

intent distorted. Vigilance must be constant in order to ensure that freedom of access to information, once provided in the statutes, exists in practice. Sometimes the fear of the effects of the principle of freedom of access to information is exaggerated. Nobody has ever talked seriously about unrestricted access to documents. Even in Sweden there are severe restrictions. The Swedish system has the advantage of allowing citizens to see the practical application of their democracy. However, I think it is logical to think that a person, a citizen and a taxpayer should have the right to consult certain documents of interest to him particularly, but telling him without any reservation certain details on others when such information might do wrong to the people involved is altogether different and I think there is a principle of prudence to respect. In discussing this legislation . . .

The Acting Speaker (Mr. Boulanger): Order. The hour appointed for the consideration of private members' business having expired, I do now leave the chair until eight o'clock tonight.

At six o'clock the House took recess.

[English]

AFTER RECESS

The House resumed at 8 p.m.

GOVERNMENT ORDERS

UNEMPLOYMENT INSURANCE ACT, 1971 (No. 1)

PROVISION FOR APPROPRIATION TO BE DEEMED ADVANCE

The House resumed consideration of the motion of Mr. Andras that Bill C-124, to amend the Unemployment Insurance Act, 1971 (No. 1), be read the second time and referred to the Standing Committee on Labour, Manpower and Immigration.

Mr. Deputy Speaker Order. The hon. member for Yukon (Mr. Nielsen) has raised an interesting point upon which I shall now make a ruling. The hon. member has pointed out that clause 2 of Bill C-124 now before us contains reference to an estimate which is currently under study in one of the committees of this House. This situation prompted him to ask whether the Chair should not rule that further discussion of Bill C-124 is out of order at this time.

The hon. gentleman in his presentation referred to the eighteenth edition of Erskine May's "Parliamentary Practice," page 364 where it is stated:

A motion must not anticipate a matter already appointed for consideration by the House, whether it be a bill or an adjourned debate upon a motion.

The member also quoted from the following page in May's where reference is made to what could be considered a descending order of values for matters in the parliamentary process. The quotation is:

Unemployment Insurance Act

—that a matter must not be anticipated if it is contained in a more effective form of proceeding than the proceeding by which it is sought to be anticipated but it may be anticipated if it is contained in an equally or less effective form.

The estimate has not really come before the House and the House has made no decision upon it except to send it to a committee for study. The bill has, however, been given first reading and the House is now considering the question whether it should have second reading. It seems to me that the bill before the House is the more effective form of proceeding in relation to the estimate which is now being considered. Bill C-124 would give a statutory basis and the estimate would be a consequential proceeding.

I am reinforced in my decision by reference to page 731 of Erskine May's eighteenth edition. One finds there this passage:

Expenditure in anticipation of statutory authority. A case analogous to those mentioned above is where an estimate is presented and money spent on a service in anticipation of the passing of a bill of the same session authorizing that service.

In their second report of session 1931-32 (para. 5) the Public Accounts Committee commented adversely on two classes of cases in which this practice had occurred. The Treasury justified the inclusion of such items of expenditure in the estimates as necessary for the information of the House, but agreed:

- (1) that a note should be added to the estimates indicating that they were subject to further statutory authority; and
- (2) that the authorizing bill must become law before the authorization of the relevant estimate by the Appropriation Act

This ruling is made without prejudice to the point raised by the President of the Privy Council (Mr. MacEachen) that the hon. member for Yukon should have raised this matter at an earlier stage of the debate. I would, however, note that some notice was given in this House yesterday. As I say, this point remains an open one. Nor am I overlooking the point raised by the hon. member for Winnipeg North Centre (Mr. Knowles) with respect to third reading; but it, too, remains an open one.

One should perhaps also note that the Chair, by long custom and discretion, does not involve itself in legal or constitutional questions. It is sufficient for the Chair to deal with questions of procedure.

I think the Chair would want to thank the hon. member for Yukon for raising this matter. It is perhaps one that would have gathered considerable decisions over the years, but strangely enough it has lurked in the shadows of parliamentary practice. The hon. member has brought it fairly and skilfully out into the open and has directed us into considering the most precise method of procedure.

The Chair must also decide the validity of the motion presented by the hon. member for Yukon. Since considerable time was spent over the dinner period on the first major issue, I crave the indulgence of the hon. member and the House before making another ruling.

[Translation]

Mr. Fernand-E. Leblanc (Laurier): Mr. Speaker, at the beginning of my remarks, I should like it to be clearly understood that I am not speaking as chairman of the miscellaneous estimates committee too which I have the honour of belonging. Nonetheless, I should like to take