

Canada Grain Bill

mentation, which was a simple statement. Perhaps we ought to do away with the recommendation altogether. Then, of course, the Governor General could not make mistakes and leave out things which should be in the recommendation. But if we want a recommendation which takes the place of a resolution, I think we should say no. We do not say so at the present time in Standing Order 62. Its terms have not been read today, but presumably someone will do so before this debate is over.

It is clear that a bill involving the expenditure of money cannot be proceeded with unless it has been recommended to the House in a message from the Governor General. Nothing more is required. This carries out the provision of Section 54 of the British North America Act. The Act does not say that the recommendation has to go into the details. Thinking about this matter, I wondered whether we might have said something on the subject in our lengthy report tabled back in December, 1968, but I have gone through it, and we do not seem to have dealt with it there. Thank you, Mr. Speaker, for listening to me. The decision is up to you.

Mr. Speaker: I see that the Minister of Agriculture wishes to contribute further to the debate on the point of order. He can do so only with the consent of the House. Is this agreed?

Some hon. Members: Agreed.

Mr. Olson: I simply wished to reply to the question which was raised by the hon. member for Peace River (Mr. Baldwin). I have been advised that section 11(4) does, in fact, deal with levies. The hon. member asked whether or not this one-thirtieth of one per cent per day was provided for in the old act. The provision reads as follows:

All licencees shall pay to the Board of Grain Commissioners for Canada for the credit of the Receiver General, monthly, as provided by regulation, all moneys collected hereunder, and any licencee who fails to comply with the regulations is subject to a penalty of 1/30th of 1 per cent of the amount due for each day that such payment is in default.

May I clear this up by adding that as far as I am aware the provision with which the hon. member is concerned contains nothing new. There is perhaps some updating of the wording and a renumbering of the subsections, but section 108 is almost identical with section 11 and the ten subsections contained in the Prairie Farm Assistance Act.

Mr. Baldwin: That applies to most government legislation.

Mr. Speaker: It seems to me there are two points which the Chair should consider at this time. The first is the relatively narrow point raised by the hon. member for Peace River (Mr. Baldwin) to which the Minister of Agriculture (Mr. Olson) has replied, namely, whether a new charge is created by section 108 of the Canada Grain Act.

The hon. minister argues that in fact there is no new charge on the treasury because we are simply re-enacting

[Mr. Knowles (Winnipeg North Centre).]

a provision of a former statute, the Prairie Farm Assistance Act. The minister assures the Chair, that a similar provision was included in the previous statute. I am not too sure of the argument of the hon. member for Peace River that there is a new charge being created at this time which might require an alteration of the recommendation of His Excellency. That should be my ruling for the time being. I have to take into account, also, and I do take into account, that it would not be a matter of great moment to have the recommendation changed if the Chair considered a change should be made. I recall that when a similar matter was brought to my attention some days ago I agreed with the hon. member who had raised the point that the recommendation ought to be changed, and as a result of a sudden and speedy action on the part of the minister responsible for the bill then before the House, a new recommendation was obtained and accepted by hon. members.

The hon. member for Winnipeg North Centre (Mr. Knowles) has raised a much wider question which is one of greater interest. He may remember, if he was in the House, that when a similar point of order was raised by the hon. member for Edmonton West (Mr. Lambert), I did say—unfortunately, I do not have the text of my statement here—I had often thought that the only thing which might be required as far as the recommendation was concerned was a general statement from His Excellency to the effect that His Excellency had looked at a bill, and recommended it to the attention of the House. Substantially, it seems to me this was the form of the recommendation which was received by the House as part of our practice before the change in our rules.

I have an example before me dating from some years back; the minister introducing a bill simply said that His Excellency the Governor General having been made aware of the subject matter of the resolution, recommended it for the consideration of the House. This may be all that is really required from a constitutional standpoint. The Crown must retain the financial initiative and this is done through a recommendation from His Excellency. It may be that His Excellency having looked at the bill and having noticed that there were financial implications, might recommend the proposed measure to the House.

● (4:10 p.m.)

As the hon. member for Winnipeg North Centre (Mr. Knowles) has very clearly said—and I am very strongly inclined to go along with his reasoning—we appear to be confusing the resolution stage of the bill, which has now been discontinued, and the recommendation. It may be that before we changed the rules these were two separate matters, the recommendation made in the terms I have just indicated, and then a resolution which delineated the four corners of the bill which would come before the House but which was not then known to hon. members and, indeed, not known to His Excellency as his recommendation was directed to the resolution. It may be that His Excellency should see the bill and then recommend it to the House. It may well be that this is all that should be required to allow hon. members to proceed with con-