

Withholding of Grain Payments

of those report stage amendments, and third reading, and got it over to the Senate, and had Royal Assent tonight—

Some hon. Members: Hear, hear!

Mr. Knowles (Winnipeg North Centre): It is not going to happen, but the applause from the other side of the House shows how members on the government side think more of what they want to get than they do of the means to achieve it.

Some hon. Members: Hear, hear!

Mr. Knowles (Winnipeg North Centre): They completely forget the role of parliament in legislating.

Mr. Trudeau: But it was your suggestion.

Mr. Knowles (Winnipeg North Centre): I was about to say that even if that were to happen and that bill were passed tonight, which will not happen, and even if the cheques started going out in the next day or two, this would not cure the fact that the government has been breaking the law for the past 13 or 14 months.

Some hon. Members: Hear, hear!

Mr. Knowles (Winnipeg North Centre): The government thinks that the farmers might be happy to get their money. I am told they would not be happy to get it with the strings that are in Bill C-244. However we will deal with that when we get to debate that bill. But the point is that even if they get the money and in that sense the issue might seem to die down, this will not have got rid of the issue that for 14 months, more or less, we have had a government of this country refusing to obey a statute of this Parliament, namely, chapter 2 of the Statutes of 1956.

We have had a government defying the law and not even feeling that it has to stand up in this House and give us a reason on the basis of which it has the right to do that. Oh yes, they give us an excuse. They tell us that Bill C-244 is on the order paper, that it has advanced through certain stages, and that there is in that bill a clause which, if enacted, would repeal the Temporary Wheat Reserves Act as of July 31, 1970. But that bill has not passed and to this moment the Temporary Wheat Reserves Act of 1956 is still in effect. I would like to emphasize that point, Mr. Speaker, even if in this portion of my remarks I take exception to one statement made by the hon. member for Peace River.

The hon. member for Peace River read from a volume that goes with the Revised Statutes of Canada, that is entitled "Appendices", and things like that. He referred to a table in that volume, that is put there to enable readers to find out what has happened to all the various statutes. It is a very interesting and useful table; one can discover what has happened to statutes right back to the year one. But I point out to him that that table from which he was quoting does not have any official status. It is in the nature of an index that tells you where to find things. The official entry so far as this matter is concerned is Schedule A which appears at the end of the First Supplement to the Revised Statutes of Canada, 1970.

This Schedule A is the schedule that is referred to in the statute of six or seven years ago that set up the commission to revise the statutes. In that statute there was a

section which gives the commissioners the power to append to this new roll a Schedule A listing acts that have been repealed in whole or in part and, unless a former act is listed in Schedule A as having been repealed in whole or in part, it still exists. If one goes through Schedule A and turns in particular to page 19 of that schedule, or page 1135 of the volume, one will find listed the Statutes of 1956 that were repealed by the revision. Chapter 2 is not there; it is not in that list. So Chapter 2 of the Statutes of 1956 is still in existence. As a matter of fact, the government does not deny that. In answer to written questions and in one or two other places the government has said that the reason it is not making the payments is that it has a new bill on the order paper. The government does not contend that the statute is not there, that it does not exist.

• (3:00 p.m.)

There was one answer to a question on the order paper which I thought was a bit misleading. The minister in charge of the Wheat Board said that an estimate was included in the estimates for 1971-72 to pay this money but authorization has not been effected because of the bill on the order paper. The reason I say that answer was misleading is that the reference in the blue book of estimates to that money had beside it the note "statutory". If one looks at the bill that was based on those estimates, the appropriation bill that was passed, that item is not there at all. Parliament did not in this fiscal year appropriate any money to make payments under the Temporary Wheat Reserves Act because it was not required to do so. To suggest that the money was voted to be paid this year and the government has not paid the money is misleading because it is the Temporary Wheat Reserves Act of 1956, ongoing and continuing, that requires the government to take this action.

I have gone into this not just to educate my good friend from Peace River about the Revised Statutes of Canada, 1970, but to emphasize the fact that chapter 2 of the Statutes of 1956 is the law of this land today just as much as any law on the statute books of Canada or any law on the statute books of any of the provinces of Canada. This country lives by the rule of law. We expect people high and low to obey the laws that are passed by the bodies that are given the authority to pass them. For this group across the way who call themselves a government to arrogate to themselves the right to ignore the law is, I submit, an affront to Parliament and a denial of the whole concept of responsible government, and we should have the right, Your Honour, to deal with that matter in this House.

Some hon. Members: Hear, hear!

Mr. Knowles (Winnipeg North Centre): In closing I repeat what I said earlier. The fact that we are going to debate Bill C-244 this afternoon has no bearing on the case. Even if we pass it—and I can inform my hon. friends opposite this is highly unlikely today or tomorrow—even if that happens it does not cure the fact that, in the words of the hon. member for Peace River, there has been a misdemeanour. Of course they can say that they are in power and cannot be stopped. That is responsible government, as some governments practice it. For example, this is what turns up in Beauchesne's Fourth Edition, chapter 1, citation 67(4). Let me read this: