

I respectfully submit that this matter has been submitted in a timely fashion and its importance is such that it deserves to be given the consideration that I know you are interested in giving to it even though it has been raised today rather than yesterday. In any event, I submit that the sequence of events indicates that this has been raised in a very timely fashion.

Furthermore I am informed that the warrants have not yet been tabled in this House. My colleagues found out about them only through telephoning. Maybe the argument might be made on the other hand that we have raised this not too late but too early—I do not want to undermine my own argument by saying that.

Some Hon. Members: Oh, oh!

Mr. Gray (Windsor West): I just want to illustrate that I think we have done this in a finely balanced way. We have treated the Prime Minister and members of his Party with courtesy in not interrupting or holding up their speeches in raising this point. We have enabled the speech to be printed in *Hansard* so that we could study it and we have raised this matter, therefore, as I said, at a very timely and appropriate point. I submit that this matter deserves to be considered on its merits.

Mr. Speaker: I think in fairness to all Hon. Members I should point out that on April 3, we attended in the other place. On April 4 there were two short speeches and then by House agreement the House adjourned. Yesterday was Leaders' day, and yesterday I received in writing notice of this application.

• (1550)

I am not making any ruling on the point made by the Hon. Minister of Justice. It ought to be clear both to Hon. Members and to the public that this notice came in fairly early.

Yesterday, it was again a question of courtesy to the Leaders that it was suggested that this matter be argued today as opposed to yesterday. As I say, I am not pre-judging the argument of the Hon. Minister of Justice.

I want to put another question to Hon. Members, and perhaps the Hon. Minister of Justice would wish to address his mind to the following. Is the suggestion being made that in view of what has taken place, or what has not taken place, which is really the argument, that the allotment of money under the Financial Administration

Privilege—Mr. Milliken

Act is somehow or other illegal? Perhaps the Hon. Member would like to answer that question.

Mr. Boudria: Mr. Speaker, I am not arguing that the Government is acting illegally. I am submitting to you that the Government is using an Act illegitimately and in contravention of our constitutional conventions. That is the argument that I am placing before you.

The Government had scheduled the recall of this House for earlier this year. Had parliament been recalled at that time the Government would have had to have a Speech from the Throne, table its Estimates, and have the Supply debate all before March 31 in order to seek Supply.

By proroguing the House at the time that it did, the Government did not have to answer to the grievances of the people for that period of time. In fact it created a situation whereby instead of answering to the House for its supply Bill, it used a Governor General's Warrant in order to get the money, and in so doing it was not answerable to any one. That is what the Government has done.

By deliberately proroguing the House and immediately after proroguing it seeking Supply by an instrument such as the Financial Administration Act, it has created a situation whereby we have been denied our rights and privileges as parliamentarians to state the case of the people before granting or denying Supply to the Government. That is the most fundamental role which has existed since the 17th Century and why this institution is here.

That is the case that we are putting before you, Mr. Speaker. One of the fundamental reasons why we were sent to parliament is to state whether or not the Government should have funds to operate, whether or not we as parliamentarians choose to place our confidence in the Government, or deny our confidence to the Government. We have been denied that opportunity.

Mr. Speaker: Let me just ask another question. Do the moneys that have been allocated as a consequence of using the Financial Administration Act not show up eventually? Are they not part of Estimates that are ultimately voted on?

Mr. Lewis: It is a question of privilege.

Mr. Speaker: It may be a question of privilege that is before the House. In order to determine it, I want to fully understand just exactly what the situation is.