

*British North America Act*

[Translation]

**Mr. Grégoire:** Mr. Speaker, if I may, I shall answer the question of the hon. member for Winnipeg North Centre.

The amendment moved by the Leader of the Opposition (Mr. Diefenbaker) and the subamendment of the hon. member for Ville-neuve (Mr. Caouette) maintain for the federal government the privilege and power of legislating in those fields. The subamendment moved by the hon. member for Ville-neuve does not deprive the government of that power to legislate. Yet, the power to legislate in the matter of old age pensions will now only apply to the provinces which accept it.

I want to tell the Minister of Justice, as well as the Secretary of State (Mr. Lamontagne)—who advocates co-operative federalism—that if we accept this today, it will be a precedent which may repeat itself in many other fields under exclusive provincial jurisdiction, even in the nine provinces which would like the federal government to enter certain fields. The federal government may legislate on behalf of all provinces which are willing, but not for those who are not. This will facilitate amendments to the constitution as nine provinces will welcome them, while respecting the rights of the provinces which do not want those amendments. This will be a precedent which will more easily justify any future amendments to the constitution and which will be a new means of repatriating the constitution. At that time, the amendments will only apply to the provinces which are willing to accept them.

The Prime Minister of Canada (Mr. Pearson) frequently stated that Quebec was not a province like the others. Almost everybody agrees on that. Therefore, let us put those words into practice and try to agree on the constitution, so that if it suits nine provinces, all the better, and if it does not suit the tenth, it will not apply. By doing so, I think that we will attain the best kind of confederation which will satisfy everybody.

Mr. Speaker, I think that this answers the question of the hon. member for Winnipeg North Centre.

[Text]

**Mr. Deputy Speaker:** Order. Perhaps I might point out to hon. members that since royal assent is about to be given perhaps it would be wise to wait until tomorrow before the Chair renders a decision. I might also point out that the remarks and comments made on the point of order by several hon.

[Mr. Knowles.]

members have related exclusively, to my mind, to the question of the constitutionality of the amendment, which really does not assist the Chair in reaching a decision. What the Chair has to decide is whether the amendment is acceptable from a procedural standpoint, and very little has been said by hon. members on this point. I must say that as far as the Chair is concerned this is a difficult question to decide, being a borderline case, and in view of this I am sure that hon. members will not mind waiting until tomorrow before the Chair give its decision, in view of the fact that we are just about to have royal assent.

**THE ROYAL ASSENT**

**Mr. Speaker:** I have the honour to inform the house that I have received the following communication:

Ottawa, June 18, 1964

Sir:

I have the honour to inform you that the Honourable Roland A. Ritchie, puisne judge of the Supreme Court of Canada, acting as Deputy of His Excellency the Governor General, will proceed to the Senate chamber today, the 18th June, at 9.45 p.m., for the purpose of giving the royal assent to certain bills.

I have the honour to be,  
sir,

Your obedient servant,  
A. G. Cherrier,  
Assistant Secretary to the Governor General

**BUSINESS OF THE HOUSE**

**Mr. Churchill:** Mr. Speaker, I wonder whether we could have the order of business for tomorrow and Monday while we are waiting?

**Mr. Favreau:** Mr. Speaker, if I may first be allowed to say so, I wonder whether we could have unanimous consent of the house once we return from the Senate, to complete the proceedings on the motion to amend the resolution, so that tomorrow we can proceed with the debate?

**Mr. Speaker:** Does the house give unanimous consent?

**Mr. Knowles:** Mr. Speaker, what does that mean? I understand we still have to get a ruling tomorrow.

**Mr. Favreau:** I thought that the Speaker meant that because it was adjournment time he could not render his ruling until tomorrow. I did not understand that he was asking for time to consider the matter. I withdraw my suggestion if that is the case.