

I am well aware of the social nuisance of problems of inconvenience caused by the practice of soliciting for the purpose of prostitution in public and the problems associated with the enforcement of the bawdy house provision, as well as the complications that may result from the recent decision of the Supreme Court of Canada in the Galjot and Whitter cases.

We need to examine carefully whether the problem of street soliciting, for example, can best be resolved by criminal sanctions or by sanctions under provincial law such as occur in Nova Scotia under provincial loitering legislation.

[*Translation*]

As hon. members probably know, last week the by-laws of the City of Montreal were declared ultra vires by the Quebec Superior Court because they govern acts that already fall under the Criminal Code. I realize that this is another aspect that must be carefully considered, and I hope that the Committee on Justice and Legal Affairs will examine this question thoroughly when considering Bill C-53. In any case, all individuals and agencies concerned will have a chance to air their views. Finally, I should also like to point out—

[*English*]

—in the speeches by the hon. member for Vancouver Centre (Miss Carney) I have noticed that she was pretty preoccupied and concerned about the situation. I am most sympathetic as I think it is a difficult problem. However, I have just indicated that in Nova Scotia some decisions of the court have permitted the police to operate quite successfully without reversal in appellate divisions. There is a similar situation with the present provisions in the city of Toronto where people who are soliciting have been arrested, and the police have been rather successful in court. I am wondering why it is so difficult to proceed in other provinces when it is possible in some provinces with the existing law. It is not an easy problem.

My predecessor, Mr. Flynn, very clearly said that we should not amend the Criminal Code and that such matters should be dealt with through either the loitering legislation of the provinces or through the municipal bylaws. At that time, I did not agree; but with the recent development of efficiency and judgments with regard to the situation in some provinces, perhaps he was right. Therefore, if he was right, I will be delighted to recognize that. However, I would like the members of this committee to look at these solutions and invite some witnesses. Some people think that if we press too hard concerning the provision respecting solicitation, especially the women's groups which feel that it is oppressive to women, it might be more than they would like or the legislature would like. I found, from discussions and after waiting for the decision of the Supreme Court in the Galjot case, that the problem was not as easy as I had expected it would be.

I would like the committee to look at all these aspects, even if they are not clearly stated in the bill. I also noted the speech of the hon. member for Nepean-Carleton (Mr. Baker) who said that it would have been nice if we had discussed these matters before. However, I would like to tell him that this bill does not concern a new subject, but one which has been

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debated for some time. The Law Reform Commission has looked into the matter and some work has been done since. There was discussion at the time that Mr. Basford tabled Bill C-52 on the same subject. We never managed to proceed, but there was some debate. The House is not seized with a brand new problem. It has been debated in many instances in the House, in committee and in the public.

I now hope that members of the committee will look at the problems. We will debate it and hear witnesses. I am open to suggestions. However, the problem is that it is always extremely difficult to balance freedom and order. Judgments always affect both sides, generally speaking, because if one goes too far in one direction, one will perhaps create a problem concerning the freedom of the people; and if one goes in the other direction, one will have a problem with a society which is a bit too lenient.

Therefore, I will do my best with the help of the members. I am glad the committee work on this subject will start early so that we can conclude the debate and the legislation early next year.

Some hon. Members: Hear, hear!

Mr. Deputy Speaker: Is the House ready for the question?

Some hon. Members: Question.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. Members: Agreed.

Some hon. Members: On division.

Motion agreed to, bill read the second time and referred to the Standing Committee on Justice and Legal Affairs.

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[*Translation*]

CANADA NON-PROFIT CORPORATIONS ACT

MEASURE RESPECTING NON-PROFIT CORPORATIONS

Hon. André Ouellet (Minister of Consumer and Corporate Affairs) moved that Bill C-10, an act respecting Canadian non-profit corporations, be read the second time and referred to the Standing Committee on Justice and Legal Affairs.

He said: Mr. Speaker, I would like to table for second reading in the House today, Bill C-10, an Act respecting Canadian non-profit corporations. There are in Canada some 3,000 non-profit corporations that are federally incorporated, and the purpose of Bill C-10 is to modernize the legislation applying to such corporations. Generally speaking, the bill's aim is to establish rules and guidelines for all those involved in the administration of non-profit corporations, and this includes managers, professional advisers, consultants and government employees. Under the bill, directors of non-profit corporations