

*Customs Tariff*

My second point concerns Clause 1(c) which reads "constitute hate propaganda within the meaning of subsection 281.3(8) of the Criminal Code". That particular section contains a definition of hate propaganda. Since this is a sunset law, why is the Government allowing accused individuals the opportunity to proceed by indictable offence as well as summary conviction, according to this amendment? Surely we are attempting to give a clear and unequivocal signal to those who wish to import such undesirable material into Canada that we in Canada do not want it and do not believe that it is in the Canadian interest to have it in Canada. Therefore, I would suggest that as a result of giving accused persons the option of proceeding under summary conviction, which carries a lesser fine and lesser penalty than the indictable offence which is much more serious, the Government has failed to grasp the opportunity that was before it.

In its amendment under Clause 1(c), the Government should clearly have spelled out that until 1986 all actions will be followed with an indictable offence as opposed to summary conviction. That does not prejudice in any way what future amendments may or may not be and I believe that Parliament would be giving a very clear signal to those individuals. I think the Government has missed its opportunity to give that signal.

Let me deal with the sunset provision. This provision, which states that the amendment will no longer be effective after June 30, 1986, is a good beginning. However, due to the Budget debate and a host of other legislative matters on the parliamentary calendar, what will happen if the Minister of Justice (Mr. Crosbie) is unable to introduce legislation by that time in order to make changes which are so necessary and demanded by the Canadian people? I am afraid that what will happen will be a continuation of that particular amendment both in substance and perhaps for another indefinite period of time. I had hoped that the Minister of Justice would be in his place today. I realize and appreciate that he is at a very important conference. I thought the esteemed and eloquent House Leader of the Government would have been able to stand in his place and clearly say that at a given time we will have given legislation before this Parliament to address the concerns which we as Canadians have with regard to this undesirable material.

● (1220)

Unfortunately, Mr. Speaker, there must be a rift in the Cabinet. The House Leader of the Conservative Party has not stood in his place. There is still time for him to get up and wax eloquent before us that by such and such a date, within three months, there will be new legislation placed before Parliament and referred to the Standing Committee on Justice and Legal Affairs so that Members of Parliament and the Canadian community will have an opportunity to review and assess where the Government stands on this particular material.

This was an opportunity for the Tories. Once again opportunity came and the Tories have missed that opportunity. I would hope, and I stand to be corrected by the Hon. House Leader of the Conservative Party, that he may yet later this

afternoon stand in his place, if he has received a memo from the Deputy Prime Minister (Mr. Nielsen) or the junior Minister of Justice, and tell us when legislation will be forthcoming. I know that in the spirit of parliamentary co-operation and parliamentary reform the House Leader for the Conservative Party wants to take his responsibilities seriously. He should forthwith take his responsibilities seriously and get a specific time undertaking from the Minister of Justice as to when he and the Government will bring in legislation that will address the matters we are now discussing.

It is not sufficient, I suggest, Mr. Speaker, with all due respect, to say in Clause 2 of the amendment which is part of Bill C-38 that by June 30, 1986 this amendment will no longer be in effect. I think we need more. I think the Canadian people who overwhelmingly supported the Conservative Party in the last federal election deserve more than that. They deserve more than just a pat on the head, if you will. I would hope that the very eloquent, distinguished House Leader of the Conservative Party would for once assume his responsibilities, in a responsible and serious way and stand in his place and give us that undertaking.

**Mr. Nunziata:** That is wishful thinking.

**Mr. Dingwall:** I want to compliment the Minister of State for Finance (Mrs. McDougall) who is not in the House. No doubt she is in the Government lobby listening with great care to the views expressed by Opposition Members of Parliament—I am very certain of that—but I want to congratulate her for bringing this legislation forward. It may not curtail, it may not assist, but it is a sincere attempt by the Government, which we support and which the New Democratic Party supports, to try to tackle the issue. The Tories have gone only a very small part of the way, in my view. I think there is a great deal to be done. I would hope Hon. Members opposite will see this opportunity to raise their concerns when caucus meets tomorrow and come back some time later tomorrow and share with Members of Parliament the specific date when we will be discussing both the timing and the substance of the legislation.

**Mr. Nunziata:** Mr. Speaker, I would like to congratulate the previous speaker on his comments. I was listening very attentively to what he was saying. I agree whole-heartedly with his comment that the Government is not taking the bull by the horns and bringing in the necessary legislation. It is the Conservative Government's approach to governing in this country. This Government appears to be constantly shirking its responsibilities notwithstanding that it was given a massive mandate on September 4 to provide the necessary leadership in this country and to bring in legislation for the benefit of Canadians from coast to coast.

What we find time and time again is that the Tories are dragging their feet because they are afraid, because the Prime Minister (Mr. Mulroney) is afraid to make the tough decisions that are necessary in order to govern properly. The Prime Minister is afraid to alienate any one particular group or individual. As a result we have had all this consultation going