

Unemployment Insurance Act

Hon. Otto E. Lang (Minister of Transport) 1. \$32,796,-340.80 as of December 4, 1975.

2. One. \$345.90.

3. Mr. William Guimond, fisherman, Pointe Au Père, Quebec.

GOVERNMENT ORDERS

[English]

UNEMPLOYMENT INSURANCE ACT, 1971

MEASURE TO ADD NEW CLASS OF INSURABLE EMPLOYMENT

The House proceeded to the consideration of Bill C-69, to amend the Unemployment Insurance Act, 1971, as reported (with amendments) from the Standing Committee on Labour, Manpower and Immigration.

Mr. Speaker: Order. Consideration has been given to a number of motions which were tabled at the report stage. Two, it seems, of the 22 motions which are before the House for consideration appear to be out of order, and perhaps the question of procedure involved could be discussed when we come to them. I refer to motions 4 and 6. These two motions appear to the Chair to introduce into the bill a concept larger than that originally envisaged in the royal recommendation, in that they would extend the qualifying period to those who are on strike lawfully and to those who are out of work for the purpose of establishing a self-employed operation. Both would appear to increase benefits by extending the period of qualification. When these motions are called, hon. members might be prepared to put forward arguments addressed to the procedural aspects.

● (1510)

Furthermore, the Chair has some concern about motion No. 13 in that it appears, by way of amendment, to delete a section which is not proposed to be deleted by the bill. However, there is the fact that clause 11 proposes to amend a very similar subclause of the bill regarding the initial benefit period and the amendment would delete a second or a different section, but a similar kind of prohibition, with respect to the extended benefit period.

It may be that by argument and explanation the motion can be shown to be in fact in order. I simply caution that when motion 13 is called, there ought to be some attention paid on both sides to the procedural argument. On balance, it would seem to the Chair that the motion should probably stand, but there may be a question whether or not it goes beyond the scope of the bill. The two provisions seem to me to be so related that probably the motion should stand, but I would simply suggest that when motion No. 4 is called there ought to be argument about the procedural regularity of motions 4 and 6. When motion 13 is called, it ought to be argued procedurally as well.

The remaining motions seem to be in order. Motions 1 and 2, it appears, ought to be discussed together but voted on separately. Motion 1 should be voted on first, because it

[Mr. McKinnon.]

proposes the deletion of a clause; motion 2 would be voted on if motion 1 does not carry, because it proposes the deletion of a portion of the clause. Motions 9, 10, 16, 21 and 22 ought to be discussed and voted on separately. Motions 7 and 8 should be grouped for debate, I would think, along with motions 14 and 15, and perhaps all four motions could be disposed of by a vote on motion No. 7. It appears that motions 11 and 12 ought to be grouped together for discussion, and motions 17, 18, 19 and 20 could be grouped for debate and disposed of with one vote.

Perhaps, while motion No. 1 is under discussion, hon. members could give consideration to that proposition and return to further argument on it as the day progresses.

Mr. Alexander: Mr. Speaker, I rise on a point of order, if it pleases the Chair. My point of order has to do with the royal recommendation. I should like to enter a caveat against the royal recommendation to this bill being taken as a precedent. These recommendations limit the right of all hon. members, except a minister of the Crown, to propose amendments. There appears to be a tendency on the part of the person responsible for drafting these recommendations to overwrite them; that is, the recommendation is written to cover clauses that do not appropriate public funds, as well as those that do.

Here the offence is worse. Funds for the Unemployment Insurance Act, 1971, are only appropriated out of public funds if unemployment exceeds 4 per cent; below that figure all moneys in the account are private funds. Yet the recommendation is written as though all funds were appropriated from public revenues. Indeed, the recommendation is so written although one of the purposes of the bill is stated in the recommendation to be "to provide, in the manner prescribed, for a new basis for the calculation that determines the proportion of the basic cost of benefit for a year that will be borne by the government". In effect, the provision supported by this recommendation will make the public contribution to the account less, and the private contribution more.

There is a definition in section 136 of the act which indicates the extent of the commitment of public revenues under this act. That definition is headed, "Government cost of paying benefit". That phrase should be used to limit the recommendation so that it would read, "To the extent of the government cost of paying benefit, His Excellency the Governor General has recommended", etc. That is all His Excellency can recommend and that is as far as the recommendation should go.

As I understand it, the private sector is responsible for the cost when unemployment is 4 per cent or less, so not only is the government contribution involved. We would not want the draftsman of the legislation to consider that a precedent has now been put forward with which we on this side agree, and I bring this to Your Honour's attention so that Your Honour is apprised of the situation.

Mr. Speaker: Order, please. The hon. member for Hamilton West (Mr. Alexander) has raised a point of order concerning the drafting of the recommendation. At this stage 22 motions respecting amendments to the bill have been put forward. The bill has gone through committee, and opportunity existed for amendments at that time. I therefore take it that the hon. member for Hamilton West