

Over recent months, possibly over years, the Table is aware, I have looked into this question, trying to find what rule has been interpreted to allow the Chair to act not according to procedure, strictly, but to take a decision which—and when I inquired this is what I was told—is what is called creative decisions or creative interpretations. When you ask the question what is meant by creative interpretation, the answer is that it is always based on precedent. Precedents themselves are based on interpretations made by the Chair and I accept that. But I ask the Chair under what interpretation, under what rule of law or what rule of this House are we to operate if the Chair has that kind of power to disregard the will of the House when it wants, but still has before it a question which, in my view, by constitutional obligation it must dispose of.

I will not prolong this submission because I think Members in the House will understand that I have been hurt over the years by many things which all of us have accepted, but did not understand so much what they meant or on what they were based. I think it is wrong for a parliamentarian to accept something just because it is based, as we are told, on a precedent going back four or five years.

I think this whole question has to be resolved sometime by you, Mr. Speaker, because you are the Chairman of this group not the judge. You are not to make decisions based on judgment calls. You are supposed to make decisions based on interpretations of our rules. I see nowhere in our rules the authority, either in the new provisional rules or in Beauchesne, that would satisfy me in allowing the Chair, as was done last night, to ignore the Whips when they walked into the Chamber, or for the Speaker to adjourn the House because the Chair said that the motion had lapsed. The motion had not lapsed as far as I was concerned. It was before the House. The motion was put and was accepted as being in order. I would ask you, Sir, to look into this whole question and return to enlighten me—

[Translation]

—and clarify the issue so that I have a better idea of what is being done and why.

● (1120)

[English]

Mr. Scott Fennell (Ontario): Mr. Speaker, I wish to support 100 per cent the statements made by the Opposition Whip.

We were at the door prior to six o'clock. I believe we were at the Table in advance of six o'clock, because we moved directly from the door to the Table. Prior to that time, I had a conversation with the Deputy Speaker. I was advised that if we were there before six o'clock, he would accept it for the vote. Mr. Speaker, I feel very strongly that a wrong has been done. Our Members were here and prepared to vote, and they were not allowed to vote in this case.

I would suggest that you read more of Citation 217, because it refers to Standing Order 9(2). It may be out of date now because of the new Standing Orders, but I would like you to

refer to that, because in the past the only time that this would take effect is under Standing Order 9(2), which is the lunch hour.

I feel that my Members were wronged. We were all here and ready to assemble. We have had times, and I apologize to you, Sir, when many of our Members have not properly been in their place at the right moment. I will personally deal with that with my party. I think I can speak on behalf of the Opposition Whip, who will deal with his own Members and get them in their place promptly when we come into the House.

In view of the circumstances I feel you should look at this and review it very carefully. I take votes as high priority items and of great importance to my colleagues. I would greatly appreciate your giving proper thought in review of the situation, and come up with a ruling.

[Translation]

Mr. Speaker: I heard the Hon. Member for Ottawa—Vanier (Mr. Gauthier), and I want to thank him for his comments. I would like to defer my decision until I have had a chance to examine the matter.

[English]

I thank the Hon. Member for Ontario (Mr. Fennell) for his intervention. I will report back to the House as soon as possible.

CONSIDERATION OF DECEMBER 3 AS AN ALLOTTED DAY

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I rise on a different point of order. I wish to seek your view on the fact that when the Government House Leader rose to introduce closure on Bill C-22 he also indicated that yesterday was an allotted day for the Opposition on the business of supply. He indicated that that day would be considered to have been a day when that business was in fact conducted. Such was not the case.

You will recall, Mr. Speaker, that as a result of a very important point of privilege debate went on for some time with interventions from all sides of the House. As a matter of fact, the opposition Parties tried to move to Government Orders of the Day to deal with the matter at hand. They were denied that right. As a result, at six o'clock, having never reached Orders of the Day, the House was adjourned. I would submit that the opposition day that was planned for yesterday ought to take place between now and the Christmas recess during the regular proceedings.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I would like to draw to your attention the fact that the allotted day was announced by the Deputy Prime Minister (Mr. Mazankowski) in the House on Tuesday. The NDP Party put down a votable motion for debate. The reason that the House did not get to that votable motion was because of dilatory motions used by the NDP Party to eliminate the Government's right to conduct Routine Proceedings, which is a part of our