

Revenue Fund. This is not covered by the existing recommendation.

Why the changes were made, I fail to understand. I am not satisfied that the initial recommendation last year was sufficient, but on a closer reading for this occasion I put it to you, Mr. Speaker, that it is clearly deficient and that we ought not to proceed now with the second reading of the bill before us. I submit that the bill should be withdrawn and reintroduced with a proper recommendation, because there is no way in which Parliament can vote moneys without the recommendation of the Governor General as required by section 54 of the British North America Act and Standing Order 62.

Hon. E. J. Benson (Minister of Finance): Mr. Speaker, I have listened to the learned argument of the hon. member for Edmonton West (Mr. Lambert). The recommendation to which he refers was provided to the government by the Department of Justice after looking carefully into the matter and deciding that it was quite proper in connection with this legislation. Nevertheless, I am sure Your Honour would wish to consider the arguments put forward. I respectfully suggest that we proceed with the second reading of the bill and move the bill into the committee, and Your Honour can then determine whether the recommendation is in order in its legal form.

The hon. member for Edmonton West is a legal expert with some knowledge, and I respect his opinion although I do not place it above that of the Department of Justice. If the recommendation is improper, we can bring forward another. I recall hearing somewhat the same argument last year, at which time hon. members opposite were good enough to permit the legislation to go to a committee of the House for further consideration. In this case, if the recommendation is insufficient we could then, with the leave of the House, take steps to correct it. After all, the recommendation is not the substance of the bill. If there is a technical difficulty which the hon. gentleman has seen and which the Department of Justice has not seen, I would respectfully suggest that Your Honour consider this matter and indicate to the House at a convenient time the steps we should take; for example, whether we should submit another recommendation.

The hon. gentleman is bringing forward a technical argument, after all, because the recommendation per se is not the legislation. As he knows, one drafts legislation and asks the Department of Justice to determine a proper recommendation to the House. The recommendation has been drafted for us by the Department of Justice and I would think it is in order. However, I would never argue with the hon. gentleman who is learned in the law, and if there are technical difficulties we undertake to change the recommendation as Your Honour sees necessary.

Mr. Speaker: The point raised by the hon. member for Edmonton West (Mr. Lambert) is obviously one of interest. I would not think it is entirely satisfactory or sufficient for the Minister of Finance (Mr. Benson) to say that the recommendation had been put forward by the law officers of the Department of Justice and there is there-

fore a presumption that it is right. I suggest that this presumption should not exist.

The hon. member for Edmonton West was generous enough to suggest earlier today, unofficially, that he was worried about this important point. This has given me an opportunity to look into the matter. I must say that having done so, I am not convinced one way or the other. The argument made by the hon. member for Edmonton West is a very strong one and I wonder, as he does, why the recommendation as prepared in the first instance for Bill C-179 in the last session was not used for this particular bill, which is essentially the same legislation.

The recommendation prepared for the earlier bill was much more complete because it spelled out that losses sustained by the corporation were to be included. The essential difference is that the recommendation for Bill C-3 now before us uses only the words "for such purposes". One wonders whether the purposes referred to by the law officers of the Crown include not only the usual mortgage operations but also losses which might be sustained by the Crown as a result of these operations.

My thought is that if the Chair arrives at the conclusion that the recommendation is imperfect, as suggested by the hon. member for Edmonton West, it is a very simple matter for the Crown, at a few moments notice practically, to correct the recommendation. As was pointed out by the Minister of Finance, this was done in similar circumstances last year when it was suggested by the Chair that the recommendation was not proper. In the course of the debate a new recommendation was submitted and the amendment was agreed to by the House.

My suggestion is that we proceed with our consideration of the bill, but not so far as to give it second reading; we would hold second reading until there was either a determination by the Chair or, if my ruling is that the recommendation should be corrected, until the government takes the necessary action to obtain an amended recommendation. In this way we would not arrest the work planned for this evening. We would proceed with consideration of the bill at second reading stage, but would not put the motion on second reading. In other words, we would hold the matter in abeyance until we find some way to resolve the difficulty brought to our attention by the hon. member for Edmonton West.

Mr. Benson: That would be quite agreeable to the government. I regret the hon. member for Edmonton West did not bring his difficulty to my attention as he did to that of the Chair.

Mr. Lambert (Edmonton West): The minister was not here.

Mr. Benson: Had he done so, I would have been glad to look at the recommendation to see whether it needed to be amended. We are willing to proceed now with the business before us, and in the course of the debate we shall take another look at the recommendation. Your Honour can, of course, do the same, and if you indicate