

Point of Order

The references in Beauchesne's are quite clear. I refer Your Honour to citation 671(4) of Beauchesne's which states:

An amendment which amounts to no more than a direct negation of the principle of a bill is open to objection.

I submit that these amendments do not in fact change the principle of this bill.

I could cite extensively from Beauchesne. The government House leader referred to several, but I would refer to some others. Citation 698(5) of the sixth edition refers to amendments in committee. It states:

An amendment which is equivalent to a negative of the bill, or which would reverse the principle of the bill as agreed to at the second reading stage is not admissible.

In other words, Beauchesne's consistently speaks of the principle of the bill, not principles, Mr. Speaker, and I submit that there is a significant difference. The government House leader has argued that somehow this bill has more than one principle and that the Senate, in dealing with these amendments, has changed those principles.

I would refer Your Honour to what constitutes the principle or object of a bill and again Beauchesne's Sixth Edition, citation 689(3), provides an answer. It states:

The objects (also referred to as the principle or scope) of a bill are stated in its long title, which should cover everything contained in the bill as it was introduced. Amendments, however, are not necessarily limited by the title of the bill.

If Your Honour looks at the title of this bill, you will see that it is an act to amend the Unemployment Insurance Act and the Employment and Immigration Department and Commission Act. All the amendments proposed by the Senate to this bill affect those very same acts.

In other words, the principle of the bill was a series of amendments to these acts and I submit that the Senate amendments are amendments to the same acts and therefore are within the principle of the bill as defined in Beauchesne's, as defined in the authorities in this House.

I think the government House leader is seeking to rewrite the principles in his resolution and then transpose that argument from March 12 and his resolution of

that day to his argument of April 3 on the point of order. I submit that he is not permitted to do that.

The second argument along the same line is whether or not the bill impinges on the royal recommendation. I have already submitted an argument to Your Honour on the necessity for royal recommendations on government bills. I have argued it specifically in relation to a bill arising out of this year's budget and, had I reviewed Bill C-21 with sufficient care before second reading of that bill, I could have argued the same point.

I would like to touch on a simple case. What is the effect of the royal recommendations? Suppose, Mr. Speaker, the government introduced in this House this year a bill to pay Mr. Broadbent a salary of \$50,000. Suppose it had to be done by legislation and a bill was introduced that provided for a salary for Mr. Broadbent of \$50,000. Would that bill require—

Mr. Speaker: Maybe we could use some other name. This might cause some embarrassment to our former colleague.

Mr. Milliken: I will use Mr. Jones. I was only referring to him because I know he is now working there and no bill was required for that. However, I will go with Mr. Jones.

Mr. Jones is to be paid a salary of \$50,000. The government introduces a bill to do it. Is the bill one that requires a Royal recommendation, Your Honour? I think the answer is yes because it provides for a charge on the Consolidated Revenue Fund of Canada.

Suppose that bill has passed, it has been adopted, it is part of the law, and the government wants to change it. It brings in another bill to reduce Mr. Jones' salary to \$25,000. Does that bill require a Royal recommendation? No, it does not. The reason it does not, in my submission, is because it reduces the charge on the Consolidated Revenue Fund of Canada. There is no increase so it does not need a Royal recommendation and any member of this House, therefore, could introduce such a bill.

Suppose, in the course of consideration of that bill, there was an amendment proposed to increase the salary from \$25,000 to \$40,000. Would such an amendment require a royal recommendation? No. My submission is that the answer is clearly no, because there is no additional charge on the Consolidated Revenue Fund. It would be the same as introducing a bill to reduce it to