

proper for a private member to bring a bill in on the basis on which I brought in this bill.

Over and above that, my third point is that I rely on the fact that as the Standing Orders now exist they do not prohibit a member from introducing and debating a bill relating to financial expenditures, though they may inhibit his right to have the bill brought to a position where a vote can be taken on it. I base this point on the vague possibility that Your Honour may not agree with what I have said so far.

Section 54 of the British North America Act, is, of course well known. It provides as follows:

It shall not be lawful for the House of Commons to adopt or pass—

I call Your Honour's attention to those words, "to adopt or pass".

—any Vote, Resolution, Address, or Bill for the Appropriation of any Part of the Public Revenue—to any Purpose that has not been first recommended to that House by Message of the Governor General—

I point out in that regard that historically the Quebec resolutions and the London resolutions, upon which the British North America Act was based, contain somewhat different wording. They contain the wording that "it shall not be lawful to originate or pass". In place of the words "to originate", the British House of Commons, in enacting the British North America Act, used the words "to adopt or pass".

I call to Your Honour's attention that there is a plain difference between the words "to originate" and "to adopt". As the British North America Act has been passed, there is a leeway on the part of any private member to introduce and to debate a bill, but not to require the House to come to the stage of adopting and passing the bill on third reading. The way the House got around that was that in the Standing Orders as they existed before the rule changes we made in 1962 there was a condition precedent that it was essential for there to be a financial resolution, and the financial resolution had to be introduced by a minister and debated in the House. That way provided a practical means whereby a private member, not being able to introduce such a resolution, was inhibited from being able to say that not only did a private member have the right to introduce a bill dealing with money but also to have it debated.

In 1968 when we made our changes to the rules this particular provision was repealed. In place of Standing Order 61 the House introduced Standing Order 62. The first part is simply a re-enactment, a copying, of section 54 of the British North America Act. Subclause 2 provides that there shall be a certain procedure, through the means of printing a recommendation on the notice paper and in *Votes and Proceedings* when a measure dealing with financial expenditures is to be passed.

My submission is that anything that prohibits a private member from introducing a measure of this kind must

Auditor General

fall within the four corners of Standing Order 62(2). My brief contention in this regard is that that Standing Order constitutes, in effect, an attempt by this House of Commons to amend and to change section 54 of the British North America Act. The British North America Act makes it quite plain that it is competent for any private member to originate, but not to seek to have passed, a bill that deals with financial measures, and this House is not competent on its own to repeal the British North America Act.

Under those circumstances I urge that on any one of those three grounds Your Honour might well allow the introduction of this bill. This would give the House the opportunity to discuss and to debate freely and honestly what in its opinion should be the proper duties of the Auditor General. This officer, who acts on behalf of the taxpayers of this country, must have some clarification of his role, some expansion of his independence and his objectivity, without which the sufferings of the taxpayers will continue ad nauseam.

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, I should like to draw Your Honour's attention to just one precedent which I think can be presented in support of the position taken by the hon. member for Peace River (Mr. Baldwin). I believe it also goes directly to the question Your Honour raised, namely, whether the recommendation of the Governor General can float around in a vacuum and be picked up by anyone who wants to use it or whether it has to be attached to a particular measure.

I ask Your Honour to look at page 423 of the *Journals* of the House of Commons for Monday, May 19, 1947. For those of us who deal in procedural matters that is relevantly recent. It so happens that three days earlier, on May 16, we had tabled a petition signed by John Beckett of Winnipeg, Manitoba, and 256,282 other persons praying that the Old Age Pensions Act be amended. Our petition called for the pension, which was then \$30 a month, to be raised to \$50 a month, for payment to be made at age 65, for the means test to be eliminated, and for various other improvements to be made. Hon. members will realize that these requests involved the expenditure of money. Therefore there might be assumed to be some question whether a petition which asked for these changes could possibly be in order.

The page in the *Journals* to which I draw your attention records the report of the Clerk of Petitions on the petition that we had presented a few days earlier. I believe that the Clerk of the House of Commons is the Clerk of Petitions, and the Clerk of the House of Commons at that time was none other than Dr. Arthur Beauchesne. After citing the terms of our petition he said:

Although this petition prays for an increase in old age pensions, I submit that the Governor General having already recommended that the scope of the Old Age Pensions Act be amended to increase the amounts to be paid, the constitutional rule that petitions asking for an expenditure of public money are irregular does not apply in this case.