

## DOMINION COAL BOARD DISSOLUTION ACT

### MEASURE TO DISSOLVE

On the order:

First reading of Senate Public Bills—Bill S-3, an Act to provide for the dissolution of the Dominion Coal Board and for the repeal of the Canadian Coal Equality Act, the Coal Production Assistance Act and the Dominion Coal Board Act—The Minister of Energy, Mines and Resources.

**Mr. G. W. Baldwin (Peace River):** Mr. Speaker, I am rising on a point of order. At this stage I must, with great respect, challenge the right of this House, pursuant to Standing Order No. 70, to receive this bill. I should like Your Honour's leave to put the circumstances before the House very briefly, without in any sense opposing the principle of the bill or what is involved in it.

In all seriousness I suggest to Your Honour that an attempt to place the bill before the House in this way constitutes a violation of the British North America Act, and in addition violates two of our most important standing Orders, Nos. 62 and 63. I should like to read to you the clause in the bill which I submit makes it repugnant as far as this House is concerned:

3(2). The provisions made by any Appropriation Act to defray the expenses of the board shall be applied to such classifications of the public service within the Department of Energy, Mines and Resources as the Governor in Council may determine.

It is my submission that this is in fact an appropriation within the meaning of our rules and within the meaning of the British North America Act as well as within our traditions and practices. I need hardly remind Your Honour that the British North America Act, particularly clauses 53 and 54, states:

53. Bills for appropriating any Part of the Public Revenue, or for imposing any Tax or Impost, shall originate in the House of Commons.

54. It shall not be lawful for the House of Commons to adopt or pass any Vote, Resolution, Address, or Bill for the Appropriation of any Part of the Public Revenue, or of any Tax or Impost, to any Purpose that has not been first recommended to that House by Message of the Governor General in the Session in which such Vote, Resolution, Address, or Bill is proposed.

Standing Order 62 provides:

1. This House shall not adopt or pass any vote, resolution, address or bill for the appropriation of any part of the public revenue, or of any tax or impost, to any purpose that has not been first recommended to the House by a message from the Governor General in the session in which such vote, resolution, address or bill is proposed.

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Then, Mr. Speaker, pursuant to the changes in Standing Orders which were made last year there is provision that:

2. The message and recommendation of the Governor General in relation to any bill for the appropriation of any part of the public revenue or of any tax or impost shall be printed on the Notice Paper and in the *Votes and Proceedings* when any such measure is to be introduced and the text of such recommendation shall be printed with or annexed to every such bill.

I cannot answer for what message may or may not have been sent by His Excellency, but certainly none has been printed in *Votes and Proceedings*. I would point out to Your Honour that there has been a breach of what from the time of antiquity has been one of the rights and privileges of this House, to vote and appropriate money for a specific purpose which this House may see fit to direct to that end. Beyond any question, clauses 2 and 3 of Bill S-3 deal with an appropriation of moneys for a specific purpose not covered by a Commons appropriation bill of this session.

● (2:30 p.m.)

The purpose of this bill has been initiated in the other place. Large sums of money may or may not be involved; all I can say is that an examination of the Appropriation Acts will reveal that for the current fiscal year the sum of \$180,000 has been set apart for the purpose of meeting the expenses of administration of the Dominion Coal Board which is being dissolved by Bill S-3. In addition, there appears in an appropriation bill of 1964 a certain sum which was added to in 1966. The total provision is for a sum of \$22 million to be expended over a five-year period on matters coming under the jurisdiction of the Coal Board.

That, simply, is my reason for objecting to this bill. It constitutes an appropriation of funds for a purpose which this House has not necessarily approved and which has not been recommended in a message from His Excellency. In other words, the spending of the unexpended funds referred to in the bill ought not to be applied to the classification of the Public Service as the Governor in Council may determine by clause 3(2).

It may well be that if this bill were allowed to proceed and subjected to the normal proceedings of this House, it would be competent for the government at any time to initiate in the other place a bill to set aside certain payments and programs covered by measures or statutes properly recommended by His