

Criminal Code

(Translation):

Has the Minister of Transport received a request from the city of St. Johns (Quebec) for the lease of a site south of Central Vermont railway bridge, at St. Johns?

I would also like to ask a supplementary question. Has the Minister of Transport been requested by the junior chamber of commerce of St. Johns that this site be leased to the city of St. Johns rather than to private interests?

Hon. Leon Balcer (Solicitor General): I shall make the necessary inquiry into this matter, Mr. Speaker, and shall give an answer tomorrow.

BRIDGES

CHAMPLAIN BRIDGE, MONTREAL—INQUIRY AS TO CONSTRUCTION

On the orders of the day:

Mr. Gerard Loiseau (St. Ann): Mr. Speaker, I wish to direct a question to the Minister of Transport or, in his absence, to the acting minister.

Could the minister indicate why all construction work has been suspended on the Champlain bridge, which is a necessity not only for the western part of the city of Montreal, but also for the people on the south shore? If there are serious reasons for this, could he state them?

Hon. Leon Balcer (Solicitor General): Mr. Speaker, I have no comment on that today, but I shall take the question as notice.

(Text):

BUSINESS OF THE HOUSE

COMBINES ACT AMENDMENT—SUGGESTED POSTPONEMENT OF CONSIDERATION UNTIL NEXT SESSION

On the orders of the day:

Hon. L. B. Pearson (Leader of the Opposition): Mr. Speaker, may I ask the Minister of Justice if he is now in a position to answer the questions which were addressed to the Prime Minister the other day in connection with the procedure to be followed in relation to the amendments to the Combines Investigation Act?

Hon. E. D. Fulton (Minister of Justice): Mr. Speaker, I regret that I am not in a position to give a definite answer, but I expect to be in a position to do so early next week. I have not yet concluded discussions with my colleagues.

CRIMINAL CODE

The house resumed, from Tuesday, June 30, consideration in committee of Bill No.

C-58, to amend the Criminal Code—Mr. Fulton—Mr. Seigny in the chair.

On clauses 2 and 3.

The Chairman: We were considering clauses 2 and 3 simultaneously. Shall these clauses carry?

Mr. Fulton: Mr. Chairman, last night when we were dealing with these clauses it seems to me that a certain amount of misunderstanding arose as to the nature and effect of these provisions and as to why they have been included in the bill. I thought therefore a short statement from me at this time might be helpful. I should therefore like to advise the committee as to the background situation and what it is that we hope to accomplish by these provisions.

These clauses deal in an interim way with some of the many problems in relation to crimes committed on aircraft, which are the subject matter of study by international lawyers, as well as municipal lawyers.

Under the authority of the international civil aviation organization, international lawyers from many countries are grappling with the problem of working out rules of private international law which may be adopted by all the nations so there will be some country adopting jurisdiction and accepting responsibility in every case, and so there will be no overlapping of claims and unseemly clashes as between the legal systems of different nations.

This great project which has, as I have said, been tackled in an organized way by international lawyers from many countries will, apparently, take a long time to conclude. There are many problems to be solved and many possible principles that might be adopted for their solution. These are all being explored on a systematic basis and the result will, I am confident, provide all nations with a sound and proper basis for its domestic legislation.

In the meantime there are certain gaps in the provisions of our law in connection with crimes committed on aircraft which cannot be ignored. These include, first, the fact that our law does not recognize criminal law running with an aircraft over the high seas; and second, the determination of the situs of a crime so as to determine substantive law and jurisdiction is virtually impossible, so as to leave the culprit free from prosecution.

The result is that so far as our law is concerned, one man could deliberately and with malice aforethought kill another on an aircraft over the Atlantic and, on landing in