

ruling by Madam Speaker on June 12, 1981, I would refer the Chair to Vote L11c under the Fisheries and Oceans in Supplementary Estimates (C), fiscal year ending March 31, 1983. That Vote states:

● (1210)

Vote L11c—To extend the purposes of Environment Vote L30b, Appropriation Act No. 1, 1974—To increase the aggregate outstanding at any time of the amounts which may be borrowed from any bank upon the credit of the Freshwater Fish Marketing Corporation and the amounts loaned by the Minister of Finance under the authority of section 17 of the Freshwater Fish Marketing Act from \$20,000,000 to \$30,000,000

The Supplementary Estimate on that is for \$1. Section 17(2) of the Freshwater Fish Marketing Act states this:

The aggregate outstanding at any time of

(a) the amounts borrowed by the Corporation pursuant to paragraph 7(g), and

(b) the amounts loaned by the Minister of Finance under this section,

shall not exceed five million dollars.

The legislation, therefore, the Act as passed by this Parliament in 1968-69, states that the amount outstanding shall never exceed \$5 million. Vote L11c of Fisheries and Oceans seeks to raise that limit to \$30 million. Now, granted, the limit had been raised from \$5 million previously by other Appropriation Acts illegally and improperly, the last time being 1974, which was a period prior to the Speaker having made very clear, unequivocal decisions that this type of procedure of amending legislation through Appropriation Acts must stop. There must not be any attempts to amend legislation by Appropriation Acts, and this is clearly what this Vote attempts to do. This one dollar item attempts to amend the Freshwater Fish Marketing Act to raise the loan limit to \$30 million. I submit, Mr. Speaker, that, in view of Madam Speaker's ruling of June 12, 1981, Mr. Speaker Jerome's rulings of March, 1977 and of December, 1977, it is abundantly clear that this Vote is out of order. It is simply out of order. It is not permissible to attempt to amend the legislation, the Freshwater Fish Marketing Act, by an Appropriation Act.

The second Vote, Mr. Speaker, which is out of order, in my view, and I believe it is pretty clear once it is explained, is Vote 10c of Industry, Trade and Commerce. That Vote is also for \$1. It reads as follows:

Trade-Industrial—The grant listed in the Estimates and contributions—

The description of that grant is under the sub-title "Industry Development". It reads:

Payments under the Small Business Investment Grants Act (Funds were provided from the Treasury Board Contingencies Vote to pay for this item).....1,000,000

In other words, Mr. Speaker, what has happened is that a grant of \$1 million has been paid out of a contingency fund, and here is a Supplementary Estimate for \$1 to authorize spending retroactively. The House is again put in this insulting position of being asked to rubber-stamp retroactively money which has already been spent. But the real issue, Mr. Speaker, is that that grant was granted, as the Estimates say, under the Small Business Investment Grants Act, and that Act has never been passed by this Parliament. It is in the Order Paper as Government Order No. 136, which reads as follows:

Point of Order—Mr. Andre

November 23, 1982—Consideration of report stage of Bill C-136, Small Business Investment Grants Act, as reported (without amendment) from the Standing Committee on Finance, Trade and Economic Affairs.

It is at report stage. It has never been passed by this House, by the Senate, nor has it received Royal Assent. Therefore, we have this absolutely immoral, disgusting situation where a Bill which has not been passed by the House has been used for justification to dip into contingency funds to make a grant which the Government is now coming forward to ask the authority of this House to legalize, based on legislation which has not yet been passed by the House. Talk about putting things backwards! First the Government spends the money, then it asks for authority of Parliament to spend the money, and then it passes the legislation legalizing the program upon which it spent the money. Any six-year old grade one student knows that if you are being proper and decent, you do it the other way around. You pass the law, then you requisition the money, and then you spend it. You do not spend the money, then requisition it, then pass the legislation to make the program legal.

I humbly submit, Mr. Speaker, that this should be tossed out immediately, the persons who put it in should be chastised by this House for insulting us in that fashion, and the officials who put it in should be fired.

Hon. Herb Gray (President of Treasury Board): Mr. Speaker, about halfway through the Question Period, my hon. friend sent me a note informing me that he was going to raise these points, and I thank him for doing so. I endeavoured to get some detailed explanation about these points and while I have some information, it is not in the detail which I had with me when I appeared before the Committee on Miscellaneous Estimates, expecting, perhaps, that the question of the \$1 Votes would be raised. However, I will attempt to assist the House and the Chair by making some comments aimed at reassuring my hon. friend and the Chair that these items are consistent with the rulings of successive Speakers.

First of all, with respect to the item listed as Vote L11c on page 66 of the final Supplementary Estimates (C) with respect to the borrowing authority of the Freshwater Fish Marketing Corporation, I am informed that what we are talking about here does not involve a request to Parliament to spend moneys. It is not a budgetary item which will have to be voted on specifically by the House because it requires the expenditure of money, and in fact it involves the amendment of a previous Appropriation Act. I am informed that there are many precedents setting out the acceptability of the procedure with respect to Vote L11c, involving as it does not a request to authorize the Government to spend money, but simply to increase the level of borrowing authority. My hon. friend has already pointed out that Parliament has previously voted to increase the borrowing authority of the Freshwater Fish Marketing Corporation from the ceiling, I believe he said on a previous occasion, of \$5 million, to \$20 million, and now Parliament is simply being asked to follow the same procedure which, I submit, has been found acceptable by Speakers in the