

The Order being read for the second reading and reference to the Standing Committee on Finance, Trade and Economic Affairs of Bill C-34, An Act to amend the Canada Pension Plan (Pension Index);

Mr. Macquarrie, seconded by Mr. McCleave, moved,—That the said bill be now read a second time and referred to the Standing Committee on Finance, Trade and Economic Affairs.

#### RULING BY MR. DEPUTY SPEAKER

MR. DEPUTY SPEAKER: I should like to thank honourable Members for their assistance on this procedural point. As has been pointed out, it is one that is not without much difficulty. Certainly as the honourable Member for Winnipeg North Centre (Mr. Knowles) has pointed out, the acceptance a few weeks ago of an amendment with respect to the superannuation fund legislation might be paralleled to the bill we have before us. At that time I indicated I had some very serious doubt as to the acceptability of that particular amendment. There is a difference however and if honourable Members want to make supplementary arguments I would be pleased to hear them at the risk of taking the time of the House. I have a further problem with the bill now being considered by the House and that is with respect to clause 3 of Bill C-34 which refers specifically to expenditures as follows: "Expenditures under this act shall be provided under section 104 of the British North America Acts, 1867 to 1970."

My main confusion in this respect arises from the use of the words "expenditures under this act".

Having indicated this very serious further concern that I have, I will not base my ruling on it. It seems to me that the whole problem revolves around the question of whether the contribution voluntarily or involuntarily constitutes an impost as understood by the provisions of our financial practice or by the terms of our Standing Order 62. All honourable Members will agree that we must start from the position that financial expenditures are to be provided as described in the words of Standing Order 62 (1). The Standing Order reads as follows in part:

...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 the House by a message from the Governor General in the session in which such vote, resolution, address or bill is proposed.

The provisions of Standing Order 62 refer specifically to imposts without defining, in particular, what should be considered as an impost.

It seems to me that Bill C-34 must be construed to be a measure to appropriate a part of the revenue obtained by way of an impost. It would be imprudent, I suggest, to contend that such contributions are voluntarily and generously proffered by all working Canadians. In other words, contributions to the Canada Pension Plan are indeed an impost or levy, required to be paid under the provisions of the plan.

In conclusion, it might be helpful were the Chair to read the provisions of citation 8 of Beauchesne's Fourth Edition, which reads as follows: "8. (1) The proceedings of the Houses (Senate and Commons) are governed by statutes, by rules and orders adopted by themselves, and by those usages which have grown up in the course of time and consequently become a part of their own practice or are derived from the common law of Parliament by which they have consented to be guided in all matters of doubt.

(2) The usages of Parliament are to be collected from the entries in the Journals, from the history of parliamentary procedure, from the treatises on parliamentary practice that have been published from time to time; and from the observations of experienced members, and the remarks of the speakers in the House of Commons, with relation to the forms and methods of proceedings, as contained in the published debates.

(3) In the interpretation of the rules or Standing Orders, the House is generally guided, not so much by the literal construction of the orders themselves as by the consideration of what has been the practice of the House with respect to them."

I suggest to the honourable Member for Hillsborough (Mr. Macquarrie) that the Standing Orders and the financial practice of this House present an insuperable barrier to his proposed bill, and the established practices of this House and the Standing Orders dictates that the Chair must rule that Bill C-34 should not be proceeded with at this time.

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Debate was resumed on the motion of Mr. Mackasey, seconded by Mr. MacEachen,—That Bill C-229, An Act respecting unemployment insurance in Canada, be now read a second time and referred to the Standing Committee on Labour, Manpower and Immigration.

And debate continuing;

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#### *Changes in Committee Membership*

Notice having been filed with the Clerk of the House pursuant to Standing Order 65(4)(b), membership of Committees was amended as follows:

Messrs. Cobbe, Cyr and Moore for Messrs. Lessard (LaSalle), Crossman and Korchinski on the Standing Committee on Agriculture.

Messrs. Deakon, McBride, Blouin and Marchand (Kamloops-Cariboo) for Messrs. Buchanan, Foster, Penner and Hymmen on the Standing Committee on Indian Affairs and Northern Development.

Messrs. Orlikow, Peters and Penner for Messrs. Brewin, Gilbert and Foster on the Standing Committee on Labour, Manpower and Immigration.