

Old Age Security Act

You can search the Statistics Act from one end to the other and you will not find any definition of Consumer Price Index. The Statistics Act provides that the statistician—I forget his title—

Mr. Knowles (Winnipeg North Centre): It should be her title.

Mr. Baldwin: Yes—can, by the direction of the minister, in this case the Minister of Industry, Trade and Commerce (Mr. Pepin), publish certain statistics dealing, *inter alia*, with the prices of goods and services. That is all you will find in the act. Statistics Canada has every right to vary the method used to fix the index governing price and wage increases, or the changes which occur in prices and wages from month to month. It has every right to vary the method used for arriving at the value of the index. We might find, as was found last year—

The Acting Speaker (Mr. Laniel): Order, please. I am not sure that the hon. member is debating at this time the procedural acceptability of the amendment.

Mr. Baldwin: Yes, I am, Mr. Speaker.

The Acting Speaker (Mr. Laniel): It seems that he is debating the matter itself, as if we were discussing the amendment and not its procedural acceptability.

Mr. Baldwin: With all due respect to Your Honour, to hon. members of the House and particularly to the minister, let me say that even if we were to accept his argument, and I do not and I have given convincing reasons to show why the Chair ought not to accept it, and look at the financial recommendation which accompanies the bill, which the Chair must look at to determine whether there is any variation between what this amendment proposes and what His Excellency proposed, we still will not find that distinction which I submit is necessary. I say that because the financial recommendation must be considered together with the legislation governing Statistics Canada and the definition of Consumer Price Index.

After all, the Consumer Price Index is to be the basis for varying the escalation in the old age pension. Because of sloppy draftsmanship, the government will permit in future years considerable variations to arise in the interpretation of what should be the increase in old age pensions pursuant to changes in the cost of living. The Consumer Price Index is determined by Statistics Canada in a variety of ways. The methods used to determine the Consumer Price Index may be changed at any time. Therefore, the term Consumer Price Index is not a statutory definition. One will find, therefore, on reading the terms of the recommendation, that the recommendation itself is not too clear. The language of the recommendation is not so clear as to prevent our including another variable in those elements which are to be taken into calculation in arriving at pensions. However, that is going beyond the point that I need to raise.

Let me return to what I said before. The committee is being instructed to consider the advisability of something. It may decide that it is not advisable to do it, in which case that settles the matter. On the other hand, if it decides that it is advisable to do something, then, according to the

[Mr. Baldwin.]

amendment proposed by the hon. member for Simcoe North, it must observe certain safeguards. There are certain safeguards which ensure that this amendment will not be inserted in the act until certain conditions are met. First, an order must be laid before the House by a member of the Queen's Privy Council, and the making of the order must have been approved by a resolution of the House of Commons. Second, expenditures shall be paid for out of moneys to be appropriated by Parliament. The latter wording I submit ought to be construed as "to be appropriated by Parliament according to the law of this land."

Mr. Jerome: Mr. Speaker, I ask Your Honour to consider one or two brief comments I will make about the procedural acceptability of the motion in addition to the remarks that were made by the minister. I submit that if the amendment were accepted by the House, it would offend directly against two or three precedents.

As the bill is now being considered at the third reading stage, it has gone through clause by clause examination in the standing committee, at which time members enjoyed the opportunity to propose amendments to the bill, if they so wished. Several amendments were proposed at that time. In addition, pursuant to the rules, amendments were proposed in the House at the report stage, after proper notice had been given. There the Chair had the opportunity to consider the procedural acceptability of those amendments. Motions to increase the amount of the pension were ruled out of order. One, which was debated this afternoon, was accepted by the Chair. The point is that substantive amendments to the bill can be put only at certain times. They can be put either in committee or at the report stage in the House, after proper notice has been given.

This amendment, in my view, is not an amendment which seeks to change the motion for third reading of the bill, although it would do that by an indirect route, but is a substantive amendment to the bill itself. I submit that what the hon. member in that regard cannot do directly he ought not to be permitted to do indirectly. He is proposing at this time an amendment which goes to the very substance of the bill. I submit, therefore, that this is an amendment affecting not the third reading motion, but the substance of the bill itself, and it cannot be permitted at the third reading stage.

Second, the amendment intends, as the hon. member clearly said, to increase the amounts which would be paid under the Old Age Security Act. That intent is not directly evident. The language of the amendment is ingeniously couched and would lead, indirectly, to that end. Here, again, the hon. member is attempting to do indirectly what he knows he is not permitted to do directly, namely, through an amendment to seek to increase amounts paid as pensions. To achieve both these procedurally illegal objectives, the hon. member has ingeniously proposed an amendment which, if accepted, would send the bill back to the committee and, further, send it back with the specific direction as to what the committee must do. That, I submit, is the final, fatal flaw in the amendment.

Mr. Baldwin: No, not at all.