

Criminal Code

few minutes' time. If the minister has arguments to convince me even further, then I will hear him.

Mr. Turner (Ottawa-Carleton): I was just wondering whether Your Honour had accepted the suggestion of the hon. member for Winnipeg North Centre (Mr. Knowles) that you hear argument on all clauses together, or whether we would proceed one by one.

Mr. Speaker: Order. I have accepted the suggestion of the hon. member for Winnipeg North Centre, (Mr. Knowles) but his suggestion was that we consider each one individually. This is what we are doing at the present time. I have heard argument on amendment No. 1, and I should like to make a ruling now. I am sure that this was the suggestion that was made both by the hon. member for Calgary North (Mr. Woolliams) and the hon. member for Winnipeg North Centre.

[*Translation*]

I therefore come to the conclusion that amendment No. 1 is a reasoned amendment, since it provides that the bill will not be read now.

According to our long standing practice, such an amendment can only be moved on second reading of a bill. The amendments which can be moved at the report stage of a bill are governed by the provisions of paragraph (5) of standing order 75 which reads as follows:

If, not later than twenty-four hours prior to the consideration of a report stage, written notice is given of any motion to amend, delete, insert or restore any clause in a bill, it shall be printed on a notice paper.

For those reasons, the Chair must regretfully refuse to put to the house the amendment proposed by the hon. member.

The comments which I have just made to the house, I quite humbly point out, also apply to amendment No. 2. However once again, I would be pleased to hear some arguments strictly relating to procedure on the acceptability of the amendment concerned.

• (3:40 p.m.)

Mr. Gérard Laprise (Abitibi): Mr. Speaker, with regard to amendment No. 2, I shall try to proceed as you have suggested.

I have proposed this amendment in order to get the expression "act of gross indecency", as found in section 149 of the Criminal Code, clarified as much as possible.

Mr. Speaker, an amendment to the Criminal Code is introduced regarding acts of gross indecency, but neither the old section of the Code nor the new legislation give a clear definition of "gross indecency".

I think this is a vast subject. It could mean acts committed by two persons of the same sex in the presence of others, or by persons of different sexes who would expose themselves in public, on the street or anywhere.

Many other things could be considered as acts of gross indecency, which can take place between husband and wife. Indeed, some acts, although legal, become acts of gross indecency when committed in public.

Through this amendment to clause 7 of Bill C-150, I wanted to get the meaning of the expression "gross indecency" clarified and that is why I ask: That clause 7 be not read until the words "act of gross indecency", as found in section 149 of the Criminal Code be defined by the committee.

Mr. René Matte (Champlain): Mr. Speaker, further to what has just been said by the hon. member for Abitibi (Mr. Laprise), I should like to point out that when we want to discuss most objectively and advisedly the clauses of a bill, it is extremely important to know the value and the meaning of the expressions or words used.

This is precisely the purpose of that second amendment moved by the hon. member for Abitibi.

When there are complications with regard to procedure, they are due most often to the fact that the principle of the bill is more or less meaningful. Many difficulties could be eliminated if it were decided to delay consideration of these clauses in order to better study the bill. I should like to point out that not only do we not want to postpone consideration of the bill but that on the contrary we intend to expedite it. If clauses 14, 15 and 18 were immediately eliminated, we would be ready to vote today on the motion for third reading of Bill C-150.

Mr. Speaker: Once more, I must tell the hon. member for Champlain and his colleagues who took part in the debate that I am quite sympathetic to the arguments they have submitted to the chair. Nonetheless, the hon. members will recognize that I must abide by the rules and cannot, through sympathy or understanding, condone any violation. As regards amendment No. 2, the proposal clearly appears to be out of order, as was the case with amendment No. 1.