

The CHAIRMAN: I do not know if we should leave that in. It would be up to the House to refer it to a standing committee.

Mr. WRIGHT: What is the sense of that? It is to be drawn to the attention of the minister, who again brings it to his own attention. It just does not make sense.

The CHAIRMAN: That is right. I would not say "to the attention of the appropriate minister", I would say "to the attention of the Senate or the House of Commons", because the minister drawing the matter to the attention of the appropriate minister would mean that a minister whose offices had done something wrong that the comptroller did not like would have the decision to give.

Mr. FULTON: I think we should leave it the way the officials recommended that it be changed—that it be drawn to the attention of the House of Commons.

Mr. WRIGHT: How can it be brought to the attention of the House of Commons except by the minister?

Mr. SINCLAIR: When the comptroller draws to the attention of the Speaker that there is something wrong, the Speaker will have to bring it before the House.

The CHAIRMAN: We refer it to the House to decide.

Mr. SINCLAIR: When the comptroller makes a direct observation on the House of Commons and refers it to the Speaker, the Speaker has to refer it to the Internal Economy Committee of the House. What does Mr. Sellar think of this, because this is a reference back.

Mr. MACDONNELL: Surely when he has reported to the Minister of Finance he has done everything he can.

Mr. SINCLAIR: For a department of government, yes, but this is one group that does not come under the government. The Speaker of the House of Commons is not responsible to the government, nor is the House of Commons responsible to the government.

The CHAIRMAN: Whenever the comptroller is of the opinion that a doubt exists as to the legality or otherwise of a proposed charge to an appropriation—well, that proposed charge will already have been approved, we can assume by the Speaker, so what is the purpose of referring it back to him? I think it should read: ". . . he shall report forthwith to the minister who shall draw the matter to the attention of the Senate or the House of Commons, as the case may be, to decide." It is for them to decide, and if they want to send it to a committee it is up to them to decide on that procedure, but it is not up to us to tell them they should send it to a committee.

Mr. FULTON: I so move, Mr. Chairman.

Mr. SINCLAIR: How does the comptroller, who normally reports to the Minister of Finance, report this matter? How does the Minister of Finance draw the attention of the House or the Senate to these things? What would be his routine?

The CHAIRMAN: I am not an expert on constitutional law, but the minister can draw the attention of the House to anything he wants to.

Mr. FULFORD: Perhaps Mr. Sellar could give his opinion on this.

Mr. SELLAR: I think I can tell you the history of this. It goes back a number of years when Mr. King was the Prime Minister and a particular transaction came up. At that time I was Comptroller of the Treasury. I think Mr. King was anxious for a certain thing to be done. It was proposed the Treasury Board should authorize it, but in the interval the Minister of Finance had referred the matter to me and Mr. King phoned me and I took the view that the Treasury Board had no status whatsoever regarding the management