

year, being vote 30 of Agriculture in the 1981-82 Main Estimates. That vote stated, and I quote:

Agri-Food Regulation and Inspection—Contributions including compensation at rates determined in the manner provided by Section 12 of the Animal Disease and Protection Act to owners of animals affected with diseases coming under that Act that have died or have been slaughtered in circumstances not covered by the Act.

So that vote attempted to extend the act to situations not covered by it. Quite properly, Madam Speaker, you ruled that was an amendment to the legislation. Privy Council, vote 1 does exactly the same thing, and is clearly out of order based on your ruling of last year.

Madam Speaker Sauvé ruled on June 21, 1982, as recorded at page 18646 of *Debates*:

The next item objected to by the hon. member for Calgary Centre is Privy Council, Vote 1 on the grounds that it seeks to amend legislation and, on this basis, the hon. member makes a parallel with Agriculture, Vote 30 in the 1981-82 Main Estimates which was ruled out of order on June 12, 1981. I must admit this vote caused particular concern to the chair. Agriculture, Vote 30 was specifically seeking to go beyond Section 12 of the Animal Disease and Protection Act and was ruled out of order for attempting to amend existing legislation, whereas Privy Council, Vote 1 does not refer to specific legislation but is in fact a continuation of a vote in the 1981-82 Main Estimates covered by the Appropriation Act No. 2, 1981-82. In other words, Privy Council, Vote 1 does not attempt to amend the Salaries Act but provides for the salary of certain Ministers of State assigned by virtue of Section 23 of the government Organization Act, 1970, which is itself the legislative authority required. The authority for the amount can be found in the Appropriation Act No. 2, 1981-82. I therefore find Privy Council, Vote 1 also in order.

That 1982 precedent, based, as it was, on existing legislative authority, is not on all fours with the present case. By extension, neither is the 1989-90 identically-worded item referred to by the hon. member for King-Island and the Islands.

There is a clear line of authority evinced through Speakers' rulings as to the distinction between the proper subject-matter of legislation and the proper subject matter of supply.

[*Translation*]

Twenty years ago on March 10, 1971, when the House was just embarking on the present supply practice, Speaker Lamoureux ordered three one-dollar items

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struck from the motion to concur in the Supplementary Estimates. He explained as recorded at pages 4125-7 that such items when "—they are clearly intended to amend existing legislation should come to the House by way of an amending bill rather than as an item in the Supplementary Estimates." Speaker Lamoureux had occasion to confirm this principle in both 1973 and 1974.

[*English*]

Mr. Speaker Jerome, called upon to rule on a number of disputed items in Supplementary Estimates on March 22, 1977, characterized the central question to the issue as "whether or not the government can obtain, through the passage by Parliament of a supply item in an appropriation bill, authority which it does not have under existing legislation." He capsulized the discussion held in respect to that central question around two key points:

First, changes in legislation ought to be dealt with by legislation and not by supply items. The opportunity to debate, to consider, and to discuss the two are totally different. Therefore, where changes to legislation are sought, they ought to be done in the proper way of all stages of a bill. The second point is that appropriation acts have temporary duration, being for the balance of the fiscal year. Therefore, they ought not to be used as a vehicle to finance or authorize ongoing programs.

That is in *Debates*, page 4220. In pronouncing on the general question for the sake of providing future guidance, Mr. Speaker Jerome said:

On the general question, it is my view that the government receives from Parliament the authority to act through the passage of legislation and receives the money to finance such authorized action through the passage by Parliament of an appropriation act. A supply item in my opinion ought not, therefore, to be used to obtain authority which is the proper subject of legislation;

That is in *Debates*, page 4221. This was further expanded upon on December 7, 1977, in a similar ruling where Mr. Speaker Jerome said:

I think all honourable Members understand that the supply process is confined in its method of debate and exposure to the House in that it is put forward by way of an estimate which is examined by the committees of the House, and, at the end of that process when the estimate is deemed to be reported or in fact reported back to the House, it is dealt with rather quickly by way of a supply bill on the final supply day of the particular semester in which the estimate was originally advanced.