

Criminal Code

Mr. Denis: I therefore ask the hon. minister to conduct a more thorough investigation when a person applies for a licence to own a firearm. Before a person is licensed to own a firearm, care should be taken to ascertain what use is to be made of the firearm.

Mr. Speaker, I cannot discuss the principle of the bill without going into all those things.

However, allow me to revert to the subject of obscene literature. The hon. Minister of Justice was quite prepared to improve this act.

An hon. Member: He still is.

Mr. Denis: I recognize, with the hon. member for Laval, that the minister still has good intentions, but that does not prove that he has improved it. He is still prepared to improve it, but he is actually making no improvement.

But, Mr. Speaker, when the hon. minister was sitting on the opposition side, he claimed that should he some day be a member of the cabinet, he would improve the act to such an extent that it would be impossible for Canadian citizens to be contaminated by such obscene things. But, what did the minister do? He merely changed the clause which includes the definition of the word "obscenity".

In fact, Mr. Speaker, obscenity as defined by the hon. Minister of Justice is a source of income for the lawyers because it is more complicated than if we had no definition at all. Interpretations have been offered by hundreds depending on what such and such persons think about such and such things regarding the obscene literature and also depending on the various provinces where he lives.

Section 11 of the bill now before us reads as follows:

Section 150 of the said act is amended by adding thereto, immediately after subsection (7) thereof, the following subsection—

Mr. Fulton: Mr. Speaker, I rise on a point of order. At this stage, a member should not discuss a particular clause in the bill—

Mr. Denis:

For the purposes of this act, any publication—
(Text):

Mr. Speaker: Order. I am sorry I cannot hear both members at the same time.

Mr. Fulton: My point, Mr. Speaker, as I have said before to no avail, is that it is out of order to refer to the detailed provisions of the bill on second reading and I have let the hon. member go on just to prove how absurd he is. He is now trying to discuss on second reading the detailed provisions of

the bill and, as I have said all along, I am prepared to discuss details when we are in committee and I have my officers here and can answer the questions which the hon. gentleman asks.

They are all trying to get up now, and that shows exactly how out of order they are and how absurd this whole farce is, and I suggest that while the House of Commons is a friendly chamber it is really time we stopped wasting time and got down to details.

Mr. Chevrier: I, too, rise on a point of order and I suggest to you, Mr. Speaker, that it is not in order for the minister to refer to the hon. member who has just been speaking by saying how absurd he is. After all, the minister rose on a point of order—

Mr. Speaker: The hon. gentleman reminded me the other day that two points of order cannot be discussed at the same time. The point of order is whether the hon. member for St. Denis (Mr. Denis) is in order in discussing the definition of obscenity in detail.

Mr. Chevrier: And I suggest it is, because Your Honour decided earlier in the course of the afternoon that there is no principle contained in the course of the various clauses before the house and so it is impossible to discuss the principle of the bill per se. For that reason the hon. member, as have various other members during the course of this debate, has discussed several clauses seriatim having been allowed to do so previously by the Chair. I suggest that he be permitted to continue. May I add for the benefit of the Minister of Justice, that if he thinks he is going to help the passage of this bill by nonsensical points of order such as he has raised, he is mistaken.

Mr. Speaker: There is no doubt in my mind that some things have been and are out of order. The hon. member for St. Denis (Mr. Denis) has indicated his difficulty in discussing the principle of this bill because it deals with a number of unrelated amendments. The same difficulty arose for the hon. member for Hochelaga (Mr. Eudes). I think one can discuss the principle that relates to the application of the law against obscenity on second reading, but I do not think it is in order to discuss the detail of the definition and the wording of the clause. That can more properly be done in committee. The hon. member for Hochelaga dealt with the two or three clauses that related to obscenity together, and tried to indicate a general approach to the problem, as he did in connection with the problem of firearms, and I think that can be done, but when it comes to an exact definition I think the hon. member might leave that to the committee stage where he will have ample opportunity.