

*Estimates*

**Mr. Guay (St. Boniface):** Well written.

**Mr. Stanfield:** Well taken, too.

**Mr. Nielsen:** That, Sir, concludes my point of order. I would ask that Your Honour rule first of all that it is a matter of procedure.

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

**Mr. Nielsen:** In the first place, that it is a procedural matter, not a constitutional matter and not one requiring interpretation except for the application of the rules of the House and the statutes of this parliament; second, on the basis that the government has exceeded in these estimates a year's supply, that strictly this House is not empowered to go beyond the recommendation of the Governor General to the end of the fiscal year in March, 1974.

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

**Mr. Deputy Speaker:** The President of the Treasury Board (Mr. Drury) on the same point of order.

**Mr. Drury:** On the same point of order, Mr. Speaker, I think the arguments we have just listened to all hinge on the wording of the notice of motion appearing in today's routine proceedings, the order paper.

**Mr. Stanfield:** No, you do not understand.

**Mr. Drury:** The reference to the motion on which we are to vote and consequently, by extension, the message of the Governor General are not in accord. The terms of the Governor General's message strictly accord with the wording in the estimates. If one looks at the Governor General's message and at the wording in the estimates under vote L30, Department of Transport, it will be seen that in respect of the estimates submitted for 1973-74, that is these documents, provision made both in the message from His Excellency and in the wording of the vote for an advance in current and subsequent fiscal years. This is in accordance with long-standing parliamentary practice.

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

● (2200)

**Mr. Drury:** I have been in this field for some time, Mr. Speaker, and I am surprised to discover that the hon. member for Yukon (Mr. Nielsen) should have been so led astray on this particular point. If he refers to the wording of notice of opposition No. 7, to which reference was made, he will see that the words "for the fiscal year ending March 31, 1974" do not purport to limit any amount but are merely descriptive of the item contained in the estimates. Thus, they constitute a description of the estimate rather than a substantive motion in accordance with the terms of the Governor General's message. The estimates and the act which will flow from them are the valid documents. This is merely a notice of motion.

I suggest, Mr. Speaker, that if one interprets correctly the meaning of the words in vote L30 "for the fiscal year ending March 31, 1974" as being descriptive, as being a convenient way of describing, the rest of the long, constitutional and legalistic argument Your Honour has heard

[Mr. Nielsen.]

will not be supported. I think we could then proceed as we always have in previous years and follow the practice with which we have got along so well.

**Mr. Deputy Speaker:** Is the hon. member for Peace River (Mr. Baldwin) rising on the same point of order?

**Mr. Baldwin:** I am rising on the same point of order, Mr. Speaker. I had not intended to intervene, my hon. friend for Yukon (Mr. Nielsen) having presented an excellent case. But when I heard the extent to which the spokesmen for those bungling buccaneers of bureaucracy are attempting to pervert the decent amenities of democracy, I felt I must point something out.

The government is attempting, by these estimates and by the appropriation bill which will follow, to appropriate to the services of the Crown money which will be spent not in this fiscal year alone but in this fiscal year and years following. I will not go into the other issue, but the matter is plain. The list of estimates, or of notices which the hon. member for Yukon has sent up to the Chair makes this abundantly clear. If the government is allowed to get away with this, we may as well shut up shop because there is no way by which the House can place any restrictions on the expenditures of this government.

**Mr. Stanfield:** It was all settled at the time of Charles I, at the time of the Petition of Right.

**Mr. Deputy Speaker:** The difficulty of the Chair is that the list sent up by the hon. member for Yukon refers to items to which objection was originally taken, Nos. 7 and 9, but not to the one under consideration. However, the hon. member has raised the point and has presented an argument on it and perhaps the Chair might be allowed one or two minutes for consultation, with the forbearance of hon. members, before making a ruling.

**Some hon. Members:** Agreed.

**Mr. Nielsen:** On a question of privilege, Mr. Speaker, I do not know what Your Honour received, but I sent up to Your Honour a list of all the offending votes and not merely a reference to Nos. 7 and 9.

● (2210)

**Mr. Deputy Speaker:** Order, please. The hon. member for Yukon has raised a point of order with regard to the first of the proposed items in the estimates set forth under item vi at the end of today's order paper. The hon. member has also been good enough to send the chair a list entitled "Votes in the main estimates 1973-74 which continue beyond the current fiscal year ending March 31, 1974."

As I understand the hon. member's argument, it is based on a section of the British North America Act, a section of the Financial Administration Act and Standing Order 62(1). He suggests that the Chair should not put the vote because the spending in connection with certain items would continue beyond the fiscal year ending March 31, 1974. I have noted previously that the argument he advances is not applicable to an item in the list sent to me, but I think there is agreement in the House that since argument has been made I should deal with the point of objection although it might more properly be raised, as the