Means motion. It will handicap Members of Parliament. It will restrict the ability of Members of Parliament to improve the legislation as we see fit as it moves through the committee process.

● (1520)

I hope that Your Honour will reflect upon the arguments that I have offered today and rule this Ways and Means motion out of order.

**Mr. Speaker:** The Hon. Member for Kamloops—Shuswap (Mr. Riis) is raising a highly technical point. I am having some difficulty fully appreciating the point that is being made.

However, it is obvious to Hon. Members that a certain amount of work has gone into the intervention that the Hon. Member for Kamloops—Shuswap has made. I would of course be very careful about being too hasty in dismissing the argument. I will consider it very carefully and return to the House as soon as it is appropriate.

However, my difficulty is, and I put this to the Hon. Member for Kamloops—Shuswap, who may want to address the matter for another moment or two, that the Chair has not seen the Bill, nor of course has the Hon. Member. No one in the House has seen it. It may well be that the argument, even if sustainable, is premature. I am concerned about that.

The second matter of course is that without seeing the Bill I am not completely sure that I would be able to accept some of the propositions which the Hon. Member has cited, which may

of themselves be good authority. However, I cannot tell until I see the Bill whether in fact the Bill conforms with the five paragraphs that are now in front of the House and the notice of Ways and Means motion. I draw to the attention of the Hon. Member for Kamloops—Shuswap the fact that paragraph i) of the notice of Ways and Means motion states:

i) to impose customs duties in accordance with the Tariff Schedules of Canada referred to in Annex 401.2 of the Agreement;

I cannot tell from that whether that will increase customs duties or decrease them. It seems to me it puts us in some difficulty.

However, I have a great deal of respect for the Hon. Member. It was a closely reasoned argument that obviously had been prepared with some care. I will consider it carefully and return to the House.

The Hon. Member indicates that he may have something to add. I will hear him.

**Mr. Riis:** Mr. Speaker, I appreciate your comments. I think they are more than appropriate. What I was hoping at this point was simply that Your Honour would at least reflect on the arguments that I have made prior to accepting and approving the tabling of this Ways and Means motion.

The point I want to make is that I am not anticipating what is in the trade legislation at all. I am making one assumption, that is, that the Ways and Means motion would not be increasing taxes and tariffs on Canadians. I am making the assumption that one of the reasons we are going through this from the Government's perspective is that we would see a reduction in charges. I am making that assumption. I want to make that perfectly clear. I am not suggesting what the Bill may or may not be.

I would ask Your Honour to at least reflect on the ability of Members of Parliament to move appropriate amendments to the legislation when it is introduced. The point I am attempting to make today is that the Ways and Means motion, if accepted, would place limitations, would provide a certain number of parameters on the nature of amendments that Members of Parliament from all sides of the House could put forward.

I am simply asking Your Honour to reflect on whether or not it is necessary at this point for the Minister to table this Ways and Means motion. As you know, Mr. Speaker, he has the right to table it at any time up until the legislation goes to committee. That would give us ample time to consider whether a Ways and Means motion could not be tabled at that time as opposed to the beginning of the process, which would have the effect of perhaps limiting our ability as Members of Parliament.

**Mr. Speaker:** I thank the Hon. Member for his intervention. What I propose to do is to consider the matter, as I said I would. It may well be that, upon further reflection, it is premature for even the Chair to make any further comment.