

Having dealt with that matter, I wish now to present a global submission with respect to all Government amendments that have been introduced and are now on the Order Paper pursuant to Standing Order 79(6). That Standing Order provides that the Government may propose an amendment requiring a Royal Recommendation at report stage of a Bill if at least 24 hours' written notice is given of the recommendation and the proposed amendment. I submit that there can be no doubt, therefore, that the Government has the right to introduce, as it has, amendments which require the Royal Recommendation. However, I have some concern about the form of the Royal Recommendation the Government has attached to its amendments.

I will not go into the question of the financial initiative of the Crown, nor will I trace the development of the Royal Recommendation or its applicability to the amendments in question. The Government has determined—and I agree—that its amendments require a Royal Recommendation. The question I would place before the House is whether or not the Royal Recommendation has been provided in the required form.

Citation 541 of Beuchesne's Fifth Edition, under the general heading, "Signification of Recommendation by a Minister of the Crown", reads:

The Governor General's Recommendation is communicated to the House and is included on the *Notice Paper* with the item of parliamentary business. When required, the Royal Recommendation is printed in a bill and when that bill is given first reading, the text of the Message and Recommendation of the Governor General is printed in the *Votes and Proceedings*.

These steps were carried out when Bill C-155 was introduced. I have no concern about the original Royal Recommendation that accompanied the Bill, however Citation 548 of Beuchesne's Fifth Edition notes:

Amendments to bills are out of order if they attempt to substitute an alternative scheme to that proposed with the Royal Recommendation. *Journals*, April 11, 1939, p. 325.

This citation gives me some difficulty as it appears to contradict Standing Order 79(6). The solution to this contradiction rests in Citation 540 of Beuchesne's Fifth Edition under the general heading, "The Royal Recommendation", which reads:

The guiding principle in determining the effect of an amendment upon the financial initiative of the Crown is that the communication, to which the Royal Recommendation is attached, must be treated as laying down once for all (unless withdrawn and replaced) not only the amount of the charge, but also its objects, purposes, conditions and qualifications. In relation to the standard thereby fixed, an amendment infringes the financial initiative of the Crown not only if it increases the amount but also if it extends the objects and purposes, or relaxes the conditions and qualifications expressed in the communication by which the Crown has demanded or recommended a charge. And this standard is binding not only on private Members but also on Ministers whose only advantage is that, as advisors of the Crown, they can present new or supplementary estimates or secure the Royal Recommendation to new or supplementary resolutions.

The key point to be found in Citation 540 is that the Royal Recommendation must be treated "*once for all* (unless withdrawn and replaced)" as laying down, "not only the amount of the charge, but also its objects, purposes, conditions and qualifications" with respect to report stage amendments. Therefore, I would submit that if the original Royal Recom-

mendation were not broad enough to accommodate the proposed amendments which are now on the Order Paper under Standing Order 79(6), the proper procedure would have been to withdraw the Royal Recommendation and replace it before giving notice of a report stage amendment.

This has not happened in this instance. The Government has merely introduced new recommendations to cover each of the amendments, clearly in contradiction to Citation 540. Thus, rather than withdrawing the Royal Recommendation which was laid down on the Notice Paper with the Bill, the Government has put 14 new Royal Recommendations on the Order Paper in respect of Motions Nos. 14, 61, 71, 74, 82, 101, 142, 156, 157, 160, 164, 167, 168 and 171.

I raise this matter for the consideration of the Chair because I believe that we are about to establish a practice which I have never experienced before. We are about to establish a practice which will undermine the financial initiatives of the Crown. I hope that you might consider this matter when making your final ruling on the procedural acceptability of the motions that you highlighted in your remarks in which you outlined the first concerns of the Chair with respect to an initial grouping of the amendments.

● (1720)

Clearly the matters placed on the Order Paper under Standing Order 79(6) fall within the purview of Beuchesne's Citation 540. In my submission, the way for the Government to have proceeded would have been to enlarge the original Royal Recommendation by withdrawing it and coming back to the House with a Royal Recommendation which would have accomplished the objectives that it seeks to accomplish in the amendments attached to the "notices" given under Standing Order 79(6). In the remainder of my submission, as I have undertaken to the Chair, I will endeavour to keep within the suggested parameters of the groupings that the Chair suggested in its statement today. I will deal with the first grouping that was outlined in your statement.

The first motion I would like to deal with is Motion No. 64 standing in the name of the Hon. Member for Vegreville (Mr. Mazankowski). Last Thursday you indicated this motion was related to a group of motions that appeared to be contrary to the content and purpose of the Bill and some of which appeared to have infringed upon the financial initiative of the Crown. The purpose of Motion No. 64 is to reduce, and I emphasize reduce, the amount of money that will be paid to the railways in a given year. Had the motion proposed to increase those payments, it would clearly have been out of order inasmuch as such an amendment would have sought to increase the financial burden imposed on the Crown by the Bill and would have been contrary to the principle to the financial initiative of the Crown, which I have just outlined partially in Beuchesne's.

However, in seeking to reduce the financial burden of the Crown or by reducing the expenditure of public funds, this motion merely asserts one of Parliament's traditional rights