

refer it to the Standing Committee on Natural Resources. Immediately after he made the suggestion the honourable senator from Leeds (Hon. Mr. Hardy) drew attention to the fact that this bill would more properly be sent to the Committee on Banking and Commerce. In fact, I think that during the absence of our leader the same suggestion was made earlier in reference to other bills by the deputy leader (Hon. Mr. Hugessen). I think that in the later part of each session it has been the practice to send bills to the Banking and Commerce Committee because it is more representative, and that this committee has handled bills which strictly speaking would ordinarily be dealt with by other committees.

I maintain that this bill deals with what are essentially matters of trade and commerce, and that it has nothing whatsoever to do with the primary functions of the Department of Agriculture.

Furthermore, the Committee on Banking and Commerce is appropriately interested in any questions having to do with interprovincial trade.

My third point is that the personnel of the Banking and Commerce Committee is more representative of the members who have taken part in the debate than is that of the Natural Resources Committee. If the bill is sent to the Natural Resources Committee and a vote is taken on it there, at least eight senators who have opposed the bill in the debate will be prevented from voting in committee.

**Hon. Mr. Godbout:** How many members of the Natural Resources Committee are in favour of the bill?

**Hon. Mr. Lambert:** I do not know. I am simply pointing out that eight members of the Banking and Commerce Committee who have spoken against the bill are not members of the Natural Resources Committee, and so would be unable to vote there. On the other hand, a number of members of the Banking and Commerce Committee have spoken in favour of the bill and as they are not on the Natural Resources Committee, they also would be denied a vote.

I maintain that in order to continue the customary practice of referring bills in the closing hour of the session, and also to permit a more representative expression of opinion in the committee, this bill should be referred to the Committee on Banking and Commerce.

**The Hon. the Speaker:** Honourable senators, the question is on the motion of the Honourable Senator Robertson, that the bill be

referred to the Standing Committee on Natural Resources. Is it your pleasure to adopt the motion?

**Some Hon. Senators:** Carried.

**Some Hon. Senators:** On division.

**The Hon. the Speaker:** The motion is agreed to, on division.

## CRIMINAL CODE BILL

### THIRD READING—DEBATE CONTINUED

The Senate resumed from yesterday the adjourned debate on the motion of Hon. Mr. Robertson for the third reading of Bill 391, an Act to amend the Criminal Code.

**Hon. Arthur Marcotte:** Honourable senators, it is getting so late and our time is so short that I will make my remarks very brief and keep them to the point. Reference to the Senate *Hansard* of Wednesday, June 27, page 706 will show that I reserved my right to propose amendments to this bill after it was reported back from committee. The honourable the deputy leader (Hon. Mr. Hugessen) then said:

You undoubtedly will have that right.

I now wish to exercise that right by proposing the following amendment:

That the bill be not now read a third time as amended, but that it be further amended as follows:

Page 11, lines 30 to 33: Strike out the words "notwithstanding that he was not, before he gave the sample, warned that he need not give the sample or that the results of the analysis of the sample might be used in evidence", and substitute therefore the following: "provided that he has been properly warned that he need not give the sample and that the results of the analysis of the sample may be used in evidence against him."

This amendment is seconded by the honourable senator from Gloucester (Honourable Mr. Veniot.)

Honourable senators, before I deal with my amendment may I say just a few words about other parts of the bill? If we were not so short of time I would protest once more against the practice of sending so important a bill as this over to the Senate in almost the last minutes of the session. However, things being as they are, I will make no further protest along that line just now.

I am fully in accord with the criticism expressed by the senator from Toronto-Trinity (Honourable Mr. Roebuck) of several sections of the bill. I refer particularly to subsection (2) of the proposed new section 120, on page 4, which authorizes a peace officer to seize any firearms which he finds in the possession of a person whom he believes to be under the age of fourteen. Now,