

people who could be given a ticket and would pay a fine, because they have to be charged under the Criminal Code now, which is a much more serious offence, will get off for another year.

Furthermore, when this legislation does finally come into effect, there will be literally tens of thousands of cases which now have to appear before the courts which can be settled out of court. I am hoping that the Ministry of Justice some way or another can get the part dealing with boating infractions through and ready by the May 24 weekend.

• (1720)

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, I would like to compliment the member for Parry Sound—Muskoka on the work he has done in bringing this bill to realization. He and I have something in common. We both have had trouble getting through to the last two Ministers of Justice. I can appreciate that, as he knows, and as all members know.

As the member has said, this has been in the works since 1985. A lot of work has been done on this. I think basically the idea is a good one. There is need for something like this. I feel a lot more needs to be done by the Department of Justice and the government to relieve the workload of the courts so that we can allow the courts to do the job which most necessarily needs to be done and that is to keep up with the caseload with which they are faced.

What we have here is a situation where there are a lot of laws through regulation that now are brought forward through the Criminal Code and require court hearings. What is being said is that a lot of these cases do not need to go before the courts. If there are going to be guilty pleas, if there are offences under regulations of various acts, then it should be enough to give a ticket or something to the alleged offender and that ticket would require the offender to pay a fine up to a maximum of \$1,000.

It may be that under the regulations the fine is set, but the fine could be set at less than \$1,000 for adults but not more because the maximum under this bill, the Contraventions Act, is \$1,000. As the member for Parry Sound—Muskoka has said, this act also applies to young offenders, but the maximum for young offenders is \$100.

Government Orders

There is a need for this bill. I think if properly handled and properly dealt with that this can be a very positive aspect of our judicial system.

The aim of this bill is twofold. One is to decriminalize approximately 3,500 offences by creating the option for the enforcement officer to issue a ticket to an offender rather than pursuing a summary conviction or an indictable action.

This will free up the court's time, eliminating the need to hear these minor offences. It still allows the officer to go by way of summary or indictable conviction if he or she wishes. It is up to the officer. The option is there.

In most cases I think that the officer will choose to go by ticketing. It helps the court's time. This of course does not mean that because someone is ticketed they have to plead guilty. If they feel there are extenuating circumstances and they are not guilty of the offence for which they have been ticketed, they can arrange to be heard in court. In some cases they may be even able to submit written evidence and not have to appear in court if the distance is too far.

The courts and the system and the act are going out of their way to simplify matters which the government feels, and I think too with a great deal of justification, can be dealt with more simply than they are at the present without dealing with the high priced talent in courts and through lawyers, judges and so on in order to take time which is needed for more complicated and lengthy processes.

Not only that, but this legislation is supported by all the attorneys general of the provinces. There is heavy demand from most government departments to have their regulatory and other minor offences included among those covered by Bill C-46. At present, this bill covers 12 departments, commissions or boards, whose regulations or sanctions will be covered. These offences can be ticketable.

As the bill is in place for a while it is presumed that more departments, commissions and agencies will come in. More than the estimated 3,500 offences will be brought under this bill. Also, with the support of the provinces it will just continue to grow.

There is one major concern—and this is a major concern—as to what is going to be ticketable, what is going to be given this option to be ticketable as an offence, is left to Orders in Council. If done conscientiously this will not be a problem. If the government