A Discussion Paper and Guidelines

When Bills and Amendments Require the Royal Recommendation

by John Mark Keyes

In general terms, the royal recommendation is required for any bill or amendment that envisages the spending of public money. The bill or amendment cannot be adopted by the House of Commons unless it has been recommended to the House by the Governor General. This paper is intended to provide guidance on whether bills, or amendments to them, require the royal recommendation. It is also intended to promote discussion of some of the murkier aspects of this subject.

The requirement for the royal recommendation has a number of sources. The first is section 54 of the *Constitution Act, 1867*:

> 54. It shall not be lawful for the House of Commons to adopt or pass any vote, resolution, address of 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.

Although a French version of section 54 has yet to be adopted, the following is the wording proposed in the Final Report of the French Constitutional Drafting Committee.

> 54. La Chambre des communes n'est habilitée à adopter des projets de crédits, ou des projets de résolutions, d'adresses ou de lois comportant des affectations de crédits, notamment d'origine fiscale, que si l'objet lui en a été préalablement recommandé par message du gouverneur général au cours de la session où ces projets sont présentés.

This wording also has official status in so far as both versions are repeated almost verbatim in Standing Order 79(1) of the House of Commons. The requirement for the royal recommendation is also reflected in Rule 81 of the Senate, which says: "The Senate shall not proceed upon a bill appropriating public money that has not within the knowledge of the Senate been recommended by the Queen's representative."

History and Purpose of the Requirement

The requirement for a royal recommendation originates in British parliamentary practice and is based on the constitutional principle that the Crown, rather than the House of Commons, should take the initiative in granting public money.

Until late in the 17th century, grants of public money were linked to levies of taxes. The House of Commons was content to consider and approve requests from the Crown to impose taxation measures and use the proceeds. This changed by the 18th century when Parliament assumed greater control of public spending through the tabling of estimates and the approval of particular appropriations. However, revenues often exceeded the amounts appropriated leaving surpluses in the Consolidated Fund. To prevent members of the House from initi-

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ating legislation o grant this money, a standing order was made in 1713 stating: "That this House will receive no petition for any sum of money relating to the public service but what is recommended by the Crown."

This standing order was given a broad interpretation and applied not only to petitions, but also to any other steps that would tend to impose a burden on the public purse. In 1852, the standing order was amended to reflect this practice. "That this House will receive no petition for any sum of money relating to the public service or *proceed upon any Motion for granting any money* but what is recommended by the Crown."

The standing order was again amended in 1866 to deal with a drafting practice that had been developed as a means of avoiding the requirement of the royal recommendation. Bills were being drafted with clauses saying that the expenses necessary to implement them were to be paid out of money to be voted by Parliament. Passage of these bills effectively bound Parliament to approve subsequent measures appropriating money to implement the bills. The 1866 amendment was intended to deflect this practice by extending the requirement of the royal recommendation to grants of money "to be provided by Parliament". The amended standing order said: "That this House will receive no petition for any sum of money relating to the public service or proceed upon any Motion for granting any money, *whether payable out of the Consolidated Revenue Fund or out of monies to be provided by Parliament, unless* recommended *from* the Crown."

This amendment also signalled a development in the basis for the royal recommendation. In addition to providing the Crown with a means of controlling expenditures, it also facilitated the scrutiny of bills having financial implications by flagging them to members of Parliament.

Developments in Canada during the first half of the 19th century paralleled those in the British Parliament.

Bourinot comments that:

> In the old legislature of Canada, previous to 1840, all applications for supplies were addressed directly to the House of Assembly, and every governor, especially Lord Sydenham, has given testimony as to the injurious effects of the system. The Union Act of 1840 placed the initiation of money votes with the Crown, and this practice was strictly followed, up to 1867, when the new constitution came into force. "One of the greatest advantages of this union will be that it will be possible to introduce a new system of legislation, and, above all, a restriction upon the initiation of money votes," observed Lord Sydenham in his celebrated report.[1]

Bourinot is speaking here or section 57 of the *Union Act, 1840.* This provision was copied almost verbatim into section 54 of the *Constitution Act, 1867.* The principles underlying the requirement in Canada also match those in the British Parliament, as indicated by Bourinot:

> The cardinal principle, which underlies all parliamentary rules and constitutional provisions with respect to money grants and public taxes is this, when burthens are to be imposed on the people, every opportunity must be given for free and frequent discussion, so that parliament may not, by sudden and hasty votes, incur any expenses, or be induced to approve of measures, which entail heavy and lasting burthens upon the country.[2]

It is also worth noting that until 1968, the Standing Orders of the House of Commons said that bills requiring the royal recommendation had to be preceded by the adoption of a financial resolution. The resolution precisely defined the amount and purpose of the proposed appropriation. During the 1960s, the House of Commons found that the debate at the resolution stage was frequently repeated at second reading.

