

Private Bills

give a few explanations concerning the proposed amendment which seems both in order and out of order for various reasons.

I would like to indicate that keeping in mind certain arguments that have been voiced—if we were in the process of discussing a public bill, I would think that the amendment proposed by the hon. member for Waterloo (Mr. Saltsman) would be quite in order for the simple reason that the procedure concerning public bills is different from that of private bills. On this subject, I do not intend to repeat the arguments put forward by the hon. member for Winnipeg North Centre (Mr. Knowles) which, in my opinion, were quite appropriate.

However, Mr. Speaker, we are now discussing a private bill and consequently, a difference must be established. If, on discussing a private bill, we had reached the first, second or third reading, the amendment could be declared out of order since this would create a precedent according to the parliamentary procedure.

On the other hand, Mr. Speaker, as we are now discussing a committee report—I have obtained legal counsel on this point—I would think, as it was mentioned a minute ago, that at the committee report stage, it may be that the amendment is in order. In parliamentary wording, this is known as a "Motion to delete".

Another argument which, in my opinion, is quite appropriate and with which I agree, Mr. Speaker, although I am not an expert in this matter, is the proposition voiced by the hon. member for Winnipeg North Centre who said that a bill must be distinguished as to its various parts. Hence, I do not agree with the hon. member who first voiced his opinion on this subject and who said that this amendment is equal to the bill being rejected, as a distinction must be established between the different parts of a bill, namely the title, the preamble and the several paragraphs included in it.

The amendment is intended to repeal clause 1 and, in this connection, we could refer to standing order 75 (5) and say that such a thing is possible, and I quote:

If, not later than twenty-four hours prior to the consideration of a report stage, written notice is given of any motion to amend, delete, insert or restore any clause in a bill, it shall be printed on a notice paper.

And this is in order, Mr. Speaker, since such a situation is provided for in the Standing Orders. Therefore, this is not a precedent at the committee report stage in that respect, since it is mentioned in the Standing Orders.

Mr. Speaker, I would not like to delay this debate any further. I think your skill and your experience will enable you to take in the situation, but I wish to tell you that we appreciated it when you asked for the advice of hon. members before ruling the motion in order or out of order.

As far as we are concerned, Mr. Speaker, we wish to say, with all due respect, that we would welcome your ruling it in order, for the simple reason that the first clause, and not the preamble, is involved.

[*English*]

Mr. Frank Howard (Skeena): Mr. Speaker, because we are attempting to develop the new rules to be meaningful to us, it is necessary for us to explore as much as we can all the ramifications involved in any new proposal such as this. Most of us do not have the advantage that the hon. member for Grenville-Carleton (Mr. Blair) had in being involved intimately in the discussions of the Special Committee on Procedure, and therefore we are at a loss to know, when he says such a thing was not contemplated in the discussions, whether there is any meaning to this.

Mr. Knowles (Winnipeg North Centre): That is his view.

Mr. Howard (Skeena): That is his interpretation of what took place in that committee, but even if the committee did not contemplate such an eventuality as the motion to amend that is before us, this does not mean it is invalid just because the committee did not think that far ahead of itself in developing these rules.

I hope I will be pardoned, Mr. Speaker, if I read Standing Order 75(5) and place a certain construction on it that may assist you immeasurably. It says:

If, not later than twenty-four hours prior to the consideration of a report stage, written notice is given of any motion to amend, delete, insert or restore any clause in a bill, it shall be printed on a notice paper.

I want to make the point that there is a distinction in using the word "any." I am quite sure that the procedure committee carefully selected that word to be used in the broadest possible sense.

If the committee had meant this to be restricted, to give it the meaning that the hon. member for Grenville-Carleton submitted, it would have used the word "a", and thus it would have appeared:

—written notice is given of a motion to amend... insert or restore a clause in a bill—