

# HOUSE OF COMMONS

Monday, February 8, 1993

The House met at 11 a.m.

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*Prayers*

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## PRIVATE MEMBERS' BUSINESS

[*English*]

### CRIMINAL CODE

#### MEASURE TO AMEND

The House proceeded to the consideration of Bill C-227, an act to amend the Criminal Code (desecration of the flag) as reported (with amendment) from the legislative committee.

#### SPEAKER'S RULING

**Mr. Speaker:** There are three motions in amendment on the Notice Paper for the report stage of Bill C-227, an act to amend the Criminal Code (desecration of the flag), standing in the name of the hon. member for Scarborough East.

[*Translation*]

Motions Nos. 1, 2 and 3 will be grouped for debate and voted upon as follows:

A vote on Motion No. 1 will apply to Motion No. 2.

Motion No. 3 will be voted upon separately.

[*English*]

#### MEASURE TO AMEND

**Mr. Bob Hicks (Scarborough East)** moved:

Motion No. 1.

That Bill C-227 be amended in Clause 1 by striking out line 5 at page 1 and substituting the following therefor:

"one who, in a public place, wilfully burns, defaces, defiles,"

Motion No. 2.

That Bill C-227 be amended in Clause 1 by striking out lines 6 and 7 at page 1 and substituting the following therefor:

"mutilates, tramples upon for the purpose of desecrating the national flag of Canada, is guilty".

Motion No. 3.

That Bill C-227 be amended in Clause 1 by adding immediately after line 9 at page 1 the following:

"(2) For greater certainty, the national flag of Canada does not include a representation of that flag."

• (1110)

He said: Mr. Speaker, I would like to make some very brief comments on these amendments. First of all I would like to thank the many individuals and organizations that put so much time and thought into improving this bill.

I recognize that the first draft contained many loopholes in its definitions but I believe that the definitions have been made clear and the loopholes have been filled as a result of the amendments which have been read by the Speaker.

One of the most important and enduring symbols of our national identity is the Canadian flag. However, one of the difficulties in addressing this is in adequately defining what we mean by the flag as the representative symbol.

Without these amendments children could possibly lick the maple leaf off a lollipop. Individuals could stamp out a cigarette in an ashtray which had a reproduction of the Canadian flag. This is precisely the reason why these amendments have been submitted today.

It is my opinion that the majority of Canadians have a great deal of respect for the Canadian flag and wish to preserve it as their national symbol. When people speak of the Canadian flag, they conjure up an image of a red flag of the proportions two by length and one by width containing in its centre a white square the width of the flag bearing a single red maple leaf which is flying proudly on top of a flagpole. This piece of cloth, this flag, our national symbol, is what we wish to protect.

May I say that I am not alone in feeling this way. That epitome and pillar of excellence, that monument of