

individual may have committed. Clearly, this still allows the government to create a national registry, does not alter the intention of the registry, and does not interfere with the court's discretion.

Most provisions of Bill C-68, amended, will still come into effect at the same time in all parts of the country. The narrow exception is that provincial governments will be permitted to delay implementation in their jurisdictions of the licensing and registration of rifles and shotguns. Since the offences related to licensing and registration have been transferred to the Firearms Act, this delayed implementation does not mean that the Criminal Code of Canada will be applied differently in different parts of Canada, although the Firearms Act will be.

There is ample precedent for delayed implementation of federal legislation in some jurisdictions, not only in the case of regular statutes but in the Criminal Code itself. Many restrictions and regulations governing the use of rifles and shotguns for hunting purposes now exist in the provinces, and they vary greatly. The proposed flexibility will not create substantial confusion, because variations already exist and Canadians are aware of them.

Provincial governments will require positive affirmation through their provincial legislatures to delay implementation in their jurisdictions. Regions which feel strongly about this issue will have the opportunity to make their decisions on behalf of the people they represent.

There is a widespread belief that the cost of implementing the licensing and registration schemes will be much higher than the estimate of \$85 million given by the Minister of Justice. The experience of those provinces which proceed immediately with all aspects of Bill C-68 will give others the opportunity to assess some of the practical difficulties before moving ahead with the scheme in their own jurisdictions.

The additional time granted will not involve an additional cost to the government. The existing firearms acquisition certificate program is essentially continued in the form of a licence to acquire and possess firearms in the new regime, and the federal government may be spared the costs of registering firearms in any areas which choose to wait for a while before beginning to implement registration and licensing.

The amendment introduced requiring that regulations made under the Criminal Code be tabled 30 sitting days before they come into effect is consistent with current provisions of the Criminal Code. One of the normal functions of Parliament is to review regulations. It is important that Parliament not surrender its powers to at least look at regulations before they become law. It should concern us that, as the bill is presently written, the Governor in Council will be able to pass regulations without them being subject to review by Parliament.

Furthermore, I believe that the words "in the opinion of the Governor in Council" should be removed. These words allow the government to avoid judicial review. They permit the minister to alter the status of an item, to restrict or prohibit it, and to deny Canadians the right to meaningful appeal to the courts.

Honourable senators, we should note that this amendment was accepted by the Justice Committee of the House of Commons and was removed by the Minister of Justice. It seems to me that when the majority of the members of a standing committee in both Houses accept an amendment, it should be honoured, or at least be given fair consideration.

I believe that the vast majority of Canadians encourage the increase of mandatory minimum sentences for the use of firearms in the commission of serious offences such as attempted murder, manslaughter, robbery, sexual assault with a weapon, and so on, and that the amendments proposed do not affect these areas. The amendment dealing with minimum sentences in clause 92(3), which relates only to the case of an individual who has committed a second or third possession-related offence in the full knowledge that it is an offence, simply gives the court the discretion to decide whether the particular case merits a significant jail term. It remains an indictable offence with a maximum sentence of ten years in prison.

It is my opinion that our museums should be exempted from the payment of fees. This will guarantee that additional costs will not cause undue strain on their very limited resources. The owners of antique firearms, which are almost never used in the commission of a crime, should also be exempted from the regulations. Antiques may be stolen from time to time, but they are bought for their intrinsic value, not for the remote chance that they could be used in the commission of a crime.

Honourable senators, I believe that the amendments being proposed are modest and reasonable. They improve the legislation and seek to reduce the impact on citizens who have committed no crime, while maintaining licensing and registration which is sought by the government.

A frequently expressed concern is that the new administrative scheme contained in the legislation is both intrusive and unnecessary. It adds yet another expensive level of bureaucracy, and complying with the new provisions will take time, effort and great care, in view of the penalties which may be applied.

I remind honourable senators that in the registration of rifles and shotguns we are not talking about people who are committing any criminal offence beyond failure to acquire a document from the government. Presently in this country, we have no minimum sentence for dangerous driving causing bodily harm, or for manslaughter. We leave it to the courts to determine what is appropriate based on the facts. I find it unbelievable that a missing piece of paper could incur a heavier penalty than killing or hurting a person.