

[Translation]

Mrs. Albanie Morin (Louis-Hébert): Mr. Speaker, I was wondering when reading Bill C-42, what could be its object. It is entitled: "An Act to restrain the use of tobacco."

I will not speak as an expert in the medical or advertising fields, but merely as an educator, because I have worked 15 years in that field and let us say as a mother.

"Why such an opinion?" will you ask. It is because I learned during the last 15 years I taught, that we never attain an objective when we forbid young people to do such and such a thing. I think that with young people, we absolutely have to use circuitous means to prompt them to do something. Thus, we can never tell them: "You cannot buy such or such brand of cigarettes, because it would be useless.

Allow me to give some examples. Till lately in Quebec, legislation prohibited the admittance of young people in a restaurant or a tavern where liquor was served. What happened? The young people, through devious means, have succeeded in obtaining some. And what is still more serious, they have been prompted to outwit the authorities, to resort to means which are not entirely honest to achieve their purpose.

[English]

With students it became a game of who could deceive the barkeeper or bartender that he or she was over 20 years of age. With the dressing habits of young people today, you can have someone aged 18 passing for 16, and someone aged 14 trying to pass for 20. How can you tell who is 14, who is 16 and who is 17?

This bill talks about not selling tobacco to a 16-year old. What criteria will you use to say that one student is 16 and another is 14? With them both wearing long hair and dressed in jeans it is practically impossible to tell the age of a particular student.

Another development with students occurred when they needed an identity card to buy a glass of beer or liquor and someone thought of the bright idea of selling identity cards. In the colleges and CEGEP we had a virtual flow of identity purporting to show that students aged 17 and 18 were 21. Bartenders didn't know what to do when faced with these identity cards. How will the hon. member solve this problem? The tobacco merchant would have difficulty in deciding who is 16 and who is 14.

I will now deal with the clauses of Bill C-42.

[Translation]

Clause 2 reads as follows, and I quote:

2. Every one is guilty of an offence and liable on summary conviction . . . who, directly or indirectly, sells or gives or furnishes to a person under the age of sixteen years any cigarettes or cigarette papers, whether for his own use . . .

I feel that this act would be almost impossible to enforce because young people can obtain cigarettes. They do not necessarily have to go to a tobacco store, they can get them in an airport terminal, from vending machines and even through someone else. An agent can buy lots of cigarettes and distribute them in school; this is almost impossible to control.

Restraint of Tobacco

Clause 3 reads in part as follows, and I quote:

. . . to seize any cigarettes or . . . tobacco . . . in the possession of any person . . . under the age of sixteen years . . .
It remains difficult to know who is 16, 17 or 18 years old. Nowadays, all young people wear "jeans" and look alike. How, under these circumstances, does one decide who is less than 16 years old?

Clause 4(1) refers to a reprimand in the case of a first offence, a penalty of one dollar in the case of a second offence, and a penalty of \$4 in the case of a third offence.

I understand that the penalties are quite small, but whom are we going to punish by doing so? To punish may be an excessive word, but who will pay the penalty? Either the father or the mother. Will this convince our youth to stop smoking? Quite the contrary.

Personally, when my mother forbade me to smoke, just to defy her, I smoked two cigarettes in a row, never to smoke again. Therefore, it is not because my mother told me never to smoke again that I have abstained.

Clause 4(2) refers to the contempt of court which a merchant would commit for refusing to give such information under oath to the satisfaction of the justice. "Contempt of court", the accusation is quite serious because it seems to me that there is quite a difference between an offence—if it can be called an offence—or let us say the act of the youth who buys tobacco, or that of whoever sells tobacco to an adolescent of less than 16 years of age, and the charge of "contempt of court"; really, that is carrying things a little too far.

● (1640)

In addition, clause 5 which deals with automatic machines, reads as follows:

. . . the justice may order the person on whose premises the machine is kept to take such precautions to prevent its being so used as are specified in the order, or, if necessary, to remove the machine within any specified time.

Has someone given any thought to it? I also think about public places such as restaurants or air terminals where there are automatic dispensers. How can the sale of cigarettes be controlled in those places? And, once again, since young people can ask other persons to buy cigarettes for them, that will not stop them from smoking.

Let us think also, about the police force it would take to ensure the enforcement of that law. It is already difficult to ensure enforcement of the laws concerning marijuana and alcoholic beverages; let us imagine now the police force it would take to enforce a law concerning the sale of cigarettes to young people. To me, that would have no sense whatsoever. I rather think that young people should be encouraged not to smoke by diverted means.

I would like to give an example to support my suggestion. Young people worship athletes, and if we had recourse to modern athletes such as Maurice Richard and Gordie Howe to show that the fact of not smoking has helped them during all their career—and I think, it is true,—I am convinced that it would greatly induce young people to imitate the athlete they worship. In fact, that would be better than preventing indirectly young people from smoking by forbidding merchants to sell them cigarettes. I think we would obtain better results by praising