

Bill C-148, *An Act to establish the Canadian Centre for Management Development* was introduced with a royal recommendation. After close scrutiny, the Senate Committee on National Finance was unable to identify any clause of the bill that appropriated money, and it appeared that any funds needed to underwrite the costs of the proposed Centre would have to be appropriated later by means of the annual Appropriation Acts.<sup>9</sup> However, government witnesses testified that the royal recommendation had been included as a prudent measure on the advice of officials of the Department of Justice and the Machinery of Government Secretariat of the Privy Council Office.<sup>10</sup>

In the 34th Parliament, Bill C-10, *An Act for the Forgiveness of Debts owed (sub-Saharan Africa)*, was referred to the Standing Senate Committee on Foreign Affairs in October 1989. As was the case with Bill C-148 of the previous Parliament, this bill had been introduced in the House of Commons with a royal recommendation; yet no clause of the bill appeared to appropriate money. (These debts resulted from loans authorized by Parliament; consequently, the appropriation of the amount of the debts had been recommended years earlier when the Government had come to Parliament seeking authority to make the loans.) However, a government witness told the Committee that a very small amount of the debt owed by one of the countries, Nigeria, was interest-bearing and that, because the debt was to be forgiven, the interest payable would be forgone. This would entail a loss of revenue otherwise payable to the Consolidated Revenue Fund and the witness stated that this perhaps was the reason why a royal recommendation had been attached to the bill.<sup>11</sup> The cardinal point is that nothing in the bill itself revealed that an appropriation was being sought; in the bill all the countries were dealt with in the same way although in the case of one country a new appropriation was in fact being sought.

An examination of these bills strongly suggests that the form of the royal recommendation now used does not serve to make clear what, if any, appropriation(s) the ministers are seeking by bills to which royal recommendations are appended.

This view was substantially confirmed by the testimony of witnesses who appeared before the Committee. For example, a former Law Clerk and Parliamentary Counsel of the House of Commons stated:

What I relied on as Law Clerk was what I thought would be acceptable as a money bill or not by the Speaker of the House of Commons ... whether the bill was a private member's bill or a government bill ... I would then advise the minister of the