

Private Members' Business

will have an opportunity to review the report and to assure all Canadians that every effort is being made to understand the causes of this accident and previous accidents that have taken place so that we can do everything we can to ensure that it simply does not happen again.

The Acting Speaker (Mr. Paproski): The House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

[English]

DEPARTMENT OF VETERANS AFFAIRS ACT

MEASURE TO AMEND

The Acting Speaker (Mr. Paproski): Before I recognize the hon. member for Regina—Lumsden, on Tuesday, October 22, 1991 the House was informed that Bill C-251, an act to amend the Department of Veterans Affairs Act, standing in the name of the hon. member for Regina—Lumsden was causing the Chair some difficulties from a procedural point of view.

This bill proposes to include merchant seamen as war veterans, thereby entitling them to all benefits that are presently enjoyed by Armed Force veterans.

This proposal seems to infringe upon the financial initiative of the Crown and to attempt to accomplish indirectly what procedure precludes from doing directly regarding disbursements of public moneys.

I would appreciate receiving the benefit of comments from hon. members regarding the procedural acceptability of proceeding with this bill.

Mr. Nelson A. Riis (Kamloops): Mr. Speaker, very quickly, I want to react to your call for comments regarding the appropriateness of whether this bill requires royal recommendation or not.

I submit that for the answer to this question, it is necessary now to determine an answer to the following questions. Will the passage of this bill necessarily result in an expenditure of funds? Could any funds be spent pursuant to this bill without a royal recommendation supporting those funds?

The requirement that a royal recommendation be attached to proposals for taxes and expenditures is not only core to the British parliamentary system, it is engraved in our Constitution and in our Standing Orders.

The same provision is contained in Standing Order 79(1) as is found in section 54 of the Constitution Act, 1967, and it reads:

This House shall not adopt or pass any vote, resolution, address or bill for the appropriation of any part of the public revenue, or of any tax or impost, to any purpose that has not been first recommended to the House by a message from the Governor General in the session in which such vote, resolution, address or bill is proposed.

• (1540)

This requirement is stringently applied in the House and prohibits private members from introducing taxation or expenditure bills and requires all private members' motions, all opposition motions, et cetera, to be worded in such a way that despite the unlikelihood of their passing without the implicit consent of the Governor in Council, they would not, if adopted, result in the necessary expenditure of public money or the imposition of tax.

However, the House does not restrain from debating or even passing motions which relate to taxes and expenditures. In order to permit debate, we adopt a basket clause which permits debates on such issues. The basket clause in motions is usually phrased as: "That the government consider the advisability of". Basket clauses provide a means for the House to adopt suggestions that expenditures or taxes are desired to lend moral or political support to such proposals without imposing on the Crown a duty which is beyond the authority of the House to do so.

Legislation can also contain a basket clause. A basket clause is used in Bill C-251. On page 1 at line 24 we find the phrase:

(g) subject to such appropriations as Parliament may provide.

Is there any reason why basket clauses should be less acceptable in bills than they are in motions? Is there any real difference? If Bill C-251 were adopted and proclaimed there would be no automatic expenditure of funds at all. The bill is only permissive. It allows the Minister of Veterans Affairs to extend veterans' benefits to merchant seamen. It does not require him to do so.