

*Business of the House*

notice, subject to a ruling being made in due course. I recognize the hon. member for York South.

MR. LEWIS—DELAY IN TABLING AUDITOR GENERAL'S REPORT

**Mr. David Lewis (York South):** Mr. Speaker, I will try to be brief. I hope Your Honour will be able to permit me to present the context for the motion which I would move if Your Honour thought there was a *prima facie* case of privilege. My question of privilege arises out of a complaint by the Auditor General who says that he is prevented from performing his duty, a duty which he is required to carry out on behalf of the members of this House.

Mr. Speaker, it is the duty of this chamber to supervise and, indeed, to control public expenditures. The Auditor General is appointed by statute to examine the public accounts and to prepare a report which would enable the members of this chamber to carry out their duties with respect to supervising and controlling public expenditures. The allegation by the Auditor General that he is being prevented from carrying out his duty therefore clearly means that there is interference with the rights of all members of the House and, indeed, an interference with the duty of this parliament. Therefore it is a matter, in my respectful submission, of privilege concerning all members of the House and the very working of this House of Commons collectively.

The matter effectively came to our attention yesterday and also through reports in the press dealing with statements made by the Auditor General.

Permit me, Sir, to start with the obvious. Aside from our legislative duties as a House of Commons, there is no duty that is more important for members of this House to perform than the duty of watching over public expenditures.

I remind you, Sir, that the early history of the parliamentary system which we follow was essentially a history of struggle between the House of Commons and the Crown as to the authority to impose taxes, to collect taxes and to have control over public expenditures. Some heads rolled as a result of that struggle, Mr. Speaker. Perhaps it is time for political heads to roll now. I remind you, Mr. Speaker, that the result of that struggle, which is historically of immense importance, was that the duty to supervise public expenditures and to control the levying and collection of taxes was placed not in the Crown, not in the executive, not even in the House of Lords or in the Senate, but in the hands of the elected representatives of the people of Canada who sit in the House of Commons. I am reminding the House of these elementary facts because I believe that what is now happening with respect to the Auditor General ought to be placed and understood in that context.

May I also point out to you, Mr. Speaker, and to the House that the duties and functions of the Auditor General are not merely to carry out a simple bookkeeping audit. Section 58, subsection (b) of the Financial Administration Act, for instance, requires the Auditor General to examine public expenditures and to report on whether in his opinion all public money has been fully accounted for, "and the rules and procedures applied are sufficient to

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secure an effective check on the assessment, collection"—note these words—"and proper allocation of the revenue". Subsection (c) of that section requires the Auditor General to ascertain whether in his opinion "money has been expended for the purposes for which it was appropriated by Parliament, and the expenditures have been made as authorized."

Section 61 requires the Auditor General to report not merely on the accuracy of the bookkeeping, which is what the President of the Treasury Board (Mr. Drury) and the government would like him to do, but to report whether any appropriation was exceeded or was applied to a purpose or in a manner not authorized by parliament. Subsection (d) of that section says he must report whether an expenditure was not authorized or was not properly vouched or certified. He must say, under subsection (e), whether there has been a deficiency and so on. The final words of section 61 provide that the attention of parliament is to be drawn to any other case that the Auditor General considers should be brought to the notice of the House of Commons.

I think it is important that Your Honour—this is the reason I referred to these sections—should consider the duties laid on the Auditor General in the terms I have indicated briefly in order to underline the submission I am making, namely, that the Auditor General is required by statute to prepare, as it were, in detail a report on all aspects of public expenditure for the purpose of enabling members of parliament to do their duty as elected representatives of the people. That is the purpose of the Auditor General. The government has interfered with his performance of that duty. I say that on the basis of evidence we have had for a long time the government has in fact interfered with the performance of his duty. It has mischievously interfered and, the government having done that, it is important for members of the House to look into the matter.

I understand that the Auditor General may have sent a letter to the appropriate minister explaining the reasons for the late filing of the report. If that is so, the letter ought to have been tabled so we could all see it.

I am about to conclude, Mr. Speaker. I will not take more than another minute. I merely point out that the Auditor General, in speaking to the press, has indicated that his staff has been denigrated, that his office has not been given sufficient staff, that 40 of his staff members have resigned and 22 of them have accepted jobs in other government departments for more money than he is permitted to pay them. As I said yesterday, his arms and legs have been amputated and therefore he could not file his report in accordance with the deadline established by statute. I believe there has been mischievous interference, which leaves this whole question in doubt.

If Your Honour accepts the motion moved by the hon. member for Peace River (Mr. Baldwin) and agrees that there is a *prima facie* case of privilege, I and my colleagues will be happy to support the hon. member's motion. But if the Auditor General appears before the bar of parliament, all that can happen—and I am not taking anything away from the motion of the hon. member for Peace River—is that the Auditor General will have an opportunity to make a statement, and there it has to end. I