

C-256

First Session, Thirty-First Parliament,
28 Elizabeth II, 1979

CHAMBRE DES COMMUNES DU CANADA

THE HOUSE OF COMMONS OF CANADA

EXPLANATORY NOTES

The purpose of this Bill is to restore the death penalty for first-degree murder and high treason, while substituting a more humane punishment for second-degree murder. The abolished for second-degree murder (manslaughter) is still retained, to the point of the death sentence for persistent repeaters.

BILL C-256An Act to amend the criminal law
(punishment of certain offences)

Clause 2: Subsections 47(1) and (4) at present read as follows:

"(1) Every one who commits any indictable offence which is classified as first degree while committed by a person against another, or who attempts to commit such an offence, shall be liable to imprisonment for life." (1)
"47. (1) Every one who commits any indictable offence which is classified as first degree while committed by a person against another, or who attempts to commit such an offence, shall be liable to imprisonment for life."

First reading, October 24, 1979

Section 201 at present reads:

"201. (1) Murder is犯謀殺罪 (1) A谋殺罪
(2) Manslaughter is謀殺未遂罪 (2) A謀殺未遂罪
(3) Without limiting the generality of the foregoing, it is
planned and deliberate when it is committed directly or through
the use of any instrumentality to intend to kill one person or
another, or cause such an intention, so that the commission of the
death of one person is a necessary concomitant consequence of
any act causing of death to another.
(4) Irrespective of the circumstances in which any part
of any person dies, if it is foreseeable to a person who
(a) a police officer, constable, peace officer, sheriff,
and maintains a weapon or other article for the purpose of
the protection of his life, or
(b) a warden, deputy warden, or other officer, or
other article for the protection of his life, or
the course of his duty, under (1) or (2),"

MR. MUNRO (Esquimalt-Saanich)

C-256

Première session, trente et unième législature,
28 Elizabeth II, 1979

THE HOUSE OF COMMONS OF CANADA

CHAMBRE DES COMMUNES DU CANADA

Ce bill vise à restaurer la peine de mort pour les meurtres au premier degré et le trahison au haut degré tout en substituant une peine plus humaine pour le meurtre au deuxième degré. Les meurtres au deuxième degré (manslaughter) sont également maintenus, jusqu'à ce que la peine capitale soit de nouveau abolie.

BILL C-256Loi portant modification du droit pénal
(punition de certaines infractions)

Première lecture le 24 octobre 1979

Section 201 au présent lit :

"(1) Murder is犯謀殺罪 (1) A謀殺罪
(2) Manslaughter is謀殺未遂罪 (2) A謀殺未遂罪
(3) Without limiting the generality of the foregoing, it is
planned and deliberate when it is committed directly or through
the use of any instrumentality to intend to kill one person or
another, or cause such an intention, so that the commission of the
death of one person is a necessary concomitant consequence of
any act causing of death to another.
(4) Sans tenir compte de la circonstance dans laquelle
une personne meurt, si la mort est prévisible par une personne qui
(a) un officier de police, constable, agent de paix, shérif,
et maintient un arme ou autre article pour le protection
de sa vie, ou
(b) un gardien, adjoint gardien, ou autre officier, ou
autre article pour la protection de sa vie, ou
la suite d'un de ses devoirs au sens de (1) ou (2),"

M. MUNRO (Esquimalt-Saanich)