

## Proposed Legislation

**Mr. Speaker:** Order. The hon. member is proffering information in trying to make a point.

**Mr. Berger:** I was trying to lay, Mr. Speaker—

**Mr. Speaker:** I think it was quite clear what the hon. gentleman was trying to do, and I do not think it was quite in order.

**Mr. Berger:** Mr. Speaker, on a point of order, I was trying to lay the factual groundwork for my question, which I regard as dealing with urgently required information.

**Mr. Speaker:** The hon. member on two or three counts had transgressed by the time I had cut it short. I think perhaps if he will think over the question he would like to put and draft it in a way that might be acceptable, it would be much better.

[Later:]

**Mr. Berger:** Mr. Speaker, I have altered my question in accordance with Your Honour's kind suggestion and I should like to ask the Prime Minister whether, in view of his announcement this morning, it is the government's intention to ask parliament to give to the government the same right to reduce tariffs that President Kennedy has under the trade expansion act.

**Right Hon. J. G. Diefenbaker (Prime Minister):** Mr. Speaker, I think that question is one that cannot be asked on the orders of the day, on several grounds. Of course the usual answer, which would be appropriate, is that if any decision is made in that regard, parliament will be informed.

## CRIMINAL CODE

AMENDMENT TO CHANGE RULE RESPECTING  
INSANITY

**Mr. F. Andrew Brewin (Greenwood)** moved for leave to introduce Bill No. C-65, to amend the Criminal Code (insanity).

**Some hon. Members:** Explain.

**Mr. Brewin:** Mr. Speaker, the purpose of this bill is to amend the Criminal Code so as to abolish the rule in M'Naghten's case as to criminal responsibility of the insane. That rule originated in 1843, and is to the effect that insanity as a defence to a criminal charge means a disease of the mind to the extent that the accused is incapable of appreciating the nature and quality of his acts, or knowing that they are wrong.

The proposed amendment substitutes a rule that a person is insane for this purpose if his act is the product of mental disease or

[Mr. Berger.]

defect. The proposed amendment is in line with modern concepts of mental illness and criminal responsibility.

Motion agreed to and bill read the first time.

## IMMIGRATION

EXTENSION OF AMNESTY TO CERTAIN PERSONS  
ILLEGALLY IN CANADA

**Mr. Ian G. Wahn (St. Paul's)** moved for leave to introduce Bill No. C-66, to grant amnesty to and confirm the rights of Asians, Africans and other persons subject to racial discrimination whose admission to Canada may have been irregular or illegal.

**Some hon. Members:** Explain.

**Mr. Wahn:** Mr. Speaker, the purpose of this bill is to grant amnesty to and confirm the rights of Chinese and other Asians, Africans and also other persons who may have entered Canada by means of deception or other irregular or illegal means but who would not have been forced to resort to such deception or irregular or illegal means had they been citizens of other countries which are treated more favourably under our immigration regulations.

Motion agreed to and bill read the first time.

## FINANCE

LEGISLATION PROVIDING RELIEF AGAINST  
UNCONSCIONABLE TRANSACTIONS

**Mr. D. S. Macdonald (Rosedale)** moved for leave to introduce Bill No. C-67, respecting relief against unconscionable transactions.

**Some hon. Members:** Explain.

**Mr. Macdonald (Rosedale):** Mr. Speaker, on Tuesday of this week, October 16, the Ontario court of appeal delivered reasons for judgment in the case of Sampson v. Barfried Enterprises Limited holding that the Ontario unconscionable transactions relief act was ultra vires of the province as being in relation to interest, a subject matter within the legislative competence of the government of Canada. The bill proposes to enact as a statute of Canada substantially the provisions of the Ontario act, which I might say are substantially repeated in the laws of several of the other provinces.

Motion agreed to and bill read the first time.