

*Point of Order—Mr. Andre*

defines "negotiable instrument" as any cheque, draft, travellers' cheque, bill of exchange, postal note, money order, postal remittance and any other similar instrument. In other words, in no way are the guarantees of these instruments described herein negotiable instruments. Most certainly they are not.

I hardly need to point out that Massey-Ferguson is not a Crown corporation under Schedules C and D, at least not yet. While de Havilland Aircraft is a Crown-owned corporation, it is not one of those corporations set out in Schedules C and D as required by the Financial Administration Act. For authority here I refer to a document produced by the financial administration branch, office of the Comptroller General of Canada, revised in July of 1979, which lists under "other government corporations", corporations which have not been designated as Crown corporations, de Havilland Aircraft of Canada Limited. So de Havilland is not a Crown corporation, and therefore for the Crown to guarantee its debt instruments according to the Financial Administration Act it is necessary for the government to seek legislative authority.

Finally, I should like to deal with another class of dollar items which I believe are also out of order. These are items whose purpose it is to cancel certain debts to Her Majesty. The votes in question are Vote 5c of the Department of Agriculture in the amount of \$29,208.12, Vote 30c of the Department of National Health and Welfare in the amount of \$153,207.67, Vote 1c of the Department of National Revenue in the amount of \$3,630,492.81, Vote 5c of the Department of National Revenue in the amount of \$24,770,219.53, Vote 10c of the Department of Public Works in the amount of \$206,236.38, Vote 20c of the Department of Public Works in the amount of \$185,660.93, Vote 1c of the Department of Regional Economic Expansion in the amount of \$13,216,170, and Vote 5c of the Department of Supply and Services for \$5,254.

As I indicated, all these items deal with the deletion or cancellation of debts owed Her Majesty. Madam Speaker, I would like to refer you to Section 18(1) of the Financial Administration Act, which states:

The governor in council, on recommendation of Treasury Board, may make regulations authorizing deletion from the accounts, in whole or in part, of any obligation or debt due to Her Majesty or any claim by Her Majesty that does not exceed five thousand dollars.

Thus, Section 18(1) of the Financial Administration Act grants legislative authority for the government to cancel debts, provided they are less than \$5,000. There is no legislative authority for the government to cancel debts in excess of \$5,000. To cancel such debts, legislative authority must be sought from Parliament, which is clearly what the government is attempting to do through the votes I have previously identified.

To seek such legislative authority through the use of an appropriation act is clearly in violation of the ruling established by your predecessors, Madam Speaker, Mr. James Jerome and Mr. Lucien Lamoureux. It would be clearly unreasonable to have a situation whereby for debts of less than \$5,000 authority is granted through the Financial Administration Act, an act which has been subjected to the full legislative

process of first and second readings, committee study, report stage and third reading, whereas for the deletion of debts in excess of \$5,000, the larger debts, one merely needs to pass a \$1 item in an appropriation bill which is passed through Parliament with no debate at any stage. Clearly that would be an unreasonable proposition, and I think, Madam Speaker, that the rulings of your predecessors have established that.

I have covered a few points here, Madam Speaker, and I feel that the subject being raised is important. Any fair minded reading of the rulings of your predecessors would establish beyond a doubt the importance of what has occurred. If this procedure is not challenged by the Chair, we will very soon be in a situation where, by virtue of \$1 items in an appropriation bill which Parliament cannot debate or amend, the government could seek authority to spend almost any amount.

Clearly the role and responsibility of government when it seeks to do something which it does not have the authority to do is to submit legislation to the House of Commons, and the House of Commons must have the opportunity to debate it, to amend it, and to vote on it through all of its stages. We have a long history of a procedure which has served us well and which I believe we should retain if we are going to fulfil our responsibilities.

Let me say by way of explanation that I can certainly understand the frustration of the public service and the government which want to do all of these things, and really none of them is particularly unreasonable and I do not object to them. I would argue about some of them, but I would not object to them in substance. What is being attempted here is not unreasonable. I raise objection for the reason that, if we do not challenge the government in this regard, it will clearly seek to open that door wider.

• (1610)

As I started to indicate, I can understand the frustration of the minister's senior civil servants wanting to seek some authority to undertake these actions, which are not unreasonable actions. But if we are to protect this institution from the Crown—and surely it is the role of Parliament to protect itself from the Crown and from the intent of the Crown to rule without what must be an annoying interference by the commoners—we must follow proper procedures. I understand their frustration and their attempts to define these easy ways in which to grant legislative authority. The straightforward way is not easy. On the other hand, I think the responsibility of the members in this chamber, and of Your Honour in the chair, is to ensure that proper procedures are followed, and that we do not simply turn a blind eye to what are inappropriate procedures because they are easy and because the items dealt with are not particularly offensive.

I submit that the votes I have just recited to the Chair are, in fact, all out of order, and I respectfully suggest that you so rule, Madam Speaker.