

Criminal Code

the motion now before the house arose from a motion which had been made previously for the second reading of Bill No. 7, to consolidate the Criminal Code.

In my rather lengthy remarks in the debate on second reading of the bill respecting the Criminal Code, I dealt at some length with this question of setting up a joint parliamentary committee, and explained the nature of the arrangement between the parties out of which it was proposed that that step should be taken. Then, in carrying out the undertaking which had been given in my remarks on second reading of Bill No. 7, I seized the first opportunity, with the unanimous consent of the house, to move the motion which now appears before hon. members.

After I had done so, no further explanation from myself being required, the hon. member for Grey North (Mr. Bennett) moved the adjournment of the debate. That is the position in which, I submit, the matter now stands. I would be glad to listen to the comments of hon. members concerning this motion and in closing the debate to try to meet the points they raise. But if I were to speak further at the present time I think I could do very little more than repeat what I said in the debate on the second reading of Bill No. 7.

Mr. Fulton: Probably the discussion at this stage on the point of order could be disposed of if we are to take it that the minister does not intend to make any further remarks. If that is his position, then we cannot force him to speak. But I do point out to him that, as reported at page 958 of *Hansard*, the hon. member for Winnipeg North Centre (Mr. Knowles) said, when it was indicated that the minister was going to place a motion before the house:

Perhaps the house would consent to the minister making his motion so we would have it before us. Then he might immediately move the adjournment of the debate.

To this the minister replied:

I shall be glad to do that. I move: . . .

And then the minister proceeded to read his motion, following which the discussion to which I have already referred took place. I think I can say, without imputing any improper motives to anyone, that the matter was left in a state of some confusion. The hon. member for Grey North will, of course, speak for himself, as to what was in his mind, but I do believe there was some confusion, and that it was as a result of that confusion that it was generally agreed the hon. member should adjourn the debate. Certainly however it was our understanding that the motion was being moved simply to get the motion for

committee on the record, so that hon. members could see it and that at a later date there would be a statement from the minister as to the government's position with respect to it.

However, if the minister says now that he has nothing further to say and that he does not intend to make any statement, that will dispose of it. I think it is quite clear however, under the rules of the house, that there is no reason why the minister should be precluded from speaking now. However, if he does not intend to, all right.

Mr. Garson: I apprehend two things in connection with this matter. I apprehend, first, that on the point of order I would be out of order if I proceeded to take part in the debate at the present time other than to close it. Perhaps I should ask Mr. Speaker to rule upon that point first.

However, I might say, secondly, that if I were to lay before the house my reasons in support of this motion for the setting up of a joint committee of the sort proposed, I could do little more than paraphrase what I said when I spoke at considerable length upon this very point when moving the second reading of Bill No. 7. I do not think any useful purpose would be served by such repetition. I believe the matter was clearly placed before the house at that time. If there are any members who think there are reasons why this motion should not pass, and who would wish to address the house in that regard, then in closing the debate I would be glad to reply to their arguments.

Mr. Speaker: Perhaps I might add a word on the point of order because, as I understand it, there is no doubt that if the minister were to speak now he would close the debate. The minister moved this motion, and then on motion of the hon. member for Grey North the debate was adjourned. If he spoke now he would be closing the debate, technically. As the minister explained a moment ago, when he moved the second reading of the bill to amend the Criminal Code, he explained this motion and the purpose of it. As he has just said, he has spoken upon it, and as soon as second reading was carried he tried to carry out the undertaking with regard to this second motion. Hon. members will see, if they turn to page 958 of *Hansard*, the minister said:

Mr. Speaker, during the course of my remarks on second reading of the bill I stated that the government—

And so on. There he referred to his intention to make this motion. It was apparently expected at that moment that the motion would carry immediately, because of the explanation the minister had made on second reading of an act to amend the Criminal Code. But some members took exception to its