

Point of Order

Mr. Hawkes: Mr. Speaker, one party in the chamber put forward a motion. The situation we were in yesterday was that one of the parties in the chamber put forward a motion, the essence of which was to say to the House that if there were to be an opposition day on Friday, they would like that motion to be votable, thus, in theory, constituting 48 hours' notice.

If the decision to hold a vote of confidence on a Friday, which is a very serious undertaking by this Chamber, can be determined in that kind of unilateral fashion we face the following situation: a party, or more than one party, could place on the Order Paper notice of a motion and the intention to hold a vote on a Friday and leave it there permanently, thus constituting 48 hours' or more notice for a month ahead of time, two months ahead of time or six months ahead of time.

I suggest to you, Mr. Speaker, that it takes a second element, which would be 48 hours' notice of the government's intention to call that day. When the two things come together—48 hours' notice by the government, 48 hours' notice by the opposition—you can indeed face the situation of five members rising in their place and causing the Friday confidence vote to occur.

If it is a one-sided designation, entirely in the hands of the opposition, then every single Friday from now to eternity could potentially culminate in a vote of confidence at the end of the day, if we were to designate it as a supply day. It would perhaps take the choice of a Friday from the government's arsenal and its responsibility for ordering the business of the House.

It also leaves members under a different kind of threat. Members right now are having to decide whether to keep their commitments to very important public events that may take place later this day or tomorrow morning, from Vancouver Island to the Yukon to Newfoundland.

• (1120)

Resting in the hands of the opposition at this moment is the opportunity to come forward with a different motion. It has that opportunity right up until six o'clock today. No opposition day has yet been designated, but if we were to stand in the Chamber at this moment and designate tomorrow to be a supply day, the Official Opposition and the third party of the House have until six o'clock tonight to put forward a motion for debate

tomorrow. There is one on the Order Paper that deals with the issue of a vote, but others that came forward today might not.

The wording of the current motion could be changed in some fashion and the intention to have a vote could be put forward, but if that comes forward between now and six o'clock tonight, that vote will occur on Monday. So throughout this day members are under the threat that the circumstances they are preparing for can change.

This particular change came out of the McGrath report and it was consistent with other changes. At least some of those changes were dedicated to the notion that to serve the people of the nation well, to operate in a democratic fashion in the best interests of our constituents, members needed a better sense of planning. That is why we came to a parliamentary calendar and a to variety of different rules.

We recognized, in the creation of the Standing Orders, the importance of confidence votes and the need for notice in relation to that so members could be present. But we came to a special set of rules regarding confidence votes on Fridays. We said that there should be 48 hours' or, in parliamentary terms, two days' notice because Friday is a day when members frequently have other obligations away from Ottawa. They would require two days' notice of two elements: that the confidence vote would be occurring on the Friday and that the government was designating it as a supply day.

Because of the confusion currently in members' minds, Mr. Speaker, I think we need you and your people to review the Standing Orders to take into account this argument and some arguments that others in the House may want to present, but to get back to the House as quickly as possible. The government very likely might designate tomorrow as a supply day—

Mr. Milliken: It has to. It has no choice.

Mr. Hawkes: —but the government and members need to know whether my interpretation of the Standing Order is correct, that there are two elements required to be met before a confidence vote can be forced to occur on a Friday. They are the designation 48 hours in advance that it will indeed be a supply day and the notice of the motion from the opposition also occurring with 48 hours' notice.