

*Northern Canada Power Commission Act*

There is an indication that this was procedurally correct, but there is a fine distinction and I think it is important that we make it. The formal motion which Beauchesne indicates to be correct, and for which there are precedents in this House, differs from the proposed motion of the hon. member for Yukon and the motion of the hon. member for Calgary North. The amendment advanced by the hon. member for Yukon proposes the referral of the subject matter to a task force appointed under the Inquiries Act. That is the distinction I should like to make at this point. It seems that it might be procedurally acceptable to refer the subject matter of a proceedings at this stage to an entity, group or commission which is in existence.

I had reservations last week as to the procedural correctness of referring the subject matter to a task force which was to be subsequently appointed. I have the same reservations in respect of the proposed motion of the hon. member for Yukon (Mr. Nielsen). However, if there is unanimous consent of the House, and if it is the desire of hon. members to follow the precedent established last week, I would, by unanimous consent, be prepared to accept the motion.

● (6:00 p.m.)

**Mr. J. A. Jerome (Parliamentary Secretary to President of the Privy Council):** Mr. Speaker, apropos your last remarks, there was unanimous consent of the House to allow the hon. member to amend his motion, but I hope this will not be taken as unanimous agreement in respect of its orderliness or regularity. In addition, since it is obvious the debate will not conclude this evening and the vote on the main motion for referral would have to be taken at a later time, perhaps tomorrow or later in the week, it was our intention to ask Your Honour to call it six o'clock if a ruling were to be given.

That being the case, it would perhaps be in order to request Your Honour to consider the regularity of the motion for the reason Your Honour has just pointed out, namely, that there does not appear to be any precedent for referring either the bill or the subject matter, at this stage, to a body which is not yet constituted. Complementary to that problem is the fact that there may not, certainly on a casual reading, be authority under the Inquiries Act to set up a task force. If this is not an argument that stands alone, it is certainly one that tends to support the feeling Your Honour may have concerning the regularity of an attempt to refer something to a body which does not exist, because it may not be possible to bring such a body into existence. I submit that Your Honour's fears are well grounded in respect of the regularity of the motion, and I would ask Your Honour to reserve your ruling on it and to consider the matter further.

**Mr. Stanley Knowles (Winnipeg North Centre):** Mr. Speaker, perhaps I might say a few brief words. I am sure we all agree that whatever happens, it should happen tomorrow rather than now, since six o'clock has gone by. However, with reference to Your Honour's

[Mr. Deputy Speaker.]

query concerning whether the amendment now before us, like the amendment of the hon. member for Calgary North (Mr. Woolliams) of last week, is in order, in view of the fact that the proposed task force does not exist, may I point out that citation 386 paragraph (2) seems to permit an amendment of this kind which urges the setting up of a select committee to consider the subject matter of a bill.

What I am saying is that there does not seem to be anywhere the kind of requirement that the entity to which the subject matter is to be referred must already exist. It so happens that the Board of Railway Commissioners did exist, but there is also this permission to refer the matter to a select committee that is to be set up.

The whole issue raised by the Chair is in respect of whether the body to which the matter is to be referred must already be in existence. I submit that under citation 386 (2), that requirement does not obtain and that whatever we may decide about the substance of the motion, it would seem to me, having gone this far, we should find it in order. But that, of course, is for Your Honour to do. I support the Parliamentary Secretary in his suggestion that whatever finding is made be made tomorrow.

**Hon. Bryce Mackasey (Minister of Labour):** Mr. Speaker, I should like to speak very briefly on the proposed amendment before us and the dilemma the Chair mentioned, of the very thin line involved here and the question of whether or not it might be resolved by unanimous consent. Although the hon. gentleman who just sat down is an acknowledged expert on the rules, I would point out that the significant thing in respect of the amendment of 1934 which referred a matter, I believe, to the Board of Railway Commissioners is that in so doing the statement was made that the amendment was as much a declaration of policy as if it had stated that the question of adjusting the railway rates on grain should be investigated by the board.

I believe this is a very fundamental point. In the reference to the Board of Railway Commissioners for Canada, the inference was that there was not a deviation in policy. In other words, it was being referred to a type of board which would not in any way indicate any deviation from the basic policy enunciated in the bill. The basic point is covered in the first part of citation 386 rather than the point the hon. gentleman raised when he referred to paragraph 2. I do not think the amendment should be permitted.

**Mr. G. W. Baldwin (Peace River):** Before Your Honour calls it six o'clock I have a very brief word to say about this matter. Also, before Your Honour calls it six o'clock perhaps the Parliamentary Secretary to the President of the Privy Council (Mr. Jerome) will indicate the business for tomorrow.

In respect of the question to which Your Honour is now giving consideration, cluttered up with the arguments advanced by the other side, in the last few years the words "task force" have been engraved upon the