

Now, Mr. Speaker, there are only 10 occasions this century in which supply was given or granted to government by way of a Governor General's warrant. On every one of those occasions, supply was sought to cover the period immediately after the election. At this time the Government argued that it did not have sufficient time to recall Parliament.

That argument was sometimes made by the Opposition, be it Conservative or Liberal Opposition, that the Government indeed did have sufficient time. I remind you of the 1979 election, Mr. Speaker, in which the Government took a particularly long time to recall Parliament and then, of course, in the interval it did not have the funds necessary to operate.

This particular issue is without precedent simply because Parliament already had sat and the only reason that Parliament did not give supply to the Government is that the Government never sought supply from Parliament. Not only that, Mr. Speaker, but as my distinguished and learned colleague has indicated, it has failed to seek supply on two separate occasions.

The new annotated Standing Orders provided to us—although, of course, the only official version is the green version we have—are the version that the Government was showing in the House a few moments ago as the ideal source of reference from which to argue these points. I bring to the attention of the Government House Leader that it states very clearly under the explanation note to Standing Order 81 that: "At the commencement of each session the House shall designate by motion a continuing order of the day for the consideration of supply". It states further that this particular provision is there because of the convention that has always existed whereby in the Throne Speech you find the phrase that my distinguished colleague raised with you a little earlier, whereby the Governor General states that you will be asked to appropriate the funds required to carry on the services and expenditures authorized by Parliament.

I submit to you, Mr. Speaker, that the actions of the Government in this particular case were not only erroneous in the fact that they sought to gain funds to operate the Government by Governor General's warrant in the new fiscal year, which it they cannot possibly legitimize under either the Financial Administration Act or any of our conventions—and no Estimates, of course, but they fail as well, Mr. Speaker, and I think more importantly, in not requesting supply in the traditional way.

Privilege—Mr. Milliken

I want to conclude, Mr. Speaker, by bringing to your attention excerpts from the *Encyclopaedia of Parliament*, 1972 by Philip Laundy—a person that we all know. Mr. Laundy states the following at page 609 of that document: "The House of Commons has exclusive control over financial business and all financial legislation. . .". He continues: "The House of Lords is not empowered to amend a money Bill. . .". He states further: "The granting of public money and the imposition of taxation are strictly the functions of Parliament. . .". They are strictly the function of Parliament, Mr. Speaker, and I think that you will want perhaps to review that document when you arrive at your conclusions.

Now, Mr. Speaker, in closing I just want to bring to your attention the fact that several authorities in parliamentary matters have discussed this issue in the past. Indeed, it was Senator Eugene Forsey who, upon several occasions, raised this issue in the Senate saying it was inappropriate for Parliament to be dispensed with in such a cavalier manner by the Government, that Parliament in fact should be granted its traditional role to grant or deny supply to the Government.

If there ever was a justification to use the Financial Administration Act this certainly is the case, Mr. Speaker. In fact, the only example in which the Financial Administration Act was used outside of an electoral period was to repair the roof of the first Parliament Building in the 1890s, and at that time the session was so short that it was impossible to recall Parliament in order to vote the funds to fix the roof. So the Government sought at that point the Governor General's warrant to do so.

• (1530)

I do not know if there is any leak in the roof up there on the Government side, but I submit that in modern times such as these in which we live, there is very little excuse at any time to use a Governor General's warrant, and perhaps we should seriously consider abolishing that kind of an instrument from our Financial Administration Act. Notwithstanding the fact that I recognize that it is there, that provision of the Financial Administration Act was never meant to supersede the traditional role and duties of this Parliament. We have a right not only to grant or to deny supply but we have a right to air the grievances of Parliament and the grievances of the people of Canada prior to granting or denying that supply.