

The Member has pointed out that clause 2 of Bill C-124, now before us, contains reference to an estimate which is currently under study in one of the committees of this House. This situation prompts him to ask whether the Chair should not rule that further discussion of Bill C-124 is out of order, at this time.

The honourable Gentleman in his presentation made reference to the 18th edition of Erskine May on "Parliamentary Practice", at page 364 where it is stated: "A motion must not anticipate a matter already appointed for consideration by the House, whether it be a bill or an adjourned debate upon a motion."

The Member also quotes from the following page where reference is made to what could be considered a descending order of values for matters in the parliamentary process. The quotation is: "...that a matter must not be anticipated if it is contained in a more effective form of proceeding than the proceeding by which it is sought to be anticipated but it may be anticipated if it is contained in an equally or less effective form."

The estimate has not really come before the House and the House has made no decision upon it, except to send it to a committee for study. The bill has, however, been given first reading and the House is now considering the question whether it should have second reading. It seems to me that the bill before the House is the more effective form of proceeding in relation to the estimate which is now being considered. The Bill, C-124, would give a statutory basis and the estimate would be a consequential proceeding.

I am reinforced in my decision by reference to page 731 of Erskine May's 18th edition. One finds there, and I quote: "Expenditure in anticipation of statutory authority.—A case analogous to those mentioned above is where an estimate is presented and money spent on a service in anticipation of the passing of a bill of the same session authorizing that service."

In their second report of session 1931-32 (para. 5) the Public Accounts Committee commented adversely on two classes of cases in which this practice had occurred. The Treasury justified the inclusion of such items of expenditure in the estimates as necessary for the information of the House, but agreed:—

(1) that a note should be added to the estimates indicating that they were subject to further statutory authority; and

(2) that the authorizing bill must become law before the authorization of the relevant estimate by the Appropriation Act

This ruling is made without prejudice to the point raised by the President of the Privy Council (Mr. MacEachen), that the honourable Member for the Yukon should have raised this matter at an earlier stage of the debate. I would, however, note that some notice was given in this House yesterday. As I say, this point remains an open one.

Nor am I overlooking the point raised by the honourable Member for Winnipeg North Centre (Mr. Knowles) with respect to third reading, but it too remains an open one.

One should perhaps also note that the Chair by long custom and discretion does not involve itself in legal or constitutional questions. It is sufficient for the Chair to deal with questions of procedure.

I think the Chair would want to thank the honourable Member for the Yukon in raising this matter. It is perhaps one that would have gathered considerable decisions over the years, but strangely enough it has lurked in the shadows of parliamentary practice. He has brought it fairly and skillfully out into the open, and has directed us into considering the most precise methods of procedure.

I must also decide the validity of the motion presented by the honourable Member for Yukon. Since considerable time has been spent over the dinner period on the first major issue, I crave the indulgence of the honourable Member and the House before making the ruling.

Debate was resumed on the motion of Mr. Andras, seconded by Mr. MacEachen,—That Bill C-124, An Act to amend the Unemployment Insurance Act, 1971 (No. 1), be now read a second time and referred to the Standing Committee on Labour, Manpower and Immigration.

And debate continuing;

And a point of order having been raised.

RULING BY MR. DEPUTY SPEAKER

MR. DEPUTY SPEAKER: I have a great suspicion that those remarks were made, but for some time the Chair has been trying to divide the debate that has been going on in committee from the debate that has been going on in the House.

Earlier in this sitting the honourable Member for Yukon proposed the following motion: That the motion be amended by deleting all the words after "That" and substituting therefor the following:

"this House, noting that by clause 2 of Bill C-124 the government proposes to change the law so as to burden the present and future workers of Canada and their employers with the payment of the sum of 454,000,000 dollars to the detriment of the Unemployment Insurance plan; and further noting that the government thereby would avoid having to account for this sum in its statement of budgetary revenues and expenditures for the present fiscal year; and further noting that the government thereby would avoid having to seek supply for this sum from Parliament as a budgetary expense and to propose ways and means by which this sum might be raised by additional taxation upon individual and corporate taxpayers, as the law