

while rejecting others. This motion made reference to "the sole and undoubted right of the Commons to impose taxation" and was agreed to by the House.

[English]

The 1917 and 1959 cases clearly illustrate the long-standing principle that the Speaker should not become involved in constitutional issues regarding the authority of the Senate to amend money bills, but may only bring procedural irregularities affecting Standing Order 80(1) to the attention of the House in order that it can safeguard its own constitutional financial prerogatives.

I would now turn to the specifics of the case before us. In looking closely at the amendments of the Senate to Bill C-21, I must admit that on the question of the principle of the bill, the hon. minister has raised an extremely valid issue. There is no doubt in my mind that the Senate by way of amendment is modifying the principle of the bill, something which would certainly not be allowed at committee stage in this House. If the Senate amendments were adopted, the government will clearly continue to support financially the unemployment insurance account as was stated by the minister. That would run contrary to the approved budgetary policy of the government and contrary to the principle of the bill as adopted by the House of Commons.

However, for the same reasons referred to earlier in my ruling of July, 1988, the Speaker of the House of Commons cannot unilaterally rule out of order amendments from the other place. I can comment, as I am doing, but the House as a whole must ultimately make the decision to accept or reject amendments from the Senate, whether they be in order according to our rules or not.

As I have said, it is also clear from the review of the amendments of the Senate, which can be found in the *Votes and Proceedings* of March 21, 1990, that there will be continuing charges to the Consolidated Revenue Fund if Bill C-21 is so amended. It is perhaps less clear that there will be an increased charge over and above that which is presently lawfully provided for in the Unemployment Insurance Act itself.

Speaker's Ruling

I point out that the Unemployment Insurance Act was passed many, many years ago and has been amended many, many times. So, Bill C-21 is an amendment to that act.

It would certainly be permissible in this House to restore in an amending bill charges already provided for in existing legislation. For guidance on that point, I refer hon. members to Erskine May's *Parliamentary Practice*, 21st edition, page 716, and I quote:

The same principle applies in the case of amendments moved to a bill which abolishes or reduces a charge authorized by existing law. Amendments to such a bill, which are designed to restore a portion or the whole of the charge which the bill proposes to reduce or abolish, are in order without the need of a preliminary financial resolution.

As the hon. Parliamentary Secretary to the Government House Leader stated, that citation applies to the British House of Commons. But Erskine May is silent on what the Lords may do. Again, I have to say that it is not within my power to rule on whether the Canadian Senate should have the constitutional right to restore charges when the Commons have decided otherwise. As the hon. minister said at page 10144 of *Hansard* of April 5, 1990: "It is up to the House of Commons to defend our responsibilities and our authorities".

Having addressed the amount and limits of the charges, the Chair has however some concern in the area of conditions and qualifications, objects and purposes.

• (1530)

I should remind hon. members that citation 540 of *Beauchesne's Fifth Edition*, states:

In relation to the standard thereby fixed, an amendment infringes the financial initiative of the Crown not only if it increases the amount but also if it extends the objects and purposes, or relaxes the conditions and qualifications expressed in the communication by which the Crown has demanded or recommended a charge. And this standard is binding not only on private Members but also on Ministers whose only advantage is that, as advisors of the Crown, they can present new or supplementary estimates or secure the Royal Recommendation to new or supplementary resolutions.

If reviewed against this citation, the Senate amendments seem to have some impact on the royal recommendation, the extent of which is difficult to determine. Thus, for greater certainty the House might want to draw this to the attention of the Senate, even if the House were to choose to waive its financial prerogatives,