

viding they do not adopt the act, or else we are passing a bill which will do nothing at all. One of these three things we are doing. I would very much rather see the government adopt the whole responsibility, but in view of the decision of the government not to do that, I would urge them to adopt the suggestion of the hon. member for North Winnipeg and increase the federal share by twenty-five per cent. I have therefore very much pleasure in supporting the motion of my hon. friend for South Vancouver.

Mr. McPHERSON: I regret that the hon. member for Vancouver South made that motion. It might be dangerous to make such a motion, however, when the result sought might be attained in another way without any risk of infringing on the rules of the House. If it is the purpose of the House to increase the amount of the federal grant, I would like to see the matter left in abeyance just now.

Mr. BROWN: With reference to the point of order, does the Chairman rule that this motion is in order?

The CHAIRMAN: Referring to May's Parliamentary Practice, thirteenth edition, page 544, I find the following:

No augmentation of a tax or duty asked by the crown, as has already been explained (page 511), can be proposed to the committee, nor tax imposed, save upon the motion of a minister of the crown.

Therefore I rule that the amendment moved by the hon. member is not in order.

Mr. LADNER: Before you give a ruling, Mr. Charman, I think it is usual to have some discussion.

The CHAIRMAN: Beauchesne, page 43, rule 170, says:

The committee of supply cannot increase a grant which has been recommended by a message from the Governor General. It is also irregular to increase any item in a resolution. But any motion to reduce a grant will be always in order.

Mr. LADNER: The point I wish to make, as a reason for introducing the amendment, is that this clause is merely permissive, that the governor general in council may enter into an agreement. It is not a tax or a grant of money. It does not become such until the agreement is entered into, and the governor general in council is not obligated by the statute. Although the applicant may fulfil all the conditions required to obtain a pension, the governor in council is not obligated by the statute to enter into the agreement.

Mr. CANNON: Well, we are. That is the point. We are not legislating for the lieutenant.

[Mr. Irvine.]

ant governor, we are legislating for ourselves. It is permissible for the lieutenant governor to accept or reject the proposition. The governor in council may enter into an agreement with any province. The point of order as put forth in my hon. friend's argument is very ingenious. It is true the word "may" occurs in the first line of clause 3. The clause reads as follows:

The governor in council may make an agreement with the lieutenant-governor in council of any province for the payment to such province quarterly of an amount equal to one-half of the net sum paid out during the preceding quarter by such province for pensions.

And so on. The word "may" applies to the agreement; that is the will of the province to enter into an agreement, but the moment the province expresses its willingness to enter into an agreement, then this government is bound to pay, as provided in clause 3

Mr. LADNER: May I ask my hon. friend, how could it become a tax or imposition until a contract is made?

Mr. CANNON: There is no doubt about that. My hon. friend is perfectly right. We are not going to be bound to pay anything unless an agreement is entered into. The clause says "whenever an agreement is entered into;" otherwise we would not need any clause. As long as there is no agreement there is nothing for us to do. We are legislating now as to what will happen the moment the agreement is entered into, and the government suggests that after an agreement is entered into our liability or obligation will be to the extent of fifty per cent. The amendment proposes that it shall be seventy-five per cent. There is no doubt it is increasing our financial obligations, and, as the Chairman pointed out, it is out of order.

Mr. LADNER: Will my hon. friend relate the rule to this particular clause? The rule clearly is one that relates to a specific grant or tax. That is the statute creating it in itself creates the obligation. The statute creating this provision does not create the obligation, and to that extent I make the distinction between this case and the one contemplated by the rule. This clause is a permissive clause, permitting the government to enter into an agreement, the details of which are not even contained in it. Until the government enters into the agreement there is no tax or obligation.

Mr. CANNON: There is no doubt this parliament has no authority to force any province into this scheme.

Mr. ARTHURS: Or to make payment.