

The bill deals with the proposed taxation of boats as follows:

21(1)(11) Boats, other than boats purchased or imported by Her Majesty in right of Canada for use exclusively by the government of Canada, . . . for boats other than boats purchased or imported by Her Majesty in right of Canada for use exclusively by the government of Canada . . . ten per cent.

The question is extremely important because it relates to the financial initiative of the Crown and to one of Parliament's most basic processes—Ways and Means. Examples prior to 1969 are of little assistance because they relate to circumstances under which the ways and means process was begun by resolution and continued in committee of ways and means, both of which were eliminated in the 1968 rule changes. Since that time there have been similar questions raised, but none dealt directly with the precise problem before us.

Certain things, however, are quite clear.

First, the ways and means motions which follow the budget presentation are, by virtue of time honoured practice and tradition, the very expression of the financial initiative of the Crown and therefore a most important aspect of our procedure.

Second, Standing Order 60(11) establishes relationship between the ways and means motion and the bills which follow, in the following terms:

The adoption of any Ways and Means motion shall be an order to bring in a bill or bills based on the provisions of any such motion.

Third, the critical words in that paragraph are "based on". It must be assumed that if it was intended that the bills be required to be identical to the motion, the rule would say so.

Fourth, I am further unable to find any support, either in the minutes of the Procedure Committee of 1968 which recommended the rule changes, the debates on those new rules, or even in analogous precedents that were referred to during the course of the argument, for the proposition that the bills must be identical to the ways and means motions.

On the other hand, it is equally clear that the taxing power of the Crown is limited by the ways and means

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motion, and any bill which sought to extend such power beyond the provisions of the ways and means motion would be out of order.

In the case before us, the bill differs from the ways and means motion in the clause related to the proposed taxation of boats. The specific difference relates to those crafts which would be excepted from the tax. In the motion the exception is for naval vessels. In the bill the exception is for "boats purchased or imported by Her Majesty in the right of Canada for use exclusively by the government of Canada".

By my understanding of the terms involved, the bill therefore widens the class of federal government craft that would be excepted from the tax. The tax remains the same. The rate of tax remains the same. The change relates to one of degree of exclusion, but remains within the general description of government purchases.

Under these circumstances, I cannot see how I could hold that the bill is not "based on the provisions of the ways and means motion". I must therefore find that the point of order raised by the hon. member for Okanagan Boundary, and subsequently dealt with by the hon. member for Edmonton West, has not been established. I wish to repeat and emphasize, however, that the terms of the ways and means motion are a carefully prepared expression of the financial initiative of the Crown, and frequent departure from them can only invite deterioration of that most important power.

Furthermore, I have considerable sympathy for the argument that once the ways and means motions have been adopted by the House, changes of a nature any more substantial than the one before us now ought to be made by the House.

Finally, the most desirable practice is for the bill to adhere strictly to the provisions of the motion, and departures, if any, ought to be the subject of the strictest interpretation.

It being six o'clock, the House stands adjourned, pursuant to Standing Order, until 2 p.m. tomorrow afternoon.

At 6 p.m. the House adjourned, without question put, pursuant to Standing Order.