

Point of Order

are. As reported at page 6583 of *Hansard*, Your Honour stated:

The first question asked by the parliamentary secretary was whether it was necessary for the government to designate a supply day before the opposition can give notice of a motion they want debated.

Exactly on point. In fact, I thought I heard the chief Whip on the government side raising this point.

You went on, sir:

The parliamentary secretary maintained that it was a necessary precondition. The hon. member for Kingston and the Islands suggested that in this specific case it was not necessary and that, in any case, it had been done in anticipation of Friday being a votable supply day.

What could be more on point. Your Honour further stated:

According to our rules and practice, the purpose of notice is to give warning to the House of an item of business that might be raised for debate. The notice does not necessarily mean that the item will actually be debated or that it will be debated any time soon.

The Order Paper contains numerous items for which notice has been given but which have not yet been debated. The parliamentary secretary suggested that proceedings on supply days are different.

While I agree that certain aspects of supply have a character distinct from other proceedings, it seems to me that unless the rules on supply are explicit, the usual practices should be followed. This is the case with notice.

Your Honour further stated, and these words are most instructive:

It is competent for any opposition member to file a motion that might be debated on a supply day. Normally what happens is that members file supply day motions at the latest possible moment after a day has been designated by the government, but this does not preclude the right to give notice of the supply motion well in advance of a supply day. Indeed this has happened.

Your Honour cited a precedent in 1982 where a notice similar to this sat on the Order Paper for six weeks, through three other supply days, before it was finally called on a special date, on the last day of the period in March. If Your Honour will look at the date in 1982, I am sure the parliamentary secretary will be able to get the government House leader to recall that perhaps it was one of their motions that sat on the Order Paper all this time. To hear the government Whip arguing now that somehow this motion is defective because it was given in advance is not accurate.

I suggest that the rest of Your Honour's ruling on December 7 was the epitome of light and reason. It applies to the situation with which we are faced now. I know the parliamentary secretary was here and he heard the ruling. It was an excellent ruling and I commend it to him for his earnest study before he tries another one of these stunts.

The other question is the 48 hours' notice rule. If I heard the Whip correctly, and I must say his arguments here were not precise, the suggestion seems to be that because he was not told before three o'clock yesterday afternoon he did not get 48 hours' notice. He has been around Parliament long enough to know—

Mr. Hawkes: They would not tell me at 6.20 p.m.

Mr. Milliken: They would not tell him until a quarter to seven. Whether it happened at five o'clock or whether it happened at a quarter to seven or whether it happened at three o'clock in my submission is irrelevant. The standard practice in this place is that 48 hours in the rules has been construed to mean the notice must be handed in at the Table before five o'clock, two days before the day it is to come up. If Friday is to be the day, it must be handed in on Wednesday by five o'clock. If it is received at the Table by that time, as I understand it, that constitutes 48 hours' notice in this place.

Government bills are frequently handed in at the Table. We do not see them and we do not know anything about the notice concerning those bills or government motions until they are printed in the *Projected Order of Business* the next day and on the Notice Paper, and then they are debated the following day. That is our notice. In some ways it constitutes about 24 hours' notice, but that is the way the rules have been construed for years and years.

The government Whip is trying to suggest that if one of the parties on this side gives a notice, until the government gives its notice of designation that somehow the notice period does not start to run. I say that is just nonsense. It is nonsense because in looking at the Standing Order itself it clearly contemplates the possibility of 48 hours' notice being given, particularly for a Friday vote. I refer Your Honour to Standing Order 81(12) which states:

(12)(a) Forty-eight hours' written notice shall be given of motions to concur in interim supply, main estimates, supplementary or final estimates, to restore or reinstate any item of the estimates. Twenty—