

Point of Order

\$40,000. It is simply amending a bill that provides for a reduced charge and staying within the terms of the original royal recommendation.

If the Crown originally recommended a charge of \$50,000 as being proper on the Consolidated Revenue Fund, it can hardly balk if this House chooses to ignore that recommendation and fix the charge at some lesser amount because this House controls the purse strings, this House controls how much can go out, subject to the Royal recommendation.

We cannot spend without Royal recommendation, but having got an authorized limit we can reduce that amount. We can fix it at a lower amount. We do not have to agree with the Royal recommendation. We can choose to authorize less. We can choose to pay less. We can choose to tax less. That is the option this House has always had; it has had it for hundreds of years.

• (1540)

I submit that an amendment to increase the salary from \$25,000 to \$40,000 in the amending bill would be in order. Would it be in order to increase it to \$60,000? No, I think it would not. My answer is clearly no, because that would infringe the Royal prerogative. It would increase the charge on the Consolidated Revenue Fund to beyond that encompassed in the original Royal recommendation.

It is precisely that argument, which I hope has been clear to the parliamentary secretary, that must apply to this unemployment insurance bill, Bill C-21. The Senate considered this matter carefully in its report No. 9 of the Senate finance committee to which the government House Leader referred Your Honour and to which I invited Your Honour to have regard in my argument the other day on royal recommendations.

The thrust of that report was very clear, that where there is no increase in the charge on the Consolidated Revenue Fund it is within the power of the other place, or a private member in this House, to introduce amendments to bills before this House whether or not there is a royal recommendation attached to them.

My whole purpose in arguing that there was no need for a Royal recommendation in respect to the other bill was that these bills provided for a reduction in the charges on the Consolidated Revenue Fund.

It is a very simple argument but it seems to me fundamental, because if the private members of this House are not able to move amendments to these bills which do stay within the scope of the original royal recommendation, I submit that by putting these royal recommendations on the government is saying: "You are not allowed to make any amendments because this bill has a royal recommendation". That is exactly what the government House leader was saying in his argument the other day. As reported on page 10143 of *Hansard*, he said the following:

It is the duty of members to protect the the rights and responsibilities accorded to this House, not only by the Constitution Act and our Standing Orders, but by centuries of parliamentary procedure and rulings which have given financial responsibility to the House of Commons.

He suggested that we had to suspend Standing Order 80 and so on in order to deal with these amendments. I suggest that that is just inaccurate and unbelievable. I find it hard to imagine that he would put that argument.

The second last argument I have to make deals with section 53 of the Constitution Act. The act provides, as Your Honour knows, as follows: "Bills for appropriating any part of the public revenue or for imposing any tax or impost shall originate in the House of Commons".

I stress the word "originate", because in his debate on March 12 the government House leader argued that a bill which was amended in the Senate could not be seen as having originated in this House, that somehow the amendments originated in the Senate, and that therefore it was contrary to section 53 of the Constitution Act. I hope I am not misrepresenting his argument, but that is what it seemed to me he was saying.

What I would like to argue is the interpretation of the word "originate" in section 53, because I think the drafters of the legislation chose those words extremely carefully. Many bills can originate in either House. Bills can be introduced in the other place; bills can be introduced in this House. In that sense bills originate in one place or the other.

However, certain bills can only be brought before Parliament in this House because there is an initial step. That initial step has now been abolished under our rules, so we tend to forget what went on, but the initial step for money bills was always a decision of a committee of this House. In other words, every money bill had to be