

Criminal Code—Offensive Weapons

to open and maintain a biological station at Gaspé, and that that was one of the conclusions arrived at when the conference took place. Is that so?

Mr. DURANLEAU: Mr. Speaker, no definite arrangement was made. The suggestions, which appear to be satisfactory to our department in Ottawa, were that a couple of French Canadians would be sent to the school at Halifax, there to receive training during the year. Afterwards the biological board would open a branch at Gaspé at which those two French Canadians would be teachers of the inspectors and fishermen speaking the French language. I hope a definite arrangement will be concluded to that effect, because I understand it would involve a very small expense, perhaps only \$8,000 or \$10,000 a year. In that event the province would supply the school building.

Mr. CASGRAIN: May I ask the minister if Conservatives will be appointed?

Some hon. MEMBERS: Oh. oh.

CRIMINAL CODE AMENDMENT

CARRYING PISTOL, REVOLVER OR OTHER OFFENSIVE WEAPON WITHOUT PERMIT

Hon. HUGH GUTHRIE (Minster of Justice) moved the second reading of Bill No. 53, to amend the criminal code (offensive weapons).

Motion agreed to, bill read the second time and the house went into committee thereon, Mr. Gagnon in the chair.

On section 1—Offensive weapons.

Mr. LAPOINTE: May I ask the minister whether this bill is the same that was passed by the Senate on two or three occasions in recent years?

Mr. GUTHRIE: No. I believe this bill has originated in the Department of Justice in response to many requests which have come from municipal bodies, boards of trade and various other societies throughout Canada, asking that more drastic legislation be passed in regard to the use or carrying of pistols and revolvers. Requests which from time to time have come in have been very sweeping, and the penalties which we have been requested to impose have been very severe. However, after consultation with the law officers of the Department of Justice, with representatives of the various police associations and with the officers of the Royal Canadian Mounted Police it has been decided to introduce the present measure, particularly directed against pistols and revolvers on the

[Mr. Casgrain.]

one hand and offensive weapons on the other. In the bill there is a distinction between pistols and revolvers and what are known as offensive weapons. The term "offensive weapon" is defined in the criminal code as follows:

"Offensive weapon" or "weapon" includes any gun or other fire arm, or air-gun, or any part thereof, or any sword, sword blade, bayonet, pike, pike-head, spear, spear-head, dirk, dagger, knife, or other instrument intended for cutting or stabbing, or any metal knuckles, or other deadly or dangerous weapon, and any instrument or thing intended to be used as a weapon, and all ammunition which may be used with or for any weapon.

We are maintaining the clauses against the use of offensive weapons, but are presenting new clauses in regard to pistols and revolvers as distinct from other offensive weapons. One request which has come from all quarters of Canada is that we should pass an enactment in the House of Commons to prevent the importation, manufacture and sale of pistols and revolvers. As the house will readily understand, if we were to attempt legislation of that kind we should immediately be confronted with constitutional difficulties. However it is perhaps some satisfaction to know that the question of the importation of such weapons is at the present time subject to permit; such weapons cannot be imported into Canada to-day without a permit issued by the Department of National Revenue. On the other hand it must give some satisfaction to know that to-day there is no manufacture whatever of pistols or revolvers in the Dominion of Canada. So that at the present time we are relieved from any difficulty on that score.

The other matter is one of sale, namely whether or not we have the power to prevent sale within the provinces. That is a nice question. In this bill we have sought to regulate the sale, without actually prohibiting it, and we believe that in the regulations proposed in the bill we are within our constitutional rights. There are some amendments which will have to be offered as the bill proceeds, and I think as we have now reached the first section we might mention the first amendment which presents itself.

The penalty imposed by the first section for the carrying of a pistol or revolver is a term of imprisonment of five years. I think the house will agree that the penalty is rather severe. Five years or more was the penalty suggested by the petitioners, but on this section I propose to ask that it be amended by fixing the term at from one to not more than five years, thereby giving the court or judge some discretion in the matter.