

*Disposition of Supply Motions*

items. The items in question were 35c and 10c. I will quote the ruling of the Chair at that time:

I must come to the inevitable conclusion that, in view of the situation created by the new rules, these items are not before the House in proper form.

It should be stressed that we are dealing now with an entirely new situation and with an entirely new set of circumstances. If it could be said that since the adoption of amended Standing Orders in 1968 the House had already accepted as part of a continuing practice the consideration of dollar items intended to amend statutes, then the argument might be made that the procedure proposed in respect of these specific items conforms with a new practice and is supported by precedence. But that is not the case.

Your Honour went on to find that those items that were statutory items had to be brought in by way of bill. The government admits, in a document entitled "Explanation of one dollar items in Supplementary Estimates (A), 1973-74", that there are three one dollar items which specifically amend existing legislation other than appropriation acts. This document was supplied to the Standing Committee on Miscellaneous Estimates which considered Supplementary Estimates (A) and it is part of the evidence given to that committee.

There are outlined there in the estimates, the Department of Justice, vote 1a, which had the effect of providing for the payment of a maximum travelling allowance of \$500 per annum for district court judges in Ontario, and so on. The next department was the Department of National Health and Welfare, vote 50a, to authorize an increase of \$2 million in the statutory aggregate amount of payments that can be made under the Fitness and Amateur Sport Act. Then lastly, the Department of Veterans Affairs, vote 30a, to authorize an amendment to the Pension Act so as to enable the Canadian Pension Commission to accept and administer property and money bequeathed and donated in trust to the commission for the benefit of pensioners and their dependants. All three votes in all three departments are statutory votes and have the effect of amending statutes, in my submission. That is admitted by the government itself.

On the basis of your ruling, and the government's admission, all those three one dollar votes specifically amend existing legislation other than appropriation acts. The motion standing in the name of the President of the Treasury Board (Mr. Drury), in my submission, must be ruled out of order in so far as that motion purports to include these three improper items, unless the House unanimously consents to an amendment of the motion by the President of the Treasury Board. That was the procedure followed on the previous occasion. Standing Order 51 is there relevant. It says:

● (2310)

Whenever Mr. Speaker is of the opinion that a motion offered to the House is contrary to the rules and privileges of parliament, he shall apprise the House thereof immediately, before putting the question thereon, and quote the Standing Order or authority applicable to the case.

I know that not many members opposite are concerned about following the rules of this House. As it is, have very few of the privileges of opposition with respect to the control of supply. I am sure that the President of the Privy Council (Mr. MacEachen), having been in this House for as long as he has, knowing the validity of the point which

[Mr. Nielsen.]

I raise and that it is on all fours with the situation of March, 1971, would be, and should be, the first to agree that we should follow the same procedure today as we followed on that occasion.

**Hon. Allan J. MacEachen (President of the Privy Council):** Mr. Speaker, the hon. member for Yukon (Mr. Nielsen) has taken exception particularly to three items which appear in the supplementary estimates. Apparently he wants to exert influence on these proceedings and delete from supply a sum intended for fitness and amateur sport in Canada.

**Mr. Nielsen:** Not at all.

**Mr. MacEachen:** That is the first objective. The second objective is to remove the authority, set by the Minister of Veterans Affairs (Mr. MacDonald), with respect to administering, on behalf of the veterans of Canada, trusts and estates.

**Mr. Baker:** Claptrap!

**Some hon. Members:** Oh, oh!

**Mr. MacEachen:** Then he wants to remove the possibility that the Minister of Justice (Mr. Lang) shall administer, and permit the judges of this country to administer, our judicial system more effectively.

**Mr. Baker:** Balderdash!

**Mr. MacEachen:** By attempting to block these items in the estimates he is saying, "Let us cut out the sum for amateur sport. Let us reduce our services to veterans. Let us cut out the ability of judges to administer the courts of this country".

**Mr. Baker:** That is a shabby argument.

**Some hon. Members:** Hear, hear!

**Mr. MacEachen:** If that is what my hon. means by controlling supply—

**Mr. Bell:** It is not.

**Mr. MacEachen:**—I hope he will never have any influence in this House over controlling the supply of parliament.

**Some hon. Members:** Hear, hear!

**Mr. MacEachen:** Mr. Speaker, I propose to show in my argument that the items in question are well-founded on precedent. If we examine very carefully the important ruling to which my hon. friend has referred, I submit we will find ample precedents, since the change in the rules, which would justify the inclusion of these particular items in the supplementary estimates. As my argument may be long, may I refer to just one example, to be found at page 96 of Supplementary Estimates (A) for the fiscal year ending March 31, 1974, under the Department of National Health and Welfare fitness and amateur sport program. Vote 50a reads:

Fitness and amateur sport—program expenditures—to extend the purposes of National Health and Welfare vote 50, Appropria-