

*Public Works Act*

afforded by that principle, which is affirmed by the minister but denied by the amendment itself.

This is no reaffirmation; this is a complete denial of that principle. For all practical purposes it would simply say that any minister who for one reason or other did not find it convenient to call for tenders, could easily find some ground for awarding contracts without tenders being called for. The most objectionable part of the proposed amendment is that part in which it states:

Where the minister is satisfied that the nature of the work renders a call for tenders by public advertisement impracticable, and that the public interest can best be served by entering into a contract for the execution thereof without inviting such tenders—

In that case they may be proceeded with by direct contract.

Without in any way bringing into this discussion any of those matters which were discussed earlier in the session, and which warn us of the recklessness of some departments of this government in the handling of public money, I think the Minister of Public Works, who has shown a much higher regard than some other departments of government for the authority of parliament, should withdraw the bill at this time and demonstrate to the House of Commons that he does in fact believe in that principle. The one reaffirmation he should afford this house today of his belief in that principle is to withdraw the bill.

**Mr. Stanley Knowles (Winnipeg North Centre):** Mr. Speaker, like other hon. members who have spoken I find it an unpleasant duty to quarrel with the Minister of Public Works (Mr. Fournier). He may find it difficult to understand that statement, in view of the fact that I quarrelled with him two or three times earlier this week. However, I think he knows what I mean.

I should like to underline some of the statements which have been made, but I do not wish to take undue time in doing so. In fact, having said that I will move on and deal with an aspect of the matter which I do not think has yet been discussed. I shall do this in the first place by setting out what I think might have been a better case for this bill than was made by the minister himself. I say that with all respect, as I realize he was trying to save time. He was also in very good humour.

**Mr. Macdonnell (Greenwood):** What case did he make?

**Mr. Knowles:** You can see by his face that the minister is now enjoying the fact that he made no case at all. I want to make out the

[Mr. Drew.]

best case I think can be made for it. Having made out the best case, I shall endeavour to show that even that best case is no case at all. The best case that could be made out for this bill would be on the basis of section 39 of the Financial Administration Act. If the minister had taken the time to tell the house that it is the firm intention of the government, once the Financial Administration Act has been proclaimed, to pass an order in council specifying a ceiling for all contracts that can be let without tender; if he had made it clear that this Bill No. 26 would not be proclaimed until that order in council had been passed, I say that would be the best case that could be made out for it. In other words, that would tell us that on the government's own terms they intended to retain the tender system.

What is wrong with the case is that it is on all fours with another battle we had this week. Even when you reaffirm the tender system by passing an order in council under section 39 of the Financial Administration Act, which would apply to the Department of Public Works and all the rest of the departments, all you have done is make the tender system one whose ceiling is determined by order in council rather than by a statute of parliament.

That is the real issue now before us. It is the same battle we had yesterday, and have had two or three times before, when other measures were before this house. Our complaint about that other measure of yesterday was that it whittled away the powers of parliament. I do not know whether any of us used that precise word in what we had to say, but certainly that was the intent of what we said. I would refer hon. members to an editorial in this morning's *Ottawa Citizen* dealing with that other measure. The editorial is entitled "Whittling the Powers of Parliament". The whole tenor of that editorial is to the effect that those of us who opposed that other measure were perfectly right in the principle we put forward, namely that parliament should not by that statute have surrendered the right to determine the salaries of the persons who were then under discussion. The editorial states:

Mr. Fournier, as acting Secretary of State, may argue with his usual suavity that there is no danger of loss of independence—

We have had that again today, the usual suavity and good humour of the Minister of Public Works. But this is the comment of this editorial on that other measure:

The present move represents a further whittling away of the authority of parliament, and a concentration of further power in the hands of the execu-