

application of the Act by regulation to rye, flaxseed and rapeseed; and to provide for related and consequential matters.

The House resumed debate on the motion of Mr. Chrétien, seconded by Mr. Macdonald (Rosedale),—That Bill C-187, An Act respecting minerals in the Yukon Territory be now read a second time and referred to the Standing Committee on Indian Affairs and Northern Development.

And debate continuing;

Mr. Dinsdale proposed to move in amendment thereto, —That all the words after "That" be struck out and the following substituted therefor:

"this Bill be not now read a second time but that it be resolved that in the opinion of this House the terms and conditions agreed to by resolution of this House and recorded in the *Journals* for 1867 that, upon transfer of the Territory to Canada and upon grant of Parliament of authority to legislate for the welfare and good government of the Territory, the claims of the Indian tribes in the Territory to compensation for lands required for purposes of settlement 'will be considered and settled in conformity with the equitable principles which have uniformly governed the British Crown in its dealings with the aborigines' be implemented as a prior condition to the enactment of any further legislation concerning the sale of mineral rights in the lands of the Yukon Territory."

RULING BY MR. SPEAKER

MR. SPEAKER: I thank honourable Members for their valuable guidance in connection with this very interesting point of order. I took the initiative to indicate to honourable members that I had serious doubts as to certain procedural aspects of the amendment.

The honourable Member for Winnipeg North Centre (Mr. Knowles) has pointed out the difficulty with which honourable Members are met in drafting so-called reasoned amendments and the difficulty with which the Chair is faced in determining whether such amendments fall within the four corners of the established practice in relation to reasoned amendments.

I indicate nothing new to honourable Members when I remind them that there are not very many kinds or types of amendments that can be moved on second reading. The scope or range of such amendments is very limited. Honourable Members know that generally speaking they can move what is termed the six months hoist which was moved earlier in connection with this bill. Honourable Members can move by way of an amendment on second reading that the subject-matter of a bill be referred to a committee and they can move a reasoned amendment. That is about the limitation of the amendments that can be proposed.

Reasoned amendments are not frequent in our practice. They are used more liberally in the British House, and to some extent we have to rely on the British practice to determine whether such amendments moved as reasoned amendments can be accepted.

The honourable Member for Yukon (Mr. Nielsen) has very helpfully referred to May's 17th edition which specifies the conditions which govern a reasoned amendment.

Other honourable Members have referred to the matter of relevancy. I indicated earlier that I had some difficulty determining whether the honourable Member for Brandon-Souris (Mr. Dinsdale) in the course of his contribution to the debate on second reading of this bill was entirely relevant. Having made that admission, I find it a little difficult to make a ruling on the relevancy of the amendment which applies the line of argumentation proposed earlier by the honourable Member for Brandon-Souris.

I have some reservations. Looking at the amendment and the title of the bill, I find that there may be some difference between the two, but I do not think that I should make a ruling on this basis. What worries me more seriously is whether this amendment as drafted imposes a condition precedent. Honourable Members know very well that it is not competent to move an amendment which imposes a condition precedent, that is a reasoned amendment based on such conditions. I refer honourable Members to May's 17th edition at page 528, subparagraph (2), on this point.

Perhaps an even more important point is whether this amendment opposes the principle of the bill. The honourable Member for Winnipeg North Centre said that the consequence of the adoption of the amendment would be that the bill could not be proceeded with if the amendment were carried. I do not disagree with that, but the amendment in these words, taken as such, does not oppose the principle of the bill. I believe that this is one of the essential aspects of a reasoned amendment, that it should first oppose the principle of the bill and indicate reasons why the second reading should not be proceeded with.

I refer honourable Members to citation 393 (1) of Beauchesne's: "An amendment purporting to approve the principle of a Bill and at the same time enunciating a declaration of policy cannot be moved to the second reading. It must oppose the principle of the Bill."

I think this is fundamental. I have always felt that honourable Members who wished to propose a reasoned amendment can do so fairly easily with a bit of imagination, providing they find some way which does oppose the principle of the bill and indicates in general terms why the mover of the amendment does not think that the bill should be proceeded with further. That is why I have not been entirely reluctant to rule a reasoned amendment out of order, because I feel that honourable Members are not penalized very seriously. With some imagination, they can always rectify or remedy what the Chair thinks is a defect in the amendment which has been proposed.