

*Supplementary Estimates*

North Centre raised a point of order regarding the propriety or, if one wishes, the legality of considering supplementary estimates which are in effect amendments to existing statutes. The hon. member for Edmonton West argued along the same lines. In support of the motion, the President of the Treasury Board claimed that his proposal was amply supported by precedents. He referred to certain guidelines which he suggested should be looked at by the government when proposing such items and that the proposals were entirely within those guidelines.

The minister is right, of course, when he suggests that the introduction and passage of statutory items in supplementary estimates is not an innovation in this House. This is a practice which goes back many years. At the same time, it has never been accepted readily by the House. Our debates record many instances when members have taken exception to the practice. The hon. member for Winnipeg North Centre himself is not a neophyte in this regard. For example, on March 31, 1952—if he does not mind my going back so far—as reported at page 969 of *Hansard* of that day he voiced strong objection to an item in the estimates which, he contended, would circumvent section 3 of the Atomic Energy Control Act. Another example of such objection is a statement by the then hon. member for Digby-Annapolis-Kings, who stated in part as follows:

You have statutes; you may repeal them; you may amend them; but you cannot do it by supply bills.

Another random selection was picked from page 3,368 of *Hansard* for March 27, 1961, where the then hon. member for Kenora-Rainy River went on record to oppose this practice and called as his witness the then absent hon. member for Winnipeg North Centre. Again, on April 1, 1964, as reported at page 1,680 of *Hansard*, a similar discussion arose.

There are countless other instances which indicate that statutory dollar items have been used in the past but that this practice has not gone unchallenged.

In the situation now before us, the hon. members for Winnipeg North Centre and Edmonton West have distinguished so-called statutory items from those which merely propose a transfer of funds. The members take exception to both types of one-dollar items, but the thrust of their objection is against specific items which they suggest are clearly legislative in intent.

In support of their argument the hon. members suggest that the procedural situation has been radically changed by the adoption of the new rules in December of 1968. They urge that in view of the new supply procedures introduced by these rules, statutory dollar items should not be included in supplementary estimates. The hon. member for Winnipeg North Centre contends that past practice should not be used as a guide in relation to the present machinery for the consideration of estimates. He suggests that when the House eliminated the committee of supply a new situation was created because it was in committee of supply that formal objection had been taken in the past to these one-dollar statutory items.

[Mr. Speaker.]

Those members suggest that there is now no real opportunity for the consideration of such items by the House itself. That, of course, is not entirely correct since the new Standing Orders do provide for such an opportunity, albeit restricted, under the terms of Standing Order 58. Clearly the Standing Orders do provide the machinery for the consideration by the House itself of specific items in the estimates to which the opposition might take exception. However, this opportunity is undoubtedly limited and depends very much on the number of allotted supply days which might still be available by virtue of Standing Order 58. In other words, under the old rules there was unlimited time to consider supplementary estimates, including items intended to amend statutes. Under the new rules there may be only a limited time to consider supplementary estimates.

Is the difference between the two situations so substantial that the past practice of allowing statutory dollar items in the supplementary estimates should now be disallowed? Should the very limited time allotted by Standing Order 58 be restricted to the consideration of what is strictly supply? There is much to be said to support an affirmative answer to these questions.

The argument proposed by the hon. members for Edmonton West and Winnipeg North Centre is cogent. They contend that any rulings that may have been made in the past about dollar items prior to the changes of the rules do not now apply. They suggest that the rules changes were effected to remove the consideration of detailed estimates from the floor of the House but that no decision was ever made that a motion which is tantamount to a legislative enactment should be removed from the floor of the House. They urge that the items which have a legislative effect should not be allowed to be proceeded with by way of items in the supplementary estimates but should be introduced in the usual way, as is done for all other legislation, by way of a bill.

Let us, if you will, examine the items singled out by the hon. members. The first one is vote 35c. It proposes to amend the Pension Act and the Civilian War Pensions and Allowances Act. The vote proposes to repeal schedules A and B of the Pension Act and substitute therefor new schedules A and B as found in vote 35c. At the same time, it seeks to amend section 38(2) and section 38(4) of the Pension Act. Second, vote 35c proposes to repeal the existing schedules in the Civilian War Pensions and Allowances Act and substitute a schedule set out under the vote, in effect amending two sections of the Civilian War Pensions and Allowances Act.

Schedules A and B of the Pension Act were previously amended by statute, other than an Appropriation Act, in the years 1953-54, 1957-58, 1960-61. Schedule B was amended in 1966-67. None of these amendments was enacted by way of an appropriation measure. Item 10c, affecting the War Veterans Allowance Act, purports to repeal Schedule A of that act and substitute a new Schedule A in this vote. It refers to Schedule A of the War Veterans Allowance Act which was amended in 1957-58, 1960-61 and in 1965 by statutes other than an