

Explosives Act

just wonder if it was worth the effort. There is no evidence that these restrictions have done any good in other countries where they have been in effect for many years. It is probably some bureaucratic zealot with a hang-up about firearms and explosives who created this monstrosity which confronts us today.

In commenting on this bill the *Ottawa Citizen* of March 2, stated:

The minister said that the new law will place a heavy obligation on all lawful users of explosives—

The article went on to comment on the terrorist tactics at which this bill is aimed. I think the introduction to this bill suggests that we trust the government and have faith in them to provide suitable regulations which will look after all these law-abiding people who may be potential users of explosives. I would like to bring forward another matter in regard to trusting the principles and motives of the government.

In the last year we have all been involved in a great debate on marketing boards. I am referring to Bill C-176. Some provincial marketing board groups appeared before the committee to say that this was a good thing and that we must have faith that it would be administered properly. I can remember particularly that it was emphasized time and time again that the provinces would have full control over these boards, that there would be no difference, that the federal authority would be the coordinating authority and all that. I was surprised last week to see an article in the *Farm and Country* magazine of March 14, which stated, under the heading "Will C-176 Strip Broiler Board of Its Powers:

The government wants more. "I cannot contemplate the federal government agreeing to an agency only powered to co-ordinate interprovincial movement," said Charles Phillips, Canada Department of Agriculture marketing director-general.

Phillips told the recent Toronto meeting of the Ontario Commodity Council that provincial marketing boards must relinquish enough power to let the federal agency fully administer the national plan. He noted there may be some need to federally regulate intra-provincial movement.

In other words, now that the bill has been passed, the attitude is different. The government is now saying that they must have the power to override the provincial authorities. This is the same government we are dealing with in regard to the explosives bill. When we see what has happened to the marketing board legislation, how can we close our eyes and let this bill go through when the provisions creating offences are in such absolute terms? **Any remission of the offence has to be through regulations. How can we go along with that type of thinking in light of our past experience with a government which has broken faith? That is what concerns me today. Before this bill passes, we need to have suitable measures built into it to take care of those individuals; we need to have a look at the regulations and see where the man in the street stands.**

Mr. Speaker, I should like to move an amendment at this time, seconded by the hon. member for Crowfoot (Mr. Horner):

That all the words after "That" be left out and the following substituted therefor:

"this House, affirming the principle that the criminal law of Canada extends only to anti-social acts and repudiating the princi-

[Mr. Downey.]

ple of Bill C-7 that crimes include innocent acts as well as anti-social acts save only those acts exempted by regulation in the government's discretion, refers the subject matter of Bill C-7 to the Standing Committee on Justice and Legal Affairs."

The Acting Speaker (Mr. Laniel): Order, please. Looking at the amendment moved by the hon. member for Battle River (Mr. Downey) the Chair has some hesitation about the form of it. The amendment seems to do two things: it is a reasoned amendment partly opposing the bill and at the same time referring the subject matter of the bill to the Standing Committee on Justice and Legal Affairs. To my mind, the amendment would have to be one or the other. By his amendment the hon. member could oppose the bill or any part of the bill and leave it at that or choose to refuse the second reading of the bill and at the same time refer the subject matter of the bill to a standing committee. Before making a definite decision, I would be ready to hear comments from hon. members interested in the procedural acceptability of the amendment. I shall then make a decision.

Mr. Macdonald (Rosedale): Mr. Speaker, the principles involved in amendments on second reading I think are well known. I would refer the Chair to the Fourth Edition of Beauchesne, section 386(3) which reads:

The House cannot, under the guise of referring the subject matter to a committee, refer also certain provisions of the bill itself.

It seems to me that since the amendment put forward by the hon. member refers to both the terms of the bill and the regulations, it offends that aspect of the commonly accepted procedures of the House. I suggest that the amendment as put by the hon. member is not a reasoned amendment, as that term has been understood and accepted within the provisions of the customs and procedures of the House over the years. Therefore, I would seek to reinforce the hesitation which Your Honour expressed and say that in its present form the amendment is not acceptable.

• (1550)

The Acting Speaker (Mr. Laniel): The argument just made by the minister confirms the hesitation of the Chair. May I read part of the citation to which the minister referred. The last part of citation 386(3) on page 278 of Beauchesne's reads:

The House cannot both refuse to give the second reading and refer some provisions of the Bill to a committee. It shall have to make its choice.

The amendment referred to was ruled out of order. Therefore, for the reasons expressed, I cannot accept the amendment in its present form.

Mr. Arnold Peters (Timiskaming): Mr. Speaker, I am particularly interested in this bill, both for what it says and for what it does not say. With some clauses I agree entirely. I agree that some clauses dealing with explosives are good. Other clauses are not so good, for the government has tried to do by the back door what it cannot do by the front door. That is normal practice for this government. If the government really intends to go after people like the members of the FLQ, it should say so, and go after them under the Criminal Code, perhaps, instead of