

Capital Punishment

Motion No. 22.

That Bill C-84, An Act to amend the Criminal Code in relation to the punishment for murder and certain other serious offences, be amended by deleting Clause 8.

Mr. Speaker, with your leave and following a discussion with my colleagues from all the parties represented in the House about motions Nos. 21, 22 and 23.

Since these are technical motions concerning pleas, refusal to plead, allowing time, pleading over, and peremptory challenge, I will simply refrain from any comment on the matter. These subjects are very clear to the House, and I would rather hope the House would vote on motions 21, 22 and 23 in order to speed up the business of the House. We should prevent any unnecessary debate.

Mr. Deputy Speaker: Is the House ready for the question?

Some hon. Members: Agreed.

Mr. André Fortin (Lotbinière) moved:

That Bill C-84, an act to amend the Criminal Code in relation to the punishment for murder and certain other serious offences, be amended by deleting clause 7.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Some hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some hon. Members: Nay.

Mr. Deputy Speaker: In my opinion, the nays have it.
And more than five members having risen:

Mr. Deputy Speaker: Pursuant to the order made on Tuesday, June 29, 1976, a recorded division on the proposed motion stands deferred. This also applies to motion No. 22, since it has been suggested that a negative vote on one of these two motions will dispose of the other. Is this agreed?

Some hon. Members: Agreed.

Mr. Deputy Speaker: As suggested by the hon. member, is the House also ready for the question on motion No. 23, in the name of the hon. member for Lotbinière? Is this agreed?

Some hon. Members: Agreed.

Mr. André Fortin (Lotbinière) moved:

That Bill C-84, an act to amend the Criminal Code in relation to the punishment for murder and certain other serious offences, be amended by deleting clause 10.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

[Mr. Fortin.]

Some hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. Members: Yea.

Mr. Deputy Speaker: All those against will please say nay.

Some hon. Members: Nay.

Mr. Deputy Speaker: In my opinion, the nays have it.
And more than five members having risen:

Mr. Deputy Speaker: Pursuant to the order made on Tuesday June 29, 1976, a recorded vote on the proposed motion stands deferred.

[English]

Mr. Reynolds: On a point of order, Mr. Speaker, I believe there has been some agreement in the House that having reached motion No. 23 we should skip to motion No. 36 in the name of the hon. member for York-Simcoe (Mr. Stevens) and forgo discussion of the other motions until tomorrow.

Mr. Allmand: Mr. Speaker, there is agreement on that.

[Translation]

Mr. André Fortin (Lotbinière): Mr. Speaker, we also agree to the motion put forward by the hon. member for Burnaby-Richmond-Delta (Mr. Reynolds).

[English]

Mr. Knowles (Winnipeg North Centre): I agree, Mr. Speaker.

Mr. Deputy Speaker: I still have to ask hon. members whether there is unanimous consent that we do not proceed in the order which has been set out but that we go directly to motions Nos. 36 and 37.

Some hon. Members: Agreed.

Mr. Sinclair Stevens (York-Simcoe) moved:

Motion No. 36.

That Bill C-84 be amended in clause 21 by inserting in line 18 at page 12 immediately after the word "Act" the following words:

"in the absence of a judge's order,"

Mr. Deputy Speaker: I shall also put motion No. 37 appearing in the name of the hon. member for Lotbinière (Mr. Fortin) as follows:

Motion No. 37.

That Bill C-84 be amended in clause 21 by

(a) striking out lines 22 to 43 at page 8 and substituting the following therefor:

"669. The sentence to be pronounced against a person

(a) whose sentence of death is commuted to imprisonment for life or who is to be sentenced to imprisonment for life for an offence under subsection 214(3) or paragraphs 214(5)(b) or (c) shall be that he be sentenced to imprisonment for life without eligibility for parole until he has served twenty-five years of his sentence;

(b) who is to be sentenced to imprisonment for life for second degree murder, shall be that he be sentenced to imprisonment for life without eligibility for parole until he has served at least ten