

INDIAN ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-47, to amend the Indian Act.

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

Hon. Royce Frith (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 44(1)(f), I move that this bill be read the second time now.

The Hon. the Speaker: Is leave granted, honourable senators?

Some Hon. Senators: No.

The Hon. the Speaker: Leave is not granted.

Senator Frith: Honourable senators, I move, with leave of the Senate and notwithstanding rule 44(1)(f), that the bill be placed on the Orders of the Day for second reading at the next sitting of the Senate.

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

Motion agreed to.

MISCELLANEOUS STATUTE LAW AMENDMENT
BILL, 1984

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-58, to correct certain anomalies, inconsistencies, archaisms and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes of Canada.

Bill read first time.

SECOND READING

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

Hon. Royce Frith (Deputy Leader of the Government), with leave of the Senate and notwithstanding rule 44(1)(f), moved that the bill be now read the second time.

Hon. Joan Neiman: Honourable senators, I will take just a few moments of your time to give an explanation of this bill. It will be recalled that a few weeks ago, on June 7, the Standing Senate Committee on Legal and Constitutional Affairs presented a report on proposals to correct certain anomalies, inconsistencies, archaisms, and so on, in various Statutes of Canada. At that time the committee made a number of suggestions. The rather extensive document was studied in committee for several days, and two members of the commit-

tee, namely Senators Tremblay and Lewis, formed a subcommittee to study each of the proposals in detail.

The document was considered over the course of three hearings, and in the committee's report it was suggested that certain amendments should be made. It was suggested that one section, which it was considered did not come within the non-controversial area, should be deleted entirely. A complete folio of our hearings, together with our report, was sent to the chairman of the Justice and Legal Affairs Committee of the other place, which was also charged with studying the proposals.

It is my understanding that the committee of the other place studied our comments closely and the replies we had received from various government departments. As a result, it adopted all of the suggestions we had made in our report.

In addition, that committee made a couple of brief amendments, as follows: The first amendment was to clause 1 amending the short title of the act to read the Miscellaneous Statute Law Amendment Act, 1984. As a consequence, all of the other paragraphs had to be renumbered.

The committee of the other place also recommended that one paragraph of those sections dealing with amendments to the Criminal Code should be deleted entirely. It concerned a revised version of the French text with respect to the definition of high treason. Apparently when that section was being considered by the committee, Mr. Bertrand, Chief Legislative Counsel, advised that there appeared to be a discrepancy between the present version in *Martin's Criminal Code* and an earlier version of the definition of high treason in both official languages. In view of the need to examine and correct the version in both languages, it was decided to drop that section entirely, and it has been omitted from this bill. The section that appears in the Criminal Code at present will remain until officials of the Department of Justice have had a further opportunity to study it.

The committee of the other place also recommended that there should be a clearer definition of the time that the publication of statutes could be made, namely at the end of a session rather than just at the end of a calendar year. That amendment has been incorporated in the bill.

There was also a minor amendment to the Old Age Security Act. Recently the Senate passed Bill C-40, which received Royal Assent. This amendment was incorporated into that act, and therefore the amendment contained in the present bill was redundant and was deleted.

Those are the only minor differences between the proposals which our committee studied and the bill now before you. I have reviewed the bill with Senator Nurgitz, the deputy chairman of the committee, and we agree that there is no necessity to send it to committee. I believe the honourable senator would concur in the passage of this bill.

[Translation]

Hon. Jacques Flynn (Leader of the Opposition): Honourable senators, for a number of years, it has been customary to introduce this type of bill in the Senate. The purpose of such