

Point of Order—Mr. Stevens

[Translation]

Hon. Yvon Pinard (President of the Privy Council): Madam Speaker, I do not think that the remedy being sought by the Hon. Member should be to simply strike out the two votes in question. He is saying that his argument is based on testimony given by the Minister before the Committee, and there is nothing in what he said that proves the two items are likely to have any legislative effect. I think they have their *raison d'être*. These two items in the supplementary estimates meet all the requirements of the Chair's previous ruling on admissibility of items in the estimates. I understand that the Hon. Member may disagree, and that eventually legislation might be tabled in Parliament for other purposes, and this legislation would then form the basis, if necessary, of future estimates. However, despite the testimony of Senator Austin to which the Hon. Member is referring, at the time the estimates are tabled, these items are based on practical considerations and meet the requirements of the Chair's ruling, because they do not seek to create a new legislative authority but in fact exist because that authority exists already. I think that the remedy the Hon. Member should be seeking is to object to these items and not to ask that they be deleted. If he does not like them, he can object, and according to parliamentary procedure the House will be voting tomorrow. However, I do not believe he has shown that the items were infringing some regulation or were at odds with the Chair's previous rulings or with parliamentary procedure, and therefore, the only way to express objection to these items is not to ask for their deletion but to object formally and to put the matter to a vote.

[English]

Hon. Erik Nielsen (Yukon): Madam Speaker, I have a couple of points which have not been covered. The Government House Leader (Mr. Pinard) refers to previous rulings. I would agree with him that there might be some remedy in curing the very valid point that is raised by the Hon. Member for York-Peel (Mr. Stevens), that if there were to be further supplementary estimates, the problem might be cured in the next set. We are not in that position. We are in the position now where estimates are deemed, under the Standing Orders, to have been reported yesterday, and we are voting on all of them tomorrow night.

The Government House Leader also says that the case which has been very reasonably made by the Hon. Member for York-Peel is based on testimony in committee. That is not the case at all, Madam Speaker, and you should, when considering the matter, take into account two press releases. One of them is in the name of the Government of Canada. That is on the front page of the news release, which was dated November 24, 1982, announcing that:

● (1520)

The CDIC was incorporated under the Canada Business Corporations Act in order to hold the Government's 85 per cent share (48.6 per cent of voting control) of the common shares of the Canada Development Corporation (CDC), as part of a reorganization permitting CDC to operate as a purely commercial venture and the CDIC to succeed to CDC's public policy mandate.

That press release, taken together with another press release dated the same day, issued on the stationery of the Office of the Prime Minister, outlines the names of the companies involved here. It reads as follows:

The Prime Minister announced today that the Government has approved the transfer of certain commercial assets and enterprises to the Canada Development Investment Corporation (CDIC) and its responsible Minister, Senator Jack Austin. In addition to the Government's Canada Development Corporation (CDC) shares, the transfer is to include—

And then among others appear Canadair Limited and de Havilland Aircraft of Canada Limited, the two companies mentioned by my colleague in making his point with respect to the two items in the estimates.

So, Madam Speaker, it is not based merely on testimony in a committee; it is based on a news release of the Government of Canada and a companion release by the Prime Minister (Mr. Trudeau) stating that CDIC has come into being for certain specific purposes, one of which was to assume the responsibilities outlined by my colleague, the Hon. Member for York-Peel. I think he has hit the nail on the head when he says that in all probability the estimates, including these two items, were prepared before the creation of CDIC and before the transfers had taken place. The transfers are there.

I see more of a problem with respect to the dilemma mentioned by the Hon. Member for York-Peel, because I do not think, with respect to his submission, that the voting of the \$200 million in each case to each of these Crown corporations would be a nullity in view of the events which have over-run the purpose of the estimates; rather, I think probably the votes would go forward, but wrongfully, and they would be untouchable legally by the new Crown corporation. What is more, Madam Speaker, I think the end result would be that there would be no machinery to get those moneys back to the Government of Canada. That has happened in the past, too. So there they would sit.

I think it is a very serious question that should be taken under consideration. I suggest it is curable, not by the estimates any more because we are at the end of the supply period, but by proper legislation. Indeed, we can deal with it fairly quickly if that is the course the Government intends to follow in order to meet the impossible situation outlined by the Hon. Member for York-Peel.

Mr. Don Blenkarn (Mississauga South): Madam Speaker, I think the House must appreciate that somewhere along the line the Government changed course. It gave its shares in these two Crown corporations, Canadair and de Havilland, to CDIC. The Government no longer has a direct interest in those two corporations. That being so, to be proper, this vote would have to be a vote granting money to CDIC so that it could fulfil certain requirements with respect to investment in Canadair and de Havilland. On that basis, the Hon. Member for York-Peel (Mr. Stevens) is quite correct. There has been a change in the corporate set-up reflected in the estimates. So what we are being asked to do is to make advances to two Crown corporations which the Crown no longer owns. On that