

Estimates

sense but rather is the approval by parliament of what is approved in another statute.

I say that, to make sure that hon. members who speak on this important point of order will address themselves to those questions.

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, I rise to support wholeheartedly the point raised by the hon. member for Vegreville (Mr. Mazankowski), and I hope I may be permitted to commend him on the excellent case he has made.

Some hon. Members: Hear, hear!

Mr. Knowles (Winnipeg North Centre): I have studied the same precedents that the hon. member has quoted, but since he has put them on the record I will not re-quote them. I would simply like to sum up what he said by way of referring to those precedents by saying that he brought them to the correct conclusion, in quoting the words of Mr. Speaker, that the government cannot legislate by estimates.

Some hon. Members: Hear, hear!

Mr. Knowles (Winnipeg North Centre): Even though Your Honour has raised a point—and I shall try to adjust myself to it—as to whether that is being attempted in the supplementary estimate now before us, I think that that principle is so important that this is where we should start, that it is not open to the government to use the estimates as a means of doing what ought to be done by way of legislation brought in in separate bills with first, second, and third readings. This has become all the more important since we changed our rules and do not have an opportunity on the floor of the House to debate anything that is in a supply bill.

The contention that the government has made that we could raise these matters on an opposition day does not meet the point. It is not the business of the opposition to find ways for the government to get its legislation discussed; it is the responsibility of the government to bring its legislation before parliament so that it can be dealt with in the proper way. The proper way is to have a bill that is debatable on second reading, that goes either to a standing committee or a committee of the whole, and that comes back for report stage and third reading. But when the government can put an item of legislation into a supplementary estimate and send it off to a standing committee, it obviates completely the possibility of that matter being debated on the floor of the House. I join the hon. member for Vegreville in using all the adjectives he wants to use. This is high-handed, and is no way to treat the parliament of Canada.

Before I quote some other items which I want to produce in support of the case we are making from this side, I should like to address myself to the point Your Honour raised, namely, that it is not necessarily appropriate to use citations or to use statements from the Chair which were made in relation to dollar items and apply those words to this supplementary estimate because, after all, it is a genuine request for money, namely, in the amount of \$5 million. May I point out that though this estimate is genuine in that it asks for \$5 million for a loan—which,

[Mr. Speaker.]

incidentally, the President of the Treasury Board (Mr. Chrétien) told us in committee Loto Canada could have got from the banks if he had not been wanting to bring the thing before parliament in this way—there is in the wording of this estimate far more legislation than there is in many bills we get before this House.

Some hon. Members: Hear, hear!

Mr. Knowles (Winnipeg North Centre): This estimate does not establish Loto Canada. The government has already done that under legislation under which it can set up corporations. So it does not establish Loto Canada, but it does lay down some of the conditions which will apply to Loto Canada. If that is not legislation, I draw the attention of the Chair in particular to the last couple of paragraphs of the item, which are preceded by the significant words “to deem” and “to provide,” and I suggest that in those paragraphs, which relate to the Government Employees Compensation Act, the Aeronautics Act, and the right of persons employed by Loto Canada to have vacation leave, sick leave, and all the things which go to public servants, this item is legislating to an extent which is greater, I say, than is the case with many bills which are brought before this House.

So the fact that it is \$5 million instead of one dollar does not set aside the argument. The items of legislation are just tacked on—and I use that word because of a quotation I shall produce in a moment—to get them through. The \$5 million is in itself incidental. In fact the President of the Treasury Board said that he was doing it this way so that at least it could be discussed in the Standing Committee on Miscellaneous Estimates, but I ask Your Honour to read it again, as I know you must have done already several times.

I ask hon. members in the House to read the item L27a, which takes a page and a quarter in the bill which is now before us, and no one can deny the fact that it is a piece of legislation. It does not establish Loto Canada, but it sets out conditions which it will observe, and it amends in effect, legislation such as the Government Employees Compensation Act, the Aeronautics Act, and certain provisions having to do with employment in the public service.

I come back to the pronouncement from the Chair to which Your Honour has agreed, namely, that the government does not have the right to legislate by using the estimates.

I said that there was something else from which I wanted to quote. I add this to the excellent quotations which were given by the hon. member for Vegreville.

I have in my hand a letter which was addressed to me on March 24, 1950, by the then auditor general of Canada, Mr. Watson Sellar. I suggest that that name, to anyone who was around a few years ago or to anyone who knows the history of the public service, stands very high. This is a letter which he wrote in response to a request I made to him, with which he enclosed a copy of a memorandum he presented to a committee of the other place. I suppose I have to expect a few catcalls along the way if I read from something which was brought to light in the other place, but at least it was brought to light by a distinguished public servant, Mr. Watson Sellar. This was a memorandum on estimates and the various issues that arise in dealing with them. There were in it two or three para-