

The Speaker will not give a decision upon a constitutional question nor decide a question of law though the same may be raised on a point of order or privilege.

In addition, let me refer to a decision of Mr. Speaker Lamoureux of July 8, 1969, on page 1319 of *The Journals* where he says:

I have had occasion in the past to indicate that it is not the responsibility of the Chair to rule on questions of law or on constitutional questions. This ruling has been made in many instances by previous Speakers. I should like, if Hon. Members would allow me to do so, to quote at this time a ruling made by the Deputy Speaker on Friday, October 25, 1963. It reviews some of the authorities on this point: "I have listened with much interest to the argument made by the Hon. and learned Member for Rosedale (Mr. Macdonald). I gather the essence of the argument he submits now is that the Bill should not be considered, that it is out of order because it is *ultra vires* the Parliament of Canada.

My submissions at this time is that it should not be the responsibility of the Chair to rule whether a particular Bill or particular piece of legislation submitted to Parliament is or is not within the competence of this House.

The reason for these citations are straightforward. The Speaker should not sit in judgment on constitutional or legal matters. That role belongs more properly to the courts and the administration of justice. Previous Speakers have been very careful in strictly addressing themselves to matters of a parliamentary or procedural nature while avoiding dealing with constitutional or legal matters. Similarly, in this instance, the Chair must restrict its examination to the question of a possible infraction of the Standing Orders.

After studying the circumstances of this case to determine whether the ancient rights of Members of Parliament have been denied in relation to the granting or withholding of supplies, the Chair concludes that the Government has respected all of the procedures required by the House. As the Hon. Member for Kingston and the Islands has himself said, the House will have an opportunity to pronounce itself on the moneys found in the Special Warrants when the House votes on the next appropriation Bill.

[*Translation*]

While Members may complain that they do not have an opportunity to examine these expenditures before they have been allotted, the very nature of special warrants calls for the approval of the House after the fact. The cure for that complaint lies more properly within the legislative process by amending the *Financial Administration Act* to the greater satisfaction of the majority of Members in the House. As to the argument that the law has been breached, Hon. Members have other avenues available to them to demonstrate and establish those facts.

Borrowing Authority

[*English*]

After considerable reflection, the Chair finds that no Standing Orders have been contravened, and it has not been demonstrated that a prima facie breach of a Member's privilege has occurred.

I want to thank Hon. Members for raising the matter which is of course fascinating to all of us in this House and to all of us who follow parliamentary traditions and conventions.

I must point out that the response of the Chair has been lengthy but in my view the arguments presented to the Chair were worthy of very serious and lengthy consideration. I thank Hon. Members.

[*Translation*]

Mr. Speaker: I wish to inform the House that as a result of the Minister's statement, Government Orders will be extended by eight minutes, starting at one o'clock today.

GOVERNMENT ORDERS

[*Translation*]

BORROWING AUTHORITY ACT, 1989-90

MEASURE TO ENACT

The House resumed consideration from Monday, May 1, of the motion of Mr. Wilson (Etobicoke Centre) that C-11, an Act to provide borrowing authority, be read the second time and referred to a legislative committee.

Mr. Pierre H. Vincent (Parliamentary Secretary to Minister of Finance): Madam Speaker, I welcome this opportunity to speak in the House today to Bill C-11, a very important piece of legislation that deals with borrowing authority, with the federal Government's borrowing requirements for 1989-90.

Perhaps I may give the House a summary of the country's financial situation in 1984, when we began, and the situation as it is now, in 1989.

Madam Speaker, you will recall that in 1984, when the Conservative Government was elected, this country's annual deficit was \$38.5 billion, while the national debt had risen to about \$200 billion. Since 1984 we have managed to reduce the Government's deficit year after year, bringing it down to \$28.5 billion by 1988-89. We did so despite the Opposition's insistence that what we did would bring about a recession, cause unemployment and make the Canadian economy go into a nosedive. However, during the past four years, job creation has been ten