

that once they have done all of their work through the Speaker and the Board of Internal Economy, the President of the Treasury Board can alter all of that and put in new estimates, then I think it is quite a different thing. I think we need clarification. If the honourable senator cannot give it now, then we would like a considered opinion from the minister who brought this bill into the House of Commons, that being the President of the Privy Council.

I would assert that the process applicable in the House of Commons should be applicable to the second house of Parliament and its members treated in precisely the same way.

Some Hon. Senators: Hear, hear.

Senator Phillips: Honourable senators, the interpretation developed by Senator MacEachen on the method of preparing the estimates and their progress through the Board of Internal Economy to the Treasury Board is correct. It is exactly the same method as that followed in the Senate, where the estimates are prepared, approved by the Internal Economy Committee, and then submitted to Treasury Board for approval. I have been a member of that committee for a number of years, and at no time have we assumed that the Senate would receive the exact amount of money asked for by the Senate. I do not believe, in the years that I have been a member of that committee, that we have had any great difficulty with Treasury Board. After all, the Treasury Board realizes that they, in turn, must come to Parliament for approval of a number of items, and I think that there has always been a certain spirit of co-operation.

I do not interpret the section as conveying any different authority to the House of Commons from that which it conveys to the Senate, but here again, neither Senator MacEachen nor myself is a lawyer, and even if we were, we probably would have to turn to a judge to get a proper interpretation. That is probably what I will do, that is, get a proper interpretation for it.

Senator Stewart: Honourable senators, I think that is a very important concession. Senator Phillips is now telling us that he cannot tell this chamber what that clause means. That being the case, I think Senator MacEachen's request for an authoritative clarification is very much in order, not because we wish to impose our views on the House of Commons but because, as Senator Phillips has said, there is a parallel between the treatment of the estimates of the House of Commons and the treatment of the estimates of the Senate.

It is all very well to say that there has always been co-operation and goodwill, but when you start using those words it is generally a clear signal that something will soon go wrong. I believe that when you are writing law, you ought to anticipate that what can go wrong will go wrong.

I think a clarification of the meaning of this clause would be most helpful.

Senator MacEachen: I know that it is irregular to speak twice on second reading. However, I suppose, to be totally regular, we should go into Committee of the Whole and then we could speak as frequently as we wished. I do not want to

[Senator MacEachen.]

press that but I want to ask, how will we get the clarification? Must we wait until September, or will the Leader of the Government transmit a letter to me and to other members of the Senate, indicating the government's view as to this section. It is my view that if a literal interpretation is to be taken, when the President of the Treasury Board gets those estimates from the Speaker, he has no option but to lay them before the House of Commons. He cannot touch them. That is what it says to me. Please tell me if I am wrong in that belief.

Senator Phillips: I shall ask the President of the Privy Council to give us clarification and, either through my office or through the Internal Economy Committee, we will convey that information to those requesting it.

Motion agreed to and bill read second time.

THIRD READING

The Hon. the Speaker *pro tempore*: Honourable senators, when shall this bill be read the third time?

Hon. C. William Doody (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 45(1)(b), I move that the bill be read the third time now.

The Hon. the Speaker *pro tempore*: Is leave granted, honourable senators?

Senator McElman: Provided we get the answers.

Motion agreed to and bill read third time and passed.

ROYAL ASSENT

NOTICE

The Hon. the Speaker *pro tempore* informed the Senate that the following communication had been received:

RIDEAU HALL
OTTAWA
K1A 0A1

28 June 1985

Sir,

I have the honour to inform you that the Honourable Gérard La Forest, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber to-day, the 28th day of June, 1985, at 12:25 a.m., for the purpose of giving Royal Assent to certain Bills.

I have the honour to be
Sir,

Your obedient servant,
Esmond Butler

Secretary to the Governor General