

Auditor General

member apparently considered that the recommendation was still floating around in a vacuum and seized upon it and decided to apply it to his own bill.

The hon. member realizes he has to convince the Chair that His Excellency has actually communicated with the hon. member for Peace River and advised him that he would support his bill and was recommending it for the consideration of the House. I have not been in touch with His Excellency to confirm this, but I would like the reassurance of the hon. member that His Excellency has actually recommended this bill and not another bill which was before the House previously.

Mr. G. W. Baldwin (Peace River): Mr. Speaker, I will start by saying that His Excellency did not get in touch with me over the weekend to inform me that he had withdrawn his recommendation. On the assumption that Your Honour might like to hear argument on this point, I have prepared some material.

Some hon. Members: Oh, oh!

An hon. Member: Yes or no?

Mr. Baldwin: I see that I have a hanging jury on the other side. They are against me before I even start. Last Thursday the government somewhat reluctantly withdrew Bill C-190. Bill C-190 had been introduced pursuant to a recommendation of His Excellency which first appeared on the order paper on Friday, November 13 in the absence of the President of the Treasury Board (Mr. Drury) who was not in the House at either the birth or the death of his bill. The recommendation was as follows:

His Excellency the Governor General recommends to the House of Commons a measure respecting the Auditor General of Canada to provide for the appointment, salary and duties of the Auditor General and for the appointment of the required officers and employees.

On November 16 the bill was introduced by the Minister of Agriculture (Mr. Olson) for the President of the Treasury Board in precisely those terms.

I have three grounds upon which I base my submission that this bill can be introduced and proceeded with at least as far as third reading before any question can arise. Even then, in the light of the special circumstances here I submit that no question should arise.

About three weeks ago, in connection with an application I made in the course of a debate on the Canada Grain Act I argued very strongly and, I believe, correctly, that an amendment which the government had introduced to that Act was not covered by the recommendation and that it should not be allowed for that reason. Your Honour then ruled that the amendment was, in fact, merely a repetition of a previous statutory provision which was repealed by the present Grain Act and that the recommendation of His Excellency need not be varied. This is my first point, and I urge it strongly upon Your Honour.

My second point is that the bill is covered by the recommendation of His Excellency which was expressed

[Mr. Speaker.]

in the wording I have read in respect of a measure dealing with the Auditor General of Canada, providing for his appointment, salary, duties, and so on. I shall not take up the time of the House by reading what took place in this chamber last Friday although I have read the record with some interest. When the President of the Privy Council withdrew the bill on behalf of the President of the Treasury Board he presented the House with a unique situation, as Your Honour pointed out. Here was a money bill, brought in pursuant to a recommendation by His Excellency which simply said in very general terms that a measure could be introduced in respect of the Auditor General. There is no suggestion that the recommendation has been withdrawn; the bill has been withdrawn but the recommendation still exists. Moreover, we have heard time and time again from the Prime Minister and from the President of the Treasury Board that this was not the government's bill. Mind you, Mr. Speaker, we did not take this too seriously; we thought hon. gentlemen opposite were trifling with the truth when they said this. But the point they made over and over again was that this was not the government's bill but a bill they had seen fit to bring in consequent upon recommendations by a committee of this House. In these circumstances I submit that the recommendation stands, and that if it is possible for any hon. member to bring in a bill which falls within the four corners of the recommendation, it should be accepted.

The bill I have brought in deals with the Auditor General; it deals with the appointment of the Auditor General, the salary of the Auditor General and the duties of the Auditor General precisely as established in the recommendation which His Excellency made to the government for the benefit of the House of Commons. I contend that as a member of the House of Commons I am entitled to take advantage of the situation. Since there is a recommendation with no bill, I have fitted a bill to the recommendation. The measure I propose ought not to be refused merely because it varies to some extent from the one put forward on behalf of the government, merely because it provides for better conditions for the Auditor General and for the exercise of a greater measure of objectivity in his operations. Otherwise, as I say, it falls squarely within the ambit of the recommendation.

I should like to read to Your Honour one citation from Beauchesne which appears to cover this point—Citation 251:

It may happen that the resolution sanctions some expenditure without fixing the maximum amount to be spent. If, for instance, the resolution recommends that adequate salaries be paid a newly constituted body and the amounts of the salaries are fixed in the Bill based on that resolution, the Committee on the Bill has the right to increase those amounts—

• (2:20 p.m.)

I suggest that that is authority for the proposition that, when the recommendation is there and is couched in general terms and no bill is before the House, it is