

*Dominion-Provincial Relations*

When we come to the method, one is suggested in the bill and the amendment suggests what we think is an improvement to that method. The minister raises a question and says that in order to implement the principle he suggests a payment should be made through a foundation, and he creates the foundation. He creates the instrument and defines it in his bill. The amendment says that the principle could be implemented through another instrument which, in our opinion, would make the method more constitutional. If the minister would take the position that the instrument of a provincial council is unconstitutional, I would go along with the minister. If the minister will accept the principle that the implementation of these grants can be made through a provincial council, that is basic. It is not flippant, and it is not a technical objection.

When we discuss these measures from a lofty level I submit to you, Mr. Chairman, that simply substituting a provincial council for a Canadian universities foundation is not a serious change in the bill and is a change which could properly be made by amendment. I respectfully submit that we should address ourselves to the fact of whether or not this method of implementing the intentions of the whole project is an acceptable one. If it is not an acceptable one, then it should be rejected. If it is an acceptable one it should be accepted, even by the minister. I feel that if he had time to consult with the province of Quebec and the university authorities in Quebec he would find they would prefer the amended way of implementing this bill.

**An hon. Member:** You are arguing the merits.

**Mr. Crestohl:** I am just supposing that it were possible to do this. However, I think the amendment as made has merit, and does not change the principle at all but simply offers another vehicle for implementing the principle that the house adopted.

**The Chairman:** Before I give a definite decision on this amendment, may I draw the attention of the committee to the possibility that there might be an additional charge on the public treasury by the amendment proposed if we envisaged it in the following light. In section 9A, as it is in the bill, if I am not mistaken paragraph (1) (a) and b) (i) and (ii) would be deleted and replaced by b) of the proposed amendment.

The proposed amendment would leave as is paragraph 2 which provides that the minister, with the approval of the governor in council, may, on behalf of the government

[Mr. Crestohl.]

of Canada, enter into an agreement with the foundation already defined in paragraph (a). According to this paragraph, what can be done now is to give the foundation a grant equal to the calculation of the population of the province multiplied by \$1.50. There is a reference, of course, to a prescribed province in subsection (2) of section 9A.

The amendment to section 3 which has been proposed, says in part:

The minister, with the approval of the governor in council, may on behalf of the government of Canada, pay to a university council established in any province for any fiscal year commencing on or after the first day of April, 1960, for the purpose of making grants to institutions of higher learning in that province an amount calculated by multiplying the population of the province for the calendar year ending in that fiscal year by one dollar and fifty cents.

This amendment, therefore, under this new paragraph (3) would enable the Minister of Finance to pay in any of the provinces of Canada in which there existed a university council an amount based on \$1.50 per head and that would be above the amount which is already provided in section 2 of the act which remains as is. It seems to me, therefore, that at first sight, without considering the other problems that may be involved, this would clearly dispose of the amendment. However, before I say anything further, if any hon. member wishes to comment on that point I would be glad to hear him.

**Mr. Pickersgill:** Mr. Chairman, it is conceivable that such an interpretation might be put upon the amendment. However, it does seem to me it is quite clear that the amendment, the new paragraph 3, suggested by the hon. member for Laurier is clearly intended as an alternative method and that as such it would exclude a payment in respect of the institutions of the province to the Canadian universities foundation. Certainly that was the clear intent of the amendment. It may be that the wording is not quite as precise as it should be to exclude any other possibility, but it does seem to me that in committee, in my experience with a case of this kind, if there was simply a point of drafting involved which had nothing whatever to do with the substance of the amendment it has always been recognized, particularly since members of the opposition do not have the same opportunities as members of the government have in drafting, that corrections of that kind can be made if they are required without in any way invalidating the point.

**Mr. Fleming (Eglinton):** Mr. Chairman, if I may say a word, I would say that the point you have raised is well taken and the plea of the hon. member for Bonavista-Twillingate