

To sum it up in two words, Mr. Speaker, the standing order is clear:

Forty-eight hours' notice shall be given of a motion for leave to present a... resolution.

Otherwise, the unanimous consent of the house is necessary.

All that has been opposed to this is a citation from a very old book, May's. Who will prevail? It is up to you to decide, Mr. Speaker. The standing orders, or an author from the last century?

[English]

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, I have read enough regarding this situation to know that there is at least some grayness in this area. Therefore I do not intend to come down in any hard and fast position in what I have to say. However, I do feel that a few comments should be made before Your Honour makes your ruling as to whether or not the ruling of the chairman of the committee of ways and means should be sustained. May I say also, in order to have it as part of the record, that so far as our party is concerned we indicated our willingness to give consent for this matter to be proceeded with tonight. Our only concern therefore is whether or not the ruling we are discussing does violence to the rules of the house.

When I said that I recognize there is a gray area, I had in mind the fact that what is before us is a situation in a committee of the house, which happens to be known as the committee of ways and means. We have a general rule which says that the rules of the house apply in the committees of the house. Here I am admitting that there is some argument on the other side. We know that in standing committees that meet elsewhere we do not require 48 hours notice for motions. In other words this 48 hour rule is not always practised in committees.

But surely there is a difference, at least in spirit, between standing committees that meet elsewhere and have lots of time to deal with matters, and committees of the whole that meet right here in this same chamber and are made up of the same personnel as the house itself. Surely, Mr. Speaker, if one looks at the spirit of standing order 41 it is very clear that no resolution can be proceeded with unless there has been 48 hours notice. There is no problem about six o'clock Wednesday being sufficient for 48 hours notice up to Friday morning. There is a citation that takes care of that. This same citation which takes care of

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that, which is on page 159 of Beauchesne's fourth edition, reads in part:

The publication of a proposed motion, once in the *Votes and Proceedings* and the next day on the order paper, is sufficient to cover two days notice under standing order 41.

In the present instance, Mr. Speaker, there is a difference from what normally happens, where notice is given one day when something appears in *Votes and Proceedings*, and on the order paper the next day. As I say, we have some grayness in this area because this is committee of ways and means. Surely, however, if the requirement for two full days notice were to apply anywhere it ought to apply to the imposition of a tax.

In other circumstances, we have to wait two days before we proceed with something, no matter how inconsequential. If we can proceed with the imposition of a tax without that two days notice, it does seem a bit strange. I believe, Mr. Speaker, one of the reasons this issue arises now, whereas it does not normally arise is that in normal circumstances the committee of ways and means deals with taxing resolutions that have been public knowledge for six days. Usually when a minister of finance introduces a budget, he makes a budget speech. At the end of that budget speech he tables his resolutions. There then follows a six day debate with Mr. Speaker in the chair, and at the end of that six day period we go into committee of ways and means. At that point we deal with the resolutions immediately because we have had them for six days, and we never stop to inquire whether or not the necessary notice has been achieved. I noticed that the chairman of the committee made a point of the fact that the resolution is listed, not on *Votes and Proceedings*, not in the notice paper, but as an appendix to the notice paper. I think this is an interesting splitting of hairs. Surely the spirit of standing order 41 is that we should have two full days notice.

Now, Mr. Speaker, precisely because I have admitted that there is some doubt on the point, precisely because of the citation that has been read from May, precisely because it is difficult for Mr. Speaker in the chair to over-rule Mr. Deputy Speaker's ruling as chairman of committee of the whole, I realize the way Your Honour may be thinking about this matter. However, I do not believe a ruling against the hon. member for Lapointe (Mr. Grégoire) should be made without at least some strong concern being expressed