

There were drafting problems, and this brought about the second part of the amendment.

The third part of the amendment has to do with instruments for illicit drug use. This amendment is designed to exempt medical devices which are subject to control by Health and Welfare under the Food and Drug Act from inclusion in this Bill. There was no evidence offered during meetings of the legislative committee to support the contention that medical devices such as needles and syringes are a problem in promoting illegal drug use. The Bill as reported by the committee would make it an offence for any group, which would include public health offices, to operate needle exchange programs to prevent the spread of AIDS. I have, therefore, submitted these amendments.

I went to the library and got the Act respecting food, drugs, cosmetics, therapeutics and so on. "Device" is defined as:

"Any article, instrument, apparatus or contrivance, including any component, part or accessory thereof, manufactured, sold or represented for use in

(a) the diagnosis, treatment, mitigation or prevention of a disease, disorder or abnormal physical state, or the symptoms thereof, in man or animal,

(b) restoring, correcting or modifying a body function or the body structure of man or animal,

(c) the diagnosis of pregnancy in humans or animals, or

(d) the care of humans or animals during pregnancy and at and after birth of the offspring, including care of the offspring,

and includes a contraceptive device but does not include a drug;"

These are worth-while amendments and I request that every Member of the House support the Bill, not because I have brought it forward, but because we are sending a contradictory message to the youth of today. There are approximately 1,000 head shops across Canada, 27 on Yonge Street alone. These unscrupulous people set up head shops next to video arcades, where many youth of our nation tend to congregate, and sell this drug apparatus.

● (1410)

Cocaine is an illegal substance in Canada today yet the youth of our nation can walk in and buy a cocaine free-basing kit to make crack. It seems absolutely ridiculous.

I have asked for a legal opinion on the constitutionality of Bill C-264. I will willing to table a report to Charles Robert. It states:

This opinion has been discussed with Marcel Pelletier who agrees that Bill C-264 could probably withstand a constitutional challenge.

It also states:

"I trust that this opinion is satisfactory for the committee's purposes. While Bill C-264 would appear to be constitutionally valid for the reasons given herein, I cannot guarantee that a court would not come to a different conclusion based on a particular set of facts before it. Still, having taken into account what I believe to be the relevant considerations, the committee should feel sufficiently secure on the constitutional question to proceed as it wishes."

### *Illicit Drugs Promotion*

I have been given the assurance that the Liberal Party would support a Bill such as this. I believe any thinking Member would support a Bill such as this.

Many statements have been made in debate on this Bill to the effect that we might have to eliminate the writings of Sir Arthur Conan Doyle about Sherlock Holmes because Sherlock Holmes was a cocaine addict. Nothing could be further from the truth.

We are talking about eliminating magazines like *High Times*, a magazine which promotes the use of drugs to the youth of our nation. Why should we be sitting in the House debating child care, free trade agreements and trying to make opportunities for the youth of this nation when the moral fibre of our youth is being decayed? I urge speedy passage of this Bill and look for the co-operation of every Member of the House.

**Mr. John Nunziata (York South—Weston):** Mr. Speaker, I appreciate the opportunity to make some brief submissions with regard to this piece of this legislation. As a representative of the Liberal Party I participated in the committee deliberations with regard to this Bill. I indicated at committee that the Liberal Party is prepared to support this private Member's initiative. I hope that the Hon. Member has the support and endorsement of his colleagues on the government side.

This legislation is a small step in the right direction. In my view, drug abuse is a national tragedy deserving of national consideration. It is not a problem that is unique to metropolitan Toronto, Montreal or any major urban centre in Canada. Drug abuse is a problem in every community in the country.

The people who are harmed the most are young people. They are exposed to drugs at a very early age. We as parliamentarians have a responsibility to do what we can to try to curb and eliminate to the largest extent possible illicit drugs in Canada.

One has to recognize that it is not the young people who import narcotics into Canada. It is not the young people who are primarily responsible for the trafficking of narcotics in Canada. They are adults. Any national drug strategy ought to include very serious and strict measures to curb the importation and distribution of narcotics.

This legislation would deal with drug paraphernalia which, as the Hon. Member indicated, is sold in head shops across the country. He indicated that there were approximately 1,000 of these outlets in Canada. We heard evidence from representatives of different police forces. We heard evidence from the drug enforcement section of the Royal Canadian Mounted Police. They indicated as well that it was a step in the right direction. They feel that this legislation will at least stop the promotion of the use of illicit drugs in Canada.

As I was indicating, this is only a small step. There was a study done by the Standing Committee on National Health and Welfare which reported to the House. The committee