

*Point of Order*

Mr. Speaker, I am getting to my question. Are the amendments put before this House by the Senate of Canada unacceptable because they contravene our Standing Orders, as the minister said earlier?

Mr. Speaker, Standing Order 80(1) to which the minister referred was used by him to argue that these amendments contravene our Standing Orders. He also made use of the constitutional argument—sections 53 and 54 of the Constitution Act, 1867. I could not find anybody in the Senate who said: We accepted Standing Order 80(1) of the House of Commons. This particular standing order should not concern the Senate, Mr. Speaker, and why should it?

Mr. Speaker, to make myself clear, I will read the Standing Order which says, and I quote:

All aids and supplies granted to the Sovereign by the Parliament of Canada are the sole gift of the House of Commons, and all bills for granting such aids and supplies—

And the Standing Order goes on, Mr. Speaker.

I want to stress the term “aids and supplies” because this is an important part of the point I am trying to make. I argued this point on March 12. I will do it again today, because the Prime Minister failed to understand what the point was.

Mr. Speaker, Standing Order 80(1) goes on as follows:

U.C. bills for granting such aids and supplies ought to begin with the House, as it is the undoubted right of the House to direct, limit, and appoint in all such bills, the ends, purposes, considerations, conditions, limitations and qualifications of such grants, which are not alterable by the Senate.

Mr. Speaker, the question we have to answer is whether Bill C-21 deals with aids and supplies as described in Standing Order 80(1). In my opinion, Mr. Speaker, there is no connection with 80(1)—in other words, with aids and supplies. We need not revive the old argument between the House of Commons and the Senate about whether Standing Order 80(1) prevails here. As I said earlier, Mr. Speaker, 80(1) is not a rule of the Senate but a Standing Order of the House of Commons, and I fail to see how it can be used to argue that Bill C-21 and the Senate's amendments to the bill are concerned with aids and supplies.

Mr. Speaker, if we refer to such authorities as Erskine May, for example, we conclude that there are two categories of public expenditures. It is important that

people understand that public expenditures are those paid directly from the appropriations voted every year by Parliament. What happened today, Mr. Speaker, was that the House voted to restore the appropriations to the government for public expenditures. And then we have ways and means motions, Mr. Speaker, and as you know every year the government introduces ways and means motions to seek authority to allocate funds.

Then we have expenditures paid directly from the public treasury. That is the second category. Expenditures payable with funds authorized by Parliament are those approved each year through appropriation legislation introduced in the House on a regular basis. Expenditures paid by the treasury are called legislative expenditures. Mr. Speaker, those are the ones we are talking about in Bill C-21. This has nothing to do with the old argument as to whether supply and appropriations are involved, but with legislative measures which entail expenditures, with the royal recommendation, of course.

History tells us that the Crown was expected to pay public service expenses with revenue from its assets. When it was found that such a revenue source was not quite enough the Crown asked Parliament for supply and appropriations, or additional funds to meet annual needs. Our Standing Order 81 refers to the supply bill.

At Westminster, supply and appropriation bills with a Royal recommendation are introduced by the Speaker of the House of Commons. We have the same thing in Canada. A bill must carry the Royal recommendation to be called a legislative expenditures measure. That being said, let us examine the other kinds of outlays which I called legislative expenditures. They are not introduced through a supply bill nor are they covered under Standing Orders concerning supply proceedings.

Prior to 1968 they were introduced through financial resolutions before a committee of the whole House. Such resolutions were recommended to the House by the Governor General and, in 1968, the preliminary stage of the resolution was eliminated in Canada. Ever since the Royal recommendation has been sent to the House in the manner prescribed in Standing Order 79(2).

Bill C-21 was introduced with a royal recommendation, pursuant to Standing Order 79(2), and not upon the presentation of a message, pursuant to Standing Order