

My question is: Does that parallel the provisions relative to the estimates of the Senate? Is it a statutory requirement that the Speaker of the Senate transmit the estimates of the Senate to the Treasury Board, which, in turn, is under statutory requirement to lay them severally before Parliament with the estimates of the government for the fiscal year? I realize that the estimates are tabled in the House of Commons.

Senator Phillips: Honourable senators, in response to the question by Senator Stewart, I have to say that, yes, it is almost identical to the procedure followed in the Senate.

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In the Senate the Speaker must present the estimates to Treasury Board. This clause authorizes the Speaker of the House of Commons to do the same thing, with the estimates then tabled in the House of Commons as opposed to the Senate.

Senator Stewart: Honourable senators, the part of my question in which I am most interested relates to the statutory requirement that the President of the Treasury Board "shall lay them severally before the House of Commons with the estimates of the government for the fiscal year."

A distinction is made between the estimates of the House of Commons and the estimates of the government. There is a statutory requirement here which I interpret as meaning that the Treasury Board cannot then vary the amounts of the estimates brought forward from the House of Commons.

My question is: Can the Treasury Board vary the amounts of the estimates brought forward from the Senate?

Senator Phillips: Honourable senators, I do not share that interpretation of that clause. Here we have a situation of two people not trained in law but interpreting it, each as he sees it.

I think the answer to Senator Stewart's question is that Treasury Board has final approval. There is a distinction between the estimates of the government and the estimates of the House of Commons. I have had the good fortune of hearing our former colleague, the Honourable Senator George McIlraith, explain that a number of times. But Treasury Board still must grant the money, the authority, to the House of Commons. Having done that, it then has no further control over that money.

The fact that the House of Commons asks for money does not mean that it is going to receive an unlimited amount from Treasury Board, any more than we in the Senate can expect similar treatment.

Senator Stewart: I do not wish to press the point, but can I assume that in giving this interpretation, the honourable senator is speaking for the government?

Senator Phillips: I would not make that assumption at all. I do not know anyone in government who would want me to speak on their behalf.

Senator Stewart: Then, we do not know what the bill means.

Hon. Allan J. MacEachen (Leader of the Opposition): Honourable senators, I certainly do not want to take up very

much time, but I had in mind the same point as has been raised by Senator Stewart. If Senator Phillips is unable to provide a definite answer now, I think it is important that we have an answer as soon as possible.

There is provided for in this bill a method by which the estimates are prepared by the Clerk of the House of Commons and the Sergeant at Arms, each for his respective area. These estimates or proposed spendings then go to the Speaker, who signs them, and they are then presented to the Board of Internal Economy. The Board of Internal Economy is made up of two Privy Councillors, a nominee of the Leader of the Opposition or the Leader of the Opposition himself, and a number of private members. The fact that there are now to be four other members of the House of Commons appointed to the Board of Internal Economy is a new departure.

So, we understand the procedure up to the point that the Speaker signs the estimates and presents them to the Board of Internal Economy. I take it that at that point the board itself has the right to say "yes" or "no" to those estimates, or to vary them.

As I read it, it says "shall, on approval by the Board of Internal Economy . . ."; and then the next step is that the Speaker will transmit the result of the deliberations of the Board of Internal Economy to the President of the Treasury Board. This is where the delicate point is. Does the President of the Treasury Board and Treasury Board at that point have the right to say "yes" or "no" to the estimates, or to vary the estimates submitted by the Speaker, with the approval of the Board of Internal Economy?

I am wondering what the members of the House of Commons understand that to be. There will be no change in the present procedure if the President of the Treasury Board, speaking on behalf of the government, can say: "No, we think the amounts you have proposed are too much, and we are reducing them by thus and so."

My first reading was that the President of the Treasury Board was obliged, without any alteration, to put those estimates before Parliament. He would become a conduit. If that is the case, then it is an advance for the control by members of the House of Commons and a reduction in the authority of the executive. I want to know whether that is the case.

And if it is the case that now the Speaker of the House of Commons, with the support of the Board of Internal Economy, can put his estimates, with the President of the Treasury Board being only a conduit, can we be led to the view that the same treatment will be accorded to members of Parliament in the Senate; that is, that once we prepare our estimates and have them approved by the Internal Economy Committee and submitted by the Speaker, that Treasury Board will submit those also to Parliament?

I think it is a very important point. If members of the House of Commons have accepted the interpretation given by Senator Phillips, then I think they would want to reconsider the matter. But that is up to them. I would like to have clarification. They have passed the bill because it affects them. But if it means