In order to reduce the amount of time spend on these bills, the resolution requirement was replaced with the requirement now found in Standing Order 79(2) that the royal recommendation be printed in or annexed to the bill.

Detailed recommendations were printed until 1976 when the Government began using the standard form presently in use. It states:

> His/Her Excellency the Governor General recommends to the House of Commons the appropriation of public revenue under the circumstances, in the manner and for the purposes set out in a measure entitled "(long title of the Bill)".

This general form of recommendation has been accepted by the Speaker of the House of Commons.[3] However, it was criticized in the Ninth Report of the Standing Senate Committee on National Finance in 1990 because it provides members of Parliament with little guidance on which provisions it relates to.

Some commentators have argued that the scope of section 54 is narrower than that of the British standing order.[4] This argument relies on the differences in their wording, particularly the fact that the standing order specifies, "whether payable out of the Consolidated Revenue Fund or out of monies to be provided by Parliament'. It is contended that section 54 does not apply to an "indirect" appropriation by a provision that does not itself appropriate public money, although its implementation will require the spending of public money. It is also contended that the requirement does not apply to a bill containing a provision that no payments for the cost of its

implementation are to be made out of the Consolidated Revenue Fund without the authority of an appropriation by Parliament.

This argument is at variance with the practice in both the Senate and the House of Commons. As Bourinot says:

> "The constitutional provision which regulates the procedure of the Canadian House of Commons in this respect applies not only to motions directly proposing a grant of public money, but also to those which *involve* a grant, such as loans and guarantees."[5] (emphasis added)

In addition, the debates in the British House of Commons on the 1866 amendment to its standing orders equate it to comparable provisions in colonial constitutions, notably Canada's. In supporting the amendment, the Chancellor of the Exchequer said:

> I believe that in all cases of legislation, certainly in the great cases of legislation we have had in this House within the last thirty years for Colonial Constitutions, we have been most careful to introduce this provision. In Canada, before the present Constitution was established, the proposals by private members to make grants of public money became so numerous and glaring that a remedy was necessary. The remedy was to introduce this provision.[6]

The broad application of the requirement is also supported by the wording of section 54. Although it is not as specific as the British standing order, the English version encompasses the standing order by referring to the adoption or passage of a "vote, resolution, address or bill *for* the appropriation of any part of the public revenue". The preposition "for" covers not only measures that appropriate, but also those having appropriation as one of their purposes. The same idea is conveyed in the proposed French version which speaks of "projets de credits, ...comportant des affectation de credits, notamment d'origine fiscale". Thus, a bill that requires the appropriation of public money for its implementation is a bill "for the appropriation". The more specific language of the British standing order results from the history of that provision and the attempts over 150 years to deal with particular problems. Section 54 is not encumbered by this history and arguably the drafter of its used general language to avoid the loopholes that had been exploited in the earlier wording of the standing order.

The application of the requirement to purposive measures is also supported by the references in section 54 to a "resolution" or "address". These do not result in legally binding provisions such as are contained in statutes. However, they can still exert substantial political pressure on the Government to introduce legislation to give them effect.

Finally, the broad application of the requirement is buttressed by the continuing vitality of its rationale of controlling expenditures. In a period of severe fiscal constraints, it makes sense that the Executive tightly control legislation that will require increased government spending. In addition, the current relaxation of party discipline is returning Parliament to the era of the independent member of Parliament that existed during the middle of the 19th century. There is no reason to loosen executive controls that were fashioned in this era to maintain fiscal responsibility.

