

Gun Control

Mr. Nystrom: Mr. Speaker, I wish to make two points, and I make them very seriously. When you did the count to see how many Members were in the House opposing the extension of hours, it was one minute after four o'clock, and the Hon. Member for Malahat—Cowichan—The Islands (Mr. Manly) had been calling it four o'clock. According to our Standing Orders, at four o'clock we go into Private Members' Hour and there cannot be a motion put at that time because we are no longer in the regular business on the capital punishment debate. It is four o'clock, a Member of this House called it four o'clock, and you are not allowed, in my opinion, to put the motion at that particular time.

Second, Mr. Speaker, you were sent in writing a copy of a motion to extend the hours by the Hon. Member for Winnipeg—Assiniboine (Mr. McKenzie), saying that he wanted the hours extended on the motion before the House. Now, Mr. Speaker, that was clearly out of order. He sent that to you in writing, and he got up and verbally tried to change it from the word "motion" to the word "amendment".

The practice in this House is that if one moves an amendment in this House or a motion in this House, one sends it to the Speaker in writing.

First, Mr. Speaker, you counted the Members, who opposed extending the hours after four o'clock and, second, the motion was changed when the Speaker was already up in the chair considering the original written motion.

In both cases I think we have here a procedural irregularity.

Mr. Fulton: On a point of order, Mr. Speaker—

The Acting Speaker (Mr. Paproski): Before I recognize any more points of order, let me indicate that we are looking for a precedent right now. Before I recognize the Hon. Member, and if he would bide his time for a few minutes, then I could just get the official transcript of what I am looking for at this time.

Order, please. The Chair has looked at this motion. It finds the motion in order. We will now go into Private Members' Hour and then continue, at ten minutes after five o'clock, with the debate as we had it this afternoon.

Mr. Murphy: You guys just killed the weekend.

An Hon. Member: Is this new co-operative federalism?

Mr. Allmand: Mr. Speaker, I rise on a point of order. I want to ask the Deputy House Leader—and here we have before the House an extremely serious motion as to whether or not we bring back the death penalty in this country—whether he considers this the way we should deal with the motion, that is, late on a Friday afternoon, without consultation with the opposition Parties, and on a matter which could bring back the death penalty in this country. Is this the official policy of the Conservative Party on how we deal with a serious matter like this one in this country?

A vote could take place this evening on this without two-thirds of the Members—

Mr. King: No, it can't.

Mr. Lewis: No.

Mr. Allmand: Debate could end. The Hon. Member is right. The vote could not take place, but the debate could end and the vote would be on Monday before a lot of Members could speak on this matter.

I am asking him if that is the policy of the Government in dealing with this extremely important matter. If it is, he won't get any co-operation from me this week or any other week.

Mr. Manly: It is shameful.

The Acting Speaker (Mr. Paproski): That is not a point of order. It being 4.10 o'clock, the House will now proceed to the consideration of Private Members' Business—

Mr. Prud'homme: Mr. Speaker, on the same point of order—

Mr. Malone: It cannot be the same point of order because there was no point of order.

The Acting Speaker (Mr. Paproski): I am now entertaining Private Members' Business. Private Members' Business is in the next hour. If the Hon. Member wishes to raise any more points of order with regard to the motion, he may do it after Private Members' Hour. I do not want to disturb Private Members' Hour.

It being 4.10 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--PUBLIC BILLS

[English]

CRIMINAL CODE

MEASURE TO AMEND

Mr. Jim Fulton (Skeena) moved that Bill C-213, an Act to amend the Criminal Code (gun control), be read the second time and referred to a legislative committee.

• (1610)

He said: Mr. Speaker, it is a disturbing moment to start debate on Bill C-213 which I think is a fundamentally important Bill to many Canadians. It includes two particular sections. One, the removal of search and seizure powers of a dwelling house without warrant. This Bill flowed from amendments to the Canadian Criminal Code in 1977. Since that time, as we know with the adoption of the Charter in 1982, many people view with repugnance the section that was brought in with those amendments to the Criminal Code which allowed for powers for the search and seizure of a dwelling