

Unemployment Insurance Act

exceed that ceiling. Now, it is a fact that parliament convened at the end of August and could have dealt with the matter by way of a supplementary estimate at that time or it could have dealt with the matter by way of a grant at that time. Parliament could have been convened in December to deal with the matter. These are three legal alternatives that were available to the government without the use of warrants. Even if they had to have access to warrants, they could have used the warrants properly and not improperly as they did.

The Minister of Justice says that we on this side are engaging in partisan pettifoggery by taking the position that the word "payment" in section 23 of the Financial Administration Act has some meaning. The Auditor General certainly thought that it had meaning. He said the situation with respect to the use of those warrants was unique. No other single instance had occurred in the last 15 years where a warrant had been used to exceed a statutory limit—

Mr. Blais: A point of order, Mr. Speaker.

Mr. Deputy Speaker: The hon. member for Nipissing rises on a point of order.

Mr. Blais: Mr. Speaker, with reference to the last comment made on this subject, I thought the ruling of the Chair was that any comments that may have been made in committee or any dealings that may have taken place in committee were not to be dealt with in this particular debate nor in this House. The hon. member for Yukon (Mr. Nielsen) is trying to get in through the back door what he could not get in by the front door by making mention of evidence that he alleges has been given in committee.

Mr. Deputy Speaker: Order, please. I was not aware that the hon. member for Yukon (Mr. Nielsen) had brought out anything that occurred in committee, so I shall ask him to continue.

Mr. Nielsen: Thank you, Mr. Speaker. I may point out to the hon. member who raised this spurious point of order that he should perhaps keep up with his reading of the press, because it certainly was dealt with extensively in the press the other day. I say that no amount of squirming, no amount of wriggling on the part of the New Democratic Party can disguise that what they are doing here is abdicating their responsibility as Members of Parliament to insist that every appropriation must have the approval of this House.

Some hon. Members: Hear, hear!

Mr. Nielsen: They are quite happy to give this government a blank cheque by removing the ceiling entirely, but even more serious in my view, they are quite happy to ratify something that this government has done illegally. Section 23 of the Financial Administration Act is very specific. It is broad in the sense that a fairly broad interpretation can be applied to the term "urgent and public good". However, the use of the word "payment" is specific. Surely, the minister does not suggest that a warrant can be obtained for the purpose of meeting future requirements. If the law had intended that, then the word would not have been used. The word "payment" I suggest

[Mr. Nielsen.]

to the minister means a current obligation, a debt. Surely, that section does not permit and surely the minister does not suggest that it should be interpreted so broadly as to enable a warrant to be obtained for six months' supply. That is what he would have us believe.

Mr. Lang: It is not that word; it is the other words.

Mr. Nielsen: "When parliament is not sitting". I might say it has been done. I could cite a precedent that occurred in 1958, but I do not like citing that because we were in office. However, it was wrong and everybody, including the member for Winnipeg North Centre, said it was wrong. Apparently what was wrong then is right now, simply because his party wants to support the government.

I should like now, Mr. Speaker, to get into a point of order which I am embodying in my remarks. It is a point of order which I have to leave with Your Honour because of the likelihood of the result being a bad precedent in the *Journals* of this House if it is not raised and dealt with. I have not raised it sooner in the debate because I did not want to appear to be impeding the progress of the bill or to be opposed to the general principle involved in making moneys available for payment to unemployed persons.

On January 8, the government referred Supplementary Estimates (A) 1972-73 to the Committee on Miscellaneous Estimates. The committee held its first organizational meeting on January 11. These estimates, at page 28, include the following and I shall read from the description of the estimate itself. The heading is "Non-Budgetary, Vote L30a":

Advances for the purpose of the Unemployment Insurance Act, 1971, to be applied by the Unemployment Insurance Commission toward the payment of benefits and costs of administration under that act, such advances to be repaid in such manner and on such terms and conditions as the Minister of Finance may prescribe.

That is the description, Sir, and I draw the attention of the House specifically to the words in the title "Non-Budgetary" and to the use of the term "advances" in the vote. My submission is, quite apart from other minor imperfections in what has been done—for instance the description in that non-budgetary item so-called not tallying with the words of the Order in Council on warrant—that there are other very serious defects which give rise to this point of order.

In the bill before us, Bill C-124, Your Honour will note that the first line in clause 2 reads "The amount authorized for the purpose of the Unemployment Insurance Act" and so it goes on. I draw Your Honour's attention to the use of the word "authorized". The word is being used in the past tense. I also draw Your Honour's attention to the fact that Vote L30a has not been authorized by the standing committee. I hope the hon. member for Winnipeg North Centre is listening, because I would be grateful for his support, knowing his vast knowledge of the rules of this House.

• (1610)

We are being asked to pass a bill which refers to a vote that has not been authorized in committee. Mr. Speaker, that vote has not been authorized. In effect, if we were to pass this bill now we should be authorizing something