

Western Grain Transportation Act

and duties as Citation 233 of Beauchesne's Fourth Edition points out at page 198. Citation 233 reads as follows:

It is one of the old standing principles of our constitution that the House of Commons should control the finances of the country. That is the right, privilege and duty of the House. It has been achieved by means of struggle lasting through centuries, beginning from the fourteenth century down to the seventeenth century, when it was fully confirmed, and since then it has never been disputed.

The cardinal principle on which the whole of our financial system is based is that of parliamentary control, and by this is understood not the control of Parliament in its constitutional sense, but control by the Commons alone. Upon this fundamental principle, laid down at the very outset of English parliamentary history and secured by three hundred years of mingled conflict with the Crown, and peaceful growth, is grounded the whole law of finance and, consequently, the whole of the British Constitution.

The authority cited is Durell. I point out that Motion No. 64 proposes to reduce the amount of money that would be payable to the railroads in any given year by eliminating phased-in contributions to the constant costs of the railway. It does not eliminate payments to the railroad and, therefore, cannot be said to run counter to the proposal of the Bill as passed at second reading, but it would reduce the charge on the public purse, thus asserting Parliament's right to control public expenditure. This argument also applies to Motion No. 66, standing in the name of the Hon. Member for Portage-Marquette (Mr. Mayer), which is identical in wording to Motion No. 64.

With respect to Motion No. 59, standing in the name of the Hon. Member for Vegreville, I submit that the objective of the amendment is to limit the charge that is to be levied on producers. Again, as it is the practice with Ways and Means Bills, it is the undoubted right of the Commons to reduce the imposition of the charge upon the public. This point is adequately demonstrated by Citations 526 and 527 of Beauchesne's Fifth Edition which consider the matter of amendments to Ways and Means Bills. The citation reads:

526. Reductions can be made in committee on the bill, but no grant can be increased except upon recommendation of the Crown.

527. So long as an existing tax is not increased, any modification of the proposed reduction may be introduced in the committee on the bill, and is regarded as a question not for increasing the charge upon the people but for determining to what extent such charge shall be reduced.

It might, however, be argued that Motion No. 59 seeks to increase the charge on the public purse by reducing payments by producers. I do not believe that this argument holds, and I so submit. If Motion No. 59 were to be grouped for debate with the other motions which seek to amend Clause 34 of the Bill, it could easily be seen that the effect of Motion No. 59, when combined with the other proposed amendment, would not substantially alter the financial effects of the Bill upon the public Treasury. In any event, the motion does not propose to reduce the amount currently paid by producers, and it does not by itself increase the financial burden upon the Government. I submit, therefore, that the House should be permitted to debate and vote upon this motion.

The comments I have made in support of Motion No. 59 also apply to Motion No. 86 which is similar in its intent, scope and effect. I was very glad to hear the intervention of the Hon. Member for Hamilton Mountain (Mr. Deans) with respect to his citation of the long title of the Bill, because by

doing that, he has supported the point that I am about to make with respect to the intent and purpose.

With respect to Motion No. 86, it has been traditionally held that although the House does not have the right to increase taxation or grant the payment of moneys from the public funds, except through the passage of Government-sponsored resolutions or Bills, it has also been established that the House has the right to amend proposals for the granting of money by reducing the amount proposed in any given measure placed before the House by the Government. This principle is underlined by Citation 244(2) of Beauchesne's Fourth Edition, which reads as follows:

Amendments moved for the reduction of a grant are proceeded with under the general rules governing amendments. For instance, on a resolution granting \$10,000 for a certain purpose, a member may move that the amount be reduced by \$2,000. This amendment then takes the form of the original motion offering, in lieu of the sum thereby proposed, a reduced sum for the acceptance of the committee. Rejection of the amendment leaves room for the proposal, without limit, of amendments in the same form and of ever varying amounts. The reduction must be of a substantial and not trifling amount; nor may a series of motions be made upon the same grant, raising, substantially, the same issue.

● (1730)

Motion No. 57 standing in the name of the Hon. Member for Vegreville seeks to provide the Minister with the authority to enter into agreements with railway companies other than those which are subject to federal jurisdiction. The most notable example of such a railway company is B.C. Rail which is sought to be addressed by Motion No. 57 and Motion No. 156.

Last Thursday when you expressed some concern about Motion No. 57, Madam Speaker, you indicated that this motion appeared to be beyond the scope of the Bill. The long title of this Bill is, as has already been cited, "An Act to facilitate the transportation, shipping and handling of western grain and to amend certain Acts in consequence thereof". Under that broad rubric, there can be little doubt that agreements reached with railway companies other than those falling under federal jurisdiction could assist the transportation, shipping and handling of western grain.

Moreover, Motion No. 57 specifically states that agreements reached under its provisions shall—I am not trying to be humorous, Madam Speaker, I am trying to be very serious. As I warned the Chair, my arguments have great substance and I know the Chair is following them very closely.

These are rights as would be imposed or granted to railway companies falling under the definition contained in Section 2 of the Act.

Furthermore, and most important, Motion No. 57 specifies that no such agreement shall result in any enlargement of the Crown benefits or payments from the public purse. When a Bill is given second reading, Madam Speaker, the substance of the Bill is not open to debate. Rather, only the broad principles of the Bill are to be considered by the House during the debate and when voting on the motion for second reading. This point is clearly stated in Citation 734 of Beauchesne's Fifth Edition