

Business of the House

BUSINESS OF THE HOUSE

Mr. Stanley Knowles (Winnipeg North Centre): On a point of order, Mr. Speaker, may I ask whether the government house leader would consider calling a meeting of house leaders perhaps later today to see whether we might have a discussion about the time to be spent on the matters we are about to begin to debate. I am not suggesting any over-all time limit in view of certain positions which have been taken, but I wonder whether the house leader would consider calling a meeting so that we might discuss the time we would spend on the first eight or ten amendments which are now before the house.

Hon. Donald S. Macdonald (President of the Privy Council): Mr. Speaker, as I mentioned to the member and to the hon. member for Peace River (Mr. Baldwin) I should like if possible to arrange a meeting this evening. I hope just as soon as the hon. member for Shefford (Mr. Rondeau) returns to the house we might be able to arrange a meeting for possibly after eight o'clock this evening. I think it might be useful to work out a procedure, in view of the fact that we have used up the equivalent of 12 full sitting days for the second reading and report stages, and since there are only 25 sitting days remaining for legislation at this session.

[Translation]

GOVERNMENT ORDERS

CRIMINAL CODE

REPORT STAGE

The house resumed, from Friday, April 25, consideration of Bill C-150, an act to amend the Criminal Code, the Parole Act, the Penitentiary Act, the Prisons and Reformatories Act and to make certain consequential amendments to the Combines Investigation Act, the Customs Tariff and the National Defence Act, as reported (with amendments) from the Standing Committee on Justice and Legal Affairs.

Mr. Gérard Laprise (Abitibi) moved amendment No. 15:

That Bill C-150, An Act to amend the Criminal Code, the Parole Act, the Penitentiary Act, the Prisons and Reformatories Act and to make certain consequential amendments to the Combines Investigation Act, the Customs Tariff and the National Defence Act, be amended by inserting

[Mr. Sharp.]

in clause 15, after the words "person who" on line 11 on page 35, the following words:

"being unavoidably prevented from finding a medical practitioner".

● (3:00 p.m.)

Mr. Speaker, I moved that amendment to clause 15 on page 35 of reprinted Bill C-150 in order to clarify the meaning of subsection (2) of the section 209, so as to prevent any misunderstanding in the implementation of this legislation.

First I shall read the new section 209 which clause 15 of Bill C-150 would substitute to the present section. I quote:

(1) Every one who causes the death, in the act of birth, of any child that has not become a human being, in such a manner that, if the child were a human being, he would be guilty of murder, is guilty of an indictable offence and is liable to imprisonment for life.

(2) This section does not apply to a person who, by means that, in good faith, he considers necessary to preserve the life of the mother of a child, causes the death of such child.

So the amendment I move Mr. Speaker, would add after the words "a person who" the following words:

"being unavoidably prevented from finding a medical practitioner."

Mr. Speaker, this amendment would prevent any person from killing a child in the act of birth if it is possible for such a person to find a qualified practitioner.

I am afraid, Mr. Speaker, that the proposed amendment to Bill C-150 would open the door to any quack who could say afterwards he acted in good faith and thus would not be prosecuted for criminal negligence.

The amendment I am introducing would oblige the woman seeking abortion, under section 209, to take all possible practical steps to find a qualified doctor to perform the abortion. Thus, in case of practical impossibility, the woman concerned could go to another person she feels is qualified enough to perform the abortion.

I am thinking, in particular, of areas very far from medical centers, hospitals, or qualified doctors. Were the case to arise in such places, it would become necessary to request to help of a person who, though not a doctor, could provide the help needed by the woman or girl whose life is endangered.

Mr. Speaker, according to the Model Penal Code of the American Law Institute, abortion will be justified only when performed in an