

know where we are going and where, in particular, the Minister of Public Works wants to lead us.

[English]

**BROADCASTING, FILMS AND ASSISTANCE TO THE ARTS**

CONCURRENCE IN SECOND REPORT OF  
STANDING COMMITTEE

**Mr. Gérard Pelletier (Hochelaga)** moved that the second report of the standing committee on broadcasting, films and assistance to the arts, presented to the house on the 22nd instant, be now concurred in.

He said:

[Translation]

Mr. Speaker, notice of this motion was given Friday.

[English]

**Mr. Arnold Peters (Timiskaming):** Mr. Speaker, I oppose this motion, as I think many members of the house do, in view of the manner in which it is presented. I believe the house has made some decisions regarding the effective operation of committees. It seems to me that if two or three committees ask permission to sit indefinitely while the house is sitting, then a large number of members are precluded from attending this house, and this is not advantageous.

I would have no objection—I think many hon. members of the house feel this way—if on occasion, when witnesses are being heard by a committee, the house were asked to give the committee permission to sit while the house is sitting, for that specific purpose. I would not oppose the motion if the wording were to indicate a limit on the length of time for which the request is made. I presume that if the mover and seconder limited their request to the rest of this week this would probably suffice, and would eliminate the need for a further outline of why opposition is taken to the motion.

**Mr. Ron Basford (Vancouver-Burrard):** Mr. Speaker, it was my intention to move an amendment to the report, having had informal consultations, to the effect that the committee have leave to sit only during this week, but I am informed that such an amendment would be out of order. I would hope that the house would pass this motion today if it were to give unanimous consent that the motion be amended to this effect. It would be improper for me to make such an amendment, but I would ask the house to

*Criminal Code*

concur in the chairman's report, subject to the committee being authorized to meet while the house is sitting from Monday, April 25 to Thursday, April 28 inclusive.

**Mr. Speaker:** Is there unanimous consent to the proposition advanced by the hon. member for Vancouver-Burrard (Mr. Basford)?

**Some hon. Members:** Agreed.

**Mr. Speaker:** Is it the pleasure of the house to adopt the said motion, following amendment of the report?

**Some hon. Members:** Agreed.

Motion agreed to.

**CRIMINAL CODE**

AMENDMENTS RESPECTING COMMUTATION  
OF DEATH SENTENCES

On the order:

Introduction of bills. Mr. Choquette—Bill intituled an act to amend the Criminal Code (repeal of power to commute a sentence of death).

**Mr. Speaker:** On Thursday, April 21 last the right hon. Leader of the Opposition (Mr. Diefenbaker) rose on a point of order in respect of a bill appearing on the order paper in the name of the hon. member for Lotbinière (Mr. Choquette) intituled "an act to amend the Criminal Code (repeal of power to commute a sentence of death)". The Leader of the Opposition then stated that there can be no interference with the Queen's right to grant mercy and that such bill ought not to be on the order paper, as being unconstitutional and improper.

As hon. members know, the Speaker does not give a decision upon a constitutional question nor decide a question of law. However, it is his duty to ascertain that there is no departure from our standing orders or the ordinary conduct of our proceedings or legislative business.

In the same manner as, for instance, it is the duty of the Speaker to determine whether a bill involves an expenditure of money and, if it does, to see that the expenditure be first considered as a resolution in committee of the whole and that such resolution be accompanied by the recommendation of the Governor General, it is in the present case the duty of the Speaker to determine whether this bill interferes with the Queen's prerogatives and to see that the proper procedure be followed.