

Continental Bank of Canada

speech which I did not hear him make, nor was that point put forward in committee. Again, it is a strange campaign to strip IAC. I say, on the point of order, every one of these amendments goes to the question of being, in effect, an expanded negative.

Mr. Reid: Mr. Speaker, I shall address myself to the very narrow point which Your Honour raised, that is, even by the carriage of all of these amendments taken as a group, with which position the hon. member for Waterloo-Cambridge and myself are in agreement, I would direct Your Honour's attention to motion No. 3 which calls for the deletion of clause 6 of the bill which reads as follows:

This act shall be construed to confer upon the bank—

That is, the Continental Bank.

—all the powers, privileges and immunities, and to subject it to all the liabilities and provisions set forth in the Bank Act, except as provided in the Bank Act or in this act.

If that particular motion were to carry, then there would obviously be no bank possible as a result. As the hon. member for Edmonton West has pointed out, this is perhaps also the case with motion No. 2. The hon. member for Waterloo-Cambridge raised the question dealing with the transformation of IAC Limited into the Continental Bank and the way in which one can proceed. That is another point of order which I should like to argue, because there are certain problems with IAC being incorporated in one jurisdiction and not being able to make changes under the law of a further jurisdiction to submit itself to the provisions of the model bill as outlined in the Bank Act. It is simply an impossibility for IAC to be able to do that. That is a further point I should like to argue in conjunction with the general argument as to the inadmissibility of these motions as a group, if Your Honour should take that position.

I have just addressed myself to the narrow point of what would happen if this motion were carried. My submission would be that no bank can exist were motion No. 3 to carry.

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, in view of the preliminary opinion that Your Honour gave from the chair, it is not necessary for me to make one of my long dissertations because I strongly agree with the preliminary view that you stated. Like the hon. member for Kenora-Rainy River (Mr. Reid), I believe at this point we should confine ourselves to the narrow issue of whether this series of amendments constitutes an indirect form of negating the bill and therefore should not be allowed.

I hope Your Honour will not be cross with me if I remind you that earlier today you indicated to some of us that a ruling by Mr. Speaker Lamoureux was always a great help, because I have in my hands a ruling by your distinguished predecessor. It was given on February 13, 1969, in connection with a report stage amendment moved by the hon. member for Waterloo-Cambridge (Mr. Saltsman).

● (1720)

The main issue on that occasion was the right to move a report stage amendment to a private bill. Mr. Speaker Lamoureux ruled in favour of that, and you so ruled last week, Mr. Speaker. Mr. Speaker Lamoureux pointed out

[Mr. Lambert (Edmonton West).]

that under certain conditions he would not have been able to allow several of such amendments. He said, specifically, that if there were before the House a bill with three clauses, and if there were three separate motions moved by three hon. members to delete each of the three clauses, the Chair would have to rule that the three motions, the consequence of which would be the loss of the bill, could not be accepted. We have before us a 24-clause bill and we have not put down amendments seeking to delete every one of the 24 clauses, but only 11. The matter therefore, does not come under the ban indicated by Mr. Speaker Lamoureux on February 13, 1969.

Your Honour's predecessor distinguished, in that important ruling, between the committee of the whole stage and the report stage. He said that in committee of the whole we deal with individual clauses and a motion to delete a clause is simply an expanded negative, and therefore is not allowed. We simply vote on the clause. But at report stage we are dealing with a bill, and motions put down are motions to amend the bill. It has been clearly said, first, that report stage amendments to amend private bills are in order; second, that provided they do not constitute in themselves the total negation of the bill, they are in order.

As has been said, this is a bill of 24 clauses, but there are only 11 proposed report stage amendments. Some of the clauses are left intact and some of the clauses are to be altered. In the result, even if all the report stage motions carried, there would still be a bill. It might not satisfy the hon. member for Kenora-Rainy River (Mr. Reid) or the hon. member for Edmonton West (Mr. Lambert), but there would still be a bill.

An hon. Member: But no bank.

Mr. Knowles (Winnipeg North Centre): My hon. friend says, "But no bank." That is a point of substance, perhaps, which can be debated later. Does the status of the bank depend on this bill, or could it be a bank under the Bank Act? I am ready to admit that perhaps some of the report stage motions go too far in that they seek to wipe out quite a few clauses. For that reason Your Honour made good sense by saying you could hardly make a blanket ruling on all report stage amendments. You might decide some are out of order. Yet to be taken in by the views of the hon. member for Kenora-Rainy River and arguments that these motions should not be allowed because they involve expanded negatives would be a mistake.

As Your Honour said in your preliminary views, if these motions were put and carried there would still be a bill. That being so, it seems to me that the right of the hon. member for Waterloo-Cambridge to present these motions is established. Perhaps he would not object if you found two or three of them out of order in terms of how they fit into the total structure of the bill. I submit that he has the right to move a series of report stage amendments. Bear in mind that this is the report stage where we are dealing with a bill, not committee of the whole where we deal with clauses. The rule concerning expanded negatives does not apply and I hope, therefore, that your Honour will allow this series of report stage motions.