

*Points of Order*

Appropriation Act should only seek authority to spend the money for a program that has been previously authorized by a statute.

It continues:

In March of that year the Speaker said:

The government receives from Parliament the authority to act through the passage of legislation and receives the money to finance such authorized action through the passage by Parliament of an appropriation act. A supply item in my opinion ought not, therefore, to be used to obtain authority which is the proper subject of legislation—

There are considerable other points raised in the ruling of June 12, 1981, but I think the final point I would like to refer to in the ruling made on that day relates very clearly to a specific appropriation in the spending estimates. I would like to quote again from the June 12 *Hansard*, which reads:

Accordingly, consistent with earlier rulings, Energy, Mines and Resources votes 35, 40 and 45 are out of order. I note that in his remarks last June 1, the President of the Treasury Board confirmed this view when he addressed the question of the receivability of these items by saying, "Of course, legislation will be introduced with respect to those programs". By asking for money now, he would be putting the cart before the horse.

I would like to conclude on the basis that it is my opinion the spending estimates, as submitted, clearly are outside the statutes as they are printed in the Parliament of Canada Act. I would therefore request your ruling to rule out of order the allowance included in those estimates for the Senate of Canada.

**Mr. David Dingwall (Cape Breton—East Richmond):** Mr. Speaker, I was not given notice of the point of order by my colleague opposite.

Since he is not arguing with regard to whether the measure is appropriate—he is arguing I believe with regard to the procedural aspects as to how it has been introduced here in the House—I am wondering if the Chair, who I would think would want to ascertain interventions from other members of the House, might wish to defer any decision until sometime next week when we have had an opportunity to review the particular point of order and to make a submission to the Chair.

**Mr. Rod Murphy (Churchill):** Mr. Speaker, I would also like to add further argument on this particular issue next week when we have had a chance to examine it. I

think that the member for Ontario has made a very interesting point.

If that is the case, it would look like the entire bill should not be in front of this House, and that the estimates themselves are not properly placed before the House of Commons. That would be a very interesting thing, I think, for the Speaker to look into.

When you and perhaps other members are having a chance to review this matter you could take a look at the vote 2c itself where it refers to this authorization of \$1 million being for the current and subsequent fiscal year. Of course, the current year is the year that ends March 31, 1991 and presumably the subsequent fiscal year is next year.

It is my understanding that the estimates before us can only refer to this year, not to a subsequent year, so what indeed the Senate has asked for is \$1 million for the present fiscal year; in other words, \$9,000 for each of the senators.

Unless my understanding of the act and the estimates is incorrect, the information that is being put to the House is inaccurate and is certainly misleading.

I do believe this is a very serious matter. I have problems with the \$153 a day the senators are asking for for merely showing up for work, but that is a side issue as far as this debate is concerned. I think we have a real question as to whether or not the Senate, in preparing its estimates, is misleading the House of Commons and whether in fact the government has properly put the estimates before this House.

It is a matter that we should look at further, and I would request that the Speaker spend sometime looking at this whole matter.

**Mr. Jim Hawkes (Calgary West):** Mr. Speaker, just in case I did not hear quite correctly, the estimates that come from the House of Commons or the Senate come through the mechanism specified in the Parliament of Canada Act. They are not government estimates. I think the suggestion was that all estimates might not be appropriate. Government estimates, I think, have a different origin and a different sense of responsibility for the government and for the Chamber. I simply wanted to make that point at this time in case there might be some confusion out in the general public.