

I do not see the purpose of a law put into place which will materially affect a vast majority of people who are operating in innocence and honesty. We do not legislate against the innocent. Yet that is what will happen unless this amendment is accepted. If this amendment is accepted, those people within the hunting fraternity will realize the minister has an understanding of their genuine concerns, that the minister is responsive to those concerns and is not hard-nosed and determined to get the last inch or the last drop of blood out of this legislation.

It would be my hope that the minister would look with favour upon the arguments which I have presented with reference to motion No. 9.

Some hon. Members: Hear, hear!

Mr. Arnold Peters (Timiskaming): Mr. Speaker, I have listened with great attentiveness to the remarks of the hon. member for Kootenay West (Mr. Brisco), and I fail to see where this amendment would serve any purpose. As I read it, the transfer of a gun—

Mr. Brisco: Et tu Brutus.

Mr. Peters: Well, I fail to see the purpose of it, unless you have very queer people out there hunting for sheep.

Mr. Woolliams: That was Bert Herridge's constituency for 23 years. It was without a Tory, and now it is represented.

Mr. Peters: Well, God bless him, wherever he has gone. It is a fact that those who have guns now do not have to register them.

An hon. Member: If they borrow or lend them, they do.

Mr. Peters: The hon. member's amendment refers to a person who owns, lawfully possesses or is otherwise entitled lawfully to possess a firearm. It does not mean he has to have a certificate to do that. He may own a firearm or he may own several of them. If this were applied, it would mean someone would have to look over your shoulder all the time. I do not think even this minister is going to insist on inspections which would stop people in hunting parties from trading guns.

● (2150)

I think subsection 2(b) covers the lending of guns, and surely the hon. member is not suggesting that people who go on hunting expeditions do not know how to handle guns, so obviously those people would be able to acquire gun certificates if they were buying or selling. If this clause is amended as suggested, it will be more restrictive rather than less restrictive. People on hunting parties will be able to exchange guns. To be very blunt about it, when an officer walks up and I have a gun, he is not going to know whether it is my gun or somebody else's. All he will know is that I have a gun. I am not about to tell him I have your gun, and you are not about to tell him that you lent it to me.

Mr. Brisco: You are still breaking the law.

Criminal Code

Mr. Peters: As long as each of us has a gun, we are not going to help that officer very much. It seems to me that this amendment sets out a condition which would almost make it mandatory for law abiding citizens to feel that they should possess certificates in order to borrow guns from friends. Surely the minister would not restrict a hunting party to having a guide where the guide has the extra gun.

Mr. Brisco: Yes, read the bill.

Mr. Basford: That's right, Arnold.

Mr. Peters: Very seldom in a hunting party do one or two of the people in that party not trade guns or experiment with somebody else's gun. That is fairly normal, and I think it will continue. However, it seems to me that if we pass this amendment we would set up another category which would make it more restrictive rather than less. My total interest in this bill is to make it less restrictive. In fact I would like to get rid of the bill and all the restrictions which are in it, and go back to the sensible way of handling guns in hunting parties which we have now in northern Ontario and in most of Canada, except in those big bad cities where people use guns for other than hunting animals and for protection.

Mr. Doug Neil (Moose Jaw): Mr. Speaker, I would like to make one or two comments with respect to this motion. The minister pointed out to the hon. member for Kootenay West (Mr. Brisco) the provisions of subsection 2(a)(i), which reads:

Subsection (1) does not apply to a person

(a) lawfully in possession of a firearm who lends the firearm

(i) to a person for use by that person in his company and under his guidance or supervision in the same manner in which he may lawfully use it . . .

When I look at that particular subsection, it seems to me that that provides that when a person who owns a gun gives it to another person, the person who accepts the gun has to be in the company of the person who lent it and under his guidance and supervision. If I were out on a goose hunt, my gun jammed, I borrowed one from a hunter who was at the opposite end of the field and I walked back into the pit, it certainly could not be said that I was under the guidance or supervision of the person who lent me that gun. I ask the minister to re-examine that subsection, perhaps with the idea of bringing in an amendment on his own to clarify it.

I can understand the situation where a person takes his son or a young person out to teach him the art of hunting. That younger person would be under his guidance and supervision, but I certainly do not believe that subsection 2(a)(i) accomplishes the purpose the minister believes it does. I support the hon. member for Kootenay West because it is a common situation back on the prairies for a gun to be lent to a friend or a neighbour who is not a regular hunter but who has the opportunity once in a while on a day off and decides to go hunting. He calls his neighbour and asks to borrow his gun. The neighbour, knowing him personally and knowing that he is a reliable individual with hunting experience, lends his gun.

I myself have lent my shotgun to a neighbour on more than one occasion, and I think it is common practice on the prairies.