

Government Organization Act, 1970

ment, or the government, must come before parliament or a committee of the House and file supplementary estimates.

After the supply bill becomes law, and further expenditures are incurred, the departments concerned must file supplementary estimates to take care of the new expenditures. Supplementary estimates will need to be filed to take care of the additional expenditures of the new department and for contingencies with respect to the old department that were not foreseen. No one suggests that the government should not shoulder its responsibilities and not try to plan ahead. The argument has been over the name of the department. I submit that the nonsense spoken by the hon. member for Bruce, and I will put it in the best light that I can—

Mr. McGrath: It is naïvety.

Mr. Nowlan: —displays a naïvety about our entire constitutional framework and the way the system is supposed to work. This type of bill creates confusion. Hon. members are trying to embark on a cogent debate on the various clauses of the bill, but it deals with so many subjects that the debate, as one hon. member has said, is as wide as the Speech from the Throne. Although we have been talking on the bill for 13 days, we are still dealing with one subject matter; and we must deal with many more subject matters.

May I say that confused logic has brought about this point of order. The reason for the point of order does not lie in the name change being sought. It is the logic behind some of the answers with respect to the catalyst that brought on the point of order that disturbs me very much. If we follow those arguments to their logical conclusion, we might as well close shop and call a spade a spade. Then, I suggest that the hon. member for Bruce and other backbenchers who come here will only find that their problems have been compounded and not solved.

Mr. McGrath: We might as well all go home.

Mr. Paproski: And the President of the Treasury had the nerve to call this a filibuster. Shame.

The Chairman: The hon. member for St. John's East raised the point of order at the beginning of the committee discussion. I want to thank him for bringing this very important matter before the committee and to thank all hon. members who have contributed and been of assistance to the Chair. The hon. member for St. John's East and other hon. members have asked me to make a clear ruling. I do not know whether I can do that, but I shall try. I will briefly refer to a few arguments that I think are important.

It was urged very strongly on the Chair by many hon. members who spoke that the tabling of the estimates this afternoon in the form in which they are will make the acceptance of the amendment now before the committee more difficult. In essence, the amendment will add the word "fisheries" to the name in that part of the bill now being considered as set out in clause 2. I understand the argument. I agree that it will make it more difficult.

[Mr. Nowlan.]

Some hon. Members: Hear, hear!

The Chairman: I agree. From my knowledge gained in the years that I have been in this chamber, I think it will be more difficult to do that.

Mr. McGrath: But?

The Chairman: The hon. member says, "but". I was just going to say but it is not an argument that the Chair can take into consideration when ruling on the point of order. As hon. members know, my ruling must be made in accordance with the Standing Orders, practices, procedures and authorities that we must follow in the committee. I must assume, of course, that hon. members will exercise their undoubted right to speak and vote. One of my responsibilities as Chairman of the committee is to ensure that privilege to hon. members.

I think that the debate on the point of order has been a very useful one. I must assume that hon. members, if and when the amendment comes to a vote, will, as they will on all questions relating to this bill, exercise their rights as Members of Parliament. I cannot assume, of course, that they will do otherwise, because all hon. members are anxious to protect their rights and privileges.

There is another point I wish to make. The hon. member for Halifax-East Hants referred to Standing Order 58(14). Again, a cogent and logical argument was presented. It is not one that the Chair can give effect to in making the ruling, because the referral was made by the House earlier this day on division.

• (4:20 p.m.)

Another point which was urged on the Chair by the minister and the hon. member for Bruce may very well be a good argument, but certainly not one the Chair can consider. The argument is, and I am paraphrasing, that the committee has spent a long period of time on this bill and should get on with its business. That may be a good argument from a substantive point of view. I do not want to pass judgment on that. My position as Chairman, is to ensure that within the Standing Orders and the practices of the committee, hon. members have every opportunity to which they are entitled to debate this amendment, clause or any other clause in this bill.

While the arguments made by members on both sides appeal to me, I have to make my ruling on what I consider to be the legal position. I have to rule that the tabling of the estimates today should not interrupt or in any way interfere with the debate on the amendment before the Committee. I have to make that ruling.

Mr. McGrath: I do not know what my position is under the new rules, but it seems that Your Honour's ruling has placed the committee in a difficult, if not impossible, position. We do not have estimates for the Department of Fisheries and Forestry in front of us notwithstanding the statute, which is the law of Canada. We are discussing an amendment to the government's organization bill. The government has been presumptuous, and shown contempt, by anticipating that the House will eliminate the Department of Fisheries and Forestry. I find that this