

Privilege—Mr. Milliken

We were here in December, Sir; supply could have been asked for, could have been sought and granted at that session or in the period following. Mr. Speaker, we adjourned until the beginning of April. We could have been called in March. Since 1950, Mr. Speaker, this House has sat in March for a considerable period of the month of March in every year except three: In 1958—and my friends opposite will recall that there was an election campaign going on in the country that year, which ended on March 31. In 1963 there was another election campaign which ended more happily.

And in 1980 an election had just ended the previous month and so the House had not yet been recalled. Only on those three occasions, since 1950, has this House of Commons not sat during the month of March. We could have been recalled in the month of March to deal with the Business of Supply and to see that the Government got the money to which it was entitled after due consideration and after an opportunity for the Members of this House, Sir, to present their grievances. But I submit that in its abuse of the intention of the Financial Administration Act which was not to permit this wholesale plundering of the Treasury, the Government is attempting to take unto itself the power to spend the public money without recourse to Parliament.

• (1520)

And that, Sir, comes from a Party which has always claimed to be a stout defender of this institution. By scooping this money from the public purse without the authority of this House, Mr. Speaker, I say that the Government has tampered with the tax dollars that it has extracted from Canadians in an improper manner and it has violated the essential privileges of every Member of this House.

Mr. Don Boudria (Glengarry—Prescott—Russell): Thank you, Mr. Speaker. I want to join in raising this issue, that a letter was jointly signed by my colleague, the Hon. Member for Kingston and the Islands and myself. I want, first, Mr. Speaker, to state that I feel we have a *prima facie* case of privilege, and if you agree with us that we do, then I am willing to move the motion necessary to refer this to the appropriate committee.

Mr. Speaker, of course you will be aware that the parliamentary privileges of Members of this House, as defined by Erskine May in his 20th Edition state that parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively as a constituent part of the high court of Parliament and by Members of each House individually, without which they could not discharge their function.

Now, Mr. Speaker, I think it is important to note—and the Government across will presumably state in defence of the issue before us today—that the Financial Administration Act, in their view, enables them to do what it is that they have done over the last few months, which is to seek Governor General's warrants on three occasions since January 1.

While the Government could make a case for two of those Governor General's warrants, Mr. Speaker, it certainly has no legitimacy at all in making this kind of justification in the third case, which is the warrant that was sought in the period after April 1, after the fiscal year had terminated.

Now, Mr. Speaker, Order in Council 1989—545 was dated April 1, 1989, and it authorized the Government to spend some \$6.2 billion, those funds to carry it through for the next 45 days. I should say that is an amount of up to \$6.2 billion, because of course the Government could choose to raise less than that amount if it so wished.

Now, Mr. Speaker, under Section 47 of the Financial Administration Act, the government has also borrowed \$1 billion of those dollars. Not only, of course, have they spent the dollars in question, but they have had to borrow \$1 billion of those dollars. The issue that is important here, Mr. Speaker, is that the Government, in 1985 or so, invoked that the privileges of this House had been abused by the fact that the Senate was delaying an Appropriation Bill at that time and that in turn caused the Government to have to borrow on short-term notes at higher interest rates.

It is interesting to note, Mr. Speaker, that these latest funds borrowed under Section 47 of the Financial Administration Act, were borrowed in exactly the same manner as those funds that were borrowed in the past and for which the Government claimed that it was having to borrow in a manner which was inappropriate and only to be used in an emergency, that emergency allegedly having been caused by someone else.

Now, Mr. Speaker, the Governor General's warrants have not been used very many times since Confederation. I should note that we are the only country in the Commonwealth that still has such an instrument. Indeed, Mr. Speaker, in the British House of Commons, if the House were defeated on a motion of want of confidence, it would meet the next day and vote hold supply for the government to last for the electoral period and a sufficient amount of time afterwards in order to have a quick recall of Parliament so that Parliament could then exercise its traditional role of granting or denying supply.