

*Criminal Code*

am pleased that the minister has announced there will be some minimum standards set up in so far as living accommodation and wages are concerned, because certainly we do not want to bring in workers from offshore and cut down the standards of the people in Canada who are doing this type of work.

In Alberta I believe there has been some concentrated effort to bring Indian workers from the reserves in northern Alberta and northern Saskatchewan to assist in the fields of southern Alberta. I am wondering whether the program in respect of Canadian seasonal workers will be applied to these Indian workers who come from the northern part of the province into the south; because certainly if the manpower mobility program is to be extended to any workers, I believe these Indian workers have a right to participate in this type of a program.

● (3:00 p.m.)

Generally we are pleased to see that something is being done, but it seems that it is restrictive and discriminatory if it is to be confined in the way suggested.

[*Translation*]

**CRIMINAL CODE****AMENDMENT RESPECTING HABITUAL  
CRIMINALS**

**Mr. Raynald Guay (Lévis)** moved for leave to introduce Bill No. C-166, an Act to amend the Criminal Code (Habitual Criminals).

**Some hon. Members:** Explain.

**Mr. Guay:** Mr. Speaker, the bill I am introducing to amend section 660 of the Criminal Code is for the protection of society as well as the rehabilitation of the criminal; it not only tends to punish but also to prevent crime.

In view of the spectacular failure of certain parole cases brought to light, while so many others have gone unnoticed when persons had through this method succeeded in being reinstated in society; also, in view of the less spectacular but no less real failure of the present penal system showing an average rate of relapse of 60 to 70 per cent which did not fail to be cited by the champions of criminal treatment against the believers in the specific value of the penalty, I deemed it my duty to move this bill.

In short, such deprivation of freedom will last as long as remedial measures are indicated.

Motion agreed to and bill read the first time.

23033—260

[*English*]

**AMENDMENTS RESPECTING COMMUTATION OF  
DEATH SENTENCES**

On the order:

Introduction of bills. Mr. Choquette—Bill intituled an act to amend the Criminal Code (repeal of power to commute a sentence of death).

**Right Hon. J. G. Diefenbaker (Leader of the Opposition):** Mr. Speaker, I rise on a point of order in respect of the bill entitled "An act to amend the Criminal Code (repeal of power to commute a sentence of death)." This bill should not be before parliament and it has no place on the order paper. There can be no interference with the Queen's right to grant mercy, even though this member would abolish the Queen. This ought not to be on the order paper; it is unconstitutional and improper, and cannot be justified on any ground.

[*Translation*]

**Mr. Auguste Choquette (Lotbinière):** Mr. Speaker, with all due respect to the Leader of the Opposition (Mr. Diefenbaker), I rise on a point of order.

The hon. member for Winnipeg North Centre (Mr. Knowles) recently introduced in this house a bill providing for the abolition of the Senate. Such a bill is, on the very face of it, unconstitutional, and yet it was decided that once a bill is put on the orders of the day it must be given first reading without further ado. The objection of the Leader of the Opposition is unfounded.

[*English*]

**Mr. Speaker:** Order, please. The Chair will take into consideration and study the remarks of the right hon. Leader of the Opposition.

[*Translation*]

**Mr. Choquette:** Mr. Speaker, I had not finished. This is in no way a Queen's prerogative. By referring to section 655, subsection (1) of the Criminal Code, the Leader of the Opposition will note that it deals specifically with the royal prerogative and, in my view, the bill in question is to amend subsection (2) of section 655 of the Criminal Code in a way that does not affect the royal prerogative.

[*English*]

**Mr. Diefenbaker:** That is what the difference is; commutation is an exercise of the royal prerogative.