

Government Organization

more, Mr. Speaker. I think the Prime Minister can take comfort from the number of people who have spoken on this bill, because if he has any problems with the cabinet he will have lots of help from the members who have made suggestions. We are not worried tonight about the personality of the cabinet, we are worrying about the principle of the government reorganization bill. If the Prime Minister is sincere in his new politics, and if it is a time to excite the daring, why have we not got a bill which has a principle behind it rather than the political expediency of trying to make a bill conform to the present members of the cabinet? I think there is unanimity in this house on the necessity for changes in government reorganization, but that is in relation to changes in policy. I suggest that leadership would be shown if a bill came forward on the basis of policy. You do not step forward when you have a shuffle and you are not stepping forward when you have a shuffle such as the Minister of National Revenue mentioned earlier.

The hon. member for York South mentioned four reasons why he believes there should be a cabinet reorganization. This thought carries me back to the analogy with the United States. We have problems with dominion-provincial relations, and this bill is not going to help further those at all. I have suggested in these few remarks that there should be more work on re-organization. I think there is general unanimity about reorganization, but a reorganization on the basis of some plan and policy, rather than leaving the gaping anomalies that we have in this bill and which have been pointed out more effectively by other speakers than I have been able to do.

● (9:40 p.m.)

Mr. Speaker: Order. Before I call on the next hon. member to speak I should like to refer to the point of order which was raised this afternoon by the hon. member for Peace River (Mr. Baldwin). He made the suggestion that the resolution preceding Bill No. C-178, which is now being considered by the house, was insufficient and that there should be a further resolution to precede the bill, or that the existing resolution should be amended to make specific reference to the establishment of the new department of forestry and rural development.

During the last few hours I have had the opportunity to consider the arguments advanced by members on both sides of the house, and I can assure hon. members that it

[Mr. Nowlan.]

was not an easy decision to reach because the arguments submitted by the hon. member for Peace River and the hon. member for Qu'Appelle (Mr. Hamilton), and, in opposition to these, the suggestions and propositions advanced by members on the treasury benches did not make it easy for the Chair to decide which way to rule.

I should like to bring to the attention of hon. members, as they know, that the rule respecting the introduction of a bill imposing a charge upon public revenues is standing order 61, namely:

If any motion be made in the house for any public aid or charge upon the people, the consideration and debate thereof may not be presently entered upon, but shall be adjourned till such further day as the house thinks fit to appoint; and then it shall be referred to a committee of the whole house, before any resolution or vote of the house do pass thereupon.

As pointed out by the hon member for Peace River, standing order 61 must be read in light of section 54 of the British North America Act, 1867. This section is important when considering this question at large. It says:

It shall not be lawful for the House of Commons to adopt or pass any vote, resolution, address, or bill for the appropriation of any part of the public revenue, or of any tax or impost, to any purpose—

—and I underline those words—

—that has not been first recommended to that house by message of the Governor General in the session in which such vote, resolution, address, or bill is proposed.

Hon. members will note that it is the "purpose" of the resolution that is recommended to the house by His Excellency. When asking His Excellency for his recommendation we refer to the purpose of the proposed legislation in the words of the resolution, and his recommendation is given accordingly. There is no written rule nor any established practice with the force of law determining the form, the extent or the limitations applicable to a resolution preceding a bill. Such being the case resort must be had to the meaning of the words of the rule as we find it in our standing orders.

Ordinarily a bill may be introduced without a resolution. The impelling factor requiring a resolution is a provision of the bill imposing a charge on the revenue, but a charge which is new and distinct. It would therefore seem that the resolution meets the requirement of the rule where it, in precise language, points to the fact that the proposed