

*Withholding of Grain Payments*

first non-confidence motion between now and December 10. It has been a very lively and interesting debate. I do not propose to take the time of the House to go over the points that have been covered by other hon. members, other than to say that during the evening of the debate which Your Honour granted to the House on Thursday, September 16, I asked the following question of the minister responsible for the Wheat Board (Mr. Lang):

I am not a prairie farmer but I wish to ask the minister this question. Does he not agree that legislation passed by this House and now on the statute books of Canada should be enforced until such time as it is amended or repealed by other legislation?

The hon. member for Edmonton West (Mr. Lambert) interjected:

That is the question.

The minister answered:

Mr. Speaker, that is an easy, general question to answer in the affirmative.

Then he went on to make some observations. From the minister's answer to that question I have convinced myself, as I am sure all hon. members on this side of the House have, that this is the issue and such is the minister's duty and obligation. Not only has this government failed to pay a bill but they have also paid some bills with moneys which were not authorized by Parliament. I hope that after I have illustrated this with some examples, members on the other side will say to the opposition, "Forgive us for the things that we have left undone and forgive us for those things we have done".

Let us reflect for a while on the responsibility of the government. I do not mean just this government but all governments. In our form of government, a democratic, responsible government, the government through the executive is responsible to Parliament. Parliament makes the laws, the government does not make them. I think this was very well expressed by George Bain in an article which appeared in this morning's *Globe and Mail* when he said:

—it is Parliament, and not the government, which makes the law—and that a law is not made until Parliament makes it, and is not unmade until Parliament unmakes it.

**Mr. Baldwin:** The Prime Minister (Mr. Trudeau) has not seen that.

**Mr. Hales:** This government or any government that we may have in Canada is bound by the laws of Canada, made for the citizens of Canada. This government in particular has been whittling away at the authority of Parliament in many ways. I propose to direct my remarks to the treasury benches or the Treasury Board who have been whittling away at the authority of this House. In the Financial Administration Act, which deals with all our financial matters and which is the bible as it were for these transactions, section 25 provides:

All estimates of expenditures submitted to Parliament shall be for the services coming in course of payment during the fiscal year.

That is very plain. But let us see what the government has been doing in this regard. In the 1969-70 estimates the following amounts were not required during the year and they did not lapse at the end of the year in compliance with section 35 of the Financial Administration Act which says that they must lapse at the end of the year. In the

Agriculture vote 17b there was a reserve for wheat inventory reduction payments. That was money for the Lift program. It was put in the estimates for that year but never used; it was allowed to lapse.

Then there was the Secretary of State vote 30 for the Canadian Broadcasting Corporation, which was for \$11,993,000. That was never used; it was allowed to lapse and was left for them to spend in any way they saw fit. The same thing happened with Transport vote 80 for \$2,036,000. Then there was the Treasury Board vote 5a, the contingency vote for \$58,656,000. All these amounts were included as expenditures in the year under the several votes which I have listed, although they were not expended but were retained to meet obligations in future years. I could add to the list.

At March 31, 1970, all the items that were referred to in the report of the Auditor General added up to \$296.6 million. That money which was in the control of the treasury was spent without Parliament's authority in any way that the government saw fit. This is a whittling away of the authority of Parliament. All we have to consider is the contingency vote. Members of this House know how important that was. A few years ago the opposition had interim supply which it could use against the government if the government did not fulfil certain obligations. That was taken away from us. We thought we had a real weapon to use, but interim supply was sidestepped by the government who dug into the contingency vote to pay government salaries. Everybody will remember the rumpus that broke out at that time.

How are these things brought about? They are brought about by the special wording which appears in the Appropriation Acts. Who puts in this special wording? It is the Treasury Board or the minister responsible for the Treasury Board. He must account to Parliament for the special wording that was put in. Parliament has not been told that a change was made, nor were the words underlined when there was a change. These are cases which illustrate the fact that parliamentary authority is being whittled away.

There is another example of the government's obtained money without coming to Parliament. Certain departments have revenues coming in. They estimate what the department will need and what their revenue will be and we appropriate the difference. In many cases the revenues are either higher than they expected or their estimate is low, so they have a great deal of money left over to spend in the department and they do not have to come back to the House for authority. Therefore, they are able to pay bills without the proper authority of this House.

Now let us consider grants in lieu of aid. In 1969 there were seven grants and \$131,440 was paid by the treasury out of vote 5. Then they produced supplementaries before the House, which were passed, but we were not even told by the government that the grants had been paid. It was all covered up. The least Treasury Board can do is to see that when supplementaries come before the House for the payment of grants which have been paid, a notation is made saying that the grants have been paid and that they are asking for the authority of Parliament. But this is a left-handed, backward way of doing it.