

Mr. Speaker: Before hearing the Hon. Minister of Justice (Mr. Lewis), perhaps the Hon. Members who have spoken might be of further assistance to the Chair. I would like their view as to exactly at what point the expenditure of public funds becomes legitimate, if one accepts the premise of the argument that is being put to the Chair. In other words, let us assume that the House comes back as it did on April 3. Are Hon. Members then saying that the Government cannot spend money between April 3 and until such date as committees have considered estimates and they have been passed by the House, or is there some other way that the Government can deal with that period which would be a hiatus period, if the argument Hon. Members are putting forward is valid?.

I ask that because I am trying to see clearly the point that is being made. Certainly the fundamental principle that the Hon. Member for Kingston and the Islands (Mr. Milliken), the Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria) and the Hon. Member for Kamloops (Mr. Riis) have put forward is an ancient one. I think it goes almost without saying, but in trying to deal with the situation now, the Chair may need a little bit of practical advice as to just how a Government would deal with the situation, if it did not use the Financial Administration Act.

Mr. Boudria: Mr. Speaker, perhaps I could assist the Chair in submitting to you that one will not object, at least I will not object, to the fact that the Government has to spend money in order to continue the operations of the Government during an electoral period, and it has to do that without seeking the advice and consent of Parliament. We could argue, I suppose, philosophically, that we should meet for a number of hours immediately before declaring an election or immediately after it is declared in order to grant supply. I suppose there is a philosophical case to be made for that, but I think that is a point which we could debate when making proposed changes to the Financial Administration Act at some point in the future.

Privilege—Mr. Milliken

However, that is not the most fundamental point that my colleagues and I were trying to bring to your attention today. It is the immediate one of the use of Governor General warrants. You see the Government had obviously sought Supply for a period of time last summer. It received that Supply, voted by this House, granted later by Her Majesty's representative. What we are objecting to is that after the electoral period, after a reasonable time to recall Parliament, the Government did not choose to ask for Supply. Not only can that case be made but it goes even further, Mr. Speaker. Parliament was recalled. Parliament sat. The Government not only did not seek Supply by way of a Bill, the Government did not even include the traditional motion asking for Supply in the Throne Speech.

• (1540)

Parliament adjourned in December. It could have come back after New Year's some time in order to grant Supply to this Government again. Parliament was not recalled. As a matter of fact, it was prorogued only to return after the fiscal year had ended. Having done that, returned once the fiscal year had ended and a new year had commenced without any funds to operate the Government, then the Government in the new Throne Speech failed again to ask the traditional request of being granted Supply for the purposes of administering the Government.

In fact, it is not the philosophical issue at this immediate moment that we are arguing of doing away with the use of Governor General warrants pursuant to the Financial Administration Act, although we could make that case in the future, it is the misuse of that portion, misuse in such a way that it has denied this Parliament of its fundamental rights and obligations to decide whether or not this Government should have funding and to be able to air the traditional grievances of the citizens before making that decision. That is the right that has been taken away from us. It has been taken away from us by the inaction of the Government in failing to ask for Supply by the inaction in the Throne Speech, by the Government's failing to ask for a money Bill last fall and by the Government failing once again to ask for Supply in the April 3 Throne Speech. There is a further case that the Government deliberately prorogued Parliament rather than recalling it for the purpose of having Parliament deal with the issue of Supply.