

permanently referred to the committee, and the committee may, on its own initiative, consider any evidence heard or tabled before it in a previous session or a previous parliament.

(5) The committee shall

(a) examine every report of the Auditor General or Receiver General made to the House of Commons,

(b) enquire into any matter referred to it by the House that relates to the report, and

(c) make recommendations on anything in the report that, in the opinion of the committee, requires the attention of the House of Commons.

(6) Notwithstanding any act, rule of law, custom or prerogative, every person who is competent and compellable under the *Canada Evidence Act* to testify in a court of law is a competent and compellable witness before the committee, and the committee may deal summarily with any contempt committed before it in the same manner and to the same extent as the House of Commons.

(7) Every person required to give evidence before the committee may invoke the protection of the *Canada Evidence Act* in the same manner and to the same extent as a person required to testify in a court of law.

(8) For greater certainty, in this section, "person" includes an employee of the Public Service of Canada."

He said: Mr. Speaker, there are one or two general observations I should like to make. For Your Honour's information, motion No. 3 simply seeks to set out in detail what is left silent in the act itself. Clauses 7 and 8 of the bill provide for the Auditor General to report annually to the House of Commons on the work of his office and whether, on carrying out the work of his office, he received all the information and explanations required. In addition, clause 8 refers to a special report being made by the Auditor General to the House of Commons. The bill stops there and, as hon. members opposite will argue, we are then driven back to the normal procedure which has existed heretofore. It is a normal procedure which has not worked.

I think the Chair can take judicial notice of the length of time which has elapsed on so many occasions between the reference by the Auditor General to the House, through the intervention of the Minister of Finance, of his annual or special reports and the time spent before those reports actually arrive for consideration by the public accounts committee. The time-span is so lengthy for hon. members to secure that desirable objection that it was thought there should be some detail spelled out in the legislation which would rectify this glaring omission. It is an obvious and intentional government omission as to how the report gets into the public accounts committee. I have sought to do this by the establishment of a statutory committee. I realize that appalls hon. members opposite because it has never been done before. I have heard the argument that we should not do things which have not had the approval or sanction of tradition in the House. If we ever get into the substance of it, that will be the argument made.

If Your Honour examines with care what clause 7 does, you will see it is a provision for reference to the House of Commons. I can see nothing inconsistent in that. I will make my argument brief because it is one which does not lend itself to longevity. It is an argument which will or will not be accepted by the Chair.

The way in which the report gets from the House to the committee is what I am trying to achieve by this amendment. I

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should hardly think it can be argued that that is not germane to the provisions of clause 7. The report comes to the House, and my amendment takes it a step further by saying, having come to the House, this is what we should do with it. It is not opposed to the provisions of the bill and it is not divergent from them merely because it has not been covered by the bill.

The government is not anxious to see anything in the legislation which would provide for some authority in the House to get the report into the hands of the committee as soon as possible. Because it is not intended by the government is no reason to argue that it is a principle which is divergent and different from that which is in the bill. Therefore, to hold that this amendment is inapplicable and out of order is to hold that it is impossible for members of this House, when the government introduces a bill, to set out in more detail the means by which the purpose of the bill can be achieved.

● (1630)

The purpose of this particular aspect of the legislation is to obtain means by which this House can most adequately deal with reports of the Auditor General. Rather than leaving them to be discussed and dealt with by the House, for the reasons which I have mentioned—the laborious way in which the government in the past has attempted to prevent this from taking place at a reasonable time—I have said we should set out in detail an extension of the principle of bringing the reports to the House to cover the manner by which they reach committee.

I do not think there is anything in that which offends the House rules. We have in the Statutory Instruments Act a provision which gives to a scrutiny committee the right to examine statutory instruments and provides that there shall be a permanent reference of statutory instruments, which are defined in that act, to this committee, which can be, under the terms of the Statutory Instruments Act, either a committee of the House or a joint committee of the House and the Senate. As Your Honour knows, we decided in our wisdom, coupled with the wisdom of the other place—which together constitutes a mighty torrent of wisdom—that we should refer these matters to a standing joint committee.

That is a precedent whereby in a bill there was a means established by which statutory instruments which were the subject matter of the bill were referred for discussion, consideration and report to a committee of parliament. While it is true that I have sought to go into more detail on how this should be done, the principle is on all fours with the principles in the Statutory Instruments Act. The reason I sought to do this in more detail was the very considerable problem this joint standing committee ran into in its attempt to set up ways and means by which it could fulfil its responsibilities. I think we had a very long period of gestation, almost two years, from the time it was thought advisable to have this committee established until it first started to function. I have sought to rectify that omission by providing in my amendment how this should be done.