

Smith (Northumberland- Miramichi)	Thomas (Maisonneuve)
Smith (Saint-Jean)	Tolmie
Southam	Trudeau
Stafford	Turner (Ottawa- Carleton)
Stanbury	Walker
Stanfield	Watson
Stewart (Marquette)	Whicher
Stewart (Okanagan- Kootenay)	Whiting
Sullivan	Woolliams
	Yanakis—154.

● (5:20 p.m.)

During the taking of the vote:

Mr. Woolliams: I rise on a question of privilege, Mr. Speaker. I was in attendance at the meeting of the Standing Committee on Justice and Legal Affairs. As I understand it, we are voting on a bill to abolish the Senate. Surely the Chair must consider whether such a vote can be put to this assembly. The bill is an amendment to the British North America Act, which sets up the terms and conditions of the Senate. That affects all hon. members.

Mr. Speaker: Order, please. I suggest to the hon. member that according to the rules the matter cannot be discussed at this time. The question has to be put to the House. We are in the process of having the matter decided by the House, after which the hon. member can, if he so wishes, raise the matter for further consideration.

● (5:30 p.m.)

After the taking of the vote:

Mr. Speaker: I declare the motion lost.

Mr. Lambert (Edmonton West): Mr. Speaker, I voted against the bill, notwithstanding my feeling that the bill should never have been accepted in the House since it purports to amend a statute which it is not within our competence to amend.

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, I rise on a point of order. It seems to me it is against the rules of the House to debate a matter that has been decided, and when it is not possible for others to reply. I submit that this bill constitutes an amendment to the British North America Act, that it was accepted by the Chair, and—

Mr. Speaker: Order. I accept the hon. member's point of view and suggest that we should not debate the matter at this point.

Mr. McCutcheon: Mr. Speaker, I did not vote because I was paired with the Hon. Paul Martin.

Some hon. Members: Oh, oh.

Criminal Code

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, I rise on a point of order to suggest that, instead of our going through the whole list of public bills and calling them out one by one, I would be prepared to proceed with Order No. 47.

Mr. Bell: Let us stick to the rules, Mr. Speaker.

CRIMINAL CODE

AMENDMENT TO MAKE POLLUTION OF INTERPROVINCIAL WATERS AND THE SEA A CRIMINAL OFFENCE

Mr. David Anderson (Esquimalt-Saanich) moved that Bill C-26, to amend the Criminal Code (pollution), be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

He said: Mr. Speaker, for a moment I intended to remain in my seat in the hope that this bill might receive the same generous treatment as the bill of the hon. member for Waterloo (Mr. Saltsman), but since I understand other hon. members wish to express views on my bill I think I had better rise to introduce it. The purpose of the bill is to amend the Criminal Code. It is most unfortunate that the Minister of Energy, Mines and Resources (Mr. Greene) has just left the House, because in recent speeches outside this place he has made it clear that he approves of the intent of this bill. For example he spoke in Toronto recently of pollution and of the possible need to make the pollution of our waters a criminal offence.

The purpose of the bill I am presenting to the House today is to do precisely that. If I may have the indulgence of hon. members for a moment or two, I should like to refer to the actual wording of the bill so hon. members can judge its importance for themselves. The bill seeks to amend the Criminal Code and to make owners, lessees or persons operating any industrial plant, oil refinery, chemical works, sawmill or other plant or works, or any other persons, who discharge or throw or allow to be discharged or thrown any noxious waste product, raw sewage, oil, sawdust, chemical or other matter or thing into a river, stream or other water any part of which is interprovincial, or which flows into any interprovincial waters, or into the sea which has the effect—and I stress these words—of endangering the lives, safety, health and comfort of the public, guilty of an offence.

The object of the bill is to make it perfectly clear to anyone who embarks upon a commercial or industrial undertaking that would