

*Point of Order*

79(3). I believe it would be useful for me to read Standing Order 79(2) and Standing Order 79(3):

(2) The message and recommendation of the Governor General in relation to any bill for the appropriation of any part of the public revenue or of any tax or impost shall be printed on the Notice Paper and in the Votes and Proceedings when any such measure is to be introduced and the text of such recommendation shall be printed with or annexed to every such bill.

End of Standing Order 79(2).

Standing Order 79(3) reads as follows:

(3) When estimates are brought in, the message from the Governor General shall be presented to and read by the Speaker in the House.

Mr. Speaker, I suggest the House should recognize that Bill C-21 is not a supply bill. Definitely, in this case, Standing Order 79(2) and Standing Order 79(3) apply, and not Standing Order 81.

• (1540)

Having said that, let us deal now with the Constitutional issue which the minister raised again today. Are the amendments which the Senate proposed out of order by virtue of Sections 53 and 54 of our Constitutional Act, 1867? Mr. Speaker, I remind all hon. members that Bill C-21 was a bill to amend the Unemployment Insurance Act adopted in 1970 and 1972. I remind them also that the bill which became the Unemployment Insurance Act was Bill C-229 which was read the first time on March 10, 1971. That is the legislation which Bill C-21 meant to amend. The amounts were duly allocated under a recommendation of the Governor General.

Whoever examines the amendments which the Senate made to Bill C-21 realizes that a member of this House could have presented each of these amendments as an amendment to Bill C-229 of 1971. That is a fact, Mr. Speaker. None of the amendments proposed to the various clauses of Bill C-21 seeks to increase or change the amount or purpose of an allocation in a way which would affect the royal recommendation of March 10, 1971. Mr. Speaker, I repeat that none of the proposed amendments seeks to increase or change the amount or purpose of an allocation in a way that would affect the royal commission of March 10, 1971. Why, then, is the

minister getting so excited? Well, he wishes to make a point.

Mr. Speaker, it follows that the amendments which the Senate proposed to Bill C-21 are not inconsistent with the royal recommendation; quite the opposite. If Bill C-229, in 1971, was in order when it was passed on March 10, 1971, we believe that the same holds for the Senate's amendments that are before the House today, in 1990, because they in no way contravene the allocation of funds provided for in the original bill.

Mr. Speaker, since all the provisions of Bill C-21 could have been presented in 1971 as amendments to Bill C-229, the original legislation, we must wonder why Bill C-21 had the royal recommendation when it was presented to the House of Commons on June 1, 1989, as we know. We wonder why. I know that my colleague from Kingston and the Islands (Mr. Milliken) has already addressed this question, but he will certainly repeat his arguments once again.

On February 5, 1990, when the committee asked officials what clauses of Bill C-21 required a royal recommendation, the officials, this government's advisers, said—In other words, when asked why it was necessary to obtain or include a royal recommendation in the bill, these officials replied that neither the Employment and Immigration Commission nor the Department of Justice had determined which provisions of this legislation required a royal recommendation.

It has not been clearly shown either in committee or in this House, Mr. Speaker, that certain clauses require a royal recommendation. They knew of none at the committee stage and we know of none today either. Since no clause that the Senate proposes amending, Mr. Speaker, requires a royal recommendation, we conclude that the royal recommendation of June 1, 1989 is unnecessary, at least as far as these clauses are concerned. That is the line of reasoning on which the Senate justifies the validity of the proposed amendments.

That is what the Speaker of the Senate based his decision on, Mr. Speaker. He cited Erskine May in his ruling that the amendments in question were in order and that they imposed no additional charge on the public treasury.

Unlike a money bill, Bill C-21 reduces the charges on the public treasury. It is therefore in order.