

Dominion-Provincial Relations

Mr. Fleming (Eglinton): There it is again; he cannot keep quiet.

Mr. Robichaud: Get a flag.

Mr. Fleming (Eglinton): There is another hon. member who cannot keep quiet. The rules of the house mean nothing to them. They speak from their seats.

Mr. Caron: On a point of order, Mr. Chairman, the minister has no right to say that the rules of the house have no meaning for members on this side. This leaves the impression we are not acting in accordance with the rules, and he should be the last one to say that when we remember 1956 at which time he had to be thrown out of this house.

The Chairman: Order; I would say that some remarks made on the point of order or otherwise have not been relevant. I would ask the minister to go back to the subject matter of the amendment.

Mr. Fleming (Eglinton): Sometime, Mr. Chairman, the last member who interrupted on that bogus point of order will be in a position where he will understand the rules of the house but he does not now.

Mr. Caron: I could teach them to you.

Mr. Fleming (Eglinton): I will not go to that source for instruction, believe me.

As I was about to say before hon. members opposite began their raucous interruptions, I was pointing out that the remarks just now made by the hon. member who introduced this amendment, like those made earlier by the hon. member for Laurier, were completely out of accord with the votes they cast on the main motion for second reading. What they are saying now is that this bill proposes something unconstitutional. If it does, if there is anything unconstitutional, that unconstitutionality is in the essence of this bill, and the hon. member has chosen to support, in its essence, the unconstitutionality according to his strange definition of it.

Why is it that this measure finds it necessary to say that certain conditions must exist before there shall be an increase in the federal abatement in respect of federal taxes in prescribed provinces? If it were not for that, there would be no way at all of giving effective definition of a prescribed province or assuring that this measure is an alternative to the present system. Otherwise it could be just a handout by the federal treasury to the taxpayers of a province and would, in that way, create discrimination and upset the whole principle of equality of treatment of federal taxpayers in all parts of Canada.

One would think there was something extraordinary about the language employed here. I wish hon. members would read their

own legislation, the legislation introduced by the government of which some of them were members at one time and see where this Federal-Provincial Tax-Sharing Arrangements Act imposes upon the minister, who under this act is the Minister of Finance, the responsibility for making certain decisions. Hon. members opposite have completely overlooked this. I am going to take a moment, not simply to jog their memories, Mr. Chairman, but I am afraid it will be to jar their complacency in this respect.

Mr. Pickersgill: Mr. Chairman, on a point of order—

Mr. Fleming (Eglinton): Look at the act and you will see—

The Chairman: Order.

Mr. Pickersgill: Before the hon. gentleman proceeds, is it understood that if the whole act is opened up by the minister it will also be open to every other hon. member to discuss the whole act? I am not seeking to stop the minister, but I want equality.

The Chairman: It is obvious that the rule of strict relevancy applies here. The only point that can be discussed is the terms of the amendment.

Mr. Fleming (Eglinton): Yes, Mr. Chairman; the point, however, is this, that when we are accused, in relation to a particular phrase in the amending bill, of employing language that is unconstitutional in its effect I am entitled to refer to the main act or any other legislation of this parliament as a precedent for using precisely the same language which has a similar effect. That is all I was going to do. I was not going to read the whole act. I was going to point out where the responsibilities are imposed by this act which was introduced by the former government, this act of which hon. members opposite profess to be so proud when they boast about the St. Laurent formula—

Mr. Martin (Essex East): I rise on a point of order.

Mr. Fleming (Eglinton): —an act which imposes upon the Minister of Finance the duty of making many decisions.

Mr. Martin (Essex East): One would expect, Mr. Chairman, that a minister of the crown would at least give some example in the way in which he approaches proceedings in this House of Commons. The hon. member now has been faced with a point of order which was addressed to Your Honour. Your Honour has indicated his view in the ruling. The Minister of Finance has persisted in ignoring that ruling. I can only suggest to Your Honour that the minister ought to be asked to