Enforcement

The requirement is enforced through rulings by the Speakers and the chairs of committees that review bills. The Speakers can rule bills and amendments out of order if they lack a required royal recommendation. Committee chairs have the same authority with respect to amendments. However, the authority of the Speaker of the House of Commons to rule on bills or amendments originating in the Senate appears to be somewhat circumscribed. These cases are generally treated as breaches of the privileges of the House and, as such, the Speaker can only bring them to the attention of the House to consider when deciding whether to accept a Senate bill or amendment.[7]

An additional point about the Senate and the royal recommendation is that a recent Speaker's ruling suggests that a bill will not be ruled out of order on this basis unless it contains a provision that "clearly appropriates money".[8] This ruling reflects concern about unduly restricting the legislative powers of the Senate, not only under rule 81, but also under another related constitutional manner and form requirement found in section 53 of the *Constitution Act, 1867*. This section requires bills that either impose taxes or appropriate public money to originate in the House of Commons. Thus, if a bill requires a royal recommendation, it must also originate in that House.

The requirement of the royal recommendation has come before the courts on a few occasions. In 1926 the Exchequer Court held that it had no power to consider whether an Act had been passed in accordance with parliamentary procedure, including the procedure required by section 54 of the *Constitution Act, 1867*.[9] However, this case was decided long before the Supreme Court decisions relating to constitutional requirements dealing with the enactment and publication of Acts in both official languages. These decisions demonstrate that the courts will intervene to ensure compliance with entrenched constitutional requirements relating to parliamentary procedure.

In 1978 Justice Pigeon writing for a majority of the Supreme Court of Canada, suggested that Parliament was

freed to ignore the requirements of section 54. He reasoned that, since they could have been amended by ordinary legislation, they should be taken as having been "indirectly" amended by any Act passed on conflict with them.[10] However, the Supreme Court has since rejected this approach to the repeal of constitutional language requirement governing the enactment and publication of statutes in Saskatchewan.[11] It is also difficult to reconcile indirect amendment with Re Manitoba Language Rights where the Court rejected the notion that constitutional requirements can be treated as "permissive" when they are phrased in "mandatory" language. Indirect amendments would effectively make the requirement of a royal recommendation permissive, if not deprive it of legal effect altogether.[12]

It can be argued in reply that the language rights cases have no bearing on the requirement for the royal recommendation. Language rights benefit the general public, as well as member of Parliament, and the courts must see that these rights are respected. The requirement for the royal recommendation protects the rights of the Crown to control spending. The Crown is quite capable of protecting these rights in Parliament through the participation of Government ministers and its power to withhold royal assent. The courts are not the proper forum for enforcing these rights.

The Supreme Court of Canada has most recently discussed section 54 in *Reference re Canada Assistance Plan*. Although the tenor of its comments is not entirely clear, the Court appears to support the argument that it is for Parliament, and not the courts, to enforce the requirements of this section. Justice Sopinka, said:

> The formulation and introduction of a Bill are part of the legislative process with which the courts will not meddle. So too is the purely procedural requirement in s. 54 of the *Constitution Act, 1867*. That is not to say that this requirement is unnecessary; it must be complied with to create fiscal legislation. But it is not the place of the courts to interpose further procedural requirements in the legislative process. I leave aside the issue of review under the *Canadian Charter of Rights and Freedoms* where a guaranteed right may be affected.[13]

Obtaining and Communicating the Royal Recommendation

A royal recommendation is obtained from the Governor General or a Deputy Governor General (a judge of the Supreme Court of Canada) by the staff of the Legislation and House Planning Secretariat of the Privy Council Office. Traditionally, the recommendation as been given only for Government bills andamendments. However, in 1995, it was given for a private member's bill to amend the *Unemployment Insurance Act* (Bill C-216).

A recommendation cannot be given for a Senate bill or amendment because appropriation measures cannot originate in the chamber.

The Assistant Secretary to the Cabinet (Legislation and House Planning) is responsible for deciding whether each Government bill must have a royal recommendation. The Legislation Section advises the Assistant Secretary in this regard, through the weekly status report of bills. Drafters must ensure that the status report indicates which bills require the recommendation.

In addition, when a bill is sent for final page proof printing, the Assistant Secretary must be told whether the bill requires the recommendation. This is done by letter under the signature of the Deputy Chief Legislative Counsel (Legislation). The letter must also indicate, the particular provisions of the bill that attract the requirement, in case procedural issues are raised while the bill is in Parliament.

