

It is not subsequent years, but during the fiscal year. The Financial Administration Act goes on further in section 37 to say:

— the balance of an appropriation granted for a fiscal year that remains unexpended at the end of that fiscal year shall lapse.

Clearly what the Senate has done through its estimates is that it has violated the Financial Administration Act, which has been passed by both Houses of Parliament.

In addition, this vote, which is the vote that gives the senators \$153 a day for showing up for work, violates the Parliament of Canada Act. Those types of increases which do not require any receipts whatsoever require a change in the Parliament of Canada Act. The Senate, perhaps for the reason that it does not want the public to respond to this vast increase to its salaries, did not introduce any legislation whatsoever and is trying to do through the appropriation that which it did not have the nerve to do through legislation.

The references that were made earlier on Friday and earlier today were to past rulings which are quite clear: one does not use the estimates, whether the Main Estimates or the Supplementary Estimates, to pass legislation. The Speakers in the past have indicated that one must introduce the legislation in order for any appropriations to go forward.

I will sum up because of the important nature of the debate that is about to commence. Clearly, the Senate of Canada has violated two acts of Parliament: the Financial Administration Act and the Parliament of Canada Act. In addition, it has violated the rules upheld by Speakers in the past with regard to trying to do through appropriations that which should be done through legislation.

This is a case where the senators have individual profit from the measure that is before this House. For it to be done in the improper way suggested under the Supplementary Estimates for this fiscal year is completely unacceptable.

I believe that the Speaker has an obligation to protect not only the House and the legislation of this country, but an obligation to protect the taxpayers of this nation as well.

### *Supply*

• (1150)

[*Translation*]

**The Acting Speaker (Mr. DeBlois):** As all the hon. members know, the substantive matter raised by the hon. member for Ontario is presently under advisement. I am sure that the Chair is highly appreciative of the opinions expressed by the hon. member for Kingston and the Islands and the hon. member for Churchill and that these will help in making a decision on this important procedural matter.

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## GOVERNMENT ORDERS

[*English*]

### SUPPLY

ALLOTTED DAY, S. O. 81—THE CONSTITUTION

**Hon. Audrey McLaughlin (Yukon)** moved:

That this House call upon the government to make the next round of constitutional discussions a round for all Canadians by adopting guidelines for the process of constitutional change which ensure:

- (1) representation by all sides of Parliament and provincial and territorial legislatures, not just governments;
- (2) the inclusion of others with a stake in the outcome, such as aboriginal nations, the north, official language minorities, business and labour, women and multicultural communities;
- (3) the process is genuinely balanced, without real or perceived dominance or manipulation by any participant;
- (4) discussion is based on the views of ordinary people and expert opinion;
- (5) there is a timetable and a commitment from the start of all appropriate participants to make a decision on the final package of proposed amendments;
- (6) the process is open and transparent, conducting official business in public;
- (7) that discussions begin with only one precondition, a desire to remain within a renewed Canadian federation; and

That this not be considered a question of confidence in the government.

She said: Mr. Speaker, the motion that the New Democratic Party brings before the House today comes at a very critical time in the current round of constitutional discussions. Indeed it comes at a critical time for the country and for the country's history.