

Supply—Privy Council

but I have gone pretty carefully through *Hansard* and I cannot find that the minister drew our attention to this item at any point. In other words, it was to be found in the estimates by those of us who were alert enough to see it, but anyone who was not alert enough did not have his attention drawn to this item by the Minister of Finance.

It is true, of course, that once the Appropriation Act was passed and this item was included the government had a perfectly valid, legal warrant for paying this money to these two gentlemen who had already been sworn of the privy council. There can be no question but that was the fact, even if one were not alert enough to notice the item. I draw attention to the fact that this is the kind of legislation to which one former member, who was considered distinguished enough to be offered the speakership by the Prime Minister, took exception over the years in other parliaments.

Mr. Diefenbaker: If the hon. gentleman is speaking about me, I at no time ever offered the speakership to anyone.

Mr. Pickersgill: Not to Mr. Knowles? I was referring, of course, to Mr. Knowles. In any case, this is really beside the point.

Mr. Diefenbaker: It is also beside the fact.

Mr. Pickersgill: I am not in the least concerned about getting into any controversy with the Prime Minister on that point, but I think it is an undoubted fact that over the years Mr. Knowles took exception to legislating by this particular means. I always thought his concern about the matter was exaggerated, but I have some grave misgivings about whether such concern is exaggerated in this particular instance, because here we are asked to do something which has always been done in the past by statute. When successive governments have sought to provide for additional members of the cabinet and their remuneration it has always been done in a very formal way by amendment to statutes or to the Salaries Act, though in the case of the Department of Defence Production my recollection is that it is done in that act and that the minister's salary does not appear in the Salaries Act.

But here a provision was made which is not and, of course, could not be of continuing effect because it lapsed when the interim supply lapsed and the legislative authority for making these payments lapsed. Therefore on January 31 when, if I am not mistaken, the supply voted by parliament lapsed, there was no further authority to pay salaries to the hon. member for Greenwood or the hon. member for St. John's West. Parliament had

made no provision for paying salaries to these two ministers of the crown. The Prime Minister has told us that their salaries were subsequently continued through the use of governor general's warrants.

It seems to me, sir, that that in itself is a very extraordinary provision. We amended the Financial Administration Act the other day, and that time our attention was drawn rather particularly to the clause therein which states the reasons and circumstances under which these warrants can be used. We took out a rather antiquated reference to accidents to public works and so on, and I am not going to make anything of that because I thought the amendment was a perfectly sensible one. I am not seeking to debate this point, but merely to point out that under the amended section governor general's warrants may be used in these circumstances:

Where a payment is urgently required for the public good when parliament is not in session and there is no other appropriation pursuant to which the payment may be made, the governor in council, upon the report of the minister that there is no appropriation for the payment and the report of the appropriate minister that the payment is urgently required for the public good, may by order direct the preparation of a special warrant to be signed by the governor general authorizing the payment to be made out of the consolidated revenue fund.

I do not think by any stretch of the imagination it can be argued that this was an unforeseen situation. These gentlemen were already ministers. They were already drawing these allowances, and I suggest that there is very grave doubt that this was a proper use of governor general's warrants. In fact, sir, I would go so far as to say that it seems quite evident to me that it was a highly improper use of governor general's warrants.

The Prime Minister told us this morning how scrupulous he was about payments into the national capital fund, that he hesitated to use governor general's warrants for that purpose although in fact there was a statutory provision of a continuing nature that had been on the statutes for some considerable time. But, sir, that is not all. We have a payment not authorized in any way by parliament being made to two gentlemen who subsequently became candidates in a general election.

I would draw your attention, sir, to the provisions of the Canada Elections Act setting out the conditions of eligibility for parliament. Of course, as everyone knows one of the provisions respecting ineligibility as a candidate embraces the following persons:

Every person accepting or holding any office, commission or employment, permanent or temporary, in the service of the government of Canada at the nomination of the crown or at the nomination of

[Mr. Pickersgill.]