

*Government Organization Act, 1970*

[English]

**Mr. Erik Nielsen (Yukon):** Mr. Speaker, it is not the hon. member for St. John's East (Mr. McGrath) who is confused concerning the point of order he raised but obviously the hon. member for Winnipeg North Centre (Mr. Knowles) who did not fully comprehend the purpose of it.

**Mr. Knowles (Winnipeg North Centre):** Yes, I did.

**Mr. Nielsen:** The hon. member for St. John's East is not complaining about the fact that his amendment is accepted and is before us for debate. To clear up the mystification of my hon. friend from Winnipeg North Centre with regard to the appeal by the hon. member for St. John's East, what he is complaining about, and what he complained about before the Chairman of the committee of the whole, was not the fact that his amendment was accepted but rather the fact that the government, having already made the decision that the new department of the environment was to be created, in fact has denied this committee the opportunity to make a free decision concerning the name of that department.

The evidence that the government has made the decision lies in the tabling of the estimates today. During the debate on the point of order, the hon. member for Halifax-East Hants (Mr. McCleave) referred to Standing Order (14) which reads as follows:

In every session the main estimates to cover the incoming fiscal year for every department of government shall be referred to Standing Committees on or before March 1—

The rule continues. The important words are "the main estimates to cover the incoming fiscal year for every department of government". These words obviously refer to a department of government in existence. The government having made the decision to table its estimates in the form in which they have been tabled, designating the new department of the environment, leaves us with the situation that the department has in fact been named.

While the hon. member for Winnipeg North Centre says we are not precluded from debating the amendment moved by the hon. member we are, in fact, precluded as a committee from making a free decision on that amendment. The decision has been made and this shows the government's utter contempt for Parliament and parliamentary procedures. The government has made the decision, so any debate concerning the name or the amendment of the hon. member for St. John's East is an absolute exercise in futility. The fact is that the law as evidenced by the Standing Orders of this House requires the government to table estimates of the departments in existence. The government has done that and, in doing so, has changed the name. That is the essence of the complaint of my friend; that is, the function of this committee has been usurped by the government. That was the point of his appeal.

**Mr. Speaker:** Order, please. As hon. members know, the Chair, under the rules and practice, has the power to call a halt to the advice which is being given to the Chair. I would think I have heard quite enough at this point to

[Mr. Fortin.]

reach a decision and give a ruling but at the same time, since this is an important matter, I would not like hon. members to think they have been deprived of their rights to enlighten the Chair, which does require enlightenment from day to day. I notice there are a few hon. members who still wish to take part in the debate and I will hear them provided they do it as briefly and succinctly as possible.

● (5:10 p.m.)

**Mr. Ross Whicher (Bruce):** Mr. Speaker, I will just take a minute if that is possible. As I understand it, the hon. member who challenged the ruling suggested the government had gone over the head of Parliament by naming in the blue book the department of the environment instead of the Department of Fisheries and Forestry. May I respectfully point out that everything in this blue book is an estimate or an anticipation. These figures in the blue book are not facts; they are simply estimates on which the government has instructed civil servants to work a year and a half ago and which it has brought here to Parliament. Now, parliament has the opportunity on every single estimate in that blue book to change those figures. We have the right to do it. May I respectfully point out that we also have the right at any time to change the name of a department, and if perchance Parliament decides that there should be no department of the environment, all we have to do this afternoon is to vote against it. We could vote against it at any other time that a responsible motion is brought forth to change the name of any department.

The hon. member suggested that the blue book was brought in here as a completely factual document. May I respectfully point out that the budget figures in the estimates are for the fiscal year ending March 31, 1972. This book, in reality, is dated April 1, 1971, and in anticipation of April 1, 1971, the government has named this department the department of the environment. I suggest to you, Mr. Speaker, and to the opposition, that the government has in no way interfered with the power of Parliament. We have the right to do as we wish today, tomorrow or any day in the future.

**Mr. Paul Yewchuk (Athabasca):** I will be very brief in my comments. I just want to reiterate, in a slightly different way, what has already been suggested by other hon. members. What strikes me about the tabling of the estimates today in relation to the debate that is going on is that it makes the debate appear to be a complete hoax. It indicates that the government has made a decision on the result of the vote and there is no question in my mind that the tabling of the book with the change in name to the department of the environment will have a definite influence on how government members will vote on the amendment put forward by the hon. member for St. John's East (Mr. McGrath). I think, therefore, that the government should have either withheld the tabling of these estimates until the vote was carried out and the bill was passed, or they should withdraw them now and bring back the blue book containing the present name of the department.