A royal recommendation for a Government bill is communicated to the House of Commons before the bill is introduced and is included with the notice of introduction in the *Notice Paper*. After the bill has received first reading, the recommendation is printed in the *Journals* and included on page 1a of the first reading print. As previously noted there is no need for the recommendation to set out the details of the provisions being recommended. A general recommendation is sufficient.[14]

For a private member's bills, the recommendation is given before report stage. Although this is technically possible with Government bills as well, the previous practice of obtaining the recommendation before introduction has been maintained.

The recommendation must be given in the session i which the bill is introduced (Standing Order 79(1)). If the bill is reintroduced in a subsequent session, another recommendation is required. Similarly, a recommendation given for a bill that is later withdrawn cannot be applied to another bill.[15]

An amendments to a bill cannot be made in committee if the amendment requires the royal recommendation.[16] If a committee makes such an amendment, the bill will not be allowed to proceed at report stage unless the Speaker order the amendment to be removed.[17]

Amendments requiring the royal recommendation can only be made at report stage. Notice of the recommendation must be published in the *Notice Paper* with notice of the amendment no later than the sitting day before

the day on which report stage begins (Standing Orders 76(3) and 76.1(3)).

Drafters of Government bills must advise the instructing officials early as early as possible on whether an amendment requires the royal recommendation. This will enable them to prepare their parliamentary strategy. Also, to ensure that the recommendation is obtained in time, the drafters must advise the officer in the Legislation and House Planning Secretariat who is responsible for the bill at least 24 hours before notice of the amendments is to be given. They must also provide a copy of the amendment in both official languages.

Determining Whether the Recommendation is Required

The determination of whether the royal recommendation is required depends on the interpretation of the words "for the appropriation of any part of the public revenue, or of any tax or impost" and "affectation de credit, notamment d'origine fiscale" in section 54 of the *Constitution Act, 1867*. Parliamentary custom and usage in both Canada and Britain suggest that it is required for any provision that would authorize *a new and distinct charge* to be *effectively imposed* on *public revenue.*

When deciding whether a bill contemplates a new and distinct charge the financial impact of each provision must be assessed to determine whether it introduces a charge that is not authorized by existing legislation. An amending bill requires the royal recommendation not only if it extends its objects and purposes, or relaxes its conditions or qualifications.[18] By the same token, an amending bill that merely re-enacts or consolidates existing expenditure provisions does not require the recommendation.[19]

In preparing amendments to a bill, the test is whether they would result in an increased charge in relation to the existing legislation, rather than the bill as introduced. For example, if a bill as introduced would reduce an existing charge, an amendment that would restore all or part of the charge does not require the recommendation.[20]

The effective imposition of a charge may occur either directly, as in an appropriation bill, or indirectly where the implementation of a provision will require public expenditures, for example provisions establishing administrative bodies.[21] Although a Commons Speaker's Ruling seems to contradict this[22], the ruling has been largely ignored in the subsequent rulings, noted below, in which the recommendation was required.

Occasionally, a bill has expressly provided that no payments are to be made for its implementation without the authority of a further Act of Parliament or that it is not to be construed as requiring an appropriation. For example, Bill C-300, introduced on June 10, 1996, contained the following clause: "13. No payment shall be made out of the Consolidated Revenue Fund to defray any expense necessary for the implementation of this Act without the authority of an appropriation for the purpose by Parliament." However, such a provision does not shield a bill from the requirement for a royal recommendation.[23]

The English version of section 54 says that the charge must be payable out of "any part of the public revenue or of any tax or impost". The proposed French version does not confine the source of the payment to "public revenue", but instead speaks of an "affectation de credits notamment d'origine fiscale". However, this difference may be insignificant because of the breadth of the expression "public revenue" which, as the French version suggests, includes taxes and impost. Justice Stamp has commented:

> "The public revenue" is an ancient term of art dating at least from the year 1816 when by the *Consolidated Fund Act 1816* all public revenues of Great Britain and Ireland "were consolidated into one Consolidated Fund of the United Kingdom".[24]

In Canada, the corresponding Consolidated Revenue Fund is defined in section 2 of the *Financial Administration Act* as "all public monies that re on deposit at the credit of the Receiver General". Section 2 also defines "public money!:

> "public money" means all money belonging to Canada received or collected by the Receiver General or any other public officer in his official capacity or any person authorized to receiver or collect such money, and includes
>
> (a) duties and revenues of Canada,
>
> (b) money borrowed by Canada or received through the issue or sale of securities,
>
> (c) money received or collected for or on behalf of Canada, and
>
> (d) all money that is paid to or received or collected by a public officer under or pursuant to any Act, trust, treaty, undertaking or contract, and is to be disbursed for a purpose specified in or pursuant to that Act, trust, treaty, undertaking or contract;

