

*Farm Machinery*

[Translation]

I quote from Beauchesne, citation 386:

An amendment, urging the setting up of a select committee to consider the subject matter of a bill, might be moved and carried, if the house were adverse to giving the bill itself a second reading and so conceding its principle.

And the hon. member for Medicine Hat (Mr. Olson) pushed the argument further by quoting subsection (3) of citation 386:

—the house cannot both refuse to give the second reading and refer some provisions of a bill to a committee. It shall have to make its choice. The amendment was ruled out.

[Text]

In other words, the difficulty we face is that there seems to be inconsistency between the amendment and the amendment to the amendment. This subamendment proposes at one and the same time to take the question out of the house and to keep it here. So we can visualize a situation where the house will proceed with second reading while at the same time the bill is before the committee, still under discussion. On this point I would like to quote Beauchesne, citation 203, which states:

(1) Every amendment must be relevant to the question on which the amendment is proposed. Every amendment proposed to be made either to a question or to a proposed amendment should be so framed that if agreed to by the house the question or amendment as amended would be intelligible and consistent with itself.

It seems to me this is the difficulty the house would face if the subamendment were to be accepted along with the amendment.

The hon. member for Peace River when challenged by the hon. member for Winnipeg North Centre to submit a precedent, referred to the *Journals* of 1963 at page 559. The relevant extract, as he himself recognized, begins with the words "by unanimous consent". It is true the house did set a precedent of some sort in agreeing to do exactly what is now proposed by the hon. member, but of course it did so only by unanimous consent, and I have a suspicion that if on that occasion the house decided it was necessary to obtain unanimous consent before proceeding on that basis it was because it was felt that the rules precluded proceeding otherwise.

I feel that the procedure proposed by the hon. member for Peace River is definitely inconsistent with the procedures of the house. In view of the learned arguments advanced by several hon. members in opposition to the legality of the subamendment I must declare it out of order.

[Mr. Deputy Speaker.]

**Mr. Baldwin:** With the greatest deference to your judgment and in the hope that the house may seize this opportunity to remove the words "by unanimous consent" and break new ground, I must appeal Your Honour's decision.

**Mr. Deputy Speaker:** Those in favour of sustaining the Speaker's ruling will please say yea.

**Some hon. Members:** Yea.

**Mr. Deputy Speaker:** Those against will please say nay.

**Some hon. Members:** Nay.

**Mr. Deputy Speaker:** In my opinion the yeas have it.

*And more than five members having risen:*

**Mr. Deputy Speaker:** Call in the members.

**Mr. Deputy Speaker** put the question as follows:

The question is an appeal to the house from a ruling of the Chair.

To the motion for the second reading of Bill No. C-121, an act to provide for the extension of credit to farm machinery syndicates, the hon. member for Edmonton-Strathcona (Mr. Nugent) proposed as an amendment the following:

"That this Bill No. C-121 be not now read a second time but that the subject matter thereof be referred to the standing committee on agriculture for further study and report".

In amendment thereto the hon. member for Peace River (Mr. Baldwin) proposed the following:

"That the amendment be amended by adding immediately following the last words the following: 'provided however that despite this motion the said bill shall remain on the order paper as an order for second reading without prejudice to the right to proceed with the motion for second reading'".

The Chair ruled the subamendment out of order as being inconsistent with the amendment; that the amendment proposed to refer the subject matter of the bill to a standing committee, whereas the subamendment purported to allow the house to proceed with the second reading of the said bill and subsequent stages. Whereupon the hon. member for Peace River appealed to the house from the decision of the Chair.

The house divided on the question: Shall the Speaker's decision be sustained? And the decision of the Chair was sustained on the following division:

## YEAS

Messrs:

Armstrong	Benidickson
Asselin (Richmond-Wolfe)	Boutin
Badanai	Brewin
Batten	Byrne
Beaulé	Cadieux (Terrebonne)
Béchar	Cameron (Nanaimo-Cowichan-The Islands)
Beer	Cantin