

with an amendment which might seem at first blush to infringe upon the Crown's right to initiate expenditures:

This is obviously, I think, a broad amendment, since it would force the Crown to incur additional expenditures.

Using that as a yardstick, I suggest that this amendment does not in fact force the Crown to incur additional expenses because there are certain safeguards written into it. In the first instance, it provides that there is to be an instruction to consider the advisability of inserting therein the following clause. This is the old, traditional method, which we have used in the House for a great many years, of dealing with the question of advisability. It may well be that in considering the advisability the committee may seek a legal opinion. The law officers of the House may be present, and they may say to the members of the committee that what they seek to do they cannot do because of certain rules and certain statutes. I call that to your attention in the first instance, Mr. Speaker.

Your Honour is aware of the fact that there are several types of amendment on third reading referring matters back to a committee. Some of them contain a direction that the committee do something. This is not one of them. This is a direction that it be sent back to the committee with an instruction to consider the advisability of doing something. With all due deference, I think it would be drawing a long bow to say that a committee cannot be urged by the House to consider the advisability of doing something, even though the Chair may have a fairly strong view that what they may urge to be done might not be proper.

Then, I go to what is set out in paragraph 2 of the amendment which reads:

No order may be made under subsection (1) until the proposed text of the order has been laid before the House of Commons by a member of the Queen's Privy Council for Canada and the making of the order has been approved by a resolution of the House of Commons.

I take it that that is a safeguard which is written into this amendment by which the House will be instructing the committee to ensure that all proper and legal steps are taken. It may well be that Your Honour or any member of the House cannot exclude the possibility that in committee, as a result of persuasive and eloquent arguments which are made by members of the committee, the government may be persuaded that what we are proposing to do is sensible and generous. I recognize that may be very difficult, because one thing we know about this government is that so far it has not been kind, compassionate or generous in dealing with old age pensioners. But I do not rule out the possibility that eloquent and strong argument in the committee might well persuade the government to change its mind. If the government saw fit to change its mind, and to support an amendment of this kind, it could affix legality to it through the text of an order to be laid before the House of Commons by a member of the Queen's Privy Council.

Finally, the third paragraph of the amendment reads:

Expenditures required under an order made under subsection (1) should be paid for out of moneys to be appropriated by parliament.

You have to read into that the words "to be appropriated by parliament pursuant to the laws of this land".

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I suggest that if you put all this together, what you have is a recommendation from the House to the committee to consider the advisability of inserting this clause, but to do so only on the understanding that all of the things which have to be done to provide it with a cloak of legality are in fact carried out. That is the limit of the recommendation. I would have no hesitation at all in doubting the acceptability of the amendment if the bill were to be referred back to the standing committee with a direct instruction that the following clause be inserted therein. But when the safeguards are written into it, then the House is in fact saying to its faithful committee: "attempt to improve this bill but do so only when you can do it by the proper steps which need to be taken under the constitution to make it effective."

Having in mind the impediment which is faced by members of the House in attempting to secure a better form of arrangement for old age pensioners, I suggest that the Chair should be vigilant and alert in trying to find ways and means of construing my argument so as to make this amendment acceptable.

Mr. Jerome: I wonder if the hon. member was speaking on motion No. 7, because I fail to follow his argument.

Mr. Knowles (Winnipeg North Centre): Yes, we are on motion No. 7.

Mr. Baldwin: I apologize, Mr. Speaker. I poured forth all this eloquence with respect to another amendment. I simply ask that when the time comes I may be able to refer to what I have already said. When I came into the House, I was under the impression that the House was dealing with another amendment. If we are dealing with motion No. 7, my words were poured into the arid atmosphere. My argument has no application, and so far as we are concerned I think the motion should be put.

• (1620)

Mr. Jerome: Mr. Speaker, I have only the briefest comment to make with respect to motion No. 7. It appears to me to call for a straight, across-the-board increase in the amounts to be paid under one classification in clause 10, and appears to fly directly in the face of the recommendation, and therefore is clearly out of order.

The Acting Speaker (Mr. Laniel): Order. Possibly at this time I should express my regret to the hon. member for Peace River (Mr. Baldwin) for not calling him to order. The Chair had been trying to follow his argument and, at the same time, look at the clause itself. I do not think I succeeded in finding any connection that would change the decision of the Chair. After what was said by the hon. member for Peace River at the end of his remarks, the Chair can only repeat that this motion would result in increased payments from public funds. If hon. members refer once more to Beauchesne, citation 246, they will see arguments there that are quite eloquent as to the non-acceptability of such an amendment at this time.

Accordingly, if there are no more motions the Chair will put the motion for concurrence.

Hon. John C. Munro (Minister of National Health and Welfare) moved that Bill C-207, to amend the Old Age