

*Canada Pension Plan*

purpose of covering the expenditures borne by the Crown up to that point, to get the plan assembled, to have the expertise available before all these ideas were put into the Canada Pension Plan legislation. Thereafter the plan was on its own, as it were. Indeed, when I read that part of the resolution Your Honour will find that the plan was required to pay back all these expenses that had gone into the formulation of it.

With that as a rather long preamble, here is the resolution that was presented to the House on October 28, 1964. I shall not read it all, but I shall read the pertinent parts. It begins:

That it is expedient to introduce a measure, to be known as the Canada Pension Plan, to establish in Canada a comprehensive program of retirement pensions payable to contributors;

Then, there is reference to supplementary benefits, widows, orphans, the disabled, co-ordination under the Old Age Security Act with benefits payable under the Canada Pension Plan, and then these words:

—to provide for the adjustment of pensions and other benefits in line with increases in earnings and the cost of living;

You will note there is no reference to any ceiling there, Mr. Speaker. Reading further, and I think this is important:

—and to provide further that all expenditures under the Canada Pension Plan, including cost of administration, shall be financed from contributions by employees and employers and from contributions by persons in respect of self-employed earnings.

I simply reinforce the statement of purpose mentioned to Your Honour by my colleagues this afternoon. Perhaps before I sit down, however, I should make this further point: the legislation having been altered by the very sensible amendment of the hon. member for Hillsborough (Mr. Macquarrie), when at any stage could the trustees of the Canada Pension Plan come back to this Parliament and demand money for the operation of the plan? When could there be any requirement whatsoever that so much as one red, black or blue cent of public money be put into its operation? I suggest you could look from one end of the plan to the other, whether in its present form or, hopefully, as amended by the hon. member for Hillsborough, and not find any such obligation.

I would respectfully suggest to your Honour that it would work a hardship on the backbench members of Parliament if a very narrow construction were placed on the rule about the introduction of measures calling for expenditures. I think, first, the rule would have to be pretty severely twisted to cover the circumstances that arise in the bill of the hon. member for Hillsborough, but in any event it would be a most narrow and unfortunate construction if the Chair were to say that this bill was outside the competence of a private member.

**Mr. Deputy Speaker:** I should like to thank hon. 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 hon. 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

[Mr. McCleave.]

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 hon. 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 hon. 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 read 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 hon. member for Hillsborough (Mr. Macquarrie) that the Standing Orders and the financial practice of this House present an insuperable barrier to