

Capital Punishment

(a) in respect of a person who has been convicted of high treason or first degree murder, that he be sentenced to imprisonment for his natural life without eligibility for parole,

(a)(1) in respect of a person who has been convicted of second degree murder and who has been previously convicted of either first degree murder or second degree murder, that he be sentenced to imprisonment for his natural life without eligibility for parole,"

This subamendment is not unlike my amendment which was defeated in the House last night. However, it will be obvious to Your Honour and to hon. members that I have removed the offensive part which gives the prisoner the option of choosing life imprisonment for this natural life or death. I appreciate that many members find that offensive and I am quite prepared to accept that. By the same token, I believe there is no question in the minds of most people that we must protect Canadians against those who would commit murder on more than two occasions. That is the intent of the subamendment. I commend it to Your Honour and to all members of the House.

Mr. Blais: Mr. Speaker, I rise on a point of order. As I understand it, the hon. member cannot introduce his amendment at this time without the unanimous consent of all members in the House. Standing Order 75 refers to an amendment to any clause of a bill. I suggest that an amendment to an amendment to a clause of a bill is included in that Standing Order and cannot be introduced without 24 hours' notice.

● (1250)

The Acting Speaker (Mr. Turner): I would suggest to the hon. member for Oxford (Mr. Halliday) that he put his amendment in writing. I understand it is in order to move amendments to motions, so I would request the amendment in writing.

Mr. Guay (St. Boniface): Does he not need unanimous consent?

The Acting Speaker (Mr. Turner): It is my understanding that unanimous consent is not needed because in the past amendments to motions have been allowed.

Mr. Blais: I rise on a point of order. We are dealing with clause 36, and I understand that the proposed amendment relates to clause 37. I have no objection if there is consent on the other side to debate all the remaining motions in one group in order to hasten our proceedings—

The Acting Speaker (Mr. Turner): It is my understanding that motions 36 and 37 were to be grouped together for purposes of debate, but voted on separately.

Mr. Knowles (Winnipeg North Centre): May I say a word on the point of order, Mr. Speaker? I am satisfied that you ruled correctly on the point raised in the first instance by the hon. member for Nipissing (Mr. Blais). It is clear, under Standing Order 75(8), that a report stage motion can be amended. However, there are other rules relating to amendments, and it would seem to me that at this hour of the day, five minutes to one, that aspect might be looked at more closely. It appears to me that the amendment proposed introduces substance which is new to what is already there, and on that score there might be some question about it. Has the hon. member not gone a bit far

[Mr. Halliday.]

afraid from what was contained in the motion on the order paper?

The Acting Speaker (Mr. Turner): Shall we call it one o'clock by unanimous consent, and take this matter under advisement?

Some hon. Members: Agreed.

At 12.55 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

Mr. Speaker: Order, please. At one o'clock the House had under consideration motions Nos. 36 and 37. Moved by the hon. member for Oxford (Mr. Halliday) was an amendment which in effect would redefine imprisonment for life in order to introduce the concept of imprisonment for natural life, without eligibility for parole, in respect of a person convicted of treason or first-degree murder and in respect to a person convicted of second-degree murder who had previously been convicted of either first or second-degree murder. The Chair at that time reserved its decision on whether such a motion is procedurally acceptable.

The ground of concern regarding the acceptability of this motion procedurally, of course, is that the introduction of a new concept of this sort should be made upon proper notice, under the provisions of Standing Order 75. If there are any further arguments on the procedural acceptability of the motion—and I must say I have serious misgivings about it—I would be pleased to hear them now.

Mr. Halliday: I appreciate the fact, Mr. Speaker, that you feel there may be a problem with this new concept that I have added, namely, "for his natural life". If that is the case, I would be pleased to ask the House whether Your Honour would consider removing those three words, "his natural life", and replacing them with "fifty years".

Mr. Speaker: Order. I appreciate the offer of the hon. member for Oxford (Mr. Halliday), but it is not for the Chair to propose alterations at this stage. I have seen that attempted in the past and it always seemed to lead to problems. It is really better for the Chair to stick to making decisions as to the procedural acceptability of motions. If any changes or alterations are to be made, that privilege could rest with the hon. member who already has an amendment on the floor, and he may have the opportunity to get consent to move a different amendment. Alternatively, he might be able to persuade a colleague to move the amendment for him.

In any event, I should stress that the reason for my misgiving is that the provisions of Standing Order 75 require, for the introduction of report stage motions, first of all a 48-hour period between reception of the report by the House and the taking into consideration by the House of the report stage of a bill. The purpose of this is to enable all hon. members who seek to make substantial amendments to the bill to do so upon 24-hour notice, as required by the rule.