

“ Under Standing Order 76, every clause of a Bill must be considered by the Committee of the House in its proper order. If clause 1 of the proposed Bill were passed, the result would automatically be the abolition of the positions of nearly all the translators in the civil service as they have been practically all absorbed by the Bureau for Translations.

“ When the House would reach clause 2 of the Bill, there would be no Bureau for Translations. New appointments would have to be made if each department were to do its own translating. Clause 2 therefore provides for the appointment of additional civil servants.

“ Such a Bill cannot be introduced by a private member. Its introduction must be moved by a Minister of the Crown on the recommendation of the Governor General and it must be preceded by a resolution in Committee of the Whole.

“ I may quote as a precedent a ruling of Mr. Speaker Rhodes who, on May 17th, 1918, decided that a motion to amend a Bill so as to provide for the appointment of additional government officials is out of order as it involves an increased grant of public money.

“ On March 17th, 1933, Mr. Jean moved for leave to introduce a Bill to amend the Bankruptcy Act so as to provide for a Joint Superintendent of Bankruptcy. Mr. Speaker Black ruled it out of order on the ground that the bill provided for the appointment of an official and would therefore entail a charge upon the revenue. Such legislation, he stated, could be introduced only by a Minister on the approval of the Crown.

“ Another element which places this measure in the category of money bills is that its adoption would mean the transfer of the authority under which appropriated money is to be spent. The translators' salaries have been voted as part of the Estimates of the Secretary of State's Department. This was done by resolution in Committee of Supply and it was subsequently embodied in the Appropriation Bill. When money is voted, the main conditions imposed on its expenditure are embodied in resolutions. All the circumstances concerning its destination form part of the appropriation with which they are considered and if any alteration is to be made it must be by the same process as the original resolution.

“ A money bill is defined in the British house as a public bill which contains only provisions dealing with *inter alia* the 'custody' of public money. The custody is undoubtedly the placing of an appropriation under a certain minister. The translators' salaries which cannot be separated from the proposed Bill have been placed in the custody of the Secretary of State and the Bill provides that it be given to several other Ministers.

“ Sir Wilfrid Laurier speaking on an alleged money bill in the session of 1911-12 (Hansard, column 3633-3641) said:

“ The time when we should dispose of the manner in which the money is to be expended is when the money is appropriated and therefore it should be first of all introduced by resolution where any objections which may properly be urged against the resolution should be urged.”

“ This opinion of Laurier goes to show that the circumstances under which an expenditure is to be made are indivisible from that expenditure. The choice of the minister responsible for paying out the money is a material condition of an appropriation, and in order to change it the House would have to amend the principal clauses of a money bill.

“ I am therefore of the opinion that the proposed measure has all the earmarks of a money bill and cannot be introduced by a private member. I declare it out of order.”