

Criminal Code

The committee's report was unanimous. It continues:

In respect to the civil rights questions involved, your committee was much in the position of the Canadian Bar Association who, in evidence presented to the committee on November 1, 1966, stated:

"What concerned us greatly was reconciling the civil liberties, and traditional rights of an accused with this legislation and we thought that by saying that this would be made compulsory... speaking from the Criminal Code point of view... we would not deprive the citizen of a fundamental right. Whether a man is asked to breathe into a policeman's face when he is arrested or into a machine, which will be more accurate than the policeman's impression, to determine whether he has alcohol in his system or not, we feel does not really create such a tremendous attempt to waive the rights of a citizen that it should not be adopted."

This was on the basis of including in the legislation many safeguards to protect civil liberties and the rights of the accused person.

We heard in the committee on justice and legal affairs argument that the degree of impairment varies to such an extent between individuals that no standard level of blood alcohol could fairly be set for all. We also heard argument that, just as there exists in law a set speed limit beyond which a driver may not drive, regardless of individual driving skills, so should there be a set alcohol level. The recommendations of the justice and legal affairs committee dovetail exactly with those now put forward by the government.

Before resuming my seat, Mr. Speaker, I would urge all hon. members to support that part of the proposed amendments to the Criminal Code so that in Canada, as in other countries, lives can be saved. We could save possibly 20 lives a week in Canada and millions of dollars in the destruction of property. What we need is freedom not for drinking drivers but from drinking drivers.

[*Translation*]

Mr. Léonel Beaudoin (Richmond): Mr. Speaker, may I call it five o'clock?

[*English*]

Mr. Deputy Speaker: Is it agreed?

Some hon. Members: Agreed.

PROCEEDINGS ON ADJOURNMENT MOTION

SUBJECT MATTER OF QUESTIONS TO BE
DEBATED

Mr. Deputy Speaker: It is my duty, pursuant to Standing Order 40, to inform the house

that the questions to be raised tonight at the time of adjournment are as follows: The hon. member for Lotbinière (Mr. Fortin)—National Parks—Quebec—creation of parks in the province; the hon. member for Surrey (Mr. Mather)—Post Office Department—effect of increased rates on trade papers publication; the hon. member for Broadview (Mr. Gilbert)—Housing—possibility of referring task force report to committee.

It being five o'clock the house will now proceed to the consideration of private members' business as listed on today's order paper, namely, public bills.

PUBLIC BILLS

CRIMINAL CODE

MEASURE TO ELIMINATE FINE PRINT CLAUSES
IN INSURANCE POLICIES, CONTRACTS
OR DEEDS

Mr. Barry Mather (Surrey) moved that Bill C-19, to amend the Criminal Code (fine print clauses), be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

He said: Mr. Speaker, this bill is designed to protect the Canadian consumer in an area where he or she is pretty vulnerable. My hope is that the bill will not be talked out, although no doubt it will be, and that it will be referred for further study to the Standing Committee on Justice and Legal Affairs.

Let me say at the outset that I do not pretend that the bill is a perfect or complete answer to a problem which confronts many consumers, but I know there is a real problem in this area. I think the bill may provide raw material for further consideration in detail by the new Department of Consumer Affairs. I quote from the explanatory notes of the bill:

The object of this bill is to eliminate the practice whereby insurance companies, commercial corporations and individuals embody in insurance policies, contracts or deeds, fine print clauses excluding their liability under certain circumstances.

It is desirable that payment exclusions or exclusion of responsibility be listed plain and clear in the body of insurance policies, contracts and deeds.

Very briefly, the mechanics of the bill are to amend section 328 of the Criminal Code by inserting immediately after that section the following section:

328A. (1) Everyone who, with intent to mislead, prints or causes to print in small typographical