

constitution, and an usurpation of the privileges of the House of Commons”.

Note that that statement was made by the House, not by the Speaker, but by the House of Commons of Great Britain.

A dissolution of Parliament followed,—

Which is a polite way of saying that an election followed.

—and in the new Parliament a Finance Bill to take the place of that rejected by the Lords was passed by both houses.

Now there are a lot of historical and very interesting things that happened that led to the House of Lords finally passing that.

The House of Commons also agreed to three resolutions in a committee of the whole house dealing with relations between the two houses and the duration of Parliament, as follows:

First of all, on money bills—that is what we are talking about here—that British House of Commons resolution said this:

“That it is expedient that the House of Lords be disabled by Law from rejecting or amending a Money Bill, but that any such limitation by Law shall not be taken to diminish or qualify the existing rights and privileges of the House of Commons.

“For the purposes of this resolution a Bill shall be considered a Money Bill if, in the opinion of the Speaker, it contains only provisions dealing with all or any of the following subjects, namely, the imposition, repeal, remission, alteration, or regulation of taxation; charges on the Consolidated Fund or the provision of money by Parliament; supply; the appropriation, control, or regulation of public money; the raising or guarantee of any loan or the repayment thereof; or matters incidental to those subjects or any of them”.

The House of Commons resolution went on to deal with Bills other than Money Bills.

“That it is expedient that the powers of the House of Lords, as respects Bills other than money Bills be restricted by Law, so that any such Bill which has passed the House of Commons in three successive Sessions and, having been sent up to the House of Lords at least one month before the end of the Session, has been rejected by that House in each of those Sessions, shall become Law without the consent of the House of Lords on the Royal Assent being declared: Provided that at least two years shall have elapsed between the date of the first introduction of the Bill in the House of Commons and the date on which it passes the House of Commons for the third time.

Speaker's Ruling

“For the purposes of this Resolution a Bill shall be treated as rejected by the House of Lords if it has not been passed by the House of Lords either without Amendment or with such Amendments only as may be agreed upon by both Houses”.

It went on to say other things with respect to the duration of Parliament.

“That it is expedient to limit the duration of parliament to five years”.

Upon these resolutions when agreed to by the house a bill was brought in but further progress was not made with it. In the first session of the new Parliament which met in the following year the bill was again introduced, was passed by both houses, and received the royal assent as the Parliament Act, 1911.

• (1540)

It is important for every Canadian who cares about who decides how we spend our money to know that in Great Britain they settled this 80 years ago.

[*Translation*]

The British Parliament apparently resolved their problem some 80 years ago with the House of Lords recognizing in law the claim of the House of Commons as the final authority on money bills. Such is not the case in Canada. The Senate has consistently refused to concede the power to amend money bills. I would refer hon. members to the Ross report which was tabled in the Senate of Canada on May 15, 1918 and subsequently adopted by the Upper House, rejecting the House of Commons' position on the constitution. At page 199 of the Senate Votes and Proceedings for May 15, 1918, the Ross report states:

[*English*]

When the House of Commons of Canada claims that it can drag the Senate beneath it as the Commons did the House of Lords in England and through the “swamping power”—

Meaning there the addition of lords to the Upper House.

—the answer is that it—

That is the House of Commons of Canada.

—has not got this power and is as much bound by the British North America Act as the Senate. We have a Constitution that can only be altered by the Imperial Parliament. The House of Commons cannot by passing rules add to its powers or diminish those of the Senate.

That was the last Senate report of a Senate committee in 1918.

Therein lies the Canadian constitutional dilemma! Should the Senate choose to further insist on its amendments, the two Houses may well be unable to resolve