

Excise Tax Act

As I say, I do not feel I can support the case of the Leader of the Opposition for separating this notice of ways and means motion into two parts, but it does seem to me that if we pass this notice of ways and means motion, the bill that is introduced ought to be confined to what is in that ways and means motion.

May I draw Your Honour's attention to Standing Order 60(11) which says:

The adoption of any Ways and Means motion shall be an order to bring in a bill or bills based on the provisions of any such motion.

That seems pretty clear. In other words, if we vote for this motion, this notice of ways and means motion, as we shall, then it is in order to bring in a bill, or bills, based on the provisions of that motion. It would seem to me that one bill could do, although the Leader of the Opposition might argue for two. But apparently waiting in the wings is a bill, according to today's order paper, which reads:

● (1520)

The Minister of Finance—Bill intituled: "An act to impose a charge on the export of crude oil from Canada, to impose an oil export tax under the Excise Tax Act—

It does not stop there; it goes on to say:

—and to allocate certain of the revenues derived from the oil export tax".

Then, the recommendation of His Excellency the Governor General spells this out a little more by indicating the fact that 50 per cent of the revenues so obtained are to be transmitted to the provinces concerned.

I hope Your Honour will not feel that I am raising a different point of order, for we are in the same universe as it were. The Leader of the Opposition (Mr. Stanfield) feels that there should be more than one bill based on this resolution. I do not support that argument. But I am not concerned about the fact that if we pass this motion apparently we are going to get a bill with something in it that is not in the ways and means motion. I would suggest that either the ways and means motion should have been amended in reference to the allocation of the revenues, or this matter should have been in a separate bill, one that will provide the formula for allocating the revenues obtained from the charges and taxes.

Mr. MacEachen: Mr. Speaker, I just want to reserve my right to argue the second point of order whenever it is relevant to have it raised.

Mr. Knowles (Winnipeg North Centre): On that point if I may, Mr. Speaker, surely we have the right to know what the government's intentions are in view of the fact that we have the ways and means motion in front of us and we have this notice of a bill which talks of one bill, not two, which seems to say that the bill is going to do the things in the ways and means motion but is going to do something else as well.

I have no quarrel with one bill covering everything that is in the ways and means motion, but I think that the formula for allocating the anticipated revenues should be in a separate bill.

Mr. Speaker: I am not sure that hon. members would want me to rule immediately on the interesting points which have been raised by the hon. Leader of the Opposi-

tion (Mr. Stanfield), the hon. member for Winnipeg North Centre (Mr. Knowles) and the President of the Privy Council (Mr. MacEachen). A number of different points have been raised by hon. members and one of them, to which the hon. Leader of the Opposition has alluded, has referred to the royal recommendation. I have looked at the royal recommendation, and while part of it may not be relevant to the ways and means motion and I recognize that this may give rise to some difficulty, perhaps it would be the part of wisdom to have the royal recommendation drafted in such a way—if His Excellency would agree—so that it would be clear what the bill intends to do.

In so far as the ways and means motion is concerned, my understanding is that the hon. member's difficulties are perhaps not so much in connection with the motion but are in connection with a bill which will come before us as a result of the motion. The hon. Leader of the Opposition has suggested that there should be two bills. The advice I have is that we have had bills which were designed both to tax and to apportion the revenue, and that there are a number of precedents to this effect. I wonder where the Chair would get the authority to say at this point that we should split the bill.

The hon. Leader of the Opposition referred to a ruling made by Mr. Speaker MacNaughton in relation to the resolution on the flag debate. Of course, we had before us at that time a resolution and not a bill. I am not quite sure either that there is no precedent for splitting the bill, but I would hesitate to rule at this point and I wonder if we would achieve anything by splitting the motion, to have one bill coming up later based on two motions. That is the point I would like to look into briefly if hon. members would allow me to do so.

The point raised by the hon. member for Winnipeg North Centre is entirely different. He felt that the bill as proposed might go beyond the terms of the proposed ways and means resolution. I had not looked into that aspect of the problem, and I would be disposed to look at it a little more closely if hon. members would allow the Chair to consult all these documents, the ways and means resolution, the notice of the bill which is before us and the royal recommendation to see what we can come up with that might satisfy hon. members. As I said a moment ago, based on the precedents which I know, it would be very difficult for the Chair to make a decision now which would bind us to a conclusion that the bill which will come before us should be split so that we would have two different questions in two different bills for the consideration of the House.

I thank hon. members for the advice they have given the Chair and the suggestions they have made that the matter be looked into. This is what I will do as soon as I can and perhaps later this afternoon I can indicate to hon. members what my conclusion is after having studied citations of the rules and precedents. Perhaps, we might go on to the next order of business for the moment.

Mr. MacEachen: Mr. Speaker, I understand your desire to have time to reflect upon this decision. The House may wish to divide on this motion. I am not sure. But if there is no interest in dividing, then I am not as concerned about when your judgment will be delivered. If there were an indication that the House was to divide, I think I would