

four hours' written notice shall be given of an opposition motion on an allotted day or of a notice to oppose any item in the estimates, provided that for the supply period ending not later than June 30, forty-eight hours' written notice shall be given of a notice to oppose any item in the estimates;

(b) if an opposition motion pursuant to section (14) of this Standing Order is to be proposed on a Friday, forty-eight hours' written notice shall be given that the recorded division on the motion, if demanded, is not to be deferred;

I understand that that is the situation. The government says that the 48-hour period does not start to run somehow until it designates Friday. Based on Your Honour's ruling of December 7, that is not a reasonable interpretation of this Standing Order. It is completely twisting the words of the Standing Order.

The purpose of the Standing Order was to ensure that the government had 48 hours' notice that there was going to be a vote on a Friday, and I submit that the government got that notice in accordance with our practice. Having got the notice, now it is trying to squirm out of it by saying that its members are not around on Friday. They are off doing other duties. They are leaving early for the weekend. It is in a difficult situation and is trying to get out of it by a strained interpretation of these Standing Orders, which is at variance with Your Honour's ruling on December 7, at variance with the rules themselves, and at variance with the practice of the House established since these rules came into effect I believe in 1968.

Mr. Speaker: Of course I will hear the hon. member for Thunder Bay—Atikokan, but I want to indicate to hon. members that I understand the situation. Very shortly, I am going to reserve and consider the matter. I will report back to the House as quickly as possible, which means almost immediately, but I will hear the hon. member for Thunder Bay—Atikokan.

• (1210)

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, I will be very brief. There are two points I wish to add.

It dawned on me while listening to the arguments of my colleague in the Liberal Party that if the New Democratic Party were forced to wait until the government gave formal notice of tomorrow being an opposition day, we would clearly not have the opportunity to give 48 hours' notice of the fact it would be votable.

Point of Order

Therefore we would lost our right to have a votable motion.

My second point is that according to the reform of this House it is up to the government to decide if the vote is a matter of confidence. Having looked at the wording of the motion, which in no way condemns the government of the day but seeks to move forward, they could choose either to vote for it or to say that if it passes it is not a matter of confidence. That is clearly within their purview. I would ask that Your Honour take that into consideration in your deliberations, and all members of the House look forward to hearing your response.

Mr. Hawkes: Mr. Speaker, nothing in my arguments—and I am sorry if they were misconstrued—would relate to the opposition losing its power to designate a day as votable. That is clearly in there and if the designation today is for tomorrow the motion can indeed be votable.

The question at issue is the degree of notice required for members as to when the vote will occur. If you put in another motion later today and you want it votable, clearly the Standing Orders would say that vote occurs on Monday because of the normal relationship of Friday.

I am suggesting that the reason for the rule that 48 hours' notice of when that vote is to occur must be given is so that all members can at least have that much time to rearrange their plans. In this specific case, the government did not have that required 48 hours' notice. I suggest that this is a general case you may wish to reserve judgment on for somewhat longer. We have both an immediate problem and a long-range problem. There must be two elements on notice: that a Friday will be a supply day and that has to be there 48 hours in advance, and that a vote will take place and that has to be there 48 hours in advance. When both elements are present, then you will actually have a confidence vote on the Friday. When one of those elements is missing, I suggest in the general case that the vote is automatically deferred. That was the intent of the McGrath commission and the response of this House to that was the certitude about when votes would take place, when indeed they were supply day type votes. That is the reason for the special rule.

Mr. Speaker: I thank hon. members for the manner in which this debate was conducted.