

crimes, yet Bill C-2, to which my colleague the hon. member for Northumberland-Durham (Mr. Lawrence) has already referred and which was passed in the last parliament, provides that the death penalty shall continue in Canada, for certain crimes, until December 31, 1977.

In view of the public interest in this question and, if you believe the various Gallup polls, the fact that the public is heavily in favour of the death penalty being retained, I believe it is important that the House retain unto itself some facility to allow the members to reintroduce this question, if they see fit, some time after December 31, 1977. That is why I am proposing that any 50 members in the House can introduce a motion in the terms that I have set out in motion No. 45 and that, should the House agree to the motion, it would instruct the Minister of Justice or the Solicitor General to bring in whatever motion or legislation is required to give effect to the will of the majority of the House.

In short, it is a way to ensure that this parliament will always be responsive to the public will. If we are going to agree, as appears to be the case now, to end the death penalty immediately, I believe the original commitment which the Solicitor General gave, that the death penalty would continue until the end of 1977, should be acknowledged and that at some time after that date, when there has been time to see to what extent the murder rate has dropped in this country or any other consideration that may come up, it would be helpful if members of the House had the possibility of reintroducing the topic and a debate to bring them to a different conclusion.

In suggesting this 50-member approach, I would remind hon. members, and I am sure they will agree, that it is not a particularly new approach. In fact, in the last parliament and in this parliament there were two obvious examples of this being done. First, with respect to the Turner tax affecting manufacturing and processing industries a clause was put in allowing 50 members to initiate a debate concerning the effect of that tax on the manufacturing and processing industries. Second, when we dealt with that very contentious piece of legislation, the anti-inflation program, and were setting up the AIB it was specifically provided—in this instance it was really the government which in a compromising mood suggested that 50 members should have an opportunity to review the anti-inflation program after a date which was set down in the legislation.

So certainly it is not uncommon for the House to allow 50 members an opportunity to have a further debate, and in view of the fact that there is at least a token gesture in the way of a free vote on the death penalty, surely the House should try to facilitate a free vote being taken if at least 50 members of the House see fit. That is the thrust of what we are saying. Granted, any member could perhaps introduce a motion asking that the Criminal Code be amended to return the death penalty, but we know the frustrations and difficulties involved in setting any precedence so far as the order of business of the House is concerned. In short, this motion will ensure that if there are 50 members—after all, it is a significant number; about 20 per cent of the membership of the House—who would like to have the matter debated and brought to a new conclusion, it may be done.

I urge hon. members to support this motion, bearing in mind that perhaps in this parliament we should not pass a

Capital Punishment

piece of legislation that is so dramatically out of step with the public will as we are doing currently in July of 1976. I think it behooves members of parliament to say, when we are so out of step with the public will, that at least we will facilitate a new debate in the House in order to get back into step with the public in this country.

● (1430)

The Acting Speaker (Mr. Turner): All those in favour of the said motion will please say yea.

Some hon. Members: Yea.

The Acting Speaker (Mr. Turner): All those opposed will please say nay.

Some hon. Members: Nay.

The Acting Speaker (Mr. Turner): In my opinion the nays have it.

An hon. Member: On division.

The Acting Speaker (Mr. Turner): I declare the motion negatived on division.

Motion No. 45 (Mr. Stevens) negatived.

Mr. John Reynolds (Burnaby-Richmond-Delta) moved:

Motion No. 46.

That Bill C-84, an act to amend the Criminal Code in relation to the punishment for murder and certain other serious offences, be amended in clause 30 by deleting lines 11 and 12 at page 15 and substituting the following therefor:

"30. This act shall come into force on the 1st day of January, 1978."

The Acting Speaker (Mr. Turner): Is it the pleasure of the House to adopt the said motion?

Some hon. Members: Agreed.

Some hon. Members: No.

The Acting Speaker (Mr. Turner): All those in favour of the motion will please say yea.

Some hon. Members: Yea.

The Acting Speaker (Mr. Turner): All those opposed will please say nay.

Some hon. Members: Nay.

The Acting Speaker (Mr. Turner): In my opinion the nays have it.

Mr. Paproski: On division.

Motion No. 46 (Mr. Reynolds) negatived.

The Acting Speaker (Mr. Turner): It is my understanding that earlier we deferred motion No. 36. I would suggest that we now complete consideration of this motion.

Mr. Allmand: Mr. Speaker, I have not finished all the consultations I wanted, but on balance I think I will accept the proposal of the hon. member and agree to it. In principle, I was in favour of it. It was the wording about which I