

*Point of Order*

a Senate amendment to a bill which the government claims is a money bill.

They cannot have it both ways. The minister's declaration that section 53 prohibits the Senate from amending money bills rings hollow in view of his own request that the House of Commons support one of the Senate's amendments. There has to be something lacking in his judgment.

I want to refer to section 54 of the Constitution Act, 1867, House of Commons Standing Order 79, and the royal recommendation. As with the analysis of the supply process and of money bills, the minister displayed a total lack of understanding about the royal recommendation process.

In his remarks before the House of Commons he alleged that the Senate had passed amendments that went beyond the terms of the royal recommendation attached to Bill C-21 and that in doing so had acted contrary to the requirements of section 54 of the Constitution Act, 1867 and House of Commons Standing Order 79.

There is simply no truth in this charge. I will show you why. I want to read section 54 of the Constitution Act, 1867 for the minister who is out there laughing at this issue which we consider to be very serious and most important. I am going to be nice to the Minister of Industry, Science and Technology. Section 54 of the Constitution Act, 1867 reads as follows:

It shall not be lawful for the House of Commons to adopt or pass any Vote, Resolution, 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 that House by message of the Governor General in the Session in which such Vote, Resolution, Address, or Bill is proposed.

Mr. Speaker, that is clear.

Standing Order 79 which incorporates and adds section 54, reads as follows:

(1) This House—

**Mr. Speaker:** I wonder if the hon. member could just excuse the Chair for a moment.

First, I want to let the hon. member know that I think I have the points he is making thoroughly secured in my mind. If there are some other references the hon. member would like to make in wrapping up, I would

certainly want to hear them. But I do not think that it needs to take the time of the House, or my time, in reading sections from the Constitution Act or from the Standing Orders. If a point needs to be made on one of them, I think it may be sufficient just to draw my attention to the Standing Order or to the section which I will of course look at and read in any event.

**Mr. Gauthier:** I take your admonition seriously. I was just trying to instruct the people out there who are listening to us and give them the opportunity to understand what the process is all about.

The minister's speech, by stating Standing Order 79(1) means nothing to people out there listening. I think they understand English or French, and I am trying to read the Standing Orders in order to help them better understand what this place is all about.

**Mr. Speaker:** I would point out to the hon. member and other hon. members that ultimately it would be for me to make sure they understand what we are doing. It might not always be that easy.

I am asking the hon. member to close off his remarks as soon as he can.

**Mr. Gauthier:** Mr. Speaker, I will refer to the Standing Orders by their number, and you can get them out of the book and read them yourself.

Standing Order 79 incorporates and adds to section 54 of our Constitution, 1867. A royal recommendation is required if a bill appropriates money. Bill C-21 carried a royal recommendation. The minister claimed that clauses 2, subparagraphs (1), (9), 14(1), 19(2), 20 and 50(1) of Bill C-21 imposed a charge on public funds. The Senate did not amend Clauses 2(1), (9), 14(1), 19(2) and 50(1). These clauses remain unchanged. It did amend clause 20 but far from increasing a charge it reduced it by restricting the development use provisions of the bill.

As will be described, a royal recommendation is not necessary if a charge is being reduced. We all know that.

The minister also claimed that the Senate amendment which would maintain a certain level of government contributions to the UI account required a royal recommendation. This claim discloses a total and indeed a comprehensive lack of understanding of the royal recommendation process.