Finally, the concept of public revenue also appears to include non-monetary assets such as land and railway companies.[25]

Some Examples

The following are examples of instances where the royal recommendation was, or was not, required.[26]

Royal Recommendation Required

1. Extension or alteration of charges against public money: provisions altering the method of calculating a charge[27] or extending or altering the purposes of a charge, the amount, the time during which it may be made, the cases where it may be made or the class of persons to whom it may be made, for example;

- ending the application of a social assistance program to persons who were not previously eligible.[28]
- increasing the benefits of such a program.[29]
- advancing the commencement date of such a program.[30]
- increasing the maximum amount authorized to be charged for sucha program.[31]
- transfering from one body to another money appropriated to pay the expenses of the first body.[32]

2. Tax revenue: the appropriation of money through taxing provisions.[33]
3. Pension plan contributions: appropriation of money collected as contributions to a pension plan.[34]
4. Government departments, Crown corporations and other bodies: provisions relating to government departments, Crown corporations or other bodies, for example:

- establishing them.[35]
- increasing the number of members of the board of a Crown corporation.[36]
- providing for the appointment of officers and employees.[37]

5. Additional functions: provisions imposing additional functions on bodies funded by public money if the functions are substantially different from their existing functions.[38]
6. Salaries or other regular charges: provisions for salaries or other charges to be paid out of the Consolidated Revenue Fund.
7. Debts due to the Crown: provisions forgiving or extending time for payment of debts due to the Crown, but not including the remission of taxes or fees, which is regarded as the granting of an exemptions.[39]
8. Loans: provisions granting, guaranteeing or forgiving loans, or extending the time for repaying them or the maximum amounts that may be loaned;[40] provisions authorizing the Crown to borrow money, the basis for the requirement here being the Crown's liability to pay interest.
9. Crown liability: provisions under which the Crown would incur liability or contingent liability to pay money, for example liability to pay court costs ordered by a judge.[41]

Royal Recommendation Not Required

1. Charging Procedures: Provisions that merely establish procedures for the expenditure of money.[42]
2. Repeal or Reduction of Charges against Public Money: provisions that repeal an existing charge or reduce the amount or restrict its purposes.[43]
3. Previously Authorized Charges: Provisions authorizing charges that are already or were previously authorized by Parliament, for example, a bill consolidating or revising existing legislation or authorizing spending for a particular group of people already covered under general legislation.[44]
4. Similar Functions: Provisions imposing additional functions on publicly funded bodies if the functions are of the same nature as their existing functions or are conferred for similar purposes.
5. Court Jurisdiction: Provisions increasing the jurisdiction of the courts or creating new offences.[45]
6. Tax exemptions: Provisions that provide exemptions from taxes.[46]
7. Penalty Exemptions: Provisions for exemption from penalties due the Crown.[47]
8. Clarifying provisions: provisions that clarify the scope of a charge against public money, for example by amending the definition of "non-profit organization" to include a "municipality owned corporation".[48]
9. Reduction of fees: Reduction of administrative fees to a point that is still sufficient to recover the related costs of administration.[49]

Notes

1. Bourinot, *Parliamentary Procedure and Practice in the Dominionof Canada*, 4th ed., T.B. Flint ed. (1916) p. 405.
2. *Ibid.* pp. 404-405.
3. House of Commons, *Debates*, November 3, 1970, pp. 836-7.
4. See J. Small, "Money Bills and the Use of the Royal Recommendation in Canada: Practice versus Principle?" *Ottawa Law Review*, vol 27 (1995) p. 33 and R.R. Walsh, "Some Thoughts on Section 54 and the Financial Initiative of the Crown" *Canadian Parliamentary Review*, vol 17 (1995) p. 22.
5. Bourinot p. 406.
6. United Kingdom, *Hansard*, March 20, 1866 (3) p. 598.
7. See House of Commons, *Debates*, April 26, 1990, pp. 10719-10726; however, note rulings to the contrary in *Debates*, July 14, 1959 p. 5984 and November 12, 1969.
8. See Senate, *Debates*, February 4, 1997, p. 1460.
9. *The King v. Irwin* [1926] Ex. C.R. 127.
10. *Re Agricultural Products Marketing Act* [1978] 2 S.C.R. 721.
11. *R. v. Mercure* [1988] 1S.C.R. 265.
12. *Re Manitoba Language Rights* [1985] S.C.R. 1291

13. *Reference re Canada Assistance Plan* [1991] 2 S/C/R/ 525.
14. House of Commons, *Debates*, November 3, 1970, p. 836-7.
15. House of Commons, *Debates*, December 7, 1970, p. 1790.
16. See the Notes following Standing Orders 76(5) and 76.1 (5) and *Erskine May, Parliamentary Practice*, 21st ed., C.J. Boulton ed. (1989) p. 722.
17. House of Commons, *Debates*, April 23, 1975 pp. 5115-7.
18. Fraser, et al., *Beauchesne's Parliamentary Rules and Forms*, 6th ed. (1989) p. 183.
19. *Ibid.*, p. 185 and Senate, *Debates*, February 4, 1997, p. 1460.
20. See House of Commons, *Debates*, April 26, 1990, p. 10723; however, see contra House of Commons, *Debates*, March 26, 1985, p. 3353.
21. *Erskine May*, 21st ed. P. 713.
22. See House of Commons, *Debates*, January 16, 1912 p. 1281.
23. See House of Commons, *Debates*, November 9, 1978, p. 975-7 and Senate, *Debates*, October 23, 1991, p. 289.
24. *Lush v. Coles* [1967] 2 All ER 585 p. 588.
25. *Bourinot* p. 503.
26. These examples are based on *Erskine May*, 21st ed. Pp. 713-718 and *Beauchesne's* 6th ed., pp. 184-186, *Selected Decisions of Speaker Lucien Lamoureux* (House of Commons, Canada, Ottawa: 1985) and *Selected Decisions of Speaker James Jerome* (House of Commons, Canada, Ottawa: 1983). They are also drawn from a collection of Speaker's Rulings compiled by the Table Research Branch of the House of Commons and by the Legislation Section of Justice.
27. House of Commons, *Debates*, April 23, 1990 p. 10541.
28. Parliamentary Counsel Memoranda, February 26, 1964 and March 3, 1964 and House of Commons, *Journals*, September 27, 1971 pp. 828-29, May 16, 1972 p. 301, May 17, 1972 pp. 306-7, December 15, 1975 pp. 935 and 936 and June 23, 1977 pp. 1213-4 and Senate *Journals*, June 13, 1989 p. 156, October 23, 1991 pp. 286-289 and February 13, 1992 pp. 538-31.
29. House of Commons, *Debates*, November 28, 1966 pp. 10469-71 and 10498-99 and House of Commons, *Journals*, November 30, 1966 pp. 1080-81, October 10, 1966 pp. 118-9 and December 17, 1970 pp. 217-8.
30. House of Commons, *Journals*, June 27, 1972 p. 434.
31. House of Commons, *Journals*, February 5, 1973 pp. 92-94.
32. House of Commons, *Debates*, November 12, 1969 p. 728.
33. House of Commons, *Debates*, October 14, 1986 p. 311 and March 31, 1987 p. 4745.
34. House of Commons, *Debates*, April 20, 1971 pp. 5096-7.
35. House of Commons, *Debates*, July 11, 1988 p. 17367 and March 28, 1969 p. 7265.
36. House of Commons, *Debates*, December 10, 1963 p. 5665.
37. House of Commons, *Journals*, November 9, 1978 pp. 130-1 and February 20, 1979 pp. 393-5 and Senate *Journals*, June 6, 1978 p. 464.
38. Senate, *Journals*, February 27, 1991 pp. 2262-4.
39. *Erskine May* pp. 714-5.
40. House of Commons, *Journals*, June 17, 1969 pp. 1172-73, January 29, 1970 pp. 357-8 and February 6, 1973 pp. 97-8.
41. House of Commons, *Journals*, June 11, 1970 pp. 994-5.
42. House of Commons, *Debates*, January 16, 1912 pp. 1282.
43. *Erskine May* p. 716.
44. Senate, *Debates*, February 4, 1997 p. 1460.
45. *Erskine May* p. 717.
46. Senate, *Debates*, February 4, 1997 p. 1460.
47. *Erskine May* p. 717.
48. House of Commons, *Debates*, June 11, 1973 p. 4626.