

was contrary to parliamentary precedents, not only here in Canada but at Westminster as well.

I take exception to those remarks. First, the twenty-first edition of Erskine May states at page 693 the following:

Unless the recommendation of the Crown enjoined by Standing Order No 46—

—that is the British Standing Order, of course.

—has been signified, the Speaker cannot propose the question on a motion which comes within the scope of this standing order. Accordingly, if any motion is offered to be moved which requires but fails to receive the Queen's recommendation, it is the duty of the Chair to announce that no question can be proposed on the motion.

Clearly this means that this issue cannot be voted on by this House without having a royal recommendation or, as it is described in Erskine May, a recommendation from the Crown.

If such a recommendation is required, I would suggest that the recommendation would only have to be included with the bill at the time, or prior to us disposing of the question, not as to whether or not the issue can be presented before the House. In any case, the member for Ottawa—Vanier has spoken on the second issue as to whether the recommendation is necessary to start with.

I want to back this point up further by raising the following with the Chair. I have in hand a copy of a bill presented in the British House of Commons, entitled, *The Rights of Way, Agricultural Land Bill*. This is a private member's bill, introduced and passed at second reading in the British House of Commons. I am prepared to table this bill with the Chair.

Indeed, the bill does spend public money. It states: "There shall be paid out of moneys provided by Parliament any increase attributable to the provisions of this act," and so on. This section of the bill is written in italics. I am informed by an officer of the British House of Commons, namely, Mr. William McKay, the Clerk of Journals, that the precedent used in the British House of Commons is that this bill could only be passed at third reading if accompanied by such a royal recommendation.

It does not prevent the introduction of the bill. It does not prevent the bill being debated at second reading, or in committee, or anywhere else, save and except the

completion of the debate at third reading and then the subsequent taking of the vote.

The minister said earlier that the precedents in both Canada and Britain would stop a private member from proposing an amendment that spends money. Of course a private member cannot initiate a tax. Of course a private member cannot present a budget, and so on. That is well known and not at issue here.

What is at issue is whether or not a bill or an amendment proposed even by a private member of this House could be dealt with by this House if it has as an incidence, rather than a cause, the expenditure of certain funds.

Clearly, the precedents that the minister has used to back up his argument are wrong. I have proven it here, I believe, with this private members' bill, which I will table with the Clerk or present to the Speaker, if he wants a copy of it.

Therefore, what the minister has invoked is inappropriate in my view.

Second, and I do not intend to repeat the comments of my hon. colleague, the hon. member for Ottawa—Vanier, a clear case has not been made anyhow as to whether a royal recommendation would be necessary to start with. Even if it were, I suggest that that in itself should not be grounds for the House denying consideration of these amendments offered to us by the Senate.

It could be that in its final judgment the government will decide that it does not wish to provide such an accompanying royal recommendation if, again, one is required, which has not been established. If it decides that, that is its prerogative. The government can state that, if it is its wish, but it should not state that it is contrary to the rules for the Senate to at least present its case before this Parliament.

Those are the few points that I wanted to make. I hope that the Chair will consider this argument, as well as the one which has been presented by my colleague, the hon. member for Ottawa—Vanier. I am sure other comments will be brought to the attention of the Chair by other hon. members this afternoon.

In summary, I do not think that the government has so far presented the Chair with a case which would lead the Chair to conclude otherwise than that these amendments are perfectly in order and can be considered by the House. If the House later decides to defeat the amendments, then the House can deal with the fact that