

tion to the fund. There was a question of whether the fund could in fact repay the moneys made available to it under warrants. If there were to be any doubts about this it was reasonable to clarify it so that it would be open to the fund in future days to repay the money put into the hands of the commission under the warrants which have been described and discussed.

In addition there is the fact that the warrants are included in supplementary estimates, as a result of the amendments which were made in 1958, to bring them before parliament at an early opportunity. When a supplementary estimate is passed or approved in the form of an appropriations act, the Financial Administration Act indicates that at that point in time the amount thus approved in the appropriations act is treated as an appropriation and not a duplication of other amounts. This, read together with section 33(d) of the Unemployment Insurance Act again could have raised some argument about whether a further credit to the fund was in fact required at this stage. That of course was not intended.

Clause 2 says in laymen's language that it would be well to treat the moneys put into the hands of the commission under the warrants in the same way as though they had been, in fact, advances made under section 137, for the purposes of repayment, for accounting and so on. This then will be done in an orderly fashion, and there will be no question about how those moneys are to be treated, and about the obligation or power of the commission to repay the amounts put into its hands under the warrants. That is the sum and substance of the situation before us.

The key and substance of the bill is the removal of section 137(4) in order, at this particular point in time, that more money may be put into the hands of the commission to meet the obligations that will be pressing upon it in the carrying out of its functions under that act. It seems to me that it is important that this money be made available to the commission. There is still a public good which is to be served, a public good about which there is urgent requirement. I urge hon. members to get on with this business, as well as other business in the House, by moving this legislation forward to committee so that we can be sure the unemployed who have legitimate claims under the Unemployment Insurance Act may indeed receive their benefits in a regular fashion.

**Mr. Erik Nielsen (Yukon):** Mr. Speaker, yesterday the Minister of Manpower and Immigration (Mr. Andras), as recorded at page 611 of *Hansard*, said:

I hope to find all members of that committee—

Referring to the Miscellaneous Estimates Committee

—and, indeed, all members of this House in agreement that we should not arrive at a situation where benefits to the unemployed of this country would be cut off.

We on this side in this party endorse that statement wholeheartedly. You will not find us, either here or in committee, conducting ourselves in any way so as to impede parliament from dealing with these matters; so that anyone who is legitimately entitled to unemployment insurance benefits will be able to claim and obtain such benefits.

However, I have a few things to say about the legality of what was done. Before embarking on that, I want to deal

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with a few comments made by the hon. member for Winnipeg North Centre (Mr. Knowles) yesterday. I have sat here for quite a number of years and listened to that hon. member extolling the virtues of the maintenance of parliamentary privileges. He has been referred to by the media and other sources as being one of the great watchdogs of parliament. Yet yesterday, by his remarks, he prostituted all those great principles which he has been espousing in this House over the years for the political expediency of justifying what his party intends to do in the vote on this bill.

I do not attribute this motivation to him and to those who sit behind him to my left as being wilfully brought about because it may well be, and I believe it was, that the hon. member does not appreciate one or two of the refinements of the argument. Perhaps it is because the responsibility has not been his to carry the matter in the committee or in the House. There are one or two things that the hon. member has overlooked, and I hope to be able to convince him that there has, in fact, been illegality here. I also hope to be able to convince hon. members behind him, and perhaps raise some doubts even in the heads behind the minister.

• (1600)

The hon. member for Winnipeg North Centre said yesterday "We believe in the law of the land" indicating himself and his supporters. Mr. Speaker, who does not? Who would be so sanctimonious as to think that he is the only person in the House who believes in the law of the land? We all do. We know that benefits must be paid and we are going to see to it that they are.

**Some hon. Members:** Hear, hear!

**Mr. Nielsen:** There is a difference between paying them legally and paying them illegally, and I hope to make a case to support the assertion that they are being paid illegally here.

I want to clear up something that the Minister of Justice (Mr. Lang) said a moment ago. He said, "It is important that money be made available to the fund". He was speaking on clause 2 of the bill, I presume.

**Mr. Lang:** Clause 1.

**Mr. Nielsen:** All right, clause 1. We cleared that matter up in discussions in another place because clause 2 of the bill, if it does not pass, will not impede payments in any way, shape or form to unemployed persons having legitimate claims and entitled to benefits. Those moneys are already available. They are in the UIC fund in order that payment may be made up till February 7.

The government had to find a legal way to pay these benefits because, as the hon. member for Winnipeg North Centre says, unemployment insurance legislation places an obligation on the government to make those payments. We agree, but it had to be in a legal way. They said there was no other way to do it, because parliament was not in session, than by the use of Governor General's warrants. Rubbish, Mr. Speaker. The officials of the Unemployment Insurance Commission knew as early as mid-August that they were going to run out of money and