

THE SENATE

Thursday, January 30, 1958

The Senate met at 3 p.m., the Speaker in the Chair.

Prayers.

FEDERAL-PROVINCIAL TAX-SHARING ARRANGEMENTS BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill 247, to amend the Federal-Provincial Tax-Sharing Arrangements Act.

The bill was read the first time.

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

Hon. Mr. Haig: Later this day.

CRIMINAL CODE BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill 15, to amend the Criminal Code.

The bill was read the first time.

SECOND READING

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

Hon. Léon Méthot: Honourable senators, I move the second reading of the bill.

Hon. Mr. Roebuck: Have copies of this bill been distributed?

Hon. Mr. Méthot: I do not know. The bill is a very short one. Its purpose is to correct a clerical error in section 581 of the French version of the Criminal Code. If we look at paragraph 9 of section 2 of the Criminal Code we find it defines "court of appeal" as follows:

- "court of appeal" means
- (a) in the province of Ontario, the Court of Appeal,
- (b) in the province of Quebec, the Court of Queen's Bench, appeal side,
- (c) in the province of Nova Scotia, the Supreme Court *in banco*, . . .

and so on for each province.

But paragraph 9 of section 2 in the French version of the Criminal Code defines "chef d'accusation", which in English means

"count"; and the definition of "cour d'appel"—that is, "court of appeal"—is given in paragraph 12 of that section.

Now, section 581 of the English version of the Criminal Code says:

In this part,

(a) "court of appeal" means the court of appeal, as defined by paragraph (9) of section 2, . . .

That is quite correct for the English version. And the French version is a literal translation:

Dans la présente partie, l'expression (a) "cour d'appel" signifie la cour d'appel, définie à l'alinéa (9) de l'article 2, . . .

This is incorrect, for, as I have already pointed out, paragraph 9 of section 2 in the French version defines "chef d'accusation", and the definition of "cour d'appel" is given in paragraph 12.

The purpose of the bill is merely to substitute "l'alinéa (12) de l'article 2," for "l'alinéa (9) de l'article 2," in section 581 (a) of the French version of the Code.

Hon. Mr. Roebuck: That is, paragraph 12 of section 2 in the French version is the equivalent of paragraph 9 of that section in English?

Hon. Mr. Méthot: Exactly.

The motion was agreed to, and the bill was read the second time.

THIRD READING

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

Hon. Mr. Méthot: I move the third reading now.

The motion was agreed to, and the bill was read the third time, and passed.

ANNUAL VACATIONS BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill 16, to provide for annual vacations with pay for employees in federal works, undertakings and businesses.

The bill was read the first time.

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

Hon. Mr. Haig: I suggest to the house that this bill be allowed to stand until later this day.

NORTHWEST TERRITORIES BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill 249, to amend the Northwest Territories Act.