

RULING OF MR. SPEAKER

MR. SPEAKER: I had given consideration to the matter before the question of order was raised. It seems to me that if the amendment were a direction for the payment of money it would undoubtedly be out of order. Similar amendments have been declared out of order but in each instance, so far as my recollection goes, there has been an instruction to the government. I should like to refer to page 735 of the *Journals* of 1947, where the following appears:

Mr. Bentley, seconded by Mr. Green, moved in amendment thereto: That Bill No. 413 be not now read a third time but that it be referred back to the Committee of the Whole with instructions to amend the said Bill so as to extend to merchant seamen the provisions accorded to veterans in the said Bill.

Mr. Speaker ruled the proposed amendment out of order on the ground that it involved an expenditure, etc. . .

Honourable Members also recall that quite frequently private Members' Notices of Motion propose that the government should take into consideration certain questions which would involve the expenditure of money. These private Members' motions are invariably allowed to stand. The amendment before the House, so far as I see it, is to refer the bill back to the Committee so that the Committee may reconsider a certain addition which undoubtedly would involve the expenditure of money.

If an amendment to the section is proposed in Committee it would have to be proposed by a Member of the government. If the amendment were proposed in Committee by a private Member, it is my understanding it would be out of order. I believe that is the ruling the Chairman of the Committee made. However, far be it from me to decide what the Chairman of the Committee should do. I feel that if the expenditure of money is proposed as a result of this matter being referred back to the Committee, the amendment would have to be proposed by a Member of the government. The Chairman of the Committee of the Whole made a ruling which in my opinion was correct and it was accepted by the Committee. If it had not been accepted by the Committee there would have been an appeal to the House and not to the Speaker.

My only concern is that the ruling I make at this time is sound. There is a motion before the House to refer this matter back to the Committee. Under our procedure it is within the power of the House to refer the Bill back to the Committee to consider the whole Bill or to consider any section in the Bill, even if the Committee has already considered the sections in the Bill. It is true that the matter proposed to be considered was considered in the Committee, and the Chairman of the Committee ruled the amendment out of order because it was made by a private Member. If the House decides to send this Bill back to the Committee, and a private Member again makes this motion, I would think the motion would be out of order. However, when the Bill goes back to the Committee the motion to amend it can be made by a Member of the government, if the government feels it should do so, and it would be in order.

In my opinion, the wording of the amendment is not to the effect that it is an instruction to the Committee to do anything which would involve an expenditure of money. It is merely referring the Bill back to the Committee so that the Committee can reconsider certain questions which have already been considered, but which the Committee has power under our procedure to consider again. Accordingly, I shall allow the amendment